

Negotiating Group on Rules

**DEFINITIONS RELATED TO ARTISANAL, SMALL-SCALE
AND SUBSISTENCE FISHING**

Note by the Secretariat

Introduction and Background

At its September 2005 formal meeting, the Negotiating Group on Rules requested the Secretariat to research and compile information on definitions currently in use for the terms "artisanal" fishing and fisheries, "small-scale" fishing and fisheries, and "subsistence" fishing and fisheries. This document sets forth the results of this research.

The document consists of three sections. Sections I and II are in the form of an analytical table, breaking down the various elements of the definitions found into the following headings: Source of Definition, Description of Activity, Operator(s), Economic Orientation, Location of Activity, Nature of Activity, Attributes of Vessels/Gear. Section I covers "artisanal" and "small-scale" fishing and fisheries jointly, as many sources consider these terms synonyms. Section II covers "subsistence" fishing and fisheries.

Within Sections I and II, the definitions are sub-categorized as between those drawn from inter-governmental and non-governmental sources on the one hand, and national and sub-national governmental sources on the other hand.

Section III contains the full definitions and citations referred to in the table, again sub-categorized by type of source (i.e. intergovernmental and non-governmental versus national and sub-national governmental). Website addresses are included for each source referenced.

It should be noted that this document does not purport to be exhaustive. It reflects the information that was obtainable from readily accessible sources. The inclusion or exclusion of any given source has no implications for the legal status of the source or of any definition drawn from it, and is without prejudice to the position of any Participant in the negotiations.

SECTION I: COMPILATION OF CERTAIN DEFINITIONS RELATED TO <u>ARTISANAL AND SMALL-SCALE FISHING AND FISHERIES</u>						
SOURCE OF DEFINITION	DESCRIPTION OF ACTIVITY	OPERATOR(S)	ECONOMIC ORIENTATION	LOCATION OF ACTIVITY	NATURE OF ACTIVITY	ATTRIBUTES OF VESSELS/GEAR
<i>INTER-GOVERNMENTAL AND NON-GOVERNMENTAL SOURCES</i>						
FAO¹	"artisanal fisheries" – sometimes referred to as "small-scale fisheries"	fishing households, as opposed to commercial companies	can be subsistence or commercial, providing fish for local consumption or export	short fishing trips, close to shore	using small amount of capital and energy,	vessels, if used, relatively small; can range from gleaning or a one-man canoe in poor developing countries to more than 20 meter trawlers, seiners, or long-liners in developed countries
FAO Fisheries Global Information System²	"small-scale fisheries" also referred to as "artisanal fisheries"	as above	as above	as above	as above, and can be very specialized but in general target a very wide range of species, using a broad variety of gear, generating diverse fishing strategies and flexibly adapting to seasonal or inter-annual natural variability.	as above, and typically use a broad variety of gear

¹ UN Food and Agricultural Organization, fisheries glossary.

² Topics and Issues Fact Sheet – Governance of small-scale fisheries.

SECTION I: COMPILATION OF CERTAIN DEFINITIONS RELATED TO ARTISANAL AND SMALL-SCALE FISHING AND FISHERIES

SOURCE OF DEFINITION	DESCRIPTION OF ACTIVITY	OPERATOR(S)	ECONOMIC ORIENTATION	LOCATION OF ACTIVITY	NATURE OF ACTIVITY	ATTRIBUTES OF VESSELS/GEAR
World Bank ³	"small-scale or artisanal fishers"	fishing households, single-person operations; vessels, if used, crewed by one to three fishers	not specified	not specified	low capital; often target larger demersals, although activities so diverse as to be difficult to categorize	shore-based, using cast nets, traps, etc.; small, non-mechanized canoes or rafts; or small motorized dinghies or boats
Asian Development Bank ⁴	"artisanal (or small-scale) fisheries"	typically family-based	not specified	near-shore waters and inland water bodies	uses labour-intensive fishing technologies	small craft (usually smaller than 12 meters long), and fishing gear such as beach seine and gill nets, hook and line, and traps.
Secretariat of the Pacific Community ⁵	"artisanal fishing"	not specified	may or may not involve sale of a portion of the catch	not specified	small-scale fishing	not specified
Southern African Development Community ⁶	"small-scale commercial fisheries"	not specified	generate profits and earn income large enough to meet the basic needs of life, employ staff or operate as profit-sharing collective enterprises	not specified	not specified	not specified

³ *Saving Fish and Fishers – Toward Sustainable and Equitable Governance of the Global Fishing Sector*, May 2004. (Report No. 29090-GLB)

⁴ Policy on Fisheries, 1977.

