

Trade Agreements: A tool to increase the marine products export from India

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ABSTRACT

Trade in fish and fish products is very important since 50% of international trade originates from developing countries. Before trade liberalization under the aegis of the World Trade Organization, Tariffs, and quotas were the main auxiliary used to prevent the free flow of goods from one country to another. The development of international trade is hampered by the higher tariffs in emerging nations. Further liberalizations under various international agreements reduced tariffs and paved the way for duty-free trade. Trade agreements played an important role in developing commerce between nations by facilitating cooperation and providing access to each other's industries. It binds India with one of the most dynamic growth areas in the world. Hence, this article is focused on the few major and minor agreements like ASEAN-INDIA Free Trade Agreement, India-Japan Comprehensive Economic Partnership Agreement (CEPA), Generalized system of trade preferences (GSP), Asia Pacific Trade Agreement (APTA), India – UK Enhanced Trade Partnership (ETP), Indi Agreement and India – Korea Comprehensive Economic Partnership Agreement (CEPA), India – Australia Comprehensive Economic Cooperation Agreement (CECA), India- UAE Free Trade Agreement and their major impact on marine products export from India.

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1. Introduction

India is one of the top 8 fish exporting countries in the world. About 17% of India's agricultural exports are fish and fish products. In 2023-24, the country exported marine products of quantity 1.78 MMT. The value of exports for the same year was US\$ 7.38 billion (MPEDA, 2024). Trade in fish and fish products is very important for developing countries since 50% of international trade in fish and fish products originates from developing countries (Watson et al., 2017). Despite facing various challenges, including sluggish consumer demand in major export destinations due to inflation in the USA, EU, and UK markets and the issues with the Red Sea route, seafood sector performed considerably well during 2023-24. The exports increased by 2.67% in quantity during the year. However, there is a decline in value by 5.39% in ₹ terms and by 8.80% in US\$ terms.

In terms of the international trade in fish, developed nations typically retain higher tariff rates on processed fish products than on raw fishery products, a practice known as "tariff escalation." The development of international trade is hampered by the higher tariffs on fish and fisheries goods in emerging nations. Hence, the Free Trade Agreements were promulgated which was significant because it is India's first agreement with many economic blocs. Due to various multilateral and regional agreements, tariffs in international trade are constantly being cut, and policymakers worldwide are focusing on using Non-Tariff Measures (NTMs) in trade. There are various types of agreements categorized under PTA, FTA, RTA based on the certain restrictions/relaxations. These various agreements positively and negatively impact the marine products trade in India. Hence this paper deals with the various agreements which have a major impact on marine products from India to various countries.

1.1 Indian fishery trade with emphasis on marine products- Direction of trade:

In 2023-24, India exported fish and fishery products to 132 countries/destinations. In terms of the export value of these commodities, the US, China, Japan, Thailand, Vietnam, Spain, Belgium, Italy, UAE and the Russian Federation and were the top 10 destinations of India's fish and fishery exports in 2023 (Trade map, 2023) and USA, China, Japan, Vietnam and Thailand are major importers of Indian seafood constituted 67.83% of total seafood exports. Frozen Shrimp continued to be the major export item with value share of 66.12% followed by Frozen Fish, Frozen Squid, Frozen Cuttlefish, Frozen Surimi. etc.

In the pre-Independence era, the traditional marine products exports from India consist of dried fish and prawn, dried and wet salt cured fish, dried shark fins and fish maws and fish manure and these were mostly confined to a few underdeveloped and developing countries like Sri Lanka, Burma, Singapore, Malaysia, Hong Kong, etc. In the second phase, when frozen and canned items increasingly figured in our exports, rich, sophisticated markets like the U.S.A, Japan, U.K., Australia, etc., became buyers (Bala Krishnan, 1985; Srivastava and Ahmed, 1986). The product shrimps, crabs and fishes were exported to Japan, the European Countries, and the U.S.A, India stands 1st in position in supplying frozen shrimps to USA, and 2nd position in supply to the China and Japan. A large amount of foreign currency was earned by exporting fish products, thus developing a good number of trade links. India depended heavily on one product (shrimp) and one market (USA) for its marine products export, and thus, there was a need for product and market diversification.

Frozen shrimp continued to be the major item of export in terms of quantity and value, accounting for a share of 40.19% in quantity and 66.12% of the total US\$ earnings.

