



The Commonwealth

INTERNATIONAL TRADE WORKING PAPER

**The Global Value Chain in Canned Tuna,
the International Trade Regime and
Implementation of Sustainable
Development Goal 14**

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International Trade Working Paper 2016/22
ISSN 3413-3175

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Please cite this paper as: Campling, L (2016), 'The Global Value Chain in Canned Tuna, the International Trade Regime and Implementation of Sustainable Development Goal 14', *International Trade Working Paper 2016/22*, Commonwealth Secretariat, London.

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Abstract

This paper examines the interaction of the international fisheries trade regime, global value chains in tuna and socio-economic development in low-income Commonwealth countries. The first section sketches the long historical relationship between European Union (EU) trade policy and domestic tuna processing in these countries. Even though the institutional landscape of trade policy is changing rapidly, the relationship for most of these countries has remained surprisingly relatively stable. Part of the explanation for this stability lies in the concentration of control of the EU-centred value chain in canned tuna by a small number of lead firms ('chain governance'), which is explored in the second section. The third section analyses the actual and potential leverage of low-income Commonwealth states over segments of the tuna industry to 'increase the economic benefits to Small Island developing States [SIDS] and least developed countries from the sustainable use of marine resources' – a target of Sustainable Development Goal (SDG) 14 on the conservation and sustainable use of the oceans, seas and marine resources.¹ The principal point of leverage examined is sovereign rights over fisheries access, which is set against the constraint of geographical isolation for many Commonwealth SIDS and the associated costs of ocean-going seafreight. With this set of analyses in mind, the final section reflects on the implementation by low-income Commonwealth states of relevant trade-related components of SDG14.

JEL codes: F02, F13, F18, F23, F63, H23, L10, L23, L52, L66, L79, O14, P12, Q22

Key words: global value chains, corporate concentration, buyer power, preferential trade agreements, canned tuna, Africa, Pacific Islands, EU, UN Sustainable Development Goals

¹ The list of ten broad SDG 14 targets referred to in the text were taken from <http://www.un.org/sustainable-development/oceans/>

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Abbreviations and acronyms

ACP	Africa, Caribbean and Pacific group
CARIFORUM	Caribbean Forum
DWF	distant water fleet
EBA	Everything But Arms initiative
EEZs	exclusive economic zones
EPA	Economic Partnership Agreement
EU	European Union
FDI	foreign direct investment
FPA	Fisheries Partnership Agreement
FTAs	Free Trade Agreements
GSP	Generalised System of Preferences
GVC	global value chain
IEPA	Interim Economic Partnership Agreement
LDCs	least developed countries
RoO	rules of origin
S&DT	special and deferential treatment
SDG	Sustainable Development Goal
SPS	sanitary and phyto-sanitary
TPP	Trans-Pacific Partnership
UNCLOS	United Nations Convention on the Law of the Sea
VDS	Vessel Days Scheme
WTO	World Trade Organization

1. The EU tuna trade regime and Commonwealth producer countries

Tariff regimes play a major role in shaping the structure of global tuna production in terms of both protecting domestic industry and offering a competitive advantage through preferential market access. Of course, trade policy cannot alone explain the geography of the tuna industry. The international division of labour in canned tuna production is also shaped, among other factors, by access to fish, geopolitics (e.g. historical spheres of influence of ‘national’ fleets), the law of the sea (especially the United Nations Convention on the Law of the Sea (UNCLOS)) and the relationship between domestic political economy and international investment. Nonetheless, historically, tuna canneries in Africa, Latin America and the Pacific islands largely focus on the European Union (EU) market and do so as a direct result of tariff preferences, while canneries in South-East Asia supply the USA, Japan and the EU but with minor or zero preferences (Campling 2016).

EU tariff escalation and trade preferences for canned tuna is based on a 24 per cent tariff peak (Table 1), which was established historically by France to protect its domestic processors and, from the 1950s onwards, French-owned canneries in West Africa that were set up to follow the fish after stocks were overfished in the Bay of Biscay (Campling 2012b). In short the global expansion of the tuna fishing industry from World War II was driven by the search for new

frontiers where stocks were in better health. The industrialisation of fisheries production that has taken place since then underscores the very high level of ambition of the SDG14 target ‘to restore fish stocks in the shortest time feasible, at least to levels that can produce maximum sustainable yield’.

Over time, French colonial trade policy was translated into EU policy, protecting tuna processors in Italy and Spain too (Campling 2015a). By the 2000s Spain was the major beneficiary of this tariff peak accounting for 71 per cent of EU production in 2011 and since 2001 has been the world’s largest producer of canned tuna, second only to Thailand (Globefish 2014). Given the highly competitive conditions in the Spanish retail market, this market share indicates the effectiveness of tariff protection, alongside various productivity-enhancing strategies of firms (Hamilton et al. 2011a).

