

Foreign Governments' Use of Their Distant Water Fishing Fleets as Extensions of Their Maritime Security Forces and Foreign Policies

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I. INTRODUCTION

This report responds to Section 1260I of the National Defense Authorization Act (NDAA) for Fiscal Year 2021, Public Law Number 116-283, which states that the Commander of the Office of Naval Intelligence (ONI) shall submit to the congressional defense committees, the Committee on Foreign Affairs of the House of Representatives, and the Committee on Foreign Relations of the Senate an unclassified report on the use of distant water fishing fleets by foreign governments as extensions of such countries' official maritime security forces, including the manner and extent to which such fishing fleets are leveraged in support of naval operations and foreign policy more generally. The report shall also consider the threats, on a country-by-country basis, posed by such use of distant-water fishing fleets to include (1) fishing or other vessels of the United States and partner countries; (2) United States and partner naval and coast guard operations; and (3) other interests of the United States and partner countries.

II. EXECUTIVE SUMMARY

The People's Republic of China (PRC) is the only nation that employs fishing vessels within its distant water fishing (DWF) fleet in a manner that poses a threat to U.S. and partner countries' interests.

Many nations employ DWF fleets in pursuit of food security and economic gain, but the PRC is the only nation that also utilizes its DWF fleet as an extension of its official maritime security forces. Some Chinese DWF vessels operating in the contested areas of the South China Sea, East China Sea, and Yellow Sea are part of the China Maritime Militia (CMM)—an officially-sanctioned maritime force and component of China's national militia. The CMM asserts sovereignty claims, conducts coercive activities, carries out surveillance and reconnaissance, executes fisheries protection, provides logistic support, and conducts search and rescue operations. The CMM, including fishing vessels operating within the force, presents a threat to U.S. and partner naval and coast guard operations. China has used CMM vessels to respond to U.S. naval operations in the South China Sea, such as in 2009, when CMM vessels harassed and disrupted *USNS Impeccable* while it was conducting normal operations. These vessels also periodically threaten, disrupt, and even prevent other nations' fishing operations.

Furthermore, China is the world's leading fishing power and leverages its DWF fleet to support its foreign policy globally. China is the largest supplier of seafood, which can provide Beijing leverage over countries that depend on seafood for protein and economic development. Chinese officials' public discussions of China's global fishing initiatives frequently include foreign policy objectives, including scientific, technical, environmental, and economic areas of cooperation, which ties China's DWF activities to

its foreign policy goals. Beijing's global fishing footprint includes an expansive fishing fleet, fishing ports, fish processing facilities, joint ventures, overseas investments, and bilateral trade agreements that support its foreign policy and are frequently linked to its Belt and Road Initiative (BRI). Through the BRI—as well as other foreign policy tools—China continues to build out its maritime and economic strength, which bolsters Beijing's overall seapower and contributes to its strategic goal of being a leader in all aspects of the maritime domain.

Scope Note

For the purposes of providing a comprehensive response to Section 1260I of the National Defense Authorization Act (NDAA) for Fiscal Year 2021, Public Law Number 116-283, this report considers not only China's fishing vessels, but also any foreign investments, development aid, and other external factors that directly support those vessels' operations. This report does not attempt to address the environmental impacts of China's DWF or the legality of its DWF fleet's operations as it relates to fishing in authorized areas, using the proper gear, and catching the species of fish that are allowed to be caught in certain locations at certain times.

III. DEFINING DISTANT WATER FISHING

Most of the world's fishing vessels operate within their home countries' Exclusive Economic Zone (EEZ), which, absent other restraints (e.g., proximity to another country's EEZ), generally extends 200 nautical miles (NM) from the home country's coast. However, some vessels fish beyond the 200 NM limit.ⁱ ONI considers fishing vessels flagged by their home country and operating outside their home country's EEZ to be engaged in DWF, even if those vessels are fishing within another country's EEZ. This definition aligns with what the international community generally accepts as the definition of distant water fishing. Furthermore, ONI considers the sum of a country's vessels engaged in DWF to be that country's DWF fleet, but recognizes that these fleets are fluid, changing over time as vessels change flags and/or return to fish within their home country's EEZ. Many countries have DWF fleets, and these fleets vary in size, vessel composition, and the species they pursue. The world's top five DWF fleets (China, Taiwan, Japan, South Korea, and Spain) account for about 90 percent of the world's total DWF activity.¹ China's DWF fleet is by far the largest and most prolific in the global fishing industry, with vessels operating in most regions of the world.

ⁱ For more information on internationally-defined maritime zones, see Appendix A: Maritime Zones According to the United Nations Convention on the Law of the Sea.

Unlike the Chinese government, the governments of Taiwan, Japan, South Korea, and Spain, as well as the governments of other nations with DWF fleets, do not employ their fleets in support of military operations or as instruments of foreign policy. China is the only nation that utilizes its DWF fleet in this manner. The DWF fleets of other nations pose no threat to United States naval operations.

This report considers all China-flagged fishing vessels operating at distances greater than 200 NM from the coast of mainland China to be engaged in DWF. This construct was applied to bring Chinese activity in alignment with the generally accepted definition of distant water fishing and the United Nations Convention on the Law of the Seas' discussion of EEZs. Ongoing maritime disputes involving China in the South China Sea, East China Sea, and Yellow Sea, which China defines as its "Near Seas," have precluded the official establishment of recognized EEZs in these areas. With the exception of a portion of the Gulf of Tonkin, nearly the entirety of China's maritime periphery inside the "Near Seas" remains in active dispute.

