

DEAD TURTLES: GOOD FOR THE GLOBAL ECONOMY?

**A Shocking Case Study
of How the WTO has Perpetuated the Annual Massacre
of 13,000 Sea Turtles by India's Shrimp Trawlers**

by
Peter Fugazzotto
and
Chitta Behera

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and Project Swarajya***



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About the Authors

Peter Fugazzotto is the Associate Director of the Sea Turtle Restoration Project and leads the Turtles and Trade Program. He is a co-author of *Slain by Trade: The Attack of the World Trade Organization on Sea Turtles and the US Endangered Species Act*. Prior to joining STRP, he worked with Communities for a Better Environment where he coordinated the grassroots mobilization and media components of a campaign that successfully convinced an oil refinery to stop polluting San Francisco Bay. He holds a degree from Stanford University.

Chitta Behera is the Director of Project Swarajya, a group working to protect sea turtles and coastal communities in India. Mr. Behera has played an important role in advocating the use of Turtle Excluder Devices by Indian shrimp trawl vessels both in his country and internationally.

The Sea Turtle Restoration Project, founded in 1989, protects endangered sea turtles in ways that make cultural and economic sense to the communities that share the beaches and waters with these gentle creatures. In 1995, STRP won a landmark lawsuit that compelled the US government to enforce its law requiring that all wild caught shrimp imported into the US is caught through the use of Turtle Excluder Devices or comparable methods and led to a showdown at the WTO. STRP is a project of Turtle Island Restoration Network, a nonprofit environmental organization incorporated in California.

Project Swarajya, an Indian NGO based on the Orissa coast, is working to protect one of the most important nesting sites in the world for olive ridley sea turtles along the coast in eastern India. This group has been conducting video surveys along the nesting beaches helping document the massive numbers of sea turtles that have washed up dead as a result of shrimp trawling and gillnetting. Additionally, Project Swarajya has worked with government officials in the design of an indigenous Turtle Excluder Device that will be more acceptable by Indian shrimpers. It also hosted a workshop about the use of TEDs.

Executive Summary

On the eve of the World Trade Organization's (WTO's) Ministerial Meeting in Seattle, while activists from all over the globe educate the public and the trade proponents about what the likely impacts of a new round on negotiations will be, a very disturbing example exists of how the World Trade Organization has already perpetuated the killing of more than 13,000 sea turtles this year - in one nation alone - and of what the global environment has in store if the WTO gets its way.

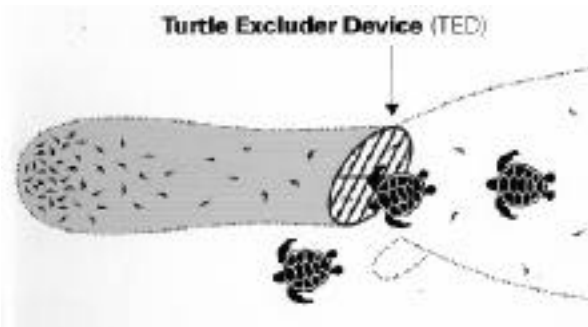
In 1998, the WTO ruled against the US Turtle-Shrimp law which was designed to prevent the needless drowning of sea turtles in shrimp nets. After this ruling, the US State Department began a process of weakening the turtle law, much like was done with Dolphin-Safe Tuna.

While the final consequence of the US State Department's acquiescence to the trade body has not yet fully been felt, we are seeing the real world environmental destruction caused by the WTO process in India, where 13,000 sea turtles washed up dead this year, after most drowned in mechanized shrimp nets.

How is the WTO responsible for the deaths of 13,000 turtles? By creating a legitimacy for nations to delay implementation of laws preventing the needless drowning of sea turtles in shrimp nets. Without the WTO process, India could have spent less time and money arguing at the WTO

and more time and money formulating and implementing national policies requiring Turtle Excluder Devices in order to protect shared resources. Instead, the WTO has created a framework for nations to ignore environmental responsibilities, and create a legitimacy for devastating environmental policies, by framing them in economic terms that justify environmental destruction.

Not only do global economic agreements ignore and threaten endangered species, but they also threaten local economies and long-term food security. For example, the use of Turtle Excluder Devices not only helps protect sea



turtles, but also fish populations, local food resources, and traditional artisanal fishers. These issues were not considered in the narrow reasoning and deliberations at the World Trade Organization.