The EU uses a classic policy of tariff escalation for tuna products, where greater levels of processing are accompanied by higher tariffs (Table 1). The EU market for canned tuna is the largest in the world and preferences available to developing countries can be grouped into two types. The first is the EU’s Generalised System of Preferences (GSP), which consists of three pillars: (a) the ‘standard’ GSP scheme, which excludes only a handful of developing countries; (b) the Everything But Arms

Table 1. Simplified EU tariff schedules for tuna and tuna products (in percentage *ad valorem*)

Product/ HS Code	MFN	GSP	EBA and GSP+	ACP/ EPAs
Fresh-chilled or frozen whole tuna/0302/03	0 (under 1604) 22 (other uses)	0 (under 1604) 18.5 (other uses)	0	0
Prepared or preserved tuna/1604	24	20.5	0	0
Prepared or preserved tuna (not in oil)/1604	24	20.5	0	0
Tuna Loins to be canned/1604	24	20.5	0	0

Sources: Adapted from EU TARIC.

initiative (EBA), which provides quota-free, duty-free treatment for all goods (bar arms and munitions) from all countries categorised as least developed countries (LDCs); and (c) the GSP+, which is available to countries that are categorised by the EU as economically 'vulnerable' and have ratified a set of 27 international conventions on labour and human rights and on environmental and good governance.

The second type of preference originates in the ACP–EU Lomé Conventions (1976–99) and Cotonou Agreement (2000–08) wherein the 77 countries of the Africa, Caribbean and Pacific group (ACP) received non-reciprocal duty free access. Canned tuna is widely recognised as one of the very few success stories of industrial upgrading sparked by the Lomé Conventions. In aggregate terms, the ACP share of world production of canned tuna grew from 5 per cent to 12 per cent between 1976 and 2003 (Oceanic Développement et al. 2005), supporting the position that 'the Lomé Convention was in a key sense the midwife in the creation of the ... ACP canning industry' (Grynberg and White 1998: 68). However, the EU argued that the non-reciprocal terms of the Cotonou Agreement made it World Trade Organization (WTO) non-compatible and in order to maintain access to the EU market ACP countries had to sign sub-regional interim or comprehensive Economic Partnership Agreements (EPAs) in 2007. These are Free Trade Agreements and provide for reciprocity.

The EU policy of tariff escalation keeps raw material input costs low for EU-based processors and provides them with maximum flexibility for sourcing inputs at the lowest price on international markets. Importantly, processors based in GSP and EPA countries do not benefit from this flexibility because the rules of origin (RoO) require that they can only process fish caught by vessels owned by firms

based in their country or region or in the EU.² This 'wholly obtained' approach is the basis of all EU preferential rules of origin for fishery products in international preferential trade arrangements. The European-owned distant water fleet (DWF) maintains that the RoO contributes to off-setting its higher cost structure compared to less heavily regulated competitors, especially in the realm of 'social and environmental conditions' (FITAG–ANFACO 2011: 2; Estudios Biologicos 2006). From the perspective of preference-receiving trading partners, such as the ACP group, EU fisheries RoO have long been perceived as a source of contention due to their restrictiveness (Commission for Africa 2005; Grilli 1993; Ravenhill 1985). Either way, there is little question that RoO ensure that the DWF are major beneficiaries of EU preference schemes as the fleet has a captive market among those EPA and GSP+ producers who do not have a domestic fleet (Campling 2008a).

Given the immediate importance of tuna processing to several small Commonwealth island economies, further to the end of the trade-related aspects of the Cotonou Agreement, from 2004 onwards governments invested a considerable proportion of their limited bureaucratic resources in efforts to maintain preferential market access for tuna exports. For example, in the Western Indian Ocean, Commonwealth states Mauritius and Seychelles signed a regional Interim EPA (IEPA) with the EU in 2007 that was driven, to a large extent, by these island countries' economic dependence on European markets for canned tuna. In the same year, a similar deal on an IEPA was reached in between the EU and Fiji and Papua New Guinea with similar motivations, especially for Papua New Guinea. These IEPAs were intended to be initial arrangements to secure continued preferential

2 EU rules of origin for fish are based upon 'wholly obtained' criteria. Under (Interim) EPAs and the EU's current GSP regime, the wholly obtained criteria for fish and fish products are that: (1) All fish is automatically wholly obtained when caught inland and within the territorial seas (12 miles from the coast) of the signatories. The location determines origination. This can also include fish caught in a country's archipelagic waters where the proper international legal procedures have been followed through the United Nations. (2) If caught outside these locations, origination is determined by the 'nationality' of the boat (i.e. when caught in exclusive economic zones and in the high seas). Nationality is determined by: (a) the boat being flagged and registered by one of the parties to the agreement; and, (b) being at least 50 per cent owned either by nationals of parties to the agreement or by a company based in one of the parties to the agreement.

market access to the EU for goods by the 2008 deadline while *comprehensive* EPAs were negotiated for other areas such as intellectual property and trade in services. The Caribbean Forum (CARIFORUM) countries led the way in terms of signing a comprehensive EPA in 2008. Other regions followed suit, with the EU signing comprehensive EPAs with West Africa in February 2014, the East African Community in October 2014 and the Southern African Development Community in June 2016. Comprehensive EPA negotiations are ongoing with the diverse East and Southern Africa grouping, although Madagascar, Mauritius, Seychelles and Zimbabwe provisionally applied an IEPA since May 2012, while the EU has suspended talks with the Pacific ACP on a comprehensive EPA.