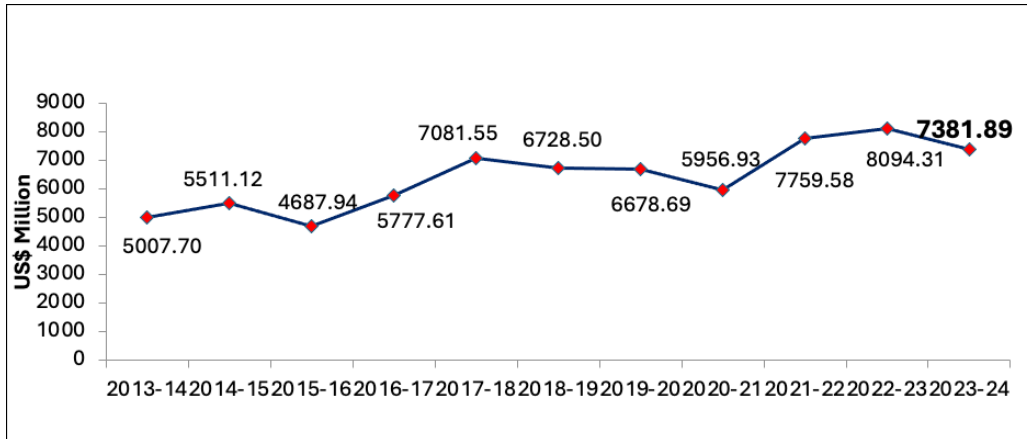


Fig. 1. Marine Export Performance of India for the past 10 years

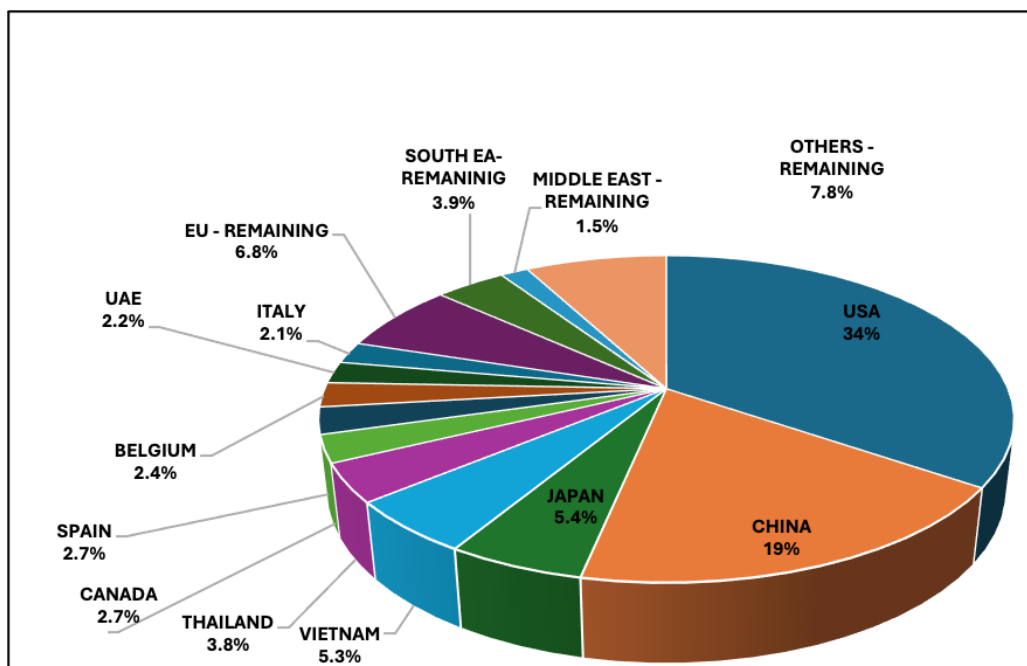


Fig. 2. Major Market wise Exports 2023-24 (Value USD)

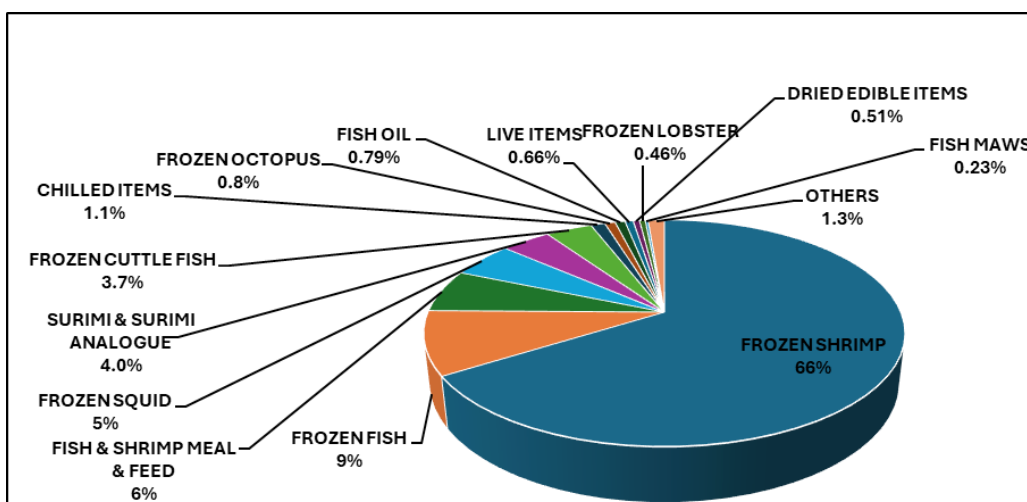


Fig. 3. Item-wise exports 2023-24 (Value US\$)

Frozen Fish exports are at the 2nd largest position by quantity and value, accounting for a share of 21.42% by quantity and 9.09% by US\$ earnings.