It is not simply the language and provisions of these global trade agreements that are flawed, but the underlying concepts and world view. Survival through the next millenium for humans will be impossible if we do not address issues of ecological sustainability and social justice. And the first step to ensure this survival is dismantling these international trade agreements that view the world in only economic terms - and the first step on this path is for the abolition of the WTO.

The Decline of the Sea Turtles

All seven species of sea turtles have been listed as endangered, threatened or vulnerable by the US Endangered Species Act, the IUCN Red List, and international treaties. These gentle creatures that have existed since before the time of dinosaurs are moving closer to extinction because of destructive human activities.

The Kemp's ridley sea turtle has declined to a mere 2,000 nesting females worldwide. In the 1940's, 40,000 sea turtles were documented nesting at a single Mexican nesting beach over a four-hour period. The Pacific leatherback sea turtle population on one of Mexico's most important nesting beaches has dropped from 2,000 to 10 in only about a decade.

Nesting beaches are destroyed by luxury hotels and other commercial developments. In our trash-choked oceans, sea turtles mistake plastic bags for jelly fish, a favorite food, and choke to death. Adult sea turtles have been hunted for their meat and to fuel the high-end apparel market to make eye glass frames, combs, and cigarette lighters. Economic imbalances cause coastal communities to steal eggs from nests to sell to city dwellers as aphrodisiacs.

But, perhaps the greatest threat to sea turtles is the increasing consumption of seafood and unsustainable industrial methods of fishing which incidentally kill sea turtles. High seas drift nets were thought to

have been responsible for the deaths of hundreds of thousands of sea turtles every year. Longline fleets, which set up to 10 billion hooks in the ocean every year in the quest for swordfish and tuna, kill countless numbers of sea turtles. But perhaps the worst and most preventable killing of sea turtles is through their drowning in the nets of mechanized shrimp trawlers.

The Role of Shrimp Trawling in Mass Sea Turtle Mortality

In 1990, the US National Academy of Sciences concluded that more sea turtles die from shrimp trawling than from all other humans causes combined in US waters. Sea turtles breathe air like humans, and, in ideal circumstances, can hold their breath for up to 8 hours. When sea turtles are caught up in the huge funnel-shaped shrimp nets that scour the ocean floor, they panic, struggling for air. Eventually, they drown unable to free themselves from the nets.

Fortunately, a simple inexpensive device attached to shrimp nets can help prevent this tragedy. A Turtle Excluder Device (TED) is a metal grid that guides sea turtles out an escape flap while permitting shrimp to pass between the bars and into the back of the net. TEDs prevent the needless drowning of sea turtles by more than 97%. With an estimated 150,000 sea turtles getting caught in shrimp trawl nets every year, TEDs are an inexpensive, practical method of preventing the killing of turtles. TEDs

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also protect local fishery stocks and marine biodiversity by permitting bycatch, nontargeted fish and other marine life, to escape as well.

While the US has been a notable laggard in many areas of environmental protection, especially when it comes to international cooperation, it took the lead in ensuring that shrimp trawl vessels worldwide use TEDs. In addition to mandating that US shrimpers use TEDs under the Endangered Species Act, the US also requires that nations who wish to export wild caught shrimp into the US develop policies requiring the use of TEDs. Due to the economic incentive of this law, 16 other nations have implemented comprehensive, country-wide TED laws.

Unfortunately, India, with its globally important olive ridley nesting beaches, has refused to put a national TED law in place. Instead it has used the World Trade Organization as an excuse to legitimize its refusal to raise its fishing standards to the level of most other shrimp fishing nations. While the turtles are paying the price now, the future of local fisheries and coastal communities is also at stake.

The Endangered Turtles of India

India is a land rich in wildlife - from tigers to elephants to sea turtles. Five of the seven species of endangered sea turtles occur in Indian waters. These species are the olive ridley, green, hawksbill, leatherback, and loggerhead. Under the 1972 Wildlife Protection Act, sea turtles, as well as many other species, are protected from capture, destruction or trade.

The coast of Orissa, in the eastern part of India on the Bay of Bengal, is the most

Turtles and communities that rely on healthy fish populations are the victims of shrimp nets that do not use TEDs.

important sea turtle nesting area in India and possibly the most important olive ridley nesting site in the world due to the incredible numbers of sea turtles coming ashore. It is estimated that up to one million sea turtles have nested in Orissa during a single year during the mid-1980s.

There are several major nesting beaches along the coast of Orissa, including Gahirmatha, Rushikulaya in Ganjam, Konark-Balukhand, and the Devi Coast. Historically, Gahirmatha is the world's largest nesting site for olive ridley sea turtles. On this 35 kilometer long stretch of beach as many as 690,000 turtles nested in a single year. A 20 kilometer radius of off-shore habitat along the 35 kilometer stretch has been declared a marine sanctuary where trawling is banned. At Ganjam, 200,000 turtles nested in a single year, making it the second largest nesting site in India.