There is little difference in the RoO in the various IEPAs and comprehensive EPAs, with the major exception being the Pacific EPA. The situation remains that, in the absence of a sufficiently large locally owned and flagged fleet, the IEPA and EPA RoO continue to lock producers into processing EU-caught fish if they want to access the EU preference. This restrictiveness can result in raw material supply problems, for example during the down season in the Western Indian Ocean fishery (even factoring in that small derogations to the RoO are available). For processors in the Pacific islands it meant that the Lomé/Cotonou preference was far from fully utilised (Campling et al. 2007). In this context, the Pacific ACP managed to negotiate ‘global sourcing’ RoO in their IEPA with the EU where the legal text recognised the ‘insufficient wholly-obtained fish to meet on-land demand [given] the very limited fishing capacity of the Pacific States’ fishing fleet’ (PACP-EU IEPA, Protocol II, Article 6.6(a)). This was considered to be a major victory because the liberalised RoO provided a necessary increase in raw material to supply investment in onshore processing capacity, ostensibly to export fish products to the EU.

A European Parliament study (2012) estimated that new investment stemming from the

reformed RoO will see Papua New Guinea’s local benefits from tuna processing grow from US\$21 million in 2012 to US\$70 million by 2018 and employment increase to 20,000. However, importantly, ‘global sourcing’ was tied to a review clause after three years of implementation in order to assess its developmental and environmental impacts. Since that time, an official review has identified weaknesses in relation to core ILO conventions (Hamilton et al., 2011a), which the Papua New Guinea government has agreed to redress in the second EU–Pacific interim EPA Trade Committee in February 2012. In this new context, the International Transport Workers’ Federation worked with representatives of over 5,000 fish processing workers to shift membership from ‘company’ unions to the independent national Maritime and Transport Workers Union, which was an important gain for workers (Campling and Havice 2013a).

To save on labour costs, EU industry imports pre-cooked, frozen loins for inserting into cans. These are largely imported from developing country suppliers where labour is relatively less costly – what I call a ‘logic of loining’.³ Although several Commonwealth suppliers benefit from duty free market access to the EU (e.g. through their EPAs and GSP+), they are unable to meet EU demand. As a result, EU preferences are eroded by the EU Single Duty Loins Quota (introduced in 2004), which allows for a predetermined quantity of pre-cooked tuna loins to enter the EU duty free from third countries on a ‘first-come, first-served’ basis (in 2014 the quota was 22,000 mt).

Typically, this quota is fully utilised by the end of the first quarter. However, in 2014 the quota was exhausted just ten days after opening – likely taken up mostly by Thai processors who are otherwise subject to pay 24 per cent duty on loins (Campling and Havice 2014a). The quota has negative trade diversionary consequences for preference-dependent Commonwealth economies vis-à-vis cost competitive processors in South-East Asia. The quota also illustrates the lobby power of

3 The ‘logic of loining’ is not solely about the search for relatively cheap labour, but also for accessing tuna fisheries, bypassing stricter labour standards and environmental regulations, allowing processors to manage inventory and mitigate fish price fluctuations (i.e. by holding raw material in cold storage), reducing transportation costs and better accessing to ocean-going seafreight networks.

EU-based processing firms to achieve ad hoc augmentation of EU trade policy when competitive conditions change. But their lobby power is countered by that of the EU DWF, as evidenced in the limited volume and temporary nature of the quota. Boat owners prefer to avoid *any* erosion of the preferential tariff system because RoO commercially privilege the fish they catch by excluding competing fleets.

Crucially for Commonwealth fish processors targeting the EU market, negotiations at the WTO under the Doha Round threatened to erode tuna preferences through multilateral liberalisation of tariffs for ‘industrial goods’ (which includes fish and fish products). If the Doha Round had been concluded, competitors who were subject to a 24 per cent tariff for processed tuna products into the EU may have paid a much lower tariff of 6–7 per cent, which would significantly erode the competitive advantage of Commonwealth processors (Campling 2008).

While direct preference erosion through the WTO looks unlikely for the foreseeable future, indirect preference erosion is an ongoing threat. Third country competitors are aggressively engaging in Free Trade Agreements (FTAs) with principal markets, potentially eroding Commonwealth exports. A recent case in point is Vietnam which has improved its access to both the EU and US tuna markets. In its bilateral FTA with the EU, Vietnam has duty free access for an annual quota of 11,500 mt of canned tuna (Campling et al. 2015a). This is in parallel with the Trans-Pacific Partnership (TPP), which, if eventually ratified, will be a major macro-regional FTA encompassing 12 countries bordering the Pacific rim.⁴ Vietnam is a potential major beneficiary of the TPP in terms of enhanced access to markets for tuna, shrimp and squid (FIS 2015), including – *eventually* – the US canned tuna market. The USA negotiated a phase-in over ten years for canned tuna in oil (normally 35 per cent) and in water (12.5 per cent when over quota) where the duty will be reduced

annually before hitting zero (TPP 2016).⁵ Given eventual dual access to the EU and US canned tuna markets, Vietnam could become a major tuna processing hub, resulting in trade diversion from Commonwealth countries.