2. World Trade Organization (WTO):

The WTO came into existence after the GATT (General Agreement on Tariffs and Trade) on 1st January 1995 with the objective of the growth and development of all member countries (Baldwin, 2016). Fish and fish products are considered industrial products by the World Trade Organization (WTO). The overall level of tariff protection applied to these products remains, however, relatively low for several reasons. The tariff rate applicable for import of fish products was 60 per cent till 1993-94. To meet the obligations of WTO after its establishment in 1995, the tariff rate for import of fish products was reduced to 24% in 1998-99 and further to 21 per cent in 1999-00. In April 2000, India removed QRs on 715 items, which included commodity groups like fish and fish products (Kumar et al., 2002).

The average bound tariff for fish products is 68.6%. There are also taxes of 4% and 10% to be added to most products. Despite reforms, Indian tariffs are still among the highest in the world, especially for goods that are also produced domestically. In the Uruguay Round, India undertook a two-tiered commitment on industrial products, binding at 40% tariffs on items over 40%, and binding at 25% on items with tariffs below 40%. Average tariffs on fish products in developed countries was 4.5% suggesting that tariffs on fish and fish products in developed countries are relatively low (Madan and Shyam, 2012). The main function of WTO is to strengthen the international trade agreements and various agreements have been established under WTO in the context to fish Export, they are the *Agreement on Sanitary and Phytosanitary Measures (SPS)*, *Agreement on Technical Barriers to Trade (TBT)*, *Agreement on Import Licensing Procedures*, *Agreement on Anti-Dumping*, *Agreement on Rules of Origin*, *Tariff reduction* (Sumaila et al., 2007). Apart from these, the other agreements are as follows:

3. ASEAN-INDIA Free Trade Agreement (AIFTA):

ASEAN is a fast-expanding trade bloc in Asia with a growing economic clout. AIFTA was signed on 13th September 2009 which came into effect from 1st January 2010 came into the effect from 1st January 2010 (Chandran and Sudarsan, 2012). Under this agreement five categories of commodities which included Fish and fishery products were categorized to reduce and eliminate duties, thereby leading to the drastic increase in exports to Southeast Asian countries such as Vietnam, Thailand, Malaysia, Singapore, Philippines, Indonesia etc (Verma, 2015).

3.1. Impact on marine product export:

India-ASEAN F.T.A. envisages tariff reduction for marine products through three different modes, namely Normal Track-1 (NT-1), Normal Track – 2 (NT-2), Sensitive Track (S.T.) and an Exclusion List (E.L.) which is created to protect vulnerable products from tariff liberalization (Chandran and Sudarsan, 2012). India exported seafood worth 807 million to ASEAN countries in 2023-2024. Vietnam imported 48.5% of the total share followed by Thailand, Malaysia, Singapore. The MFN duty for frozen shrimp is 20% in Thailand but now the preferential tariff for India is 5% only, like wise there are many duty concessions for ASEAN countries. Hence this Agreement has a major impact on marine products exported from India.

4. India-Japan Comprehensive Economic Partnership Agreement:

India and Japan signed a Comprehensive Economic Partnership Agreement (IJCPEA) in 2011 (Kallummal and Mouzam, 2021). The negotiation on the CEPA concluded in 2010 and both countries formally signed the CEPA in Tokyo on February 16, 2011, which came into effect on August 1, the same year (Nataraj and Ashwani, 2014).

