Domestic Sources of International Fisheries Diplomacy: A Framework for Analysis

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Introduction

A substantial portion of the world's fisheries are international, defined as those involving fish stocks that live in international waters, that migrate between national and international waters, or that migrate between national jurisdictions. National governments cannot manage these fisheries alone; they can do so only in cooperation with each other. But international fisheries are, as a whole, over-exploited and under-managed. As a result, many international commercial fish stocks are threatened with depletion; in some cases they are already badly depleted (FAO 2014). The countries that are major participants in international fisheries cooperate to manage these stocks through a group of intergovernmental organizations collectively known as Regional Fisheries Management Organizations, or RFMOs. Through these RFMOs, all participant countries are committed in principle to sustainable and scientific management. And yet in practice national policies toward international fisheries vary greatly across countries, from those that in practice support sustainable development to those that seem implicitly committed to fishing as much as possible in the short term.

While there are a number of studies of different national fisheries policies, there has to this point been little comparative work looking systematically at the differences in international fisheries policies across countries, despite the importance to the effective management of international fisheries of understanding these differences. This paper is an effort to address this lacuna in the literature, by creating a framework for comparing the domestic sources of differing international fisheries policies across countries. We focus in particular at the policy positions taken by national delegations in negotiations under the auspices of RFMOs, because this is where specific collective management decisions are taken.

We look at three types of differences across countries to explain differences in international fisheries policies. The first type is the relative cost of international regulation to the national fishery industry. This includes both differential costs based on the structure of the specific fishery in question (in particular the substitutability of the stock for the relevant fleet) and differential characteristics in the national fisheries industry as a whole, such as the relationship between primary harvesting and secondary processing. The second type is differential levels and kinds of regulatory capture where fisheries agencies eventually come to be dominated by those who are being regulated (based on Stigler's definition of regulatory capture; Stigler 1971). Determining the level of such capture depends on a range of elements, from the direct involvement of industry personnel in international fisheries negotiations, to the broader patterns of subsidization of the industry. The third type of difference is the role of non-governmental organizations (NGOs) in fisheries policy-making. We look at two particular pathways through

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which NGOs affect policy-making, a distributional politics model and a "Baptists and bootleggers" model.

We first explain our framework. We then briefly identify the theoretical underpinnings of our framework and the models of domestic politics we are focusing on. Then we turn to the five explanatory theoretical propositions of the domestic sources of international fisheries policy with some illustrative examples. We conclude with a discussion of the work ahead of us to evaluate our framework empirically.

What we explain: International Fisheries Policies Across Countries

Japan is one of the most significant fishing countries in the world. It has ratified the UN Fish Stocks Agreement, which stipulates the implementation of the Total-Allowable-Catch (TAC) approach based on the calculation of Maximum Sustainable Yield, and establishes the precautionary approach as its foundational principle. But Japan has TAC regulation for only 7 species and its fisheries legislation has no reference to the precautionary approach. Japan generally avoids implementing many by-catch measures. Japan's approach is in stark contrast with the negotiation position of the EU and US who more frequently invoke the precautionary approach. At the same time, the general EU approach is tempered by strategic use of opt out provisions within fisheries agreements and occasional non-compliance with international rules.

There can thus be considerable differences between the international fisheries policies of different countries participating in the same negotiations, and also between official national policies and negotiating positions. These different positions have different implications for the sustainability of international fisheries. Since we are interested in explaining the driving forces which render state behavior more or less favorable to sustainable fisheries, we distinguish, following Webster (2009), between "strong" position favoring scientific committee's advice and stricter monitoring and enforcement measures, and "weak" position favoring looser regulation.