Another threat to Commonwealth countries from the international trade regime is the unilateral nature of the GSP. A prominent example of the risks associated with reliance on the EBA is Maldives. Duty free access to the EU market supported two canned tuna factories in Maldives supplied by a huge local small-scale fleet. However, Maldives graduated from LDC status in 2011 and was removed from the EBA in 2014. Without this preference its exports appear to have become less competitive; this is evidenced in a 40 per cent drop in exports over the first half of 2014 compared to the same period in 2013. A trade shift has since become apparent. Nowadays, the Maldives is exporting more of its MSC-certified fish to Thailand for export-orientated processing to the EU (Atuna 2014).

Other fisheries-dependent countries are currently facing the spectre of graduation from LDC status. For example, Kiribati government officials are concerned that this will result in reduced duty free access to the Japanese market for a newly invested processor, threatening precious private sector employment.⁶ This raises the urgent need to reconsider the sustainability of the LDC graduation process and effective graduation frameworks (Keane 2016).

Even if a country has preferential market access for fish exports, it may not be able to utilise it. During the late 2000s Fiji was not able to export fish to the EU due to another layer of institutional complexity — the government’s failure to meet EU sanitary and phyto-sanitary (SPS) measures. Fishery-dependent Commonwealth countries are more vulnerable to the identification of SPS non-compliance by EU inspectors because the relatively small size of their industrial activities means that discrepancies are easier to identify compared to fish processing powerhouses such as Thailand (Doherty 2010).

4 Australia, Brunei Darussalam, Canada, Chile, Japan, Malaysia, Mexico, New Zealand, Peru, Singapore, USA and Vietnam.

5 See especially ‘US Tariff Elimination-Schedule’ and ‘US General Notes to Tariff Schedule’ (TPP 2016).

6 Personal communication, July 2016. See also the analysis in Keane (2016).

2. Lead firms and market power in the global value chain in canned tuna⁷

The period since the 1980s has seen a rapid concentration in US and EU grocery retail markets and an associated rise of supermarket ‘buying power’ (Gibbon and Ponte 2005). Supermarkets’ increased market share and sales density generates enhanced economies of scale, buying power and reduced unit costs relative to competitors, resulting in an oligopolistic value chain structure with high barriers to entry in the retailing node of the chain (Burt and Sparks 2003). For example, the grocery retail sector in France, the UK and the USA is each dominated by one lead firm (Carrefour, Tesco and Wal-Mart respectively) and a handful of other key players. This allows these firms’ buyers of seafood products to exert considerable pressure upstream the commodity chain on price and other areas of competition, such as product and process standards. In turn, barriers to entry in the branded food market segment are normally high. For example, supermarkets in France, the UK and the USA generally limit shelf space to a category brand leader and second and, sometimes, third place competitors (or ‘follower’ brands), which have the economies of scale to absorb supermarket cost demands and leave space on the shelf for supermarket own-brands (Campling 2012a).

Like milk, coffee and sugar, canned tuna is a ‘core category’ for retailers in many principal markets in the EU, such as France and the UK. This means that it is a high-turnover product that consumers tend to know the price of and thus compare directly among retailers. Consequently, canned tuna is often sold on promotion as a strategy to pull high-volume consumers from competing supermarkets.

The competitiveness challenges posed by supermarket power over suppliers is a common theme in global value chain (GVC) analyses of the food industry. Market power enables supermarkets to sharpen competition among suppliers. For example, supermarkets

play branded-firms off against each other through the practice of ‘slotting’: a branded-firm rents premium shelf space for a period, and even then may be squeezed for additional revenue within that period so as to not lose their retail ‘real estate’. Added to this dynamic is the power to discontinue (or ‘delist’) a brand if it does not provide a sufficient return to the supermarket.

For instance, in 2013 and 2014 Tesco delisted 70 products sold by Princes (owned by Mitsubishi), including canned tuna of which part of the supply is processed in Mauritius (*Grocer* 2013; Bamford 2014). This example is important because it demonstrates that supermarket power not only involves the squeezing of small producers as often illustrated in GVC analyses, but can also disadvantage some of the largest business enterprises in the world. Supermarkets also use their market power to extract additional revenue from canned tuna suppliers, including payments for business allowances, advertising and brochures, and damaged goods. According to Miyake et al. (2010), these ‘costs’ can represent as much as 40 per cent of the retail price of the canned tuna.

The first- and second-tier supplier firms that supply supermarkets or branded-firms with seafood products are themselves often dispersed across the globe and ownership is fragmented. This allows supermarkets and branded-firms to play suppliers off against each other, exerting considerable price pressure in the competition to win supply contracts. This pressure is transmitted to boat owners who respond by fishing harder and faster, attempting to secure strategic access (with potential rent gains for coastal states), squeezing crew and other points of labour, and avoiding regulation where possible, especially where it has a high cost (e.g. flags of convenience). Pressure in the fishing node of seafood commodity chains is often heightened

⁷ This section draws on Havice and Campling (forthcoming).

further by intense horizontal competition among boat owners in conditions of widely acknowledged overcapacity in fishing. In combination, these market and industry dynamics suggest the need for more effective monitoring, control and surveillance of fisheries systems.