4.1. Impact on marine product export:

Japan was a major importer of higher-grade shrimp from India in 1980. Japan is the principal market for Indian products and found gradual growth in both volume and value but found fluctuations. Over 96% of the exports

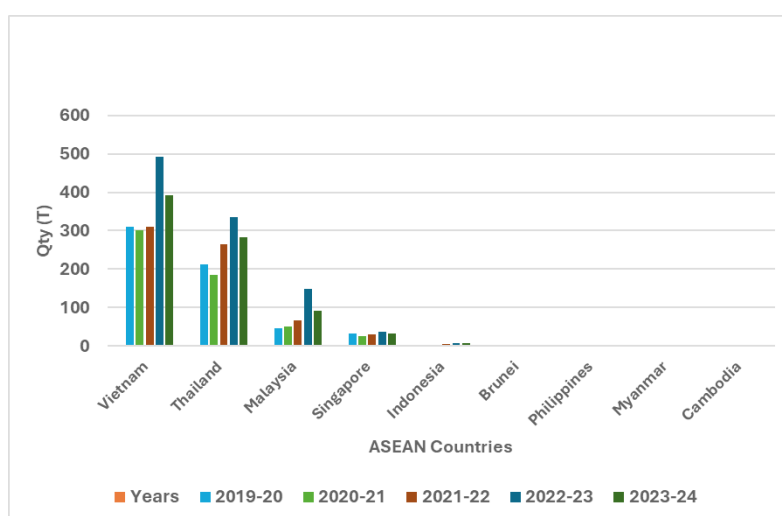


Fig. 4. Marine Products Exports to ASEAN countries for 5 years (US\$)

to Japan were contributed by frozen shrimp. Other frozen items included lobster tails, cuttlefish, clams, etc. (Mohanachandran, 1984). The average tariff rate in Japan, the biggest Indian seafood market, is 4.1% (Madan and Shyam., 2012). In Japan, 20% of tariff lines on fishery products are granted reduced rates and Least Developed Countries (LDCs) have duty-free access to the GSP (Generalized System of Preference) covered product. In Japan, tariff rates are very low or zero. This is the case for most fish, including raw, fresh, chilled, or frozen, while the tariff rate is high for processed products since tariff rates escalate with the level of processing. Products such as canned tuna face high tariffs in the most important markets. At 2 to 3.5% the tariff rate for many categories of fresh fish fillets follows this pattern as well. However, some forms of mussels, octopus and herrings have tariffs of 10% (Madan and Shyam, 2012). Some Pacific salmon, hard clams and oysters are at 10.5%, and some crab products are levied at a 15%. There is also evidence of tariff escalation in the Japanese treatment of tuna. All fresh, refrigerated and frozen tuna entering the Japanese market is assessed a 3.5% MFN rate. The rate jumps to 9.6%, however, for canned tuna. Since 2011 i.e. the year of the India-Japan CEPA, India's seafood export to Japan continued to decline, and thus Indian exports have found other destinations like Europe and South-East Asia (the largest marine market).

However, India's marine exports to Japan have been falling since 2013 (Manjunath et al., 2017). The fall has not been steep but still a sign of worry because India's marine exports to the world have risen in 4 out of 5 years since the signing of CEPA, the exports are at an all-time high indicating a strong demand for Indian products in the world market but they have fallen in the case of Japan (Siddiqui and Sharma, 2019). In 2023- 2024 Japan emerged as the third largest export destination with a share of 6.06% in quantity and 5.42% in US\$ value terms (MPEDA Press Release, 2024). Frozen shrimp, Frozen Cuttlefish and

Squid, Frozen fish meat etc are the major items exporting to Japan. The duty for Frozen Shrimps, Frozen Fish meat, Prepared and preserved fish are 0%. And Frozen Cuttlefish and Itoyori Surimi is having 3.5 % duty and prepared and preserved shrimp 3.2% duty. Elimination of tariff for these products lines during IJCEPA review and finalize the PSR helps to increase the marine product to Japan.

5. Generalized System of Trade Preferences:

The largest and most established U.S. trade incentive programme is GSP. GSP, which was established by the Trade Act of 1974, encourages economic growth by removing taxes from hundreds of products (Including fish and fishery products) when they are imported from one of 119 countries and territories that have been recognized as beneficiary countries (Gnangnon, 2023). This has been a significant deal between India and EU and increased the marine fishery trade. European Union (E.U.) continued as the largest market during the year 2017 with a percentage share of 32.6% in \$ (Stamelos and Tsimaras, 2019). This gradually increased and now at present 2021, the EU is India's third-largest trading partner. But the EU-India relations took root in their present form in 1963 when India was amongst the first developing countries to establish diplomatic relations with the then six-nation European Economic Community (Grossman and Sykes, 2005).

