

WTO Decision Sacrifices Dolphins and Consumers

The Dolphin Safe Tuna Label Cannot Be Weakened Simply Because Mexico Refuses to Comply

David Phillips, Director of the International Marine Mammal Project of Earth Island Institute, today condemned the World Trade Organization: “The WTO decision on the US Dolphin Safe tuna label is an outrageous attack that would ensure thousands of dolphins horrible deaths in tuna nets while lying to consumers about the Dolphin Safe status of such tuna.” 

Phillips added: “Tuna consumers in the US and elsewhere will not buy canned tuna stained by the blood of dolphins. Earth Island will urge the Obama Administration and the US Congress to refuse to weaken the standards for Dolphin Safe tuna despite this noxious WTO decision.”

Mexico’s tuna industry continues to chase, net, and kill thousands of dolphins to catch the tuna that swim beneath. The government of Mexico has objected for years about the US Dolphin Safe label standards for canned tuna, insisting that Mexico’s tuna should be falsely labeled Dolphin Safe on US supermarket shelves 

Today’s WTO Appellate Panel decision claims the Dolphin Safe tuna label is a detriment to free trade with Mexico because, illogically, Mexico alone refuses to comply with the voluntary US standards of no encirclement of dolphins while fishing for tuna. Every other nation involved in tuna fishing (with the exception of Mexico, Venezuela, and Colombia) follow the US standards for Dolphin Safe tuna. There is no reason why Mexico should not also comply with these standards. The panel further implies that the US should expand restrictions on tuna fishing beyond the geographic area where dolphins regularly associate with tuna in the Eastern Tropical Pacific.

Mexico took the US to the WTO in 2008, where a WTO Dispute Panel determined last fall that the standards for the US Dolphin Safe tuna label were “trade restrictive.” Despite the US label being voluntary, the Dispute Panel claimed the label was “mandatory” and therefore open for WTO review and restrictions. In fact, Mexico can sell tuna in the US with a Dolphin Safe label if they follow the same standards as US tuna fishermen and everyone else, but the Dispute Panel claimed the protections of the Dolphin Safe label were too strict for “free trade” purposes. In January, the US and Mexico appealed the Dispute Panel decision, resulting in today’s published decision by the WTO Appellate Panel. [To see the two WTO decisions on this issue, go to the WTO website.](#)

Yet, when the US government requested that the dispute be moved to the North American Free Trade Agreement (NAFTA) for resolution, Mexico has deliberately dragged its feet time and time again, refusing to honor their own obligations under NAFTA. The NAFTA case is still in limbo.

More than 7 million dolphins have been killed in the tuna fishery since the advent in the late 1950's of the use of purse seine nets deliberately encircling dolphin pods. In 1990, Earth Island Institute and the US tuna industry established the Dolphin Safe tuna program, with monitoring and standards that halt the chasing and netting of dolphins. Tuna fishermen instead look for schools of tuna or floating objects unaccompanied by dolphins. Dolphin deaths have declined a remarkable 98% since 1990 in the tuna fishery, with virtually only Mexican, Venezuelan, and Colombian tuna vessels still chasing and netting dolphins.

“We do not believe American consumers will accept the sacrificing of dolphins and false Dolphin Safe tuna labels,” stated David Phillips. “We will urge Congress and the Administration to help stop Mexico from chasing, netting and drowning thousands of dolphins, which is the best way to protect dolphins and maintain consumer confidence in the environmental and sustainable status of canned tuna.”



International Marine Mammal Project
is a project of [Earth Island Institute](http://www.earthisland.org).
2150 Allston Way, Suite 460, Berkeley, California, 94707 USA
(510) 859-9146 · FAX: (510) 859-9093
E-mail us at marinemammal@earthisland.org