⁵ Marine Resources Division glossary.

⁶ Protocol on Fisheries.

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SOURCE OF DEFINITION	DESCRIPTION OF ACTIVITY	OPERATOR(S)	ECONOMIC ORIENTATION	LOCATION OF ACTIVITY	NATURE OF ACTIVITY	ATTRIBUTES OF VESSELS/GEAR
International Commission for the Conservation of Atlantic Tunas (ICCAT)⁷	"artisanal"	not specified	catch effort that is neither industrial nor recreational in nature	not specified	uses simple fishing methods	not specified
Marine Conservation Society⁸	"artisanal"	not specified	not specified	not specified	small-scale, traditional	not specified
Fishbase.org⁹	"artisanal fisheries"	skilled but non-industrialized operators	normally for subsistence, but sometimes the catch may be sold	usually, short fishing trips, inshore	not specified	usually, small vessels; but in developed countries, may include trawlers, seiners, or long-liners
Internet Guide to International Fisheries Law¹⁰	"artisanal fishing", also know as "subsistence" or "aboriginal" fishing	coastal or island ethnic and indigenous groups	fishing for subsistence needs	not specified	traditional methods	not specified

⁷ Glossary of fishery terms.

⁸ Fishonline.org glossary.

⁹ Glossary.

¹⁰ Intfish.net glossary.

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SOURCE OF DEFINITION	DESCRIPTION OF ACTIVITY	OPERATOR(S)	ECONOMIC ORIENTATION	LOCATION OF ACTIVITY	NATURE OF ACTIVITY	ATTRIBUTES OF VESSELS/GEAR
<i>NATIONAL & SUBNATIONAL GOVERNMENT SOURCES</i>						
Argentina – Draft Federal Law¹¹	"artisanal fishing"	physical persons	goal of supporting the operator's family	not specified	volume of fishing to be specified by administering authority	specifications of vessels and techniques to be specified by administering authority
Argentina – Province of Buenos Aires – Draft law¹²	"artisanal fishing"	physical or legal persons, categorized non-exclusively as: Artisanal vessel master - Artisanal fisher who works as master (skipper) aboard an artisanal vessel, whatever the mode of compensation Artisanal vessel owner - Artisanal fisher[s] owning [an] artisanal vessel[s]. If more than one person, all are considered owners of the vessel.	not specified	coastal, offshore subject to limits	extractive fishing activity intended to catch, extract and/or harvest living aquatic resources, undertaken by physical or legal persons in a direct and habitual form	"Artisanal vessel" – open inshore and river vessels of unlimited length, or covered vessels up to 13 meters in length conforming to the limits established on maximum distance from shore and length of absence; propelled by oar, sail, outboard or inboard motor.

¹¹ Draft Federal Law on Continental Fishing, date unspecified.

¹² Draft Law on Artisanal Fishing, Province of Buenos Aires, May 2002.

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SOURCE OF DEFINITION	DESCRIPTION OF ACTIVITY	OPERATOR(S)	ECONOMIC ORIENTATION	LOCATION OF ACTIVITY	NATURE OF ACTIVITY	ATTRIBUTES OF VESSELS/GEAR
Argentina – Province of Buenos Aires – Draft law¹² (Cont'd)		Artisanal shellfish harvester – artisanal fisher person engaged in the extraction of molluscs, crustaceans, echinoderms, and shellfish in general Artisanal bait-caster – artisanal fisher engaged in fishing by bait casting, without using a vessel.				
Australia¹³	"artisanal fishing"	coastal or island ethnic groups	not specified	coastal and island regions	using traditional methods	not specified
Chile¹⁴	"artisanal fishing"	natural persons who in a personal, direct and habitual manner work as artisanal fishers; legal persons composed exclusively of natural persons registered as artisanal fishers.	not specified	not specified	artisanal fishing as such, artisanal algae harvesting, and artisanal shellfish harvesting	Artisanal vessels – not more than two per owner, totalling not more than 50 gross registered tons.