India follows EU Registered Exporter system (the REX system) of certification of origin of goods based on a principle of self-certification. The origin of goods is declared by economic operators themselves by means of so-called statements on origin. The REX system is the term used to designate the system of certification of origin as a whole, and not only the underlying IT system which is used for the registration of exporters. For the time being, the REX system is used by EU exporters in the context of some FTAs, in the context of the GSP of the EU and in the context of the Overseas Association Decision. The REX IT

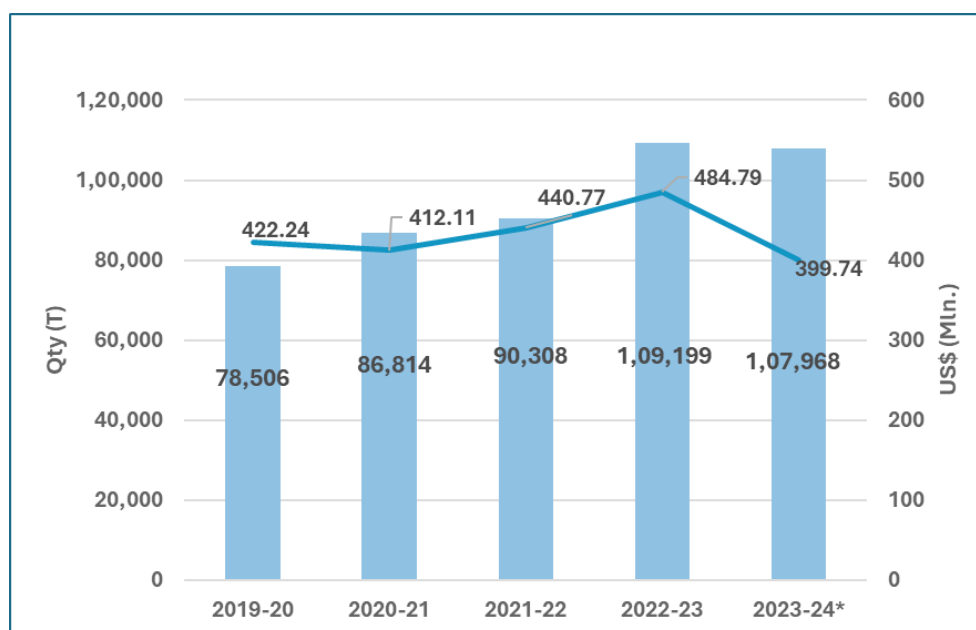


Fig. 5. Marine Products Exports to Japan for 5 years

system has been developed by the European Commission and is made available to the Member States of the EU, to the GSP beneficiary countries.

5.1. Impact on marine product export:

The EU, and US extend preferential tariff treatment under Generalized System of Preferences (GSP) to Indian products including seafood. The EU applies tariffs peaks to around 5% of developing country exports (Xie and Zhang, 2017). India's highest-valued export commodity was crustaceans (USD 4,605 million), with a share of 76% of the total fish and fishery export products. Crustaceans were followed by mollusks (10.7% share), frozen fish (7.2%), fish fillet and other fish meat (4.0%), and dried/salted/in-brine and smoked fish (1.2%) (Khanal and Deb, 2022).

The EU also provides duty-free access for raw seafood products from many developing countries through preferential trading arrangements. However, India's major export items frozen shrimp attracts 4.2% duty and 50% sampling frequency at EU boarder. The HS lines pertain to the warm water shrimps on which India has strong production base. Shrimps form the major foreign exchange earner, contributing 68% of the total seafood exports earnings of the country. EU countries, belonging to the temperate zones do not have these resources. Hence Elimination of Tariff (ET) would not pose any threat to the domestic shrimp farming sector. Further this will help import of cold-water shrimp and fishes such as *Pandalus spp* and salmon, cod, hake fishes for re processing and export. During 2022-2023 India has exported 189701 MT worth USD 1122.67 million marine products to EU with a share percentage of 13.86% of India's total export. India has potential to increase to value added products to EU countries such as Spain, Italy, Belgium, France, Germany, Netherland etc.

Tuna - a commercially-valuable export for many developing countries – provides a good example of the application of differential import tariffs. Since 1990, India was the largest

contributor of shrimp to EU countries. During 2022-23, EU Over the years the imports of fish and mollusks from India into the EU have increased Spain, followed by Germany, France, Spain, and the Netherlands are the major destinations of Indian marine products (Madan and Shyam, 2012). This commodity group (mainly fish and fishery products) was SPS sensitive and as such India should adhere to proper usage of preservatives, color specifications, etc. to ward off any chance of levying non-tariff barriers by any EU member country (Kumar and Joshi, 2002; Mehta, 2005).

