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China's Fisheries Management Policy: An Interview with Tabitha Mallory

1. How has China's fisheries management policy changed over time?

China has some of the oldest fishing conservation measures in the world, like fishing bans and mesh size limits, which date to at least to the Zhou Dynasty, from 1046–256 B.C.E. There is evidence of resource strain toward the end of the Qing Dynasty in the eighteenth century, and coastal areas managed fisheries through local associations. From the beginning of the twentieth century, China borrowed many of the modernist fishing practices of industrialized countries, which were geared toward large-scale, scientific-based production of fish. China's first fisheries school, the Aquatic Production Institute (modeled after the Japanese), was established in 1910 in Tianjin. Chinese fisheries were showing signs of overfishing in the 1930s, but the war period allowed the stocks to rebound. The Chinese Communist Party under Chairman Mao greatly expanded the fisheries sector even more efficiently than the Nationalists, whose fisheries institutions were preserved after the revolution. By the 1970s, however, some commercial stocks were collapsing.

Dead fish are actually responsible for putting environmental protection on China's radar screen after Mao. The 1972 United Nations Conference on the Human Environment in Stockholm coincided with two environmental crises in China, both involving fish. A toxic algae bloom decimated fish stocks in Dalian, while contaminated fish appeared in Beijing's fish market. These events initiated the development of the domestic institutions that now govern China's environment and natural resources.

In the mid-1980s, China created two policies to address depleted fisheries. The state accelerated development of the aquaculture industry, and launched a distant water fishing industry. As a result of the new aquaculture policy, China is now the world's largest producer of seafood. China is probably also the world's largest producer of wild catch, though there is some question here because of data reliability.

Over the course of the 1980s and 1990s, China's marine resource conservation took shape: the Rio sustainability principles inspired China's

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Ocean Agenda 21; the UN Food and Agriculture Organization (FAO) created the Code of Conduct for Responsible Fisheries in 1995; and China ratified the UN Convention on the Law of the Sea (UNCLOS) in 1996. China's new emphasis on sustainable development is reflected in current domestic laws and regulations governing domestic fisheries. However, the state's economic goals have predominantly eclipsed sustainability targets when it comes to enforcement.

2. Can you discuss international perceptions of China's current policies and their adherence to sustainable fisheries norms?

China has done best implementing sustainable fisheries policies domestically, even though the state falls short of some targets. For example, the Bureau of Fisheries intended to decrease the size of China's ocean fishing fleet by thirty thousand between 2002 and 2010, but ultimately fell short of this goal by twelve thousand. However, the central authority realizes that conserving domestic resources is in China's direct interest for long-term domestic economic reasons.

However, compliance and cooperation with fisheries institutions that govern international resources need improvement. China has signed (but not ratified) the Fish Stocks Agreement, which addresses straddling [fish that migrate between exclusive economic zones of one or more states] and highly migratory stocks. China has joined a number of regional fisheries management organizations in accordance with the agreement, and follows many of the requirements of these organizations, though there are some quality and accuracy problems with logbook and data reporting. China has not even signed the [UN's 1993 FAO] Compliance Agreement, which establishes important standards for high seas fishing operations, and there is a dearth of discussion about the Agreement in Chinese sources.

China has enormous challenges with illegal fishing, both regionally and globally, which negatively affects China's relationships with other countries. Until the late 2000s, there was little discussion in Chinese sources of the international plan of action on illegal, unreported, and unregulated (IUU) fishing. However, a policy document from the Fisheries Bureau issued in early 2013 took up the issue, a sign that it has become a higher priority for the state.

But no country has gotten fisheries governance perfectly. A 2009 study evaluated major fishing countries according to fisheries management practices. None received a good score. China's score was barely passing, but at the same time, China ranked 22 out of 53, which is above the median (and ahead of Spain, for example). And while the United States has ratified the Fish Stocks and Compliance Agreements, it still has not ratified the most basic international convention governing the world's oceans [UNCLOS]. Overfishing is a collective action problem to which we all contribute.

3. How have foreign countries impacted the development of Chinese fisheries policies?

China modeled its twentieth century fishing practices on those of industrialized countries. This is also the case today—China pays very close attention to the science and technology levels of developed countries. Many of China's fishing vessels are imported second- or third-hand from more advanced countries. China wants a competitive global fishing industry, too. China heavily subsidizes its fishing industry just as other developed countries do. Again, this just echoes the need for us to look at industry-wide practices across the globe, not just in one country.

China also has geopolitical motivations for wanting a global fishing presence. China's strength as a fishing nation contributes to China's global sea power, which gives China more influence in the international system vis-à-vis other nations. But this goal doesn't have to predict disaster for the world's fish. China's role in global ocean governance could be enhanced by its contribution to monitoring, control and surveillance of fisheries, for example through coast guard partnerships.