The Deadly Impact of Shrimp Trawlers on Indian Sea Turtles

Trawlers in India do not use Turtle Excluder Devices. The 1,500 - 3,000 trawlers operating off the coast of Orissa in the Bay of Bengal catch and drown sea turtles. Shrimp trawl boats regularly ply the waters of a marine sanctuary, in spite of a ban. Conservationists documenting the activities of shrimp boats have found as many as 16 turtles in a single trawl net.

The real impact of the trawlers is found on the beach, where alarming numbers of sea turtles are washing up dead on the shores of Orissa. In 1999, some 13,000 dead sea turtles have been counted, the majority having drowned in their struggle to escape the shrimp trawl nets.

Over the past five years, 40,000 dead olive ridley sea turtles have been counted by a single conservationist, Bivash Pandav, from the Wildlife Institute of India. This year, more than 13,000 turtles were counted.



Photo courtesy of Project Swarayja

Indian conservationists surveying one of the 13,000 sea turtles that died in India this year due to unsustainable fishing practices.

This figure does not take into account the number of dead sea turtles that have drowned in shrimp nets but that may have not washed ashore. Some studies have suggested that 80% of the turtles that drown in shrimp nets do not wash ashore. If this is the case in India, as many as 50,000 sea turtles could have been killed by shrimp trawlers this year, and as many as 200,000 over the past five years.

The Impact of Unsustainable Fishing on Global Food Supply and Local Economies

In addition to harming sea turtles, unsustainable fishing methods, such as mechanized shrimp trawlers that do not use TEDs, also severely impact global food supply and local economies by depleting local fish stocks through unselective fishing techniques. Unsustainable fishing has a much broader impact on social and economic issues than just environmental ones.

The UN Food and Agriculture Organization estimates that 27 million metric tons of fish bycatch are discarded every year globally, equivalent to about 1/3rd of the total annual catch that is brought to port. The FAO further reports that, in India, Malaysia, and the United States, 90% of the fish caught is discarded and not consumed.

Shrimp trawling accounts for 35% of the total global bycatch, or about 9.5 million metric tons of discarded marine life. Scientists have further identified trawling as the most important source of human-caused physical disturbance on the ocean's floor, churning sediments on the seabed, crushing or burying marine life, and reducing the structural complexity of the seabed.

Shrimp, a high-value fish product, has become an important part of India's exports to the North in the effort to service debt.

But an economy based on the demand of the voracious North has serious consequences not only for the environment, but also for people. While fish exports have grown over the years in India, there has been a decline in per capita fish consumption, as the protein of the South is grabbed for the North and as nonselective industrial fishing techniques deplete fishery resources.

Throughout the world, we are seeing declining catches of ocean fish. Of the world's 17 most important fisheries, nine have suffered serious decreases and four are commercially fished out. The UN Food and Agricultural Organization estimates that 69% of the world's fisheries are either overfished, fully fished, depleted, or recovering from past overexploitation. The FAO has also reported that certain fish stocks in the Gulf of Thailand are 1/10th of what they were thirty years ago.

This means less food for people. In India, as seafood exports have increased, the per capita consumption of seafood has dropped. Much of the fish caught is not for human consumption in the "South" but rather as an ingredient in animal feed in the "North." It is estimated that one-third of production is for fishmeal or other secondary products.

Coastal communities and traditional ways of living in harmony with the oceans are suffering through competition with

mechanized fishing vessels because trawling occurs in the same nearshore waters used by traditional small scale fishers. In some instances, once self-sufficient artisanal fishers have had to turn to scavenging bycatch from shrimp trawlers, such as in Cameroon and Mozambique. Subsidies of large scale, industrial fisheries place local fishers at an economic disadvantage. This competition often leads to conflict.

Additionally, the increasing catch of undersized fish by trawlers impacts local fishers. Undersized fish cannot grow to

larger size, are harvested before having the chance to reproduce, and are less economically valuable. Once abundant and seemingly endless resources are being pushed to their limits with the impact being strongly felt on the user end

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by coastal communities.

How Economic Globalization has Perpetuated the Crisis

Rather than helping to end this tragedy, the international community, through the promotion of export-oriented economies and "free trade" agreements, like the World Trade Organization (WTO), has not only allowed the killings of sea turtles to continue, but legitimized the actions of nations to do nothing when global environmental crises are occurring within their borders.