During the post-liberalization period, marine exports again started to decline during the years 1998-99. The decline during the post-liberalization period was due to the European Union ban on the import of Indian seafood citing the discovery of bacteria in imported frozen and conserved fish or seafood. The EU lifted the ban in December 1997, but it took another year for the exports to start flourishing. In a period of five years from 2000-01 to 2004-05, the exports have grown 11.38% (Zhou and Cuyvers, 2012). There was a rapid increase in the India-EU marine products trades after 2000. The volume of finfish being exported has been steadily increasing but the export was dominated by Crustaceans and mollusks (Gopal et al., 2009). Since there was a very high demand for high-value items like crustaceans (shrimps and lobsters) and mollusks (squid and cuttlefish) other marine products exported to the EU were less than from crustaceans. In the triennium ending (TE) 2021 (i.e., average export of 2019–2021),

6. India-Korea Comprehensive Economic Partnership Agreement:

The Comprehensive Economic Partnership Agreement (CEPA) between India and Korea was signed on August 7, 2009. (Nataraj and Ashwani, 2014). Fish and related items are the second-highest product category in Korea's imports from the world (Seshadri, 2016). Korea has undertaken immediate tariff liberalization on product categories of India's export interest which includes marine products (prawns, shrimps, and lobsters and India's tariff elimination

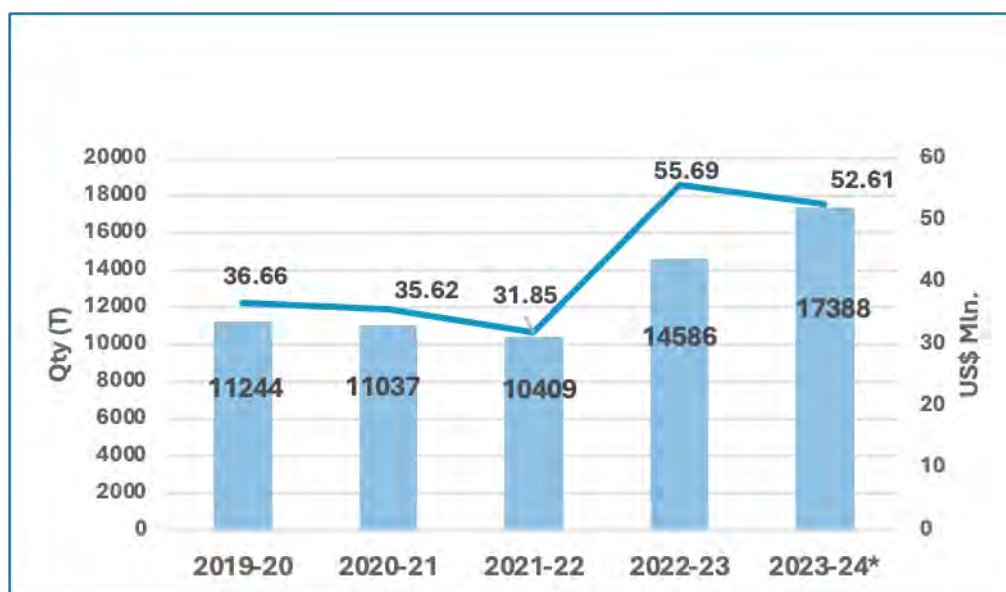


Fig. 6. Marine Products Export to Korea for 5 years

under this agreement was 69.7%, and tariff reduction was 14.1% (Kumar and Dhar, 2020). This indicates that India's gain in agro and marine exports from tariff reduction under the CEPA has not been sufficient to recover the loss of trade since 2008. Hence more Tariff reductions are expected to help address India's trade deficit and improve the welfare effect for both Korea and India. A 20% tariff reduction on all items except for agricultural and fishery products will result in an increase in terms of trade effect to the tune of USD 350 million and USD 1.1 billion for Korea and India respectively, which would help cut India's trade deficit.

6.1 Impact on Marine product export:

Korea's exports to India in 2010 amounted to approximately USD 11.4 billion, recording a 42.7% increase from the same period in 2009, which is higher than the rate of increase in Korea's exports to the world (31%) (Lee et al., 2011). Korean imports of crustaceans reached 2721 million tonnes around 2020, also surimi fillet products reached 5,966 million tonnes. India exports most of its Fish scale to South Korea and is the largest exporter of Fish scale in the World. However, India is not a major country in Korea's trade (Yedla and Cho, 2018). Since 2018- 2019 to 2021-2022 the seafood export to South Korea in a stable manner. During these period India exported an average USD 35 million to South Korea. In 2022-2023 there is a huge growth happened. In 2022-2023 the exports were USD 50 Million. The major products exported during these years is Frozen shrimp, Frozen fish meat, Frozen fish, Frozen mackerel etc. There is Zero duty for frozen shrimp, frozen fish and prepared and preserved fish, and 7% duty for frozen mackerel. India should seek maximum preferential tariffs from Korea on these tariff lines (Banik and Kim, 2022). Therefore, doubling the CEPA preferential tariff reduction would further increase bilateral trade. India-

UAE Free Trade Agreement (FTA) reduced the tariff on fish and fishery products from 5% to 0%, which should help increase India's seafood exports to the UAE. India has also signed 13 other Regional Trade Agreements (RTAs) and FTAs with countries and regions such as Japan, South Korea, ASEAN, and SAARC.