Private label canned tuna is taking an increasing percentage of market share in EU markets. Increased consumer willingness to buy private label exacerbates price pressures on branded-manufactures because supermarkets can afford to sell private label more cheaply than the branded equivalent as they do not have the same marketing or supply chain management costs. Moreover, they can threaten to switch more shelf space to their private label canned tuna so as to capture more of the profit on the product category. This business strategy and other barriers to entry limit the number of branded competitors at point of retail and can limit their room for manoeuvre.

The result of these conditions of competition is the heightened tendency of concentration among branded-firms (Havice and Campling [forthcoming]). The UK market is of particular commercial importance to Commonwealth tuna processors and is characterised by a struggle for market share between John West and Princes. Concentration among supermarkets is high at 80 per cent for the top-five firms. Tesco is the dominant player, while three other firms compete for second position. Two 'national' brands control around 60 per cent of the UK canned tuna value market. This concentration may allow for oligopolistic rent capture (see Campling 2012a).

Despite general agreement that supermarkets play a 'driving' role in agri-food chains, from the perspective of most developing Commonwealth countries they are the only 'lead firms' in the canned tuna industry. Branded-firms and trading companies play a particularly prominent role and, unlike supermarkets, work directly with local labour, suppliers and governments. For example, the 'big three' tuna trading companies play a 'governing' role both in coordinating industrial tuna fisheries in the Western and Central Pacific Ocean and in supplying raw material to tuna processors (Campling et al. 2007).

There are a heterogeneity of players in the branding and manufacturing node, each with its own logics and tactics for survival in the

highly competitive tuna chain. Two main categories of firms are identified: branded-firms and non-branded-manufacturers, which are further divided into two sub-categories. Branded-firms consist of:

- (a) *branded-manufacturers*, which are often integrated backward into fishing, rely in large part on own-manufacturing for supply and also source part of their product from non-branded-manufacturers (see below); while
- (b) *marketing companies* generally rely on non-branded-manufacturers to supply their branded product and instead focus on marketing and total supply chain management/coordination, and profits derive primarily from brand rent.

Commonwealth countries do not own branded-firms, but they do host their investment in processing facilities. For example, the world's largest branded-manufacturer Thai Union controls factories in Ghana and Seychelles, and the marketing company Princes (owned by Mitsubishi) controls a factory in Mauritius. The two sub-categories of non-branded-manufacturer are:

- (c) *co-packers*, which receive a contract to produce private label and/or branded-product according to buyer specifications and are sometimes integrated backward into fishing; while
- (d) *contract processors* never own the fish, but are paid a processing fee by tuna trading companies or branded-firms, which generally coordinate procurement, product specifications and sales of finished product.

RD Tuna Cannery in Papua New Guinea is an example of a Commonwealth co-packer, and Pafco in Fiji and Soltai in Solomon Islands are examples of contract processors. The processing node of the chain is highly overcapitalised, which is a problem for non-branded-manufacturers because they rely on high volumes to generate profit in a low-margin industry. In this sense, it is fair to say that many developing Commonwealth countries are currently located at the bottom of a hierarchy in the international division of labour within canned tuna production.

3. Commonwealth government responses to canned tuna preference erosion: Leveraging fisheries access for development gains

In view of the nature of their insertion into the tuna value chain, with limited actual or potential influence over changes to the international trade regime, as well as competition among multinational firms in the canned tuna chain, there are concerns over the ability to effectively implement the SDGs, in particular, SDG14, which states: ‘By 2030, increase the economic benefits to Small Island developing States and least developed countries from the sustainable use of marine resources.’ This concern is heightened by the extent of direct and indirect preference erosion for fish products.

A common refrain for SIDS suffering from preference erosion is for them to diversify into ‘niche’ products and/or alternative markets. But it is far less common for such proposals to be thought through in relation to the evidence. A recent study by Campling (2015b) of alternative markets for canned tuna and tuna loins for Pacific SIDS found very few commercially serious options. Instead, the competitive advantage of existing EU and US tariff preferences was found to be a crucial pillar in the survival of these processors under current world-market conditions.

A major disadvantage for Pacific Island tuna processors are very high sea-freight costs relative to competitors, particularly South-East Asian processors. Comparative freight rates for 20-foot dry containers (finished goods) are presented in Table 2. The costs of exporting to a number of alternative markets from the two current locations of canned tuna production in the Pacific islands – Papua New Guinea and the Solomon Islands – are compared with the costs of shipping from clusters of tuna processing in South-East Asia and Ecuador. It is apparent that the cost of shipping finished

product to markets in Japan, Latin America, the Middle East, Russia and South Africa is prohibitively more expensive from these two SIDS. Shipping even to Australia, which neighbours Papua New Guinea and the Solomon Islands, is much cheaper from Southeast Asia. This is part of a long-standing problem facing SIDS of their relative and crucially *permanent* physical isolation from principal markets and concomitant extreme economic vulnerabilities (Hache 1998; Campling 2006). This is in comparison to a location such as Thailand which benefits from being at the apex of the Indian and Pacific oceans for raw material supply and as a hub on the East-West sea-freight ‘superhighway’.⁸