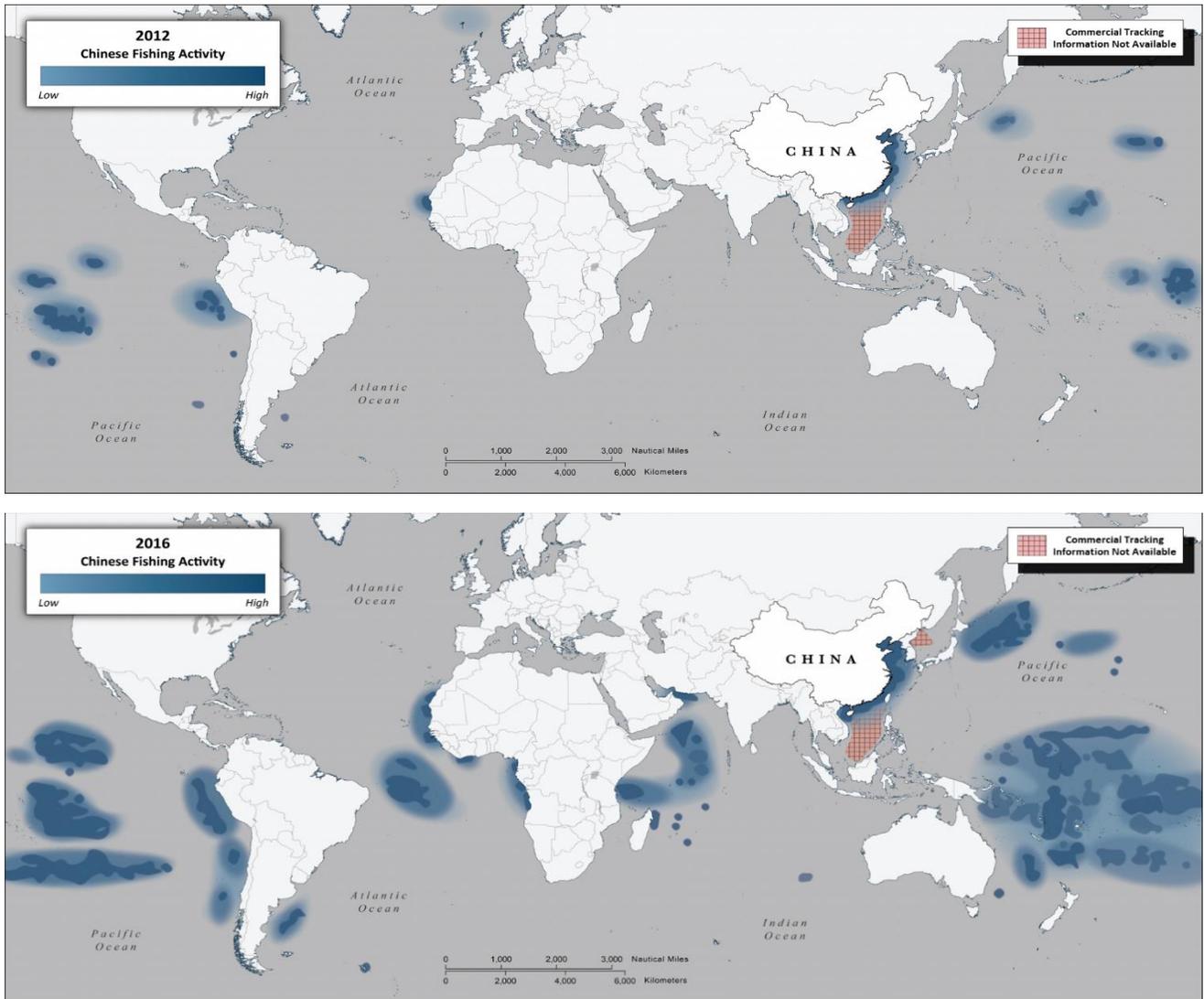
China's DWF Fleet is Much Larger than Beijing's Public Assertions

China's fisheries law defines DWF as fishing on the high seas and in other countries' EEZs, but it explicitly excludes fishing in the South China Sea, East China Sea, and Yellow Sea (considered by China to be its "Near Seas").² China's exclusion of the "Near Seas" is tied to its territorial claims, as well as its ongoing maritime boundary and EEZ demarcation disputes with neighboring countries. Using the definition of DWF that the international community generally accepts, many of the Chinese fishing vessels operating in China's "Near Seas" should be considered part of the Chinese DWF fleet, making the fleet significantly larger than China's 2019 claim of 2,701 vessels.³ Beyond these vessels, there are also China-owned vessels fishing under foreign flags and fishing vessels operated by Chinese joint ventures that neither China's nor the international community's definition would include as part of China's DWF fleet. This report addresses both categories, because like China's DWF fleet, they also serve Beijing's national interests.

IV. OVERVIEW OF CHINA'S DISTANT WATER FISHING FLEET

China's DWF fleet—at least as DWF is characterized in the modern era—began with the introduction of China's National Fisheries Law in 1986. This law was the beginning of including fishing in wider economic planning. The approach under the 1986 law encouraged overfishing in China's own waters, which in part led to the degradation of China's domestic seafood stock.⁴ At the turn of the 21st Century, China's global fishing fleet began a rapid expansion, primarily due to the collapse of domestic seafood stocks

and the rise of China's wider "going out" strategy.⁵ In 2013, Chinese President Xi Jinping urged his nation's fishermen to "build bigger ships and venture even farther into the oceans and catch bigger fish" in response to China's growing need for protein.⁶ Since then, China has expanded its global fishing footprint (**See Figure 1**) by using financial incentives, joint ventures, and investments in foreign commercial maritime infrastructure, as well as by upgrading and modernizing its vessels through the use of operational subsidies. China's fishing vessels fall under a range of national and provincial governing bodies.ⁱⁱ



ⁱⁱ For more information, see Appendix B: China's Governance of its Distant Water Fishing Fleet.