One other way to study the relationship between official national policies and practical proximate negotiating positions is to look at actions taken by national regulators in response to negotiated outcomes in RFMOs. In particular, differences between negotiating positions and implementation behavior can indicate the degree to which states policies and positions are in fact reflective of *de facto* policy preferences across the national fisheries policy implementation machinery—the example of Japan indicates that it does not like excessive application of the precautionary approach. There is in fact a more extensive literature on the implementation of international fisheries agreements than on negotiating stances leading up to them (for example, Ferraro 2010 and Marchal et al. 2016), and this literature can provide a basis for a comparison between negotiating position and implementation patterns. Unlike the focus in the implementation literature, however, ours is not on level of implementation *per se*, but on differences between stated policy, negotiating positions, and implementation behavior. The more implementation lags stated policy and negotiating position, the lower the likelihood that sustainability is a fundamental goal of the country's international fisheries policy.

International Fisheries Policy in Theory

Exploring the driving factors determining states' negotiation positions in international fisheries governance is still in its infant stage. We argue that incorporating domestic politics and factors stemming from domestic policymaking into such analysis would enrich our understanding of state behavior in international fisheries governance by supplementing the existing theories that treat states as rational unitary actors.

Two insights drawn from the rationalist analysis of international cooperation and negotiation provide a useful starting point for this line of research. The first is that fish stocks subject to international negotiations are common pool resources (CPR). That is, they have the characteristics of non-excludability (one cannot exclude others from catching fish) and subtractability (the more one fishes, the lesser the others can fish). This is important because it generates a tragedy of the commons, which has profound political implications for managing such fish stocks. Barkin and DeSombre neatly summarizes the main implication: the non-excludability of a common pool resource means that actors that fail to contribute to protecting that resource cannot be excluded from accessing it. Subtractability of the resource means that those who do not contribute to protecting it can decrease the usability of the resource for others. (Barkin and DeSombre 2000). An additional implication is that potential free riders, states that do not have much interest in the sustainability of fisheries resources, can gain more bargaining power than the states who depend on such resources because they can credibly threaten to deplete the resource absent cooperative management.

This last observation makes it critical to understand which countries are likely to be free riders in negotiations toward international fisheries governance if international fisheries are to be managed sustainably. Current research on countries' international fisheries policies sheds some light on the policies of individual countries (for example, Ferraro 2010), but does not provide a basis for addressing relative interest in sustainable policies across countries.

But speaking of a "country" as a unitary actor is misleading. Even when fisheries diplomats want to pursue cooperative governance of sustainable international fisheries, they are faced with the need to persuade both home governments and domestic constituents in order to be able to do so. They are, as Robert Putnam initially observed, facing a "two-level game," (Putnam 1988) negotiating both with their domestic populations and with their international negotiating partners to pursue national fisheries interests; the former acting mainly as a constraining condition when the fisheries diplomats actually negotiate in the RFMOs. But what those interests are is key. The two-level games perspective, in combination with analysis of collective action, suggests that states prefer cooperative management to succeed, but at the same time would like to free-ride on that management by being less regulated than others. All states can be expected to share those preferences to some extent, though the extent to which they are willing to risk collapse of a negotiation should vary based on their alternatives. This situation frequently results in catch levels that are higher than scientific advice suggests.

The two-level game perspective highlights the need to establish who the key domestic interest groups are that constrain national negotiators in the issue at hand. In this case, for example, the domestic level of a two-level game means persuading the fishing industry to make short-term financial sacrifices for the rebuilding of the targeted fish stocks in the longer term. And the

industry often has considerable bargaining power over fisheries regulators because they are the main provider of fisheries data that forms the very basis of fisheries regulation. This union of the regulatee and the main data provider is an unusual feature of international fisheries governance.

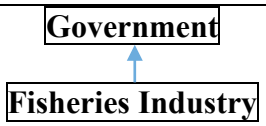
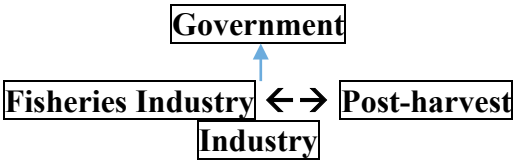
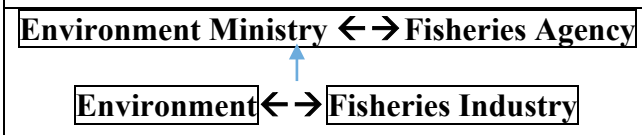
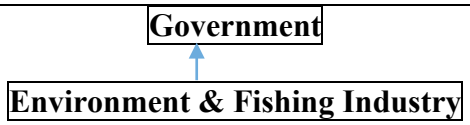
An additional insight from negotiation theory (Odell 2002) is that a state's negotiating position depends at least in part on what the alternative options to the industry are for the particular stock in question. Previous research suggests that states whose fishing vessels have alternatives to fishing in the area under discussion are able to hold out for their interests more effectively, because if collective management fails, they have alternative fishing opportunities (Barkin and DeSombre 2000).