There is a substantial body of work on the role of high trade costs (particularly of ocean-going seafreight) as a competitive disadvantage to many SIDS because they incur structural (spatially induced) costs on trade (UNCTAD 1996, 1997, 2014a). As UNCTAD put it in a chapter of *Review of Maritime Transport 2014* dedicated to the analysis of SIDS: ‘Transport costs of SIDS trade are comparatively high because small volumes of trade have to travel long and indirect routes to reach distant markets’ (2014b: 105). Of course, this depends entirely upon location. Some islands are in a better relative position than others in terms of their geographical proximity to major markets (e.g. the Caribbean’s geographical relation to North America or Singapore’s strategic positioning in Asia compared to Atlantic, Indian and Pacific ocean SIDS).⁹

Tuna processing is a labour-intensive activity providing much needed employment in relatively undiversified low-income Commonwealth economies (e.g. Barclay 2010;

8 Multiple interviews with European, Japanese and Thai tuna industry representatives, 2006 and 2015.

9 However, the actually existing peripherality of Indian and Pacific Ocean SIDS does not reduce the vulnerability of Caribbean SIDS because feeder shipping services are precarious – a foreign liner may decide to bypass any port at any time.

Table 2. Freight cost comparison for 20-foot dry containers of canned tuna (\$US/container)

Destination	Supplier					
	Lae, Papua New Guinea	Noro, Solomon Is.	Bangkok, Thailand	Jakarta, Indonesia	Gen. Santos, Philippines	Guayaquil, Ecuador
Melbourne, Australia	1,100	1,100	650	550	650	2,200
Cape Town, South Africa	2,890	2,890	875	800	1,150	2,500
Tokyo, Japan	1,700	2,000	350	350	750	1,000
Shanghai, China	1,300	1,600	330	400	250	1,000
St Petersburg, Russia	3,550	3,565	900	900	1,850	1,200
Port Said, Egypt	2,505	2,505	1,440	1,450	1,700	1,200
Riyadh, Saudi Arabia	2,775	2,775	980	1,150	1,350	2,200
Buenaventura, Colombia	2,980	4,480	1,525	1,525	1,600	1,125
Santos, Brazil	2,690	4,190	720	720	800	1,675
Buenos Aires, Argentina	No service	No service	700	600	1,050	1,780
Callao, Peru	2,950	4,450	1,500	1,500	1,500	n/a
San Antonio, Chile	2,950	4,450	1,500	1,500	1,500	n/a

Source: Major shipping lines and freight forwarders – various, April 2015.

n/a = not available.

Havice and Campling 2013), albeit not without some unintended socioeconomic effects. In this context of the structural costs facing SIDS in terms of seafreight, we focus on two leverage points that allow Commonwealth governments to directly and indirectly influence local development gains from the tuna industry: mediating access to the fisheries resource and enhancing access to EU markets. Crucially, the leveraging of resource access is an agenda advanced by coastal developing states independently of major donors and other development agencies.

The principal leverage of low-income coastal Commonwealth governments is their sovereign rights over access to marine resources in their waters. Exclusive economic zones (EEZs) in particular constitute large expanses of state property that Commonwealth countries use to appropriate ground rent from industrial tuna fleets (Campling and Havice 2014b). For coastal Commonwealth countries the most commercially important fish enclosed in EEZs are tuna and tuna-like species, with hake and others in Namibia and small pelagics in West Africa.

Two types of resource access leverage strategies are addressed here. ‘First-generation’ access entails a representative of a DWF¹⁰ agreeing to pay a coastal state government a fee for the right to fish. ‘Second-generation’ access agreements entail a foreign enterprise gaining the right to a fish in an EEZ in return for registering their fishing fleet domestically and/or making a local investment in onshore processing. The rest of this section examines two Commonwealth states examples of each ‘generation’ of access agreement.

Despite its very small size, the Seychelles is widely recognised as having effectively negotiated first-generation access agreements with the EU. Seychelles occupies a strategic place in the Western Indian Ocean tuna fishery because tuna regularly migrate through its EEZ and Port Victoria is at the centre of the regional purse seine fishery making it the most economically logical base for the EU DWF (Campling 2012b). The annual EU payment *alone* to the Seychelles under the 2014–19 Fisheries Partnership Agreement (FPA) is €5,350,000 (boat owners pay various additional fees) (EU–Seychelles 2013).

¹⁰ This could be an individual enterprise, an industry association or a government or supra-national body (i.e. the EU).