7. India – UK Enhanced Trade Partnership (ETP):

The India-UK Enhanced Trade Partnership (ETP) was launched in early 2021 and formal trade negotiations began in 2022. India-UK FTA negotiations have reached to a very advanced stage when key items of interest of both sides are being discussed. The Developing Countries Trading Scheme (DCTS) entered into force on 19 June 2023 and replaced the UK's Generalised Scheme of Preferences (GSP) The DCTS is a simpler and more generous preferential trading scheme which has been designed to boost trade with developing countries in order to support their development. At present this scheme gives a reduction in custom duty.

7.1 Impact on Marine Products export:

During 2023-2024 India has exported 19,689 MT worth USD 133.63 million marine products to UK with a share percentage of 1.81 % of India's total export. India's exports of marine products to UK have been showing a fluctuating trend during the previous 3 consecutive FYs. The major export items are frozen shrimp, frozen cuttle fish, frozen fish, prepared and preserved shrimp, which attracts import duty of 4.2%, 3.8%, 4.8% and 7.0% respectively. A fast track of trade negotiation helps to enhance seafood exports to UK.

8. Minor Agreements:

The Asia-Pacific Trade Agreement (APTA) is one of the oldest preferential trade agreements (PTAs) in the region

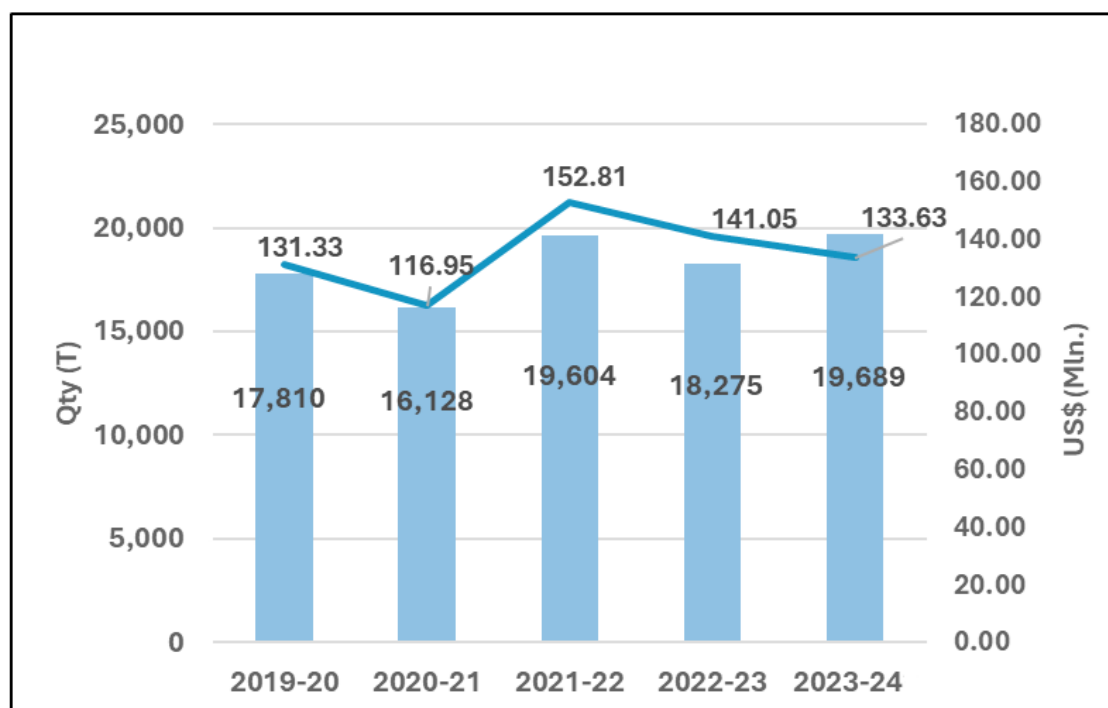


Fig. 7. Marine Products Exports to UK for 5 years

(signed in 1975 as the Bangkok Agreement) and its open for membership to all the developing countries of the Asia and the Pacific. The APTA aims to promote intra-regional trade through reduction in tariff and non-tariff measures (NTMs). Its current members are Bangladesh, China, India, South Korea, Lao and Sri Lanka. Certain **fisheries items** get concessions in terms of import tariffs under the Bangkok Agreement as well. China is the largest exporter to India on these items covering intra-APTA share of 78% in 2005 (with imports on 438 items), which increased to 84 per cent in 2011 (with a marginal increase on items to 445). Bangladesh and Lao PDR saw increase in exports of marine products: both in terms of value and number of items to India from 2005 to 2011. Further Nisar et al., (2020) in his study revealed that export of crustaceans from India to China increased from 19.30% in 2000 to 52.54% in 2018 with the highest share (65.48%) observed in 2017. Also, Indian fish export to China over the years has changed drastically. In the first triennium (2000- 2002), the major exporting commodity was frozen fish (66%) followed by crustaceans (23%), molluscs (7%) and others. But in the last triennium (2016-18), the export composition changed with the highest contribution of crustaceans (55%) followed by frozen fish (37%), molluscs (5%) and others. Similar compositions were obtained by (Nisar et al., 2020). Not enough literature exists on evaluating the effects of APTA on marine products export from India. Most of the studies on APTA have focused on expansion of membership and the potential of trade that exists between the APTA members due to tariff concessions. India- Sri Lanka FTA was signed in December 1998. But the implementation took effect from March 2000 (Saravanan and Vijayakumar, 2022). Sri Lanka has added fish and fishery products under negative list which doesn't give much increase in India's economy. (Kelegama, 2014). Hence this agreement doesn't have much impact on marine products export. Fish and fishery products don't form a major portion in export under this agreement (Choudhry et al., 2013). India's major exported items are Frozen shrimp, Frozen grouper and Dried shrimps are attracting 5%, 13.5% and 5% respectively. India Mercosur- Preferential Trading Agreement was the first such agreement India has signed with a trading bloc outside the region. It could be considered as an indication of expansion of India's trade ambitions beyond the traditional avenues (Yeats, 1998).