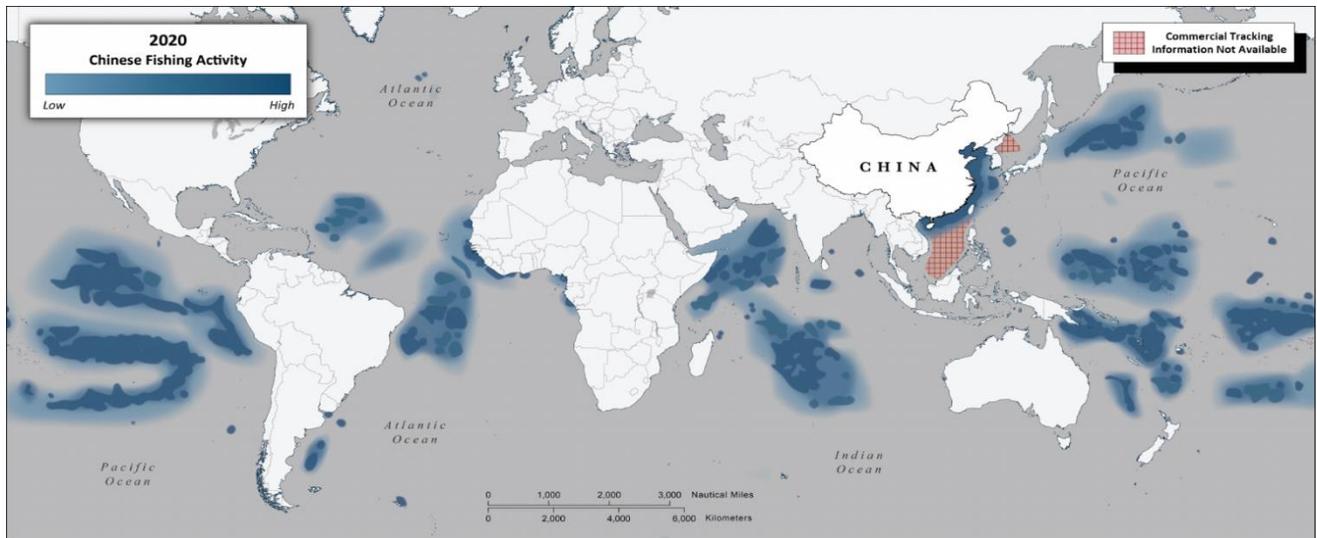


Figure 1. China's Fishing Fleet's Expanding Operating Areasⁱⁱⁱ

Today, China boasts the world's largest fishing industry, as well as the world's largest DWF fleet, even by Beijing's narrow definition of what constitutes Chinese DWF (see tone box on page 5). China accounts for about 35 percent of the world's total fish production, which includes both fish caught by commercial fishermen and fish harvested using aquaculture,^{iv} with fish exports totaling approximately \$19.7 billion in 2015.⁷ China's DWF fleet not only helps meet the nation's growing demand for seafood by ensuring 60-65 percent^v of its catch goes to Chinese markets; along with the BRI, it is used by Beijing to shape the rules for international fishing. Experts in international relations and security studies have even referred to the Chinese DWF fleet as an instrument of national power, which aligns with the Chinese Communist Party's (CCP) stated goal of making China a "strong maritime power." According to public policy documents, pursuing this goal entails becoming a world leader in all aspects of the maritime domain, including maritime law enforcement, merchant marine, oceanographic science, the fishing industry, ocean bed mining, and other economic activities in the sea, as well as being a leading actor in the development of international maritime law and maritime-related international organizations.⁸

ⁱⁱⁱ This graphic does not include foreign-flagged fishing vessels with Chinese owners (full or joint venture). In addition, this graphic does not include Chinese fishing vessels operating in the South China Sea and Sea of Japan since these vessels use a unique Vessel Monitoring System (VMS) that makes it difficult to track their activities in those regions.

^{iv} According to NOAA, aquaculture is the breeding, rearing, and harvesting of fish, shellfish, algae, and other organisms in all types of water environments

^v Based on China's claim of having about 2,700 vessels engaged in DWF; the percentage may change if one uses the international community's generally accepted definition of DWF

The Chinese DWF fleet currently fishes in broad swaths of the Atlantic, Indian, Southern, and Pacific Oceans, to include waters off South America, East and West Africa, Antarctica, and the South Pacific Islands, as well as the Yellow Sea and contested portions of the South China Sea and East China Sea. Its operating areas are typically influenced by environmental and economic factors (e.g., fish catch and seasonality, the purchase of fishing rights by Chinese fishing companies), as well as political factors (e.g., regional governance and enforcement capacity). Chinese DWF vessels have long endurance and can fish for over a year in waters far from the Chinese mainland, because they can off-load their catch to refrigerated cargo vessels (reefers), which also provide food and other supplies. Reefers periodically make port calls in the host country or return to the Chinese mainland to offload and process the catch, and to resupply.

V. CHINA'S DISTANT WATER FISHING FLEET'S ACTIVITIES BEYOND CATCHING FISH

1. Support to Maritime Security and Naval Operations

In the South China Sea, East China Sea and Yellow Sea, a large number of fishing boats are associated with the China Maritime Militia (CMM). In coordination with the People's Liberation Army Navy (PLAN) and the China Coast Guard, CMM units routinely conduct coercive operations against rival claimants in these disputed areas. The fishing boats active in the maritime militia in the South China Sea and East China Sea are drawn from fishing fleets and crews that routinely operate in, and are highly familiar with, the local conditions in which they operate.

China Maritime Militia Structure

The CMM is a component of China's national militia, separate from the People's Liberation Army (PLA) and the People's Armed Police, but organized and commanded directly by the PLA's local military commands.⁹ Provincial and local governments are responsible for organizing and supporting local militia units within their jurisdictions, with militia members drawn from local fisher and mariner populations, who receive training and subsidization to perform militia activities outside of their regular civilian commercial activities. The organization and capabilities of the maritime militia units can vary greatly among localities, with composition and mission sets aligned with local requirements.¹⁰ In peacetime, the militia provides assistance to civil authorities in responding to emergencies such as natural disasters as well as law enforcement and other civil emergencies. In wartime, the militia is tasked with combat support activities. The CMM also plays a major role in asserting sovereignty claims and achieving China's political and security goals in the "Near Seas," short of armed conflict. These tasks include safeguarding maritime claims, conducting coercive activities, surveillance and reconnaissance, fisheries protection, logistic support, and search and rescue.¹¹ CMM vessels receive training from the PLAN and CCG.