However, while these first-generation access fees are important contributions to government revenue, the domestic capture and creation of value from the application of taxes on and provision of goods and services to the EU DWF when in Port Victoria are far more significant (Campling 2012a). Nonetheless, it is instructive to draw out a number of secured gains to the Seychelles in its FPA negotiations (EU–Seychelles 2013):

- The FPA includes a provision for employing two Seychellois crew. If not, boat owners pay a daily fee of €20 for two crew while in Seychelles waters. It is thought that it is the *only* FPA to contain such a clause.
- The FPA asserts that the ILO [International Labour Organization] Declaration on Fundamental Principles and Rights at Work shall apply to crew working on board
- Crew employment contracts shall guarantee social security cover applicable to them, including life insurance, sickness and accident insurance, and pension benefits.
- Basic ILO wage conditions shall be met including bonuses being in addition to wages.

This last clause was an important addition in the 2013 agreement because, according to author interviews in Seychelles in January 2014, the EU DWF reportedly had previously underpaid Seychellois crew.

The most important multilateral first-generation access arrangement is the Vessel Days Scheme (VDS) implemented by a group of eight Pacific islands known as the PNA, which includes four Commonwealth Countries – Fiji, Kiribati, Papua New Guinea and Solomon Islands.¹¹ The VDS was rolled out from 2008 and acts as a cartel in terms of access to over 50 per cent of the world’s canning-grade tuna (Clark and Clark 2014). This high-profile success story of South–South cooperation saw the Pacific Island countries collaborate in their relations with foreign industrial purse seine fisheries to maximise rent generation through

the auctioning of fishing vessel days (Havice 2013). Since 2010, when the coordination of the VDS shifted to the PNA Office in the Marshall Islands, the increase in revenue captured from the fishery had increased five-fold and an independent review found that ‘two of the largest tuna stocks; skipjack and yellowfin, have been maintained in a very healthy state’ (Hagrannoknir 2014: 11). There are, however, some concerns that the VDS has not (yet) successfully limited overcapacity in industrial fisheries in the region (Hanich et al. 2010). It has also come under considerable fire from the Spanish tuna industry, including through far-ranging fisheries-related demands made by the EU in EPA negotiations (Batty 2016).

A prominent example of second-generation access among low-income Commonwealth countries is the ‘Namibianisation’ policy, which attempted to overcome the legacy of racialised ownership of industry from prior South African rule. The Namibian case is concerned mainly with hake and monkfish processed products and canned pilchards, along with small volumes of tuna (FAO 2007). These are predominantly exported duty free to the EU under ACP preferences, a situation that is set to continue with the signing of an EPA in June 2016. The policy of localising ownership of fishing enterprises through discounted resource access fees has doubled the employment of Namibians through the 1990s (Armstrong et al. 2004). It also means boats are compliant with EU RoO. At the same time, the use of a complicated web of preferential shares, proxy ownership and cross ownership means that de facto Namibian control over fishing industries remains low, with foreign ownership remaining dominant, consolidated into a handful of large conglomerations (Manning 2000; Melber 2003).

In more recent years, other countries have tried to follow the strategy of fisheries domestication, most prominently Papua New Guinea. Due to a combination of geographical isolation and other costs of doing business, processed tuna exports from PNG are dependent on duty free access to the EU market. To further attract onshore processing investment in PNG the government signed the Pacific IEPA and

¹¹ The PNA are the Parties to the Nauru Agreement; first enacted in 1982, it is a sub-regional arrangement that sets terms and conditions for the licencing of tuna purse seine fishing.

deployed ‘second-generation’ fisheries access arrangements. By committing to onshore investment, foreign firms are allocated considerably more fishing licences than necessary to supply that plant, offering long-term strategic resource access (Hamilton et al. 2011a). There

is, however, some debate around the environmental sustainability of this strategy (European Parliament 2012) and it has the potential to undermine the success of the VDS in terms of facilitating vessel overcapacity and undermining the price of a fishing day.¹²

4. Implications for implementation of Sustainable Development Goal 14

Some of the SGD14 targets are largely conservation measures (e.g. ‘effectively regulate harvesting’, ‘implement science-based management plans’). However, others have direct relevance to trade policy makers, such as ‘address harmful fishing subsidies’. Of course, there should be no confusion about the positive linkages between effective fisheries management and potential sustainable development outcomes. Even the most carefully considered industrial and trade policies will be immediately undermined should the natural resource on which it is based be eroded. SDG14 provides considerable guidance in this regard, although, arguably, the targets are not new.

A plethora of overlapping policy initiatives govern fisheries conservation and management at multiscales, from national management plans to regional fisheries management organisations, and from international agreements established under the United Nations to private sector sustainable procurement policies and third-party eco-labels. In addition, some of the SDG14 targets are – quite rightly – system-wide issues that fall outside narrow fisheries-related concerns (e.g. acidification and marine pollution).

There are two SDG14 targets that carry obvious trade-related policy implications in the context of this paper: prohibiting fisheries subsidies that contribute to overcapacity and overfishing, and the commitment to increase the economic benefits to SIDS and LDCs. For the latter, four indicators could be considered to assess the implementation of this target – all of which would necessitate parallel indicators of

the health of tuna populations and wider ecosystems within which they are a top predator.