In a broader analysis, it could be useful to examine characteristics of a state's fishing operations to determine the extent to which it has alternatives to fishing the stock that is the subject of negotiations. That might include historical fishing behavior as well as fleet characteristics – what types of vessels and gear, what sizes and geographic reach, etc. This framework would predict that fishing states less dependent on a particular stock should better have a stronger bargaining position and be more willing to hold out for its preferred outcomes, something that would be interesting to investigate empirically. This situation is complicated by the question of whether national-level negotiators are negotiating with the industry, or are captured by the industry. The greater the extent to which they are captured by the industry, the less constrained they are likely to be by national-level diplomatic commitments to sustainability and scientific management.

The fishing industry, however, is not the only domestic constituency of relevance here. Environmental NGOs often take an interest in national and international fisheries issues. If powerful environmental NGOs can gain access to fisheries policymaking, they can act as counterweight to the industry, leading to more sustainable international negotiating positions than might otherwise be the case. But it need not always be the case that environmental NGOs find themselves in opposition to the fishing industry; in some circumstances they can act complementarily, when internationalizing domestic fisheries regulations.

These various arguments suggest that incorporating domestic politics into the analysis of international fisheries negotiations can lead to a deeper understanding of international fisheries negotiations than can be predicted from the CPR nature of international fisheries resources, alone. They thus demonstrate the importance of incorporating the domestic politics dimension in studies of international fisheries governance. The rest of this paper looks at these various sources of domestic effect on countries' international fisheries policies, organized into the three categories noted in the introduction: the structure of the domestic fishing industry, the extent of regulatory capture, and the role of environmental NGOs in national fisheries politics. The conceptual understanding of the simplified domestic politics model and the corresponding theoretical propositions are shown in Table 1.

Table 1

Conceptual model of domestic politics	Hypothetical storylines	Main argument
	**Substitutability**	**Countries with more fishing substitutability are less willing to support sustainable fishing measures than those with less substitutability**
	**Value Chain**	**Primary market countries are less willing to support sustainable fishing measures than primary fishing countries**
	**Regulatory Capture**	**Countries with industry representation in fisheries commissions are less willing to support sustainable fishing measures**
	**Underdal's Domestic Politics model**	**The greater the relative political capabilities of the fishing industry compared to the environmental NGOs, the less strict regulation the state is likely to support.**
	**Baptist and Bootlegger**	**Country policies will reflect intersection of fishing and environmentalist interests**

Industry Structure

We posit that the structure of a country's fishing industry, particularly those parts of the industry that interact with international fisheries, can have predictable effects on both that country's

positions in international fisheries negotiations, and its willingness to effectively implement the results of those negotiations. We look at two different levels of aggregation at which industry structure matters. The first is at the level of individual fishery and fishing fleet, and focuses only on the capture part of the industry. At this level, the degree to which alternate fisheries are open to the fleet, which we call substitutability, is an indicator of willingness to adopt sustainable fishing levels. The second is the broader national industry, including both capture and processing elements. At this level, the relationship of the two elements to each other, and to export patterns, can affect willingness to adopt sustainable fishing levels. The industry, acting as a domestic interest group, would then transmit these preferences to the national government and its negotiators.

Substitutability

The first of these levels is that of the individual fishery. National fishing fleets generally target several (or many) specific fisheries sharing similar equipment, and fishing the same or similar stocks. These similarities give participants in the fishery common economic preferences about the sustainability of the target stock. One of the ways of looking at these common preferences is through the lens of substitutability, understood as the capability of the fishers in question, given their location and gear, to profitably fish other stocks.