While the CMM is primarily composed of local civilian fishermen, China has also established state-owned fishing fleets for CMM operations in the South China Sea. The Hainan provincial government ordered the building of 84 purpose-built fishing vessels with reinforced hulls, high powered water cannons, and ammunition storage for militia operations. This CMM unit is composed of recruited military veterans who are paid salaries and benefits, lack identified commercial fishing responsibilities, and receive enhanced training opportunities.^{12 13}

China Maritime Militia Operations

In the South China Sea, the CMM operates in waters contested with Vietnam, the Philippines, Malaysia and Indonesia. Interactions between the CMM and these nations' naval and maritime security forces and civilian fishing fleets are limited and sporadic. Day-to-day, CMM fleets likely undertake intelligence, surveillance and reconnaissance missions, and presence operations in disputed waters to assert Chinese sovereignty. The CMM has also been involved in a number of operations that have brought them into direct conflict with regional maritime forces or civilian mariners.

The CMM has played a leading role in China's expansion in the South China Sea. CMM units supported PLAN operations during the 1974 seizure of the Paracel Islands, providing reconnaissance, rescue, repair, and amphibious transport.¹⁴ Since the late 1980s, CMM units have provided logistical support to construction and resupply efforts of China's outposts in the Spratly Islands, including assisting in the 1995 seizure of Mischief Reef.¹⁵

CMM units have had leading roles in several high-profile standoffs in the South China Sea. In 2012, CMM ships participated in the Scarborough Reef standoff with the Philippines, and during the 2014 Haiyang Shiyou-981 oilrig standoff, CMM units assisted in the defense of the Chinese oilrig operating in disputed waters.¹⁶ The CMM vessels were used to repel Vietnamese fishing vessels from the area, and it was reported that the CMM rammed and sank at least one Vietnamese fishing boat.¹⁷ In March 2021, a significant portion of more than 200 fishing vessels anchored near the disputed Whitsun Reef in the Philippines EEZ were positively identified as CMM. The Philippine government protested the presence of the CMM vessels as a violation of its sovereignty and called for them to leave. Despite official Chinese denials, public records indicate that Chinese vessels affiliated with a CMM unit based out of Taishan, in Guangdong province routinely operate in the area.^{18 19}

China has occasionally used CMM vessels to respond to U.S. naval operations in the South China Sea. Notably, in 2009, CMM vessels harassed and disrupted the USNS Impeccable while it was conducting normal operations.²⁰

In addition, Chinese fishing vessels have had incidents with foreign fishing vessels while operating in disputed waters. For example, in 2019, a Filipino fishing boat was rammed by a Chinese trawler in Western Philippine waters, leaving 22 men stranded in the sea until they were rescued by a Vietnamese fishing boat. The altercation had occurred in waters that an international arbitral court determined in 2016 belonged to the Philippines, though China refused to recognize the court's ruling.^{21 22}

In the East China Sea, China's fishing fleet is part of an effort to normalize China's official presence in disputed waters, such as the waters surrounding the Senkaku Islands. The islands, approximately 200 miles southeast of mainland China, are under Japanese control, but this is disputed by China. Within the wider dispute over the islands exists ongoing tension over control of the surrounding waters and the natural resources in those waters. Since 2010, the Chinese fishing fleet has been part of China's growing presence around the Senkakus, and several incidents involving Chinese fishing vessels have occurred. However, in 2018, China announced a fishing ban around the Senkaku islands, prohibiting its fishing fleet from approaching the area as a gesture to Japan; this demonstrates the ability of the Chinese government to exercise control over its fishing vessels.^{23 24 25 26 27 28 29 30 31}

China Maritime Militia Beyond the "Near Seas"

Beyond the "Near Seas" (the South China Sea, East China Sea, and Yellow Sea), we did not find any evidence that connected the Chinese DWF fleet directly to military-related activities or maritime militia organizations. In addition, we found no discussions of DWF vessels beyond the "Near Seas" mobilizing to support the People's Liberation Army (PLA). Two 2018 PLA journal articles stated that the portion of China's DWF fleet operating beyond the "Near Seas" was not integrated into the maritime militia's intelligence, surveillance, and reconnaissance (ISR) network, but that steps should be taken to fully integrate commercial and DWF vessels operating globally into China's ISR system.³² Some Chinese military writers did identify surveillance and information-gathering activities as tasks well suited for these fishing vessels. China's DWF fleet's operation beyond the "Near Seas" would likely be bound by constraints and incentives—including a focus on fishing and avoiding alienating host nations.

However, the possibility of the DWF fleet operating beyond the "Near Seas" being leveraged to support national defense cannot be ruled out. Most of these vessels have satellite navigation and communications equipment, and could serve as long-range ISR assets for the PLA Navy.³³ Crews can be readily trained for basic information gathering and transmission.³⁴ There is also some circumstantial evidence that these vessels could be used for clandestine operations. Two PLA writings were found that mention the use of fishing boats to insert special forces, though both references were to hypothetical operations in an island landing campaign (i.e., Taiwan).³⁵

In the Cold War, ISR was the predominant way in which Soviet fishing vessels served national interests. Speculation on wartime roles for DWF fleets included logistics sustainment and mine laying. ISR roles also have the potential to continue in wartime; fishing and oceanographic research submersibles may be pressured to provide intelligence support during a war.³⁶ These prospective uses are similar to many of the hypothetical uses offered for Chinese fishing fleets in a potential conflict today.

2. Extension of China's Foreign Policy

Chinese officials' public discussions of China's global fishing initiatives frequently include foreign policy objectives, including other scientific, technical, environmental, and economic areas of cooperation. Beijing utilizes its DWF fleet—and the foreign infrastructure investments and development activities that accompany it—to support foreign policy initiatives by directly influencing the fleet's operations through subsidies, establishing joint ventures with foreign countries, and facilitating large overseas investments that are frequently linked to the BRI (see tone box below). Similar to other BRI projects, investments across the fishing supply chain can help China cultivate influence in countries that depend on seafood for food security and economic aid for development. Ultimately, China's global fishing operations are strengthened via bilateral trade agreements and infrastructure investments.³⁷ China has also implemented or declared fishing moratoriums in several locations in an attempt to demonstrate its commitment to environmental sustainability; we have no data on the moratoriums' effectiveness.