¹³ Department of Agriculture, Fisheries and Forestry.

¹⁴ General Law on Fishing and Aquaculture, 2002.

SECTION I: COMPILATION OF CERTAIN DEFINITIONS RELATED TO ARTISANAL AND SMALL-SCALE FISHING AND FISHERIES

SOURCE OF DEFINITION	DESCRIPTION OF ACTIVITY	OPERATOR(S)	ECONOMIC ORIENTATION	LOCATION OF ACTIVITY	NATURE OF ACTIVITY	ATTRIBUTES OF VESSELS/GEAR
Chile – Cont'd		<p><u>artisanal fisher</u> – one who works as owner or crew in an artisanal vessel, whatever the mode of compensation.</p> <p><u>artisanal vessel-owner</u>: Artisanal fisher in whose name up to two artisanal vessels operate, which in total cannot exceed 50 gross registered tons.</p>				
Guatemala ¹⁵	"artisanal fishing"	not specified	not specified	estuaries, lakes, lagoons, rivers, at sea	fishing with or without vessels	Vessels, if used, between 0.46 and 0.99 net registered tons
	"small-scale commercial fishing"	not specified	for profit	not specified	fishing with vessels	Vessels between 1.00 and 1.99 net registered tons
Korea ¹⁶	definition of "small-scale" fisheries can be inferred from provisions of	not specified	not specified	"coastal fishery licenses" given to certain vessels that operate near	fishing with vessels	Vessels under 8 gross tons, or under 10 gross tons for certain fisheries, are eligible for "coastal fishery

¹⁵ Law on Fishing and Aquaculture, Decree 80-2002. This law refers to both "artisanal fishing" and "small-scale commercial fishing", and both are included above, for the sake of completeness.

¹⁶ Elements derived from Korea's submission to the Negotiating Group on Rules entitled, "Fisheries Subsidies: Small-Scale Fisheries", TN/RL/GEN/92.

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SOURCE OF DEFINITION	DESCRIPTION OF ACTIVITY	OPERATOR(S)	ECONOMIC ORIENTATION	LOCATION OF ACTIVITY	NATURE OF ACTIVITY	ATTRIBUTES OF VESSELS/GEAR
Korea – cont'd	certain laws			shore		licences"; operators of vessels under 5 gross tons are exempt from re-stocking fees; vessels under 2 gross tons are exempt from permits for vessel modifications.
Peru¹⁷	"artisanal fishing"	not specified	for profit	not specified	use of manual labour predominant	small vessels, or none
United Kingdom - Joint Nature Conservation Committee¹⁸	"artisanal fisheries"	not specified	not specified	typically, inshore waters	traditional or basic methods, relatively few technical aids	small boats
United States¹⁹	"artisanal fishing"	not specified	not specified	not specified	not specified	traditional or small-scale gear or boats
United States - North Carolina Division of Marine Fisheries²⁰	"artisanal fishery"	not specified	commercial	not specified	traditional or small-scale gear and boats	traditional or small-scale gear and boats
Venezuela²¹	"artisanal fishing"	fishers individually or in cooperatives or other organizations	not specified	not specified	predominant use of manual labour; drawing on fishers' experience, knowledge of	not specified

¹⁷ General Fishing Law, Decree Law 25977, 1992.

¹⁸ A Glossary of Marine Nature Conservation and Fisheries.

¹⁹ National Oceanic and Atmospheric Administration glossary.

²⁰ Glossary of fisheries terms.

²¹ Law on Fishing and Aquaculture, 2003.