The different capabilities can be most clearly exemplified by vessel range. The Japanese large distant-water fishing fleets have a larger vessel range than some coastal artisanal fisheries, and therefore the former has more capability to profitably fish various stocks in various oceans than the latter. Some vessel-gear combinations are much more dependent on specific stocks and specific regions than others, as in the artisanal fisheries where people use very small fishing boats and cast nets. In terms of gear, for example, longline fleets are less flexible in their target stocks than vessels designed as general-purpose trawlers. In other words, fleets consisting of larger and more flexible vessels are more likely to be able to substitute for depleted stocks than fleets consisting of small and more specialized vessels.

This difference in substitutability is likely to affect industry interests. A fleet with less substitutability is more tied to specific stocks, and therefore is likely to have a greater interest in the long-term sustainability of those stocks. A fleet with more substitutability does not depend on the long-term health of a particular stock, because it has the capability to fish elsewhere, or for other fish, if the stock is depleted. Taking on the examples above, artisanal fisheries cannot enjoy substitutability, therefore, should be interested in promoting international cooperation toward sustainable management of the specific stock in question. On the other hand, the Japanese distant water fisheries, an industry with more substitutability, can be expected, other things being equal, to be less enthusiastic about sustainable management if it means lower catches in the short term.

This logic applies to ships accessing specific fisheries, not to national industries more broadly; it is possible for national industries to represent fleets with a range of substitutability. As such, categorizing countries as short-range and distance fishing is too simplistic, albeit more or less accurate in some cases. A focus on substitutability can nonetheless be useful in understanding a country's general international fisheries policy, as a starting point in looking at the domestic

politics of international fisheries policy. Substitutability can help to identify the interests of various segments of the national industry, and can thereby help in determining which segments are being the most effective at defining the interests of national negotiators.

Value Chain

An analysis of substitutability focuses analytic attention on the fishing industry narrowly defined as the capture of fish. But fishing industries broadly defined contain a number of other components, including processing and wholesaling/distribution. These various components can be collectively thought of as the fisheries value chain, the various specific industry elements that depend on, and add economic value to, capture fisheries. Different elements of the fisheries value chain have different interests in international fisheries governance, and in the sustainability of individual international fisheries. The component of value chains that is of particularly relevant to understanding the sources of countries' international fisheries policies is the distinction between primarily fishing countries, like Taiwan, which fishes high-grade tuna and almost entirely export them to other countries, and primarily market countries, like Japan, which has the biggest Atlantic bluefin tuna market in the world. The former are those whose post-harvest value chain sectors have less economic importance than the capture fisheries sector, while the latter are those with economically more important post-harvest value chain sectors (Sakaguchi et al. 2013). At its simplest, the relative importance of the sectors can be measured by their relative size as a proportion of GDP. It should be noted, however, that relative size will not necessarily directly determine the political importance of the sector in determining national interest with respect to international fisheries governance. Historical and political factors can favor the political access of one sector over the other, and the logic of collective action suggests that sectors that are more concentrated in terms of ownership and political representation are likely to be more effective at affecting national negotiating positions.

Other things being equal, countries in which the capture fisheries sector is the more important have a stronger economic incentive to favor sustainable international fisheries governance than countries in which the post-harvest sector predominates. The Gordon-Schaefer model indicates that the harvest effort level of Maximum Economic Yield (MEY) is economically the most profitable effort level for fisheries sectors, and in most cases, the effort level for MEY occurs at the lower effort level than that for maximum sustainable yield (MSY). Where there is no or only weak harvest regulation, the actual harvest often occurs at the bioeconomic equilibrium (BE) point, an economically much less profitable effort level. Such oversupply beyond the MEY level reduces the profit of fishery sector due to the diminishing rent margin (Bjørndal and Munro 2012). Note, however, that this is only true if there are no major overcapacity or overinvestment problems.