China's Belt and Road Initiative

The BRI was launched in 2013 by China's President Xi Jinping and covers a range of preexisting and new foreign infrastructure projects and investments. The official design of the BRI was originally two-pronged: the overland Silk Road Economic Belt and the Maritime Silk Road. The two were collectively referred to first as the One Belt, One Road Initiative (OBOR) both domestically and abroad, but the PRC eventually rebranded the project as the BRI for foreign audiences and the initiative absorbed some of China's other global investment and policy goals.³⁸ Through the BRI—as well as other foreign policy tools—China has been building out its maritime economic and commercial strength, which are essential elements to its overall seapower. This maritime strength has been a noted policy goal under Xi's leadership, specifically to turn China into a "strong maritime power."³⁹ Maritime strength for China, according to Chinese state-run media, is to be a leader in all aspects of the maritime domain, and

to be a leading actor in the development of international maritime law and maritime-related international organizations.^{40 41}

Connecting Fishing to the BRI

Developing a strong global fishing industry is an important facet of China's maritime strength and plays a key role in its BRI. The BRI includes a network of fishing-related investments in developing countries worldwide; these investments include ports, fish processing plants, and supporting infrastructure.⁴² China's Ocean Fishery Development Plan highlights these investments under the BRI, and refers to distant water fishing as a way to "build maritime power."

Within the BRI umbrella, China has been working to secure access to global seafood supply chains, including exchanging trade agreements and infrastructure investments for fishing rights.⁴³ This network of fish-related infrastructure supports China's DWF fleet and helps funnel the fleet's catch back to China, where demand for seafood continues to grow.⁴⁴ Meeting its domestic seafood demand has long been a fundamental part of China's fishing policy, with the DWF fleet filling a critical role in that policy.^{vi45} Fishing is also a key component of China's coastal economies, including for employment and local economic growth.⁴⁶

Intersection of BRI and Fishing

China's support of fishing-related investments and infrastructure exists within the wider context of Chinese global development projects. Many of China's fishing-related projects are in the same developing nations where China has pursued other infrastructure investments. In the Pacific Islands, for example, China has increased its aid, trade, and diplomatic and commercial ties as it simultaneously works to secure fishing infrastructure projects.^{47 48} The establishment of BRI regional markets and the integration of BRI countries into wider cooperation with China provides greater opportunities for cooperation on fishing and other maritime issues.⁴⁹ In late 2020, China's Ministry of Agriculture and Rural Affairs specifically highlighted how fishing activity in developing countries can be supported through the BRI by providing technology, capital, and training.⁵⁰

^{vi} China's domestic seafood demand includes food consumption and feed stock for aquaculture. Demand for some species caught abroad (e.g., tuna, squid) is high in China, and its DWF fleet helps meet that demand. In addition, China's DWF fleet catches some species (e.g. krill) that are essential for China's aquaculture. China then exports fish produced through its aquaculture, as well as some of the catch from its DWF vessels. This mix of activity explains why China relies on its DWF fleet to meet domestic demand while also exporting seafood abroad.

China invests in each stage of the seafood supply chain—from vessels, to ports, to processing plants—often creating a closed-loop supply chain that can be difficult for host nations to monitor. Moreover, as is common in the fishing industry, the terms of many of China’s fishing agreements are not public, which makes it difficult for the international community to verify whether the Chinese DWF fleet is adhering to the agreements.⁵¹ In some cases, China has pursued free trade zones in conjunction with port developments, which could further obfuscate the catch flow into and out of Chinese fishing bases in foreign countries.^{52 53}

Leveraging BRI Fishing Investments

As the world’s largest supplier of seafood, China can gain leverage over developing countries, as well as those that depend on seafood for protein and economic development, by investing in their fishing supply chains.⁵⁴ Seafood is an increasingly important source of protein globally, with consumption expected to grow 18 percent from 2018 to 2030, according to the United Nations’ Food and Agriculture Organization (UN FAO).⁵⁵ This growth will require many countries to increase their seafood imports; the UN FAO forecasts that the share of imports of fish for human consumption from the total seafood supply will grow from 37 percent in 2018 to 40 percent in 2030.⁵⁶ Although this estimated increase seems small, the rising need for imported seafood will occur as populations in the most affected areas grow, and efforts to develop aquaculture in some areas are estimated to be insufficient to compensate for population growth.⁵⁷ Consequently, the need for increased seafood imports may leave developing countries dependent on Chinese fishing vessels, processing plants, and supply chains for their food security. In some cases, Chinese fishing has damaged local ecosystems to the point where the local populations have to import seafood from China or other nations.⁵⁸ The connection between Chinese fishing investments and activities and the growing prominence of the Chinese fishing fleet in the seafood supply chain has led some commentators to note that China is “the only country whose fishing fleet has a geopolitical mission.”^{59 60}

Chinese State Support for Global Fishing

China’s state support for its global fishing activity goes beyond investments in supporting infrastructure. China’s industrial support at home through subsidies is also necessary for its DWF fleet to remain commercially viable.^{61 62 63 64} Subsidies for global fishing fleets have proven difficult for the international community to address; the World Trade Organization recently missed a deadline to reach an agreement on eliminating fishing subsidies after two decades of negotiations.⁶⁵ Some economists have estimated that China’s fishing subsidies, for example, are as high as \$6 or \$7 billion annually, or

roughly \$347,000 per vessel.⁶⁶ For comparison, the same analysis found that the European Union, which also subsidizes its fishing fleet, paid out only around \$23,000 per vessel annually.⁶⁷ Without these subsidies, many types of distant water fishing, such as squid fishing, would not be profitable.⁶⁸ Beijing not only subsidizes its fishing vessels' activities, but it also supports the modernization and growth of its fleet. For around a decade, China has helped pay for larger and more advanced fishing vessels that can venture further afield. These newer fishing vessels have larger nets, more powerful engines, and feature steel construction, compared to older wooden vessels.⁶⁹