SECTION I: COMPILATION OF CERTAIN DEFINITIONS RELATED TO ARTISANAL AND SMALL-SCALE FISHING AND FISHERIES

SOURCE OF DEFINITION	DESCRIPTION OF ACTIVITY	OPERATOR(S)	ECONOMIC ORIENTATION	LOCATION OF ACTIVITY	NATURE OF ACTIVITY	ATTRIBUTES OF VESSELS/GEAR
Venezuela – cont'd					nature, and skills that pass from generation to generation, and using traditional fishing methods and/or methods that have evolved therefrom	

SECTION II: COMPILATION OF CERTAIN DEFINITIONS RELATED TO <u>SUBSISTENCE</u> FISHING AND FISHERIES						
SOURCE OF DEFINITION	DESCRIPTION OF ACTIVITY	OPERATOR(S)	ECONOMIC ORIENTATION	LOCATION OF ACTIVITY	NATURE OF ACTIVITY	ATTRIBUTES OF VESSELS/GEAR
<i>INTER-GOVERNMENTAL AND NON-GOVERNMENTAL SOURCES</i>						
FAO ²²	"subsistence fishing"	not specified	the fish caught are shared and consumed directly by the families and kin of the fishers rather than being sold through intermediaries at the next larger market	not specified	pure subsistence fisheries are rare, as part of the products are very often sold or exchanged for other goods or services.	not specified
Southern African Development Community ²³	"subsistence fisheries"	not specified	the fishers regularly catch fish for personal and household consumption, and engage from time to time in the local sale or barter of excess catch	not specified	not specified	not specified

²² Fisheries Glossary. Topics and Issues Fact Sheet – Governance of small-scale fisheries.

²³ Protocol on fisheries.

SECTION II: COMPILATION OF CERTAIN DEFINITIONS RELATED TO SUBSISTENCE FISHING AND FISHERIES

SOURCE OF DEFINITION	DESCRIPTION OF ACTIVITY	OPERATOR(S)	ECONOMIC ORIENTATION	LOCATION OF ACTIVITY	NATURE OF ACTIVITY	ATTRIBUTES OF VESSELS/GEAR
Fishbase.org ²⁴	"subsistence fisheries"	not specified	the species is consumed locally only, mostly by the fishers themselves	not specified	not specified	not specified
<i>NATIONAL AND SUBNATIONAL GOVERNMENT SOURCES</i>						
Guatemala ²⁵	"subsistence fishing"	not specified	direct consumption by fisher and dependents, not for profit	estuaries, lakes, lagoons, rivers, at sea	fishing with or without vessels	vessels, if used, not more than 0.45 net registered tons
Peru ²⁶	"subsistence fishing"	not specified	non-commercial, for domestic consumption or barter, not for profit	not specified	not specified	not specified
Tonga	"subsistence fishing"	not specified	primary purpose is providing food for domestic consumption; does not include sale, exposure for sale, or barter of the fish unless wholly incidental to the primary purpose of subsistence fishing	not specified	not specified	not specified

²⁴ Glossary.

²⁵ The Fishing and Aquaculture Law, Decree 80-2002.

²⁶ General Fishing Law, Decree Law 25977, 1992.

SECTION II: COMPILATION OF CERTAIN DEFINITIONS RELATED TO <u>SUBSISTENCE</u> FISHING AND FISHERIES						
SOURCE OF DEFINITION	DESCRIPTION OF ACTIVITY	OPERATOR(S)	ECONOMIC ORIENTATION	LOCATION OF ACTIVITY	NATURE OF ACTIVITY	ATTRIBUTES OF VESSELS/GEAR
Venezuela ²⁷	"subsistence fishing"	not specified	fundamentally oriented to obtaining food for the fisher and his/her dependents, without a commercial objective	can be subdivided based on location and distance from the coast (coastal, offshore, etc.)	can be subdivided by fishing methods used (but none specified)	can be subdivided by fishing methods used (but none specified)

²⁷ Law on Fishing and Aquaculture, 2003.

SECTION III: FULL DEFINITIONS AND CITATIONS²⁸

INTER-GOVERNMENTAL AND NON-GOVERNMENTAL SOURCES

Food and Agriculture Organization (UN) fisheries glossary: "Artisanal fisheries" – Traditional fisheries involving fishing households (as opposed to commercial companies), using relatively small amount of capital and energy, relatively small fishing vessels (if any), making short fishing trips, close to shore, mainly for local consumption. In practice, the definition varies between countries, e.g., from gleaning or a one-man canoe in poor developing countries, to more than 20 meter trawlers, seiners, or long-liners in developed ones. Artisanal fisheries can be subsistence or commercial fisheries, providing for local consumption or export. Sometimes referred to as "small-scale" fisheries.