Countries that earn more from the globalized post-harvest value chain can be theoretically presumed to take a more passive stance to strengthening management measures toward sustainability because their profit is maximized at a higher fishing effort level than the MEY level for fishers. Shorter supply will ordinarily put upward pressure on prices, and the post-harvest value-chain sectors benefits less than the capture fishery sector from such upward pressure, because it is not always possible for them to quickly pass all the increased cost on to

consumers, depending on price-elasticity of demand. Conversely, the profit for the post-harvest value-chain sectors usually increases with oversupply as the price of supplied fish, hence production cost, declines while the final retail price only slowly responds to the reduced fish price and does not decline to the same extent as the fish price. Therefore, mainly marketing nations are expected to be less open stringent management measures of harvest than mainly fishing nations (Sakaguchi et al. 2013). For example, it may be argued that the reason why Japan continued to take in various RFMO negotiations a passive position to measures strengthening the management of three Bluefin tuna species is because Japan imports more Bluefin tuna sashimi than they harvest, and primarily represents the interest of post-harvest traders than fishers (Sakaguchi et. al. 2013).

Regulatory Capture

The discussion in the previous section is based on the assumption that negotiators are neutral arbiters among relevant sectoral interests within the country in question, and that fishing industry interests affect negotiator priorities to the extent that the industry agrees internally on its interests and expresses them clearly within the forum of national politics. But it may well be the case that the bureaucracies for which the regulators work are in fact biased toward fishing industry interests at the expense of other sectoral or national interests. This sort of bias is referred to in the domestic politics literature as regulatory capture.

Carpenter and Moss (2014) define regulatory capture as "the result or process by which regulation, in law or application, is consistently or repeatedly directed away from the public interest and toward the interests of the regulated industry, by the intent and action of the industry itself." The key terms here are "public interest" and "intent and action of the industry itself." In international fisheries governance, the public presumably has a long-term interest in sustainable fisheries, but may also have a short-term interest in cheap and available supplies of fish. There is a clear tension between these two interests that can complicate the identification of regulatory capture. The other term, "intent and action of the industry itself," requires that researchers must establish with available evidence that there is actually intent and action of the industry itself.

Mechanisms of Capture

Capture reflects the ways national representatives to international fisheries negotiations come to represent the narrow interests of the national industry rather than the broader interests in sound long-term management. It can be divided into three broad categories. The first and most straightforward of the three mechanisms of capture is personnel. To the extent that the people acting as national representatives to RFMOs are themselves part of the national fishing industry, they are likely to see their role in international negotiations through the lens of the industry. Some national delegations explicitly include (or consist entirely of) industry representatives. This is done in order to ensure that industry interests get direct representation in negotiations, on the implicit assumption that national industry interests equal national interests.

The second mechanism is organizational structure, understood as the formal hierarchies of the government bureaucracies negotiating international fisheries governance. To the extent that

bureaucrats represent the interests of their bureaucracies, the organizational home of national representatives to RFMOs matter. Some national representatives come from environmental regulators, and are likely to see their tasks through a lens of sustainability. Others, however, come from bureaucracies more focused either on industrial development (such as ministries of development or departments of commerce) or agriculture and food. These are more likely to prioritize the growth of the industry in the first instance or the maximization of the food supply in the second over marine ecosystem sustainability in the long term. Yet others may come from ministries or departments where the potential degree of regulatory capture is less clear in a general sense, such as foreign affairs, or oceans. In these cases the degree of regulatory capture must be established on a case-by-case basis.

The third mechanism of capture is subsidization, the process of government agencies providing financial support to the fishing industry. Such subsidization is widespread; it can be found in most major fishing countries, and in some cases equals more than a quarter of the total economic output of the industry. It is a mechanism of regulatory capture because it involves the industry taking direct action to create regulations to direct public funds to a sectoral interest. Whether or not it affects negotiating positions in RFMOs is a more open question, but there is reason to expect that it might. To the extent that governments are committed to maintaining the financial health of the fishing industry (or segments thereof), and negotiations lead to international rules that have short-term effects on that financial health, those negotiations can cost governments money in the short term. Patterns of subsidy can therefore capture regulatory structures by moving their focus from the national interest to a more immediate institutional fiscal interest.