The involvement of Chinese state-owned enterprises (SOEs) in China's global fishing investments further connects the development of Chinese fishing supply chains to China's national interests.^{70 71} Chinese state support for the country's fishing industry means that it can continue to expand, even during downturns.⁷² This expansion helps support both China's domestic economic growth and the country's status in the global seafood supply chain. Although China has released policies aimed at cracking down on unsustainable and illegal fishing worldwide, there is still widespread skepticism that Beijing has the desire to reduce the scope of Chinese fishing activity.⁷³ Even though China reduced some types of subsidies between 2009 and 2018, it more than doubled its capacity-enhancing subsidies, which are categorized as more harmful than other subsidies.^{vii 74}

Examples of China using its DWF fleet in support of foreign policy objectives

China has consistently demonstrated that it utilizes its DWF fleet and related investment and development activities for purposes beyond catching fish, to include supporting its stated foreign policy goal of becoming "a strong maritime power." The connection between China's DWF activities and its interests abroad are apparent in the level of participation of senior leaders in fishing-related developments. For example, China's President Xi Jinping has personally called for local governments in China to support DWF companies and their activities, and has been present at the signing of fishing-related agreements with foreign countries. There are also frequent connections between DWF issues and other policy concerns in planning documents and discussions.^{75 76 77} Examples of China capitalizing on its DWF activity and related investments can be separated into two broad categories: (1) cases where China has used its DWF activity

^{vii} Research into subsidies for the fishing industry breaks subsidies into three categories: beneficial, capacity-enhancing, and ambiguous. Beneficial subsidies usually focus on fishery resource conservation and management. Capacity-enhancing subsidies include programs that encourage a growth in fishing capacity to a point where exploitation exceeds sustainable yield. Ambiguous subsidies could result in either outcome. Between 2009 and 2018, China reduced its beneficial subsidies and more than doubled its capacity-enhancing subsidies.

and investments to build economic ties, strengthen relationships, and cultivate influence in general, and (2) cases where China has leveraged its DWF activity and investments to affect specific policy or diplomatic outcomes. Occasionally, there is some overlap, and some examples fall into both categories. The examples in the following sections are almost certainly not exhaustive.

Utilizing its DWF to Build Economic Ties, Strengthen Relationships, and Cultivate Influence

Chinese government lenders and fishing companies invest in foreign countries that are reliant on fishing for economic activity, food supply, or both to build economic ties and leverage. Countries seeking to develop their fishing sectors but lacking other sources of funding may become dependent on China for financing and expertise. For developing coastal countries, access to fish stocks can be one of the few resources available for sale to foreign investors. Chinese fishing companies have purchased fishing rights from numerous countries, typically through a variety of agreements, such as bilateral agreements negotiated between states, private agreements between vessel owner/operators who pay fees to a state to fish in the waters, and private joint venture agreements between two companies; agreements between countries are common. The sale of these fishing rights generates much needed income for these countries, but they frequently lack the skills and resources to properly monitor Chinese fishing vessels operating in their EEZs. In the case of North Korea, the sale of these fishing rights is also internationally sanctioned. Once Chinese fishing companies have access to a country's fish stocks, Beijing can start building influence over that country's wider economic and political activities.

- In **Papua New Guinea (PNG)**, Fujian Zhonghong Fishery Company signed a memorandum of understanding (MOU) with PNG officials to build a "Comprehensive Multi-Function Fishing Industry Park" on Daru Island.⁷⁸ This \$200 million fish processing and industrial park further integrates China into PNG's fishing industry, which has historically lacked the capacity to take full advantage of PNG's fish stocks. This investment is an extension of previous Chinese financing for this important sector of PNG's economy.⁷⁹
- Beginning in 2014, the **Democratic People's Republic of Korea (DPRK)** has raised revenue by selling fishing rights off its eastern coast to China, but the United Nations sanctioned the practice as part of a wider tranche of sanctions in 2017. Nevertheless, the DPRK has continued to sell access to fish stocks in its waters to Chinese fishing companies. Through the sale of its fishing rights to China, the DPRK earned approximately \$120 million in 2018. A study by an

NGO identified approximately 900 fishing vessels from China in North Korean waters in 2017, and 700 fishing vessels from China in North Korean waters in 2018.^{viii} Chinese fishing vessels attempted to obfuscate their identities by flying North Korean flags.^{80 81 82 83 84 85}

- **Somalia** issued 31 licenses to the China Overseas Fishing Association in early December 2018, even as local fishermen warned that several countries' DWF fleets were destroying both the local ecosystem and their livelihoods. These licenses automatically renew each year at a cost of just over \$1.025 million.^{86 87 88 89} After the issuing of the licenses, there was increased cooperation between the Chinese and the Somali governments on wider investments. Local businessmen seeking increased Chinese investment in the seafood industry in Somalia—and who work with Somalia's Ministry of Fisheries and Marine Resources—connected the increase in Chinese fishing activity in the country with Somalia's inclusion in the BRI.⁹⁰ In December 2020, Chinese President Xi called for even closer BRI cooperation with Somalia, according to Chinese state-run media.⁹¹
- Fishing agreements provided an economic tie between China and **Indonesia** in the early 2000s. In 2001 and 2004, the Chinese government signed agreements with the Indonesian government to cooperate on fisheries. The 2004 agreement specified that Chinese fishermen would be allowed to fish in Indonesia's EEZ north of Riau Province and in the Arafura Sea. In 2015, the Indonesian government implemented a moratorium on operations by foreign-owned and foreign-manufactured fishing vessels to combat illegal, unregulated, and underreported (IUU) fishing. However, some Chinese entities appear to have continued purchasing rights to fish in Indonesia's EEZ. For example, China-based Pingtan Marine acknowledges that it "harvest[s] a variety of fish species in the EEZ in Arafura Sea in Indonesia," but does not disclose the details of any agreements with Indonesia.⁹²
- In **Sierra Leone**, China-flagged fishing vessels account for a little over three quarters of the country's industrialized fishing capacity, with 68 vessels operating off of Sierra Leone in 2019.⁹³ The presence of Chinese fishing