A provision of the US Endangered Spe-

cies Acts requires all nations who wish to export shrimp into the US to have laws requiring the use of Turtle Excluder Devices or other means that achieve comparable levels of protection from needlessly drowning in shrimp nets. This law used access to US market as the incentive for other nations to improve their fishing practices, and as a result 16 nations put TED laws in place.

However, India and three other nations, instead of investing its resources by implementing these inexpensive, turtle- and fish-saving devices, chose to hire lawyers to challenge the US law at the WTO, claiming that it was an unfair barrier to trade. The WTO, after a series of closed door meetings and despite the pleas of the world's most prominent sea turtle biologists, decided that the US law was in violation of its rules, and the US could be faced with the prospect of changing a provision of the Endangered Species Act or paying financial retaliation to nations like India that continue to needlessly kill sea turtles.



Photo courtesy Doug Perrine/InnerSpace Visions

Sea turtles have an inherent right to exist, beyond all trade and economic considerations.

The WTO, undermining the leadership role of the US on this issue, allowed India to essentially stall implementation of TEDs policies by hiding behind the free trade agreement. In this case and several others, the WTO has created a legitimacy for nations to use bureaucratic roadblocks to avoid implementing environmental protection measures.

Recommendations

1) Abolish the WTO

The World Trade Organization has had a detrimental impact on the environment, and now this undemocratic institution has set its sights on increasing its power, specifically by giving freer reign to corporations who exploit global resources. Unlimited growth means unlimited environmental destruction. It is time to reject this "free" trade agreement and begin moving towards sustainability.

Action: Write a personal hand-written letter to President Clinton and demand that the US withdraw from the WTO, since every time there is a conflict between trade and the environment, the environment always loses. President Clinton, 1600 Pennsylvania Avenue, Washington, DC 20230, email: president@whitehouse.gov

2) Assist Indian NGOs in Advocating Increased Environmental Protections

The crisis in India will not stop if Turtle Excluder Devices are not mandatory on the nets of shrimp trawlers. Indian NGOs have called for the creation of a national law requiring TEDs. Please help them in this critical effort.

Action: Write the Indian Prime Minister

and politely request that a national Turtle Excluder Device law immediately be put in place in order to protect the turtles. Prime Minister Vajpayee, c/o Embassy of India, 2107 Massachusetts Avenue NW, Washington, DC 20008, email: indembwash@indiagov.org

For additional information and sample letters, visit www.seaturtles.org.

3) Reduce Shrimp Consumption

Every time you buy shrimp, you are making a choice. If you buy wild-caught shrimp, you are supporting an industry that has killed sea turtles, been identified as one of the most wasteful fisheries in the world, and scoured the ocean floor. If you buy aquaculture shrimp, you are supporting an industry that has decimated mangrove forests, displaced coastal communities, and caused pollution.

Action: Learn more about where your shrimp comes from and what the true environmental and social costs are. Make an educated and moral choice about what shrimp you will buy and eat. Apply these same standards to other seafood purchases. Consider only buying certified Turtle-Safe® shrimp or local seafood that you know comes from a well-managed fishery.

4) Redefine Global Trade

The assumptions of the global free trade regime are wrong. Unlimited growth will lead to unlimited environmental destruction. The increasing centralization of economics is resulting in weakening the ability of nations to represent the will and concerns of their people. Export-oriented economies separate people from the impacts

of their consumer choice, blinding them to environmental and social problems in other parts of the world.

Action: Get involved in the international movement to oppose destructive free trade agreements and to support local, sustainable economies. Reduce global trade by reducing your consumption. If you don't do it now, when will you?

Resources

The Sea Turtle Restoration Project • PO Box 400, Forest Knolls, CA 94933 • www.seaturtles.org • 415-488-0370 • seaturtles@igc.org

Project Swarajya • Moti Bhawan, Kesharpur Road, Buxi Bazar, Cuttack-753001, Orissa, India • 91-0671-621097 • swarajya52@hotmail.com • www.angelfire.com/pa/swarajya/index.html

Global Exchange • 2017 Mission Street, San Francisco, CA 94110 • 415-255-7296 • www.globalexchange.com

Public Citizen - Global Trade Watch Program • 215 Pennsylvania Avenue SE, Washington, DC 20003, 3rd Floor • 202-546-4996

Sustainable Alternatives to the Global Economy • 300 Broadway #28, San Francisco, CA 94133 • 415-788-3666 • sage@earthisland.org