At the same time, as China increasingly participates in international fisheries institutions, its diplomats and scientists join an epistemic community, which supports convergence in knowledge and approaches with regard to global fisheries management. International reputation among other countries is a motivator for Chinese participation.

Developed countries affect China's fisheries economics through demand for fish, as well. China exports nearly half of its distant water catch to Japan, the European Union, and the United States. Overconsumption in these countries is a key contributor to Chinese overfishing.

Another challenge on the horizon is the growth of China's consumer class, which is already demanding more high-value luxury fish like tuna and live reef fish. When the 2008 economic crisis happened, EU imports of fish slowed, and the Chinese started to bolster domestic demand for fish.

China's interaction with neighboring countries over maritime disputes and fisheries can influence Chinese fisheries policy, as China responds to the actions of other countries. Some scholars suspect that the Chinese state encourages its fishermen to conduct certain operations to support the state's policy goals on maritime disputes, but it has been challenging to find any concrete evidence for such a chain of command.

4. Does the ownership structure of fisheries affect the performance and policies of Chinese fisheries? Management policy aside, how much control does the Chinese government have over Chinese companies?

The state-owned enterprises operate at large scale, have the most advanced science and technology, utilize the biggest vessels, and produce the most catch. Privately-owned vessels are smaller and catch fewer fish, but are

greater in number, and are more difficult for the government to monitor and control. Even state-owned enterprises (SOEs) have a fair degree of autonomy from government control in day-to-day management, which is a trend in other sectors of the Chinese economy, as well. But the Chinese central authority can intervene in the fishing operations of SOEs abroad to some extent. It is more difficult to control the operations of smaller vessels outside of China's near seas.

However, the state has a licensing and registration system, and laws and regulations governing practices that apply to both domestic and distant water fishing vessels. Systems like catch-shares and quotas could be further developed. But China's control problems lie on the enforcement of these laws and regulations. While China's domestic enforcement has improved, enforcement on the high seas and in the waters of other countries is much more challenging. Part of the challenge comes from weak governance structures in the international community and in host countries.

But one area where China has a great deal of control is financing of fishing operations. China heavily subsidizes its fishing industry. These subsidies distort market signals, making the fishing industry profitable when it would not have been otherwise. One study showed that government subsidies to the China National Fisheries Corporation equaled half of the company's net profits in 2008. Fishing subsidies are a worldwide problem, a leading cause of global overfishing by creating too much capacity. The World Trade Organization has taken up subsidies, but the discussions have stagnated in recent years. No one wants to give up their subsidies because of pressure from domestic fishermen.

5. What implications does China's fisheries management policy have for its relations with its regional neighbors?

In accordance with UNCLOS guidelines, China has worked out some bilateral fisheries agreements over shared resources in the Yellow Sea, East China Sea, and part of the South China Sea. But because stricter domestic regulations and shrinking fishing grounds have led to unemployment and financial hardship in China's fishing industry, neighboring countries face problems with illegal Chinese fishing. For example, South Korea apprehends hundreds of illegal Chinese fishermen annually.

Resource management with neighbors is complicated by outstanding disputes over maritime sovereignty and delimitation, particularly surrounding the Senkaku/Diaoyu Islands in the East China Sea, and in most of the South China Sea. The bilateral fisheries agreements are only a partial solution because fish stocks migrate throughout the seas. Regional fisheries management organizations would be more effective, but tensions between neighboring countries have made multilateral management difficult. Furthermore, fisheries law enforcement vessels can act as proxies for naval forces in asserting control over disputed areas. The danger is that incidents involving civilian forces can escalate to military conflict.

China recently made significant institutional changes to improve law enforcement in coastal waters. On one hand, better enforcement is potentially helpful because it contributes to resource conservation. On the other hand, unilateral enforcement of fishing regulations in disputed areas like the South China Sea alienates China's neighbors.

6. There have been many critiques over Chinese fishing bans—how does this fit in their overall policy framework? What impacts do these actions have on future fisheries management policies?

The critique that gets the most press attention centers on the issue of a fishing ban being unilaterally enforced in the South China Sea, which creates friction with China's neighbors. In terms of the biology-based critiques, fisheries scientists doubt that the ban is that effective because it does not occur at the optimal season for recovery, and is followed by a huge fishing effort to compensate for the lack of fishing income during the moratorium period. There have been few, if any, signs that the stocks are recovering. But in general, fishing moratoria that allow stocks to recover are desirable for conservation purposes.

7. Fisheries access is not only a concern in the South China Sea, but also in Chinese fishing agreements in Africa. What is your impression of China's fisheries access agreements in Africa? What impact do these agreements have on the development of sustainable fisheries management in China?