^{viii} According to an NGO that tracks fishing activity worldwide, there was a significant decline in fishing in North Korean waters in 2020. This was attributed, at least in part, to the impact of COVID-19. The NGO reported that during the peak squid season in North Korean waters—from September through November—they observed 50 percent fewer vessels fishing.

vessels off of Sierra Leone has sparked tension with local fishermen, some of whom seized a Chinese fishing vessel in August 2018 out of frustration with their presence. The Chinese vessels' larger nets and wider range allows them to outcompete the local fishermen, and there have been accusations that Chinese vessels have damaged local fishermen's nets. In defense of the Chinese fleet, the Chinese ambassador to Sierra Leone highlighted that the fleet pays \$10 million annually in licensing and export fees and that the Chinese fleet is the source of a steady supply of fish to the country.^{94 95}

- China's fishing expansion is serving as an economic inroad into **Antarctica**. In 2010, China began expeditions to the Southern Ocean to catch krill. The first expedition resulted in a catch of 1,846 tons of krill. By 2015, Chinese fishing vessels were catching 32,000 tons of krill in the Southern Ocean, and Chinese officials want to expand that to 2 million tons, according to a Chinese news article. China is working with Norwegian scientists to determine if krill could meet demand for fish meal and fish oil. The Chinese Ministry of Agriculture considered the expansion of Chinese fishing into the Southern Ocean as "a solid foundation for the development and utilization of Antarctic resources."^{96 97 98 99}
- **Morocco's** ongoing land disputes with Mauritania may be creating opportunities for China to build economic ties with Morocco as well. The EU pays around \$55 million a year for its vessels to access Morocco's waters, but there has been a debate among EU countries on whether to continue the arrangement. Access to some of the waters and catch off of Morocco depend on control of the disputed Western Sahara. China's involvement in the disputed waters will make it a more important maritime stakeholder in the region.^{100 101}

Some countries have taken steps to restrict Chinese DWF vessels' access to their waters, but Chinese fishing companies have used common—and legal—industry practices to circumvent these restrictions, such as flying the flag of the nation that claims the waters in which the companies' vessels are fishing. Often times, these methods technically reduce the size of China's DWF fleet because the vessels no longer meet the criteria to be considered DWF vessels. In other countries, local fishing companies have entered into partnerships with Chinese companies, which conceals Chinese fishing vessels' connections to China and again technically removes them from China's DWF fleet. These partnerships allow Chinese fishing companies to export to third-party countries under

the national designation of the country where those investments and agreements exist. This access to markets that may otherwise restrict direct Chinese fishing exports strengthens China's overall seafood market share. This report includes examples from both of the scenarios above, despite technically falling outside the definition of DWF, because these vessels are operating in a manner consistent with the Chinese DWF fleet and appear to be used for the same purposes beyond solely catching fish.

- In **Ghana**, Chinese companies have used local Ghanaian companies to circumvent Ghanaian laws, which ban foreign interests from the industrial fishing sector.¹⁰² These local Ghanaian companies are subsidiaries of Chinese companies. Dalian Mengxin Ocean Fisheries is one example where a Chinese company utilizes local companies to gain access to Ghanaian waters. One NGO estimates that up to 90 percent of Ghana's larger fishing vessels are captained by Chinese nationals. Industry reporting indicates that the main part of the catches from Ghana's industrial trawl fleet are destined for China, while cephalopods are exported to the EU.^{103 104 105}
- In March 2019, China and **Vanuatu** signed an MOU on fishing. Subsequently, the China National Fisheries Corporation invested over \$1 million to establish the Sino-Van fisheries processing plant. The joint venture will allow 70 Sino-Van fishing vessels to operate off Vanuatu. The Sino-Van fish processing plant aims to export 1.5 tons of tuna per week to New Zealand and the United States. Those exports will be labelled as a product of Vanuatu despite being caught by China-owned, Vanuatu-flagged fishing vessels.^{106 107 108 109 110 111}
- In **Mauritania**, a leading Chinese fishing company, Hong Dong Fishing, has had legal access to Mauritania's waters since 2010. The company is investing in onshore facilities including terminals, cold storage, processing plants, and desalination plants.¹¹² The company also uses its position in Mauritania to export its catch to customers in EU and the United States. The Chinese government ensures that Chinese companies can continue to fish and process seafood in Mauritania, which Beijing claims as beneficial to both Mauritania's and the region's development. A promotional video aimed at encouraging Chinese investments in Mauritania's fishing sector—and African fisheries in general—featured the Chinese ambassador to Mauritania connecting African development to Chinese investments in regional fisheries.¹¹³ China's EXIM bank, one of China's major overseas development lenders, recently granted an \$87 million loan to the Mauritanian government to build a fishing port.¹¹⁴ The

new Chinese investment comes even as the Mauritanian government looks into the legality of the 2010 agreement as part of a wider investigation into deals made by a former president.¹¹⁵ Hong Dong Fishing is reportedly planning additional onshore projects in **Guinea** as well.¹¹⁶

Utilizing its DWF to Achieve Specific Outcomes

When deemed necessary, Beijing has leveraged direct operational control over its DWF fleet for geopolitical purposes. In particular, the Chinese government has issued guidance to the DWF fleet in an effort to defuse or avoid potential diplomatic crises caused by the presence of the Chinese DWF fleet near foreign EEZs. The Chinese government has ordered parts of China's DWF fleet to reduce activity or relocate until tensions die down, thus demonstrating the government's operational control over the DWF fleet.