"Subsistence fishery" – a fishery where the fish caught are shared and consumed directly by the families and kin of the fishers rather than being bought by middle-men or –women and sold at the next larger market.

(www.fao.org/fi/glossary)

FAO Fisheries Global Information System (Topics and Issues Fact Sheet – Governance of small-scale fisheries): "Small-scale fisheries" – Also referred to as artisanal fisheries, defined as above. Artisanal fisheries can be very specialised but, in general, target a very wide range of species, using a broad variety of gears, generating diverse fishing strategies and flexibly adapting to seasonal or inter-annual natural variability.

Pure "subsistence fisheries" are rare, as part of the products are very often sold or exchanged for other goods or services.

(http://www.fao.org/figis/servlet/topic?qid=tp_164000_F12269&xp_tool=print&bsize=9999&rn=9999&r1=1&st_extra=&st_table=&xp_child=&st_group=&xp_banner=none)

World Bank – *Saving Fish and Fisheries – Toward Sustainable and Equitable Governance of the Global Fishing Sector.* (World Bank Agriculture and Rural Development Department, May 2004, Report No. 29090-GLB). "Artisanal or small-scale fishers" – Low-capital, single-person operations, such as those using cast nets and small traps, carried out from the shore without even the use of a boat or dinghy, or from small non-mechanized canoes or rafts, or from small motorized dinghies and boats crewed by one to three fishers. Small-scale fishers often target the larger demersals, although small-scale fisheries are so diverse and encompass such a wide range of users and fisheries that it is difficult to characterize them.

(<http://siteresources.worldbank.org/INTARD/Resources/SavingFishandFishers.pdf>)

Asian Development Bank (Glossary): "Artisanal fishery" – Small-scale fishery generally limited to near-shore waters and inland water bodies, and employing labour-intensive fishing technologies.

(Policy on Fisheries): "Artisanal (or small-scale) fisheries" – Generally limited to near-shore waters and inland water bodies, and employ labour-intensive fishing technologies. Artisanal fishing operations are typically family-based, using small craft (usually smaller than 12 meters long) and fishing gear such as beach seine and gill nets, hook and line, and traps.

(www.adb.org/Documents/Policies/Fisheries/default.asp?p=policies)

²⁸ The definitions shown above are not necessarily verbatim transcriptions from the source documents, but may have been paraphrased for ease of comprehension.

Secretariat of the Pacific Community (Marine Resources Division glossary) – "Artisanal fishing" – small-scale fishing, which may or may not involve sale of a portion of the catch.

(www.spc.int/coastfish/Asides/Glossary/Glossary.htm)

Southern African Development Community (Protocol on Fisheries): "Small-scale commercial fisheries" – fisheries that generate profits and earn income large enough to meet the basic needs of life, employ staff or operate as profit-sharing collective enterprises.

"Subsistence fisheries" – fishing activities whose fishers regularly catch fish for personal and household consumption and engage from time to time in the local sale or barter of excess catch.

"Subsistence fishers" – fishers who regularly catch fish for personal and household consumption and who engage from time to time in the local sale or barter of excess catch.

(www.intfish.net/treaties/sadc.htm)

ICCAT – International Commission for the Conservation of Atlantic Tunas (Glossary of fishery terms): "Artisanal" - Refers to catch or effort that is neither industrial nor recreational in nature, and which is generated using simple fishing methods.

(www.iccat.es)

Marine Conservation Society (Fishonline.org glossary): "Artisanal" – Term used to describe small-scale, traditional fisheries.

(www.fishonline.org/information/glossary)

Fishbase.org (Glossary): "Artisanal fisheries" - Fisheries involving skilled but non-industrialized operators; typically a small-scale, decentralized operation; normally subsistence fisheries although sometime the catch may be sold. Usually fishing trips are short and inshore and fishing vessels are small, but in developed countries the term may apply to trawlers, seiners or long-liners. Also called "small-scale" fisheries.