Measuring regulatory capture, whichever mechanism it happens through, can be difficult. Aggregate or correlative tests are likely to be hampered by a lack of data, but more importantly by a lack of clear indicators both of the inputs and outputs of capture. In other words, the link between mechanisms of regulatory capture and effects on negotiated outcomes is complicated and messy, and likely impossible to model statistically in an effective way. The difficulty in measuring effects of regulatory capture is that doing so requires a counterfactual baseline, an assumption of what the RFMO's members would have done absent regulatory capture. One potential baseline that can be used is scientific advice to RFMOs on what their quotas and other regulations should be. A difference between scientific advice and regulatory outcome can then be imputed to regulatory capture. To do a robust analysis of regulatory capture, we must make full use of the available techniques such as process tracing.

Environmental NGOs

The two sections above are based on the assumption that the fisheries industry is the key domestic interest group affecting a country's international fisheries policy, whether or not the industry has captured the regulatory process. Another key interest group in some countries, however, is environmental NGOs. These organizations can affect national policy through a number of channels, both political and legal. We look at two models of environmental NGO involvement in the policy-making process. The first, drawing on Underdal's domestic politics model, assumes that NGOs and the fisheries industry will have opposing interests. The second, drawing on DeSombre's Baptists and bootleggers model, identifies circumstances in which their interests may reinforce each other's.

Domestic Politics Model

Environmental NGOs are an integral part of the negotiations of the Regional Fisheries Management Organizations (RFMOs); they participate in RFMOs as observers and disseminate their arguments and findings, lobby contracting parties' delegations, and evaluate the outcome of such negotiations. However, the existing literature analyzing how states decide on their negotiating positions by looking at the domestic policymaking process (with the exception of the Baptists and bootleggers model) generally give environmental NGOs only a minor, if any, role (for example, Ásgeirsdóttir 2008; Webster 2008; Sakaguchi 2013; and Belschner 2015).

One way of incorporating environmental NGOs in the domestic politics of determining states' negotiation position is Underdal's Domestic Politics model. It introduces three complications compared to the state-as-unitary-actor model:"(1) Decision-makers and the general public perceive costs and benefits in subjective rather than objective terms, (2) actors have diverse interests other than maximizing short term welfare gain; and (3) Political systems distribute power and influence unequally; domestic political processes "tend to produce outputs that can deviate systematically – and in ways that can be predicted – from those that would maximize net national welfare as understood by the unitary rational actor model" (Underdal 2000, p. 59).

The Underdal model sees policy outcomes as coming from both the demand of society for environmental quality and the supply from the government of policies to protect the environment" (Underdal 2000, p. 60). When applied to fisheries governance, the societal demand comes from revenue produced by the fisheries sector, whether short term fisheries interests or long-term sustainability of the ocean ecosystem are supported, and the capabilities of environmental and fisheries NGOs, political parties and mass media.

Relative political capabilities in turn are likely to be affected by a variety of variables across countries. The political strength of the fishing industry is likely to be related to its economic importance, other things being equal, although regional importance may in some instances, and in some political configurations, be as central as national importance. Cultural and political history matter as well – an industry that has well-established political connections or political resonance may have greater political capabilities than its economic importance might suggest.

The NGO side of the equation varies greatly across countries as well. In some countries NGOs in general are less politically salient than others (and in some countries, like Japan, they play little political role at all). Different national legal systems also afford environmental NGOs different degrees of influence over international fisheries policy. Both sides' influence could be amplified if they form coalitions with political parties; those coalitions may be called "friends of fishing" when they represent fishing industry short-term interests, or "friends of fish" when it is representing sustainable fisheries interests (Belschner 2015). As such, the greater the relative political capabilities of the fishing industry copared to the environmental NGOs, the less strict regulation the state is likely to support.