9. Conclusion

Thus, to increase trade between the various nations, it is important to promulgate certain measures like free trade agreements. Free Trade Agreement is significant because it is India's first agreement with such a significant economic bloc. It binds India with one of the most dynamic growth areas in the world. Various agreements have positive impacts like INDIA-ASEAN, INDIA -EU, SAPTA, etc, and negative impacts like INDIA-JAPAN CEPA, etc on marine products export from India. Also, minor agreements don't have a major impact on export performance of India. It is hence important to liberalize marine products under new agreements with tariff reduction, duty-free, by

eliminating trade barriers. In the case of Japan, the main reason for the decline in shrimp export was due to quality issues. An anti-dumping duty (3.88%) levied on India also decreases shrimp export to the US. Hence, India should take note of the aggressive expansion and continued development taking place in competing countries and come up with strategies that will ensure quality. Future studies are needed to examine the impact of trade policies, and regional, preferential trading arrangements on India's exported fish and fishery products.

India shipped 17,81,602 MT of seafood worth ₹60,523.89 crore (US\$7.38 billion) during 2023-24, despite heavy odds, which is all time high exports in volume terms. Frozen shrimp remained the major export item in terms of quantity, value both while USA and China turned out to be the major importers of India's seafood. Frozen shrimp, which earned ₹40,013.54 crore (US\$4881.27million), retained its position as the top item in the seafood export basket, accounting for a share of 40.19% in quantity and 66.12% of the total dollar earnings. Shrimp exports during the period increased by 0.69% in quantity terms. Frozen shrimp, which earned ₹40,013.54 crore (US\$4881.27million), retained its position as the top item in the seafood export basket, accounting for a share of 40.19% in quantity and 66.12% of the total dollar earnings. Shrimp exports during the period increased by 0.69% in quantity terms.

USA, the largest market, imported (2,75,662 MT) of frozen shrimp, followed by China (1,45,743 MT), European Union (95,377 MT), South East Asia (65,466 MT), Japan (40,975 MT), and the Middle East (31,647 MT) (MPEDA, 2023).

India is the topmost supplier of frozen shrimp to USA. India is having enormous potential to increase export of frozen shrimp to European Union, United Kingdom and South Korea. But both European Union and United Kingdom levied 4.20% duty for import of Indian Shrimps whereas South Korea levied 20% duty on import of Indian Shrimp. This duty element is hindering export of frozen shrimp products from India to European Union, United Kingdom and South Korea. India needs to execute an early trade negotiation agreement with European Union, United Kingdom and South Korea to reduce the duty and to increase export of frozen shrimps and other marine products. India needs to have new negotiation to execute trade agreement with USA to eliminate antidumping duty (3.88% at present) and the proposed Countervailing Duty (CVD) and customs duty to further increase export of frozen shrimp to USA. Similarly, Japan also imposing 3.5% duty for import of surimi and surimi analogue products. Hence we need to have trade negotiation with Japan to improve export of frozen surimi and frozen surimi analogue products from India. Therefore, India shall actively engage with counterparts to forge Trade Agreements or to review trade agreements and negotiation to make / amend clauses in favour of seafood export, including Country of Origin criteria. Tie ups with regular agencies in major markets also may be encouraged for better information exchange and confidence building to promote seafood exports from India.

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