"Subsistence fisheries" – The species is consumed locally only, mostly by the fishers themselves.

(www.fishbase.org/Glossary)

Internet Guide to International Fisheries Law (Intfish.net glossary): "Artisanal fishing" – Also known as subsistence or sometimes aboriginal fishing. Refers to fishing for subsistence needs by coastal or island ethnic and indigenous groups using traditional methods.

(www.intfish.net/glossary/terms/a.htm)

NATIONAL AND SUBNATIONAL GOVERNMENT SOURCES

Argentina (Draft Federal Law on Continental Fishing, date unspecified)

"Artisanal fishing" – Fishing carried out by physical persons with the goal of supporting their families, and of which the volume of fishing, the vessels, and the techniques used are to be specified by the administering authority.

(http://www.cedepesca.org.ar/proyecto_de_ley_pescacontinental.htm)

Argentina (Draft Law on Artisanal Fishing, Province of Buenos Aires, May 2002)

"Artisanal fishing" – All extractive fishing activity intended to capture, extract and/or harvest living aquatic resources, undertaken by physical or legal persons in a direct and habitual form, by bait-casting from land, or with the use of an artisanal vessel.

"Artisanal fishers" – categorized non-exclusively as follows. A person can be included in more than one category:

"Artisanal vessel master" – Artisanal fisher who works as master (skipper) aboard an artisanal vessel, whatever the mode of compensation.

"Artisanal vessel owner" – Fisher[s] owning [an]artisanal vessel[s]. If the owners are more than one person, all are considered owners of the artisanal vessel.

"Artisanal shellfish harvester" – Person engaged in the extraction of molluscs, crustaceans, echinoderms, and shellfish in general.

"Artisanal bait-caster" – Person engaged in fishing by bait-casting, without using a vessel.

"Artisanal vessel" – (a) Open inshore and river vessels of unlimited length, or covered vessels up to 13 meters in length, conforming to the maximum distance and time of absence limits to be established by the Argentine Naval Prefecture. (b) Boats propelled by oar, sail, outboard and inboard motors.

Australia (Department of Agriculture, Fisheries and Forestry):

"Artisanal fishing" – Fishing for subsistence by coastal or island ethnic groups using traditional methods.

(www.affa.gov.au/content/output.cfm?ObjectID=D2C48F86-BA1A-11A1-A2200060B0A06448)

(www.cedepesca.org.ar/proyecto_de_ley_pesca_artisanBsAs.htm)

Chile (General Law on Fishing and Aquaculture, 2002):

"Artisanal fishing" – extractive fishing activity undertaken by natural persons who in a personal, direct and habitual manner work as artisanal fishers. The law distinguishes between artisanal vessel-owners, artisanal shellfish harvesters, artisanal algae harvesters, and artisanal fishers as such. Artisanal fishing also includes extractive fishing undertaken by legal persons, so long as

these are composed exclusively of natural persons registered as artisanal fishers as stipulated in the law.

"Artisanal fisher" as such – one who works as owner or crew in an artisanal vessel, whatever the mode of compensation.

"Artisanal vessel-owner" – The artisanal fisher in whose name up to two artisanal vessels operate, which in total cannot exceed 50 gross registered tons. This person also should be the owner of the vessels as registered with the maritime authority. If the owners of an artisanal fishing vessel are two or more persons, all of them are considered artisanal vessel-owners, with joint responsibility for any fines that may be imposed under the law.

(www.sernapesca.cl/paginas/regulacion_sectorial/listado2.php?c=001006001001)

Guatemala (Law on Fishing and Aquaculture, Decree 80-2002):

"Artisanal fishing"- activity undertaken without vessels, or with vessels between 0.46 and 0.99 net registered tons; it can take place in estuaries, lakes, lagoons, rivers, and at sea.

"Subsistence fishing" – fishing undertaken without vessels, or with vessels of not more than 0.45 net registered tons, without a profit motive, and the only aim of which is to obtain fisheries products for direct consumption by the fisher and his/her family; it can take place in estuaries, lakes, lagoons, rivers, and at sea.

