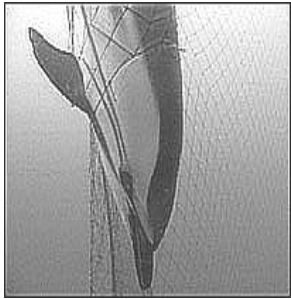


Free Trade Agreements: Trading Away Dolphins' Lives!

World Trade Organization



Dolphins have been observed to swim beneath schools of yellowfin tuna. For years, pursuit of dolphins has been a method to capture yellowfin tuna for fishing fleets. In order to catch tuna, mile-long purse-seine nets are set around the dolphins. Tens of thousands of dolphins are caught and drowned in tuna nets each year.

Attempts to reduce this problem in the 1972 and 1984 version of the Marine Mammal Protection Act were ineffective in curtailing the problem. Thousands of dolphins were still killed every year. In 1991, Congress created the “dolphin safe” tuna label and in 1992 banned all dolphin unsafe tuna in the US.

In 1991, the General Agreement on Tariffs and Trade (GATT), a panel of unelected professional trade officials who meet in secret without outside appeal or review, determined that dolphin safety standards were an unnecessary barrier to foreign trade. The US resisted this ruling and refused to honor it.

In 1995 the GATT developed into the World Trade Organization (WTO), an institutional body capable of enforcing rulings that a nation’s animal protection and environmental laws violate international free trade standards. Countries who refuse to comply with WTO decisions are obligated pay compensations to the winning country or face severe trade sanctions. Mexico threatened a WTO challenge to the US ban on dolphin unsafe tuna. Under pressure from the Clinton administration Congress caved to Mexico's demands and lifted the ban on dolphin deadly tuna.

According to Public Citizen's Global Trade Watch, "After years of sustained trade law challenges, the Bush administration decided to quietly implement a change to a “dolphin safe” labeling policy which Mexico had demanded as necessary to implement a GATT ruling. (Mexico had threatened a new WTO case if their demands were not met). On New Years Eve 2002, when few Americans were focused on policy matters, the Bush administration announced that it would change the “Flipper-friendly” tuna policy to allow the “dolphin-safe” label to be used on tuna caught using deadly purse seine nets and dolphin encirclement. This regulation is now being challenged in federal court."

In 2004 a federal judge overturned the Bush administration's attempt to destroy the

dolphin-safe label and banned the use of the label on dolphin deadly tuna. A federal appeals court upheld the ruling in April 2007.

In October 2008, Mexico made good on its threat to bring a new WTO challenge to the dolphin-safe label. The WTO established a panel to hear the dispute in April 2009.

Panama Free Trade Agreement

According to a letter to Congress signed by 40 animal advocacy and environmental organizations¹, “Despite widespread concern of environmental and animal advocates, the Panama Free Trade Agreement contains provisions that would make it harder for countries to ban the trade in wild-caught live dolphins and whales.

“If the Panama FTA is approved, it will become even more difficult to protect those live dolphins that have escaped fishing fleets’ deadly tuna-fishing operations, as dolphin capture operations will be empowered to challenge any effort to restrict the capture and export of live dolphins and whales.”



In April 2007, protests erupted in Panama in opposition to plans by Ocean Embassy, a US based company, to capture 80 dolphins for aquarium display in Panama. Under the Panama FTA this could also mean dolphin capture for US marine mammal parks.

What You Can Do:

- ✓ Call, fax, and email your Senators, your Representative, and President Obama and urge them to oppose the passage of the Panama Free Trade Agreement and to support a US pull-out from the World Trade Organization. You can find their names and contact info at <http://snipurl.com/LegLookup> or by calling our office.
- ✓ Volunteer with Global Justice for Animals and the Environment to spread the word and influence elected officials to support pro-dolphin trade policies.. Call or email our office for details.
- ✓ Make a donation to Global Justice for Animals and the Environment. Mail checks to the address below. Make checks out to “Wetlands Activism Collective,” our parent organization. Write “GJAE” in the note.

Global Justice for Animals and the Environment

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1 Full letter online at <http://snipurl.com/panamaletter>