1. *Increases in the rate of return on the value of the catch captured by countries with sovereign rights over fish populations*, who are often SIDS and coastal LDCs. In the case of the Pacific islands, this grew from around 5–6 per cent to over 20 per cent (Aqorau 2016). The example of the Pacific Islands’ VDS shows that coastal states can change the conditions of competition. But it must be tempered by the fact that this is largely a political variable and one based upon decades of experience of South–South cooperation among the Pacific Island countries and the peculiar institutional and environmental configuration of interlocking EEZs being home to huge tuna populations, at the current time.
2. *Increases in the number of locals employed in fisheries-related industry*. Given that onshore investment is a major concern for several low-income Commonwealth countries, an indicator of success could be direct employment in ports (e.g. stevedores), processing facilities and other aspects of the production networks (e.g. ship repair and supplying firms). However, this quantitative measure would necessitate qualitative components. Most importantly, the labour standards, working conditions, pay and self-representation of fish workers must not be squeezed to reduce costs and attract foreign direct investment (FDI). Even where a country is at the bottom of

¹² Personal communications, Pacific island fisheries experts, July 2016.

the GVC hierarchy, as we have seen is the case for many low-income Commonwealth tuna processors, the quality of employment must be the principal consideration. This is not solely a moral question of development, but it has commercial justifications as highlighted in the recent high-profile scandal around forced and slave labour in Thai fisheries (Campling et al. 2015b) and subsequent moves by French, UK and US supermarkets to procure seafood from alternative producers (e.g. Hickman 2016; Lawrence 2014). The failure to meet labour standards can be punished by the marketplace.

3. *Measures of the quality and quantity of support provided to SIDS and coastal LDCs by principal market states and commercial buyers to comply with public and private standards*, which also touches on the SDG14 target on providing access for small-scale artisanal fishers to markets. As the competitive advantage offered by the EU tuna preference is eroded by the growing number of FTAs, public and private standards are likely to become the main market access constraint for fish products from low-income Commonwealth countries. Financial, technical and institutional support from home governments, donors and (where appropriate) lead firms such as big brands and retailers is necessary to spread the costs required to comply with standards, especially for smaller producers.
4. *Relax rules of origin in FTAs and GSP schemes to maximise preference utilisation*. Evidence from Papua New Guinea suggests that negotiating more flexible RoO (or derogations from RoO) under preference schemes and FTAs is a useful adjustment mechanism for preference-dependent producers to retain some competitiveness as preferences erode. Given the growing impact of FTAs on preferences, more flexible RoO could help bolster Commonwealth-based fish processors in GVCs and, combined with a range of other factors, could potentially encourage investment.

However, given that the distributional impacts of RoO benefit commercial interests from preference-allocating states (e.g. the EU DWF), there will be considerable opposition to greater flexibility.

Finally, indicators to monitor the fisheries subsidies target by 2020 should include multilateral rules that limit the application of existing subsidies that contribute to overfishing and overcapacity, but which include effective special and differential treatment (S&DT) provisions. Unless decisive action is taken, it is unlikely that this target will be met. The political-economic interests and geopolitics involved in the fisheries subsidies debates at the WTO during the height of their activity (almost monthly multilateral meetings between 2007 and 2010) were not resolved (Campling and Havice 2013b). Major efforts will be required in order to ensure the political and technical problems encountered during this period (e.g. how to agree to S&DT that did not give the largest developing country subsidisers carte blanche; or how to define ‘artisanal fishing’) could be overcome in the current, perhaps even more tumultuous, global political economy.

While we saw earlier that the collapse of the Doha Round gave preference-dependent fish processors a moment of respite from multilateral preference erosion, the new bilateralism and in particular the rise of macro-regional FTAs such as the TPP suggests a new kind of threat. As Goel et al. (2015: 6) point out, for small vulnerable economies, their ‘numbers and the “consensus rule” of the WTO provide proponents with negotiating leverage beyond their physical of political-economic size’. But TPP rules were negotiated by states that do not share the same interests as most small developing economies (TPP 2016).¹³

For example, a key target of SDG14 is to ‘prohibit certain forms of fisheries subsidies which contribute to overcapacity and overfishing’ by 2020, but crucially ‘recognizing that appropriate and effective’ S&DT ‘should be an integral part’. However, the SDG refers only to fisheries subsidies negotiations at the WTO and

13 The 12 countries that signed TPP are Australia, Brunei Darussalam, Canada, Chile, Japan, Malaysia, Mexico, New Zealand, Peru, Singapore, the USA and Vietnam. References to the TPP legal text use the version published online by the Office of the United States Trade Representative, available at: <https://ustr.gov/trade-agreements/free-trade-agreements/trans-pacific-partnership/tpp-full-text>.

thus does not commit bilateral agreements on disciplines to fully consider S&DT. This much is apparent from the text of the TPP which does not contain S&DT provisions on fisheries subsidies disciplines (except for a minor two-year extension to the transition period allocated to Vietnam). This is tempered by the fact that the ambition of the TPP rules on fisheries subsidies

is very low compared to the height of the discussions at the WTO (Campling and Havice 2016). Even if granted accession, the example of the TPP raises the spectre of small island economies not being unable to influence the changing context of international trade law as established by new norms produced in macro-regionals FTAs.

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