Even when the demand for sustainable fishing policy is high, it must be met with corresponding governmental supply for such policy to become true. As for the supply side, we adapt Underdal's

model to our purpose, and simply assume that it is determined by how power and influence are distributed among different branches of government. The most relevant government branches would be the fisheries agency and the ministry of environment (and/or the sustainability arm of the fisheries agency). The relative power of branches of government would be determined, following Underdal (2000), by three factors: institutional capacity in terms of budget, knowledge and personnel, political significance, and access to relevant decision-making processes. In Asian countries, the environmental branch is usually not involved at all in any decision-making process of foreign fisheries policy. In the EU, the pursuit of sustainability is integrated in its fisheries branch, the Directorate-General for Maritime Affairs and Fisheries. We will need to consider how to operationalize the variation.

How to combine the demand and supply as articulated above can be formulated as follows: if both demand and supply match then the matched interest will become the country's foreign fisheries policy, but if they mismatch, then a medium position would be taken because it is generally difficult for decision-makers to completely ignore societal demands.

Baptists and Bootleggers Model

The "Baptist and bootlegger model" (DeSombre, 2000) assumes that international policy on environmental (and other social) issues may come about when the interests if distinct (and often incompatible) substate communities converge. Industry actors (in this case, fishers or processors) and environmental NGOs frequently have positions at odds with each other, but they may have some interests that overlap. Foreign policy would be most likely in the area of that intersection. This set of strange bedfellows may advocate similar policies for different reasons; even if each has a set of preferences that doesn't match the other's, the point at which they have compatible interests is an important opportunity for collaboration or acquiescence in domestic politics. This phenomenon has been referred to as a "Baptist and bootlegger" coalition, in an analogy to the period of Prohibition in the United States, supported by both suppliers of illegal alcohol (bootleggers) and campaigners against the moral ills of alcohol (often Baptists) whose situation benefited – albeit in different ways – from the outlawing of alcohol.

This phenomenon has bee observed in fisheries policy initially in the realm of bycatch (dolphins caught set upon by yellowfin tuna fishers, and sea turtles caught incidentally in shrimp nets), which is a set of issues particularly likely to engage environmentalists, who have often been absent from the narrower discussion of sustainable levels of fish catches. But it has also been applied to efforts to regulate tuna internationally even when they are caught in EEZs. The perspective was initially put forth in the realm of domestic-international interactions in the United States context, but has since been applied across many other countries and issues.

In its initial formulation, it suggested that the approaches the United States took (threats of economic sanctions against states that did not adopt the types of policy approaches the United States had already implemented domestically) were created at the intersection of the interests of the supporters of the policy, and moreover, that the types of efforts made internationally were predictable by the points at which those interests intersected. From a research perspective, it suggests that if the domestic coalition behind a negotiation is knowable some predictions should be able to be made about what positions and policies could be acceptable and which could not.

This approach also points to the important role that domestic regulation can play in influencing international negotiating issues, particularly on common pool resource issues: for instance, the domestic fishing industry in the United States was in favor of international regulations that required the industry in other states to be held to the same standards they were, for competitiveness reasons. The industry only acquired that priority once it was regulated domestically. From an analytical perspective it suggests the usefulness at looking at how domestic industry is regulated (especially compared to its international competitors) as a potential source of its international position.

Conclusion

This analytical framework can explain states negotiation positions in the RFMOs negotiations. We propose to investigate the extent to whcih five theoretical propositions account for a state's policy towards international fisheries conservation. These five are substitutability, value chain hypothesis, regulatory capture, Underdal's domestic politics model, and a Baptist and bootlegger modeal. There are still things to do: for example, how do we treat states' strategic position taking—an act to hide the real intended negotiation position and take a strategic position to get the most preferable bargain—in the negotiations, how do we actually measure the level of regulatory capture. But we are optimistic about operationalizing our framework and provide a rigorous understanding on the domestic sources of states' negotiation positions. We believe analyzing states negotiation position can not only lay theoretical grounds that teaches us how to realize sustainable fisheries policy in the RFMOs but also it fits well into the so-called "domestic politics turn in IR theory" (Kaarbo 2015) and may contribute to further understanding of the relationship between international negotiations and domestic politics.

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