

IMPORTED SEAFOOD TRACEABILITY REGULATIONS: A MISHAP FOR THE WTO'S DISREGARD FOR NON-PRODUCT RELATED PROCESSES AND PRODUCTION METHODS?

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ABSTRACT

Sustainable management of capture fisheries is complicated by distant and opaque supply chain relationships between global producers and global consumers. This could be less of a problem, given the global market is increasingly protected by government-led traceability regulations to generate a comprehensive profile of the seafood we consume. Traceability regulations extended to when, where, what, who and how-produced standards inevitably increase the conflict between local market access and extraterritorial fisheries management. This paper revisits the decades-long debate on non-product related processes and production methods through a fresh investigation of two leading regulatory paradigms of seafood traceability. It proposes the adjudicative locus under the more specific Agreement on Technical Barriers to Trade to accommodate, monitor and discipline novel "technical regulations". It also maps out feasible pathways to nurture cross-regime synergies between trade and other credible co-regulators of global fishery resources.

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KEYWORDS: *seafood traceability, fisheries management, NPR PPMs, TBT, technical regulation*