Bilateral fisheries access agreements allow outside fishing fleets access to the waters under the economic jurisdiction of host countries in exchange for fishing licensing fees. In theory, this arrangement can benefit local populations via the transfer of technology and management skills through joint ventures and local hiring requirements. However, the evidence suggests that fisheries access agreements are detrimental to sustainable fisheries management because the distant water fishing nation has little interest in the long-term management of the host country's resources. Host countries tend to be developing countries with poor governance. Thus, they are vulnerable to corruption in fisheries agreement negotiations, and often lack enforcement capacity, such as coast guard forces. Overfishing from more powerful distant water fleets can undercut the livelihoods of local fishermen and threaten the food security of coastal populations—there is evidence that this is occurring in West Africa.

In a study released by the University of British Columbia (UBC) in early 2013, fisheries experts found that China's actual catch from distant water fishing was much greater than the reported catch. The problem was most acute off the coast of West Africa. Countries like Namibia, which has closed its waters to outside fleets, achieve more success in the sustainable management of fish stocks.

8. Does competition over ocean resources have the potential to lead to interstate conflict of any kind? Is conflict likely?

Competition over ocean resources already *has* led to interstate conflict on many occasions. Negotiations for UNCLOS were launched in the 1950s in response to Latin American countries protesting distant water fishing vessels off their coasts. There are numerous examples of interstate conflict over fisheries globally—many of them are called “wars,” like the Cod War between Iceland and the United Kingdom in the 1970s, which turned violent. The Turbot War in the 1990s between Canada and Spain caused mobilization of both countries’ naval forces before it was resolved. UNCLOS in its current form is the outcome of the need to address the causes of these conflicts. Some observers think that many Somali pirates are former fishermen displaced by overfishing off the Somali coast. Disputes over fisheries can cause tensions short of violent conflict between countries, as well. In general, the fishing industry can foster crime because it is a lucrative industry that is hard to control—fishing has a “Wild West” feel, where the ocean is a frontier.

East Asia has also had its share of conflicts over fisheries. In the early to mid-twentieth century, Japanese fishing off the coasts of the former Soviet Union, China, and Korea led to conflict with each of these countries. In more recent years, the problem has concerned Chinese fishermen illegally fishing in the waters of its neighbors, and some of these incidents have become violent. Fishing incidents in East Asia could escalate to the level of interstate warfare because of complications relating to maritime territorial disputes and nationalism. So far, national leaders have been wise enough to prevent this from happening, but it remains a worrisome threat. Resource depletion is at the root of these problems because as fishermen venture farther to fish, they risk entering off-limit or disputed waters. Cooperation on fisheries management potentially contributes to the resolution of some of the other disputes over territory and hydrocarbon resources, because such cooperation could foster trust and goodwill between countries.

9. The Marine Stewardship Council, which evaluates fisheries and certifies whether they are sustainable, does not currently certify any Chinese fisheries. At least one fishery is now seeking certification (Zhangzidao Group). Do you feel that there is a growing trend towards obtaining international certification for food sustainability and safety?

Traceability and certification systems are extremely important for managing sustainable fisheries. There is a definite trend toward improvement, but it is from a low base and moving slowly. If you eat fish, just think about how little you really know as a consumer at the end of the supply chain. Some supermarkets have clear and reliable labeling and point of origin information, and others are improving, but some grocery stores and most restaurants are lacking in this regard. Sustainable seafood guides, like those published by

the Monterey Bay Aquarium, are an excellent idea, but your server probably has no idea whether the halibut on the menu was caught by bottom trawl or set gillnet. The Marine Stewardship Council plays a constructive role, but there is some potential for bias in their certification system because of industry influence, and experts often dispute the actual sustainability of fisheries that have obtained the label. These kinds of initiatives are not misguided at all; we simply need to devote more effort to making them better. Most people are not thinking about how their own consumer choices contribute to the problem.

These problems also illustrate how little we still know about managing ocean resources. As any honest fisheries scientist will tell you, stock assessments are fraught with unknowns. Obtaining accurate data is a real challenge, as well, because most of it is self-reported, whether from a given fishing vessel or when a country reports aggregate data to the Food and Agriculture Organization. The FAO then faces challenges in standardizing data that varies according to reporting procedures of individual countries. When the UBC study was released, global headlines announced that China was reporting to the FAO a mere twelfth of its actual catch from its distant water fisheries. But if you examine official Chinese sources, China's reported catch is "only" a fourth of what the UBC estimates to be China's actual total catch. This does not dismiss China's severe illegal, unreported, and unregulated fishing problem, but it does show there are significant problems in data reliability across institutions of fisheries governance.

In conclusion, what all of this suggests is that it is an exciting time to study the ocean because there is still so much work to do! In my opinion, ocean governance is one of the most important issues of the twenty-first century.