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## Review Of U.S. Tuna Embargo

by Barbara Khol

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In 1972, the US Congress passed the Marine Animal Protection Act, which established limits on the number of dolphins the US tuna industry could kill. In the late 1980s, Congress required that the kill rate for tuna-exporting countries be no more than 25% greater than the US rate. In 1990, US District Judge Thelton Henderson imposed a ban on tuna imports from Mexico, Venezuela, and Vanuatu until they could demonstrate they were meeting US requirements. The ban was lifted later that year and reinstated in February 1991. Last month Henderson extended the embargo not only to tuna from Mexico and Venezuela, but also to 20 countries that import raw tuna from those two nations and then ship processed products to the US. With the new ruling, officials in Mexico and Venezuela are concerned about the disappearance of markets in Europe and Asia further devastating respective industries. In 1990, Venezuela sold nearly 50,000 tons of east Pacific tuna to the US, earning about US\$60 million at US\$1,200 per ton. In 1991, without the US sales, the price dropped to below US\$700 per ton. Venezuelan officials claim the embargo has cost the local industry about \$100 million. The Venezuelan government estimates that 53% of US tuna imports will be blocked by the extended embargo. While the US pressure has led to a dramatic drop in dolphin deaths, officials in Venezuela and other countries argue that the embargo is protectionist. Francisco Herrera, spokesperson for the Venezuelan Agriculture Ministry, said, "Maybe we should ban the import of American cars because they contaminate the environment. It's illogical, but it represents the same type of thing." In a 35-page report on trade and environment released by Feb. 12 in Paris, the General Agreement on Tariffs and Trade (GATT) headquarters accused Washington of restricting international trade via "ecological imperialism." According to GATT, the broad-based tuna embargo represents a "fast track to trade conflicts and chaos...No country has the right to limit imports of a product only because it originates from a country whose ecological policies are different." The report stated that certain practices by several advanced industrialized nations are tantamount to imposing their own environmental and trade policies on other nations. In a previous ruling, the GATT said the US violated international trade regulations in 1990 by imposing the embargo against tuna and derivative products from Mexico, Venezuela and Vanuatu. The ruling stated that in the case of pollution extending beyond nation-state borders or environmental problems affecting the global community (e.g., deforestation or damage to the ozone layer), inter- governmental cooperation is essential. However, unilateral action must be avoided at all costs, according to GATT. (Basic data from Associated Press, Notimex, 02/12/92)

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