"Commercial fishing" – activity undertaken with the goal of earning a profit.

"Small-scale commercial fishing" – Activity undertaken with vessels between 1.00 and 1.99 net registered tons.

"Medium-scale commercial fishing" – Activity undertaken vessels between 2.00 and 30 net registered tons.

"Large-scale commercial fishing" – Activity undertaken with vessels of 30.1 to 150 net registered tons.

(www.elaw.org/resources/text.asp?id=2984)

Korea (Submission to the Negotiating Group on Rules, "Fisheries Subsidies: Small-Scale Fisheries", TN/RL/92)

"Small-scale fisheries" – The definition for small-scale fisheries can be inferred from specific provisions of several laws. From the Fisheries Act, the provincial governments of the vessel registration issue "coastal fishery licences" for vessels under 8 GT²⁹ which operate near shore, and for vessels under 10 GT for certain types of fisheries.

Among vessels with coastal fishery licenses, the Fisheries Resources Promotion Act stipulates that operators of vessels under 5GT are exempt from fisheries resource re-stocking fees. The Korean government imposes fisheries resources re-stocking fees for all vessels with fishing licenses and uses the fee as a financial resource for the stock replenishing projects. However, vessels under 5GT are

²⁹ The length of vessel may vary by vessel types, but normally in Korea, vessels of 10 GT are approximately 13 meters, 8 GT are 12 meters, 5 GT are 10 meters.

exempt from such fees because of their small-scale and subsistence nature, that is, because the fishing intensity by such vessels is not substantial and the impact on the resources is negligible.

The Fishing Vessels Act and its Enforcement Regulation stipulate that every fishing vessel should receive a permit for modification of vessels. However, vessels under 2 GT are exempt from such a permit for modification. This kind of exemption is a form of special consideration for small-scale fisheries even though it may not constitute the financial contribution by the government in the meaning of Article 1 of the SCM Agreement in the first place.

Peru (General Fishing Law – Decree Law 25977, 1992):

"Artisanal fishing" – small-scale or artisanal commercial fishing is undertaken using small vessels or none, and using a preponderance of manual labour.

"Subsistence fishing" – Non-commercial fishing undertaken for the purpose of domestic consumption or barter, not for profit.

(www.elaw.org/resources/text.asp?ID=2497)

Tonga (The Fisheries Act 18 of 1989):

"Subsistence fishing" – fishing for the primary purpose of providing food for domestic consumption but does not include the sale exposure for sale or barter of the fish caught unless wholly incidental to the primary purpose of subsistence fishing.

(<http://www.elaw.org/resources/text.asp?id=2498>)

United Kingdom Joint Nature Conservation Committee (A Glossary of Marine Nature Conservation and Fisheries):

"Artisanal fisheries" – Typically, fisheries undertaken in inshore waters from small boats using traditional or basic methods with relatively few technical aids.

(www.jncc.gov.uk/page-1578)

United States (National Oceanic and Atmospheric Administration glossary):

"Artisanal fishing" – A fishery based on traditional or small-scale gear and boats.

(www.st.nmfs.gov/st4/documents/F_Glossary.pdf)

United States - North Carolina Division of Marine Fisheries (Glossary of fisheries terms):

"Artisanal fishery" – Commercial fishing using traditional or small-scale gear and boats.

(www.ncfisheries.net/stocks/defsa_c.htm)

Venezuela (Law on Fishing and Aquaculture, 2003):

"Subsistence fishing" – Fishing that is fundamentally oriented to obtaining food for the fisher and his/her dependents, without a commercial objective.

"Artisanal fishing" (a subcategory of commercial fishing) – Commercial fishing activity undertaken by fishers individually or in cooperatives or other organizations, using principally physical

labour, and drawing on their experience, knowledge of nature, and skills that pass from generation to generation, and using traditional fishing methods, and/or methods that have evolved therefrom. Artisanal fishing can be subdivided into multiple variations, by location and distance from the coast where undertaken (coastal, offshore), as well as by fishing methods used.

(comunidad.vlex.com/pantin/pesca.html)