- In late 2018, during the run-up to the G20 Summit in **Argentina**, China's Agricultural Ministry ordered Chinese fishing vessels in the area to stay three nautical miles away from regional countries' EEZs to prevent diplomatic incidents that could damage China's image.¹¹⁷ The order came after a confrontation between Argentina's coast guard and Chinese fishing vessels earlier in the year; in February 2018, Argentina's coast guard fired on a Chinese fishing vessel it claimed was illegally fishing in Argentina's waters. Argentina's coast guard attempted to interdict the vessel, but four other Chinese fishing vessels assisted in its escape. Argentina later released an international capture order for all five vessels.^{118 119} Additionally, in 2016, Argentina's coast guard sunk a Chinese fishing vessel reportedly fishing illegally in Argentinian waters.¹²⁰
- In June 2020, an estimated 300 Chinese fishing vessels arrived in the waters around **Ecuador's** Galapagos Islands—a protected marine environment. The Chinese fleet remained in international waters but still sparked outcry over the possible impact on the local and regional ecosystems.¹²¹ Following the outcry, the Chinese government unilaterally implemented a moratorium on fishing on the high seas near the Galapagos between September and November.¹²² The moratorium seemed aimed more at assuaging geopolitical concerns than protecting marine species in the area, because the Chinese vessels were likely planning to depart in September as they had done in previous years to follow migrating squid.¹²³ When the Chinese fishing vessels departed, most of the fleet headed south to fish outside Peruvian waters.¹²⁴ The Chinese imposed a

similar moratorium in the Atlantic Ocean off of Argentina from July to September 2020 (**See Figure 2**), which led to the departure of 200 Chinese vessels.¹²⁵

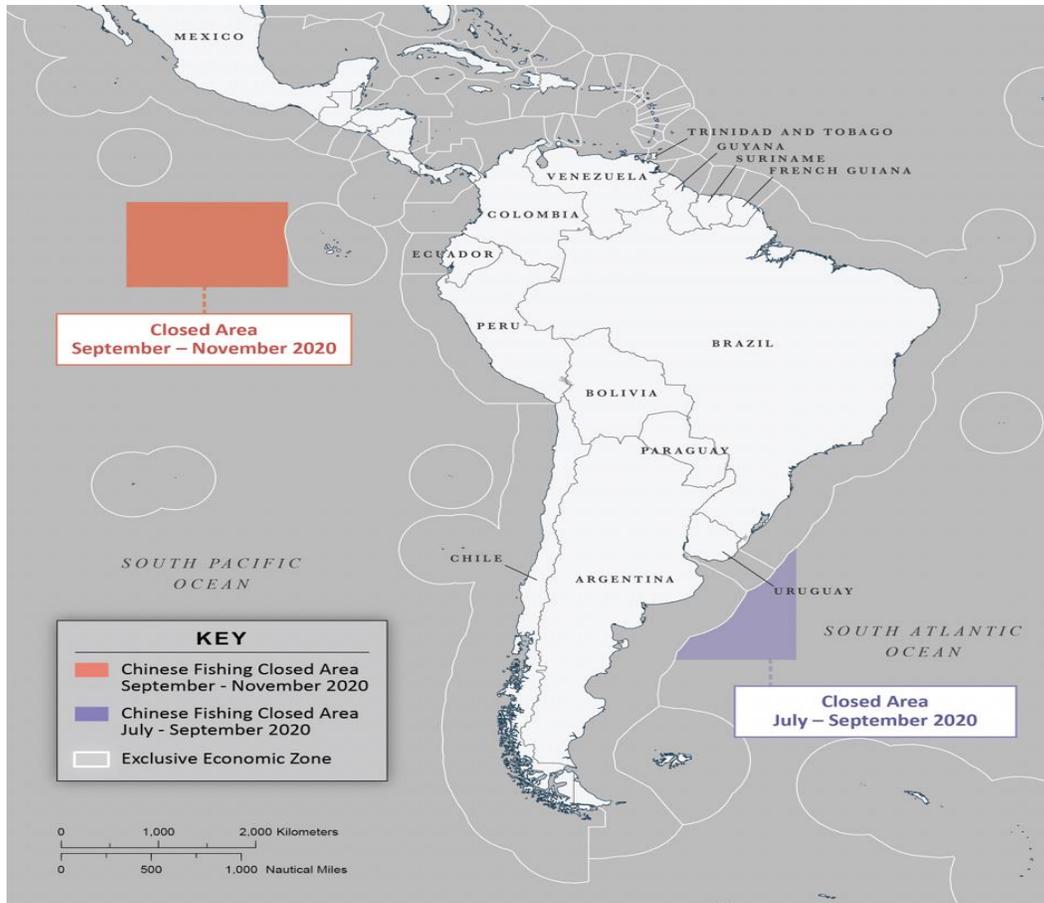


Figure 2. Fishing Moratoriums off of South America that the Chinese Government Placed on its DWF Fleet

South China Sea Moratorium as a Foreign Policy Tool

China historically has used fishing moratoriums as a foreign policy tool. In 1995, China introduced a summer moratorium on the offshore fisheries of the Bohai, the Yellow Sea, and the East China Sea. China worked to implement the moratorium as a way to allow fish stocks to recover from prolonged overexploitation. The Ministry of Agriculture and Rural Affairs implements the moratorium yearly and determines its duration. Over the years, the area China cites under the moratorium has expanded; in 1999, the moratorium zone included the majority of the South China Sea (**See Figure 3**). The expansion of the moratorium to the South China Sea has been seen by countries in the region as not only an environmental conservation scheme, but also a larger ploy for China to exercise administrative and sovereign rights, and jurisdictional claims over

these waters. The moratorium is controversial due to the geographical scope causing ongoing disputes, leading to clashes between fishing vessels, law enforcement, and military vessels. Various vessels have been boarded, harassed, damaged, and sunk due to hostile environments.¹²⁶

The 2020 South China Sea summer fishing moratorium, which began 1 May 2020, impacted more than 50,000 artisanal and commercial fishing vessels, which suspended operations during the three-and-a-half-month moratorium according to the South China Sea branch of the China Coast Guard.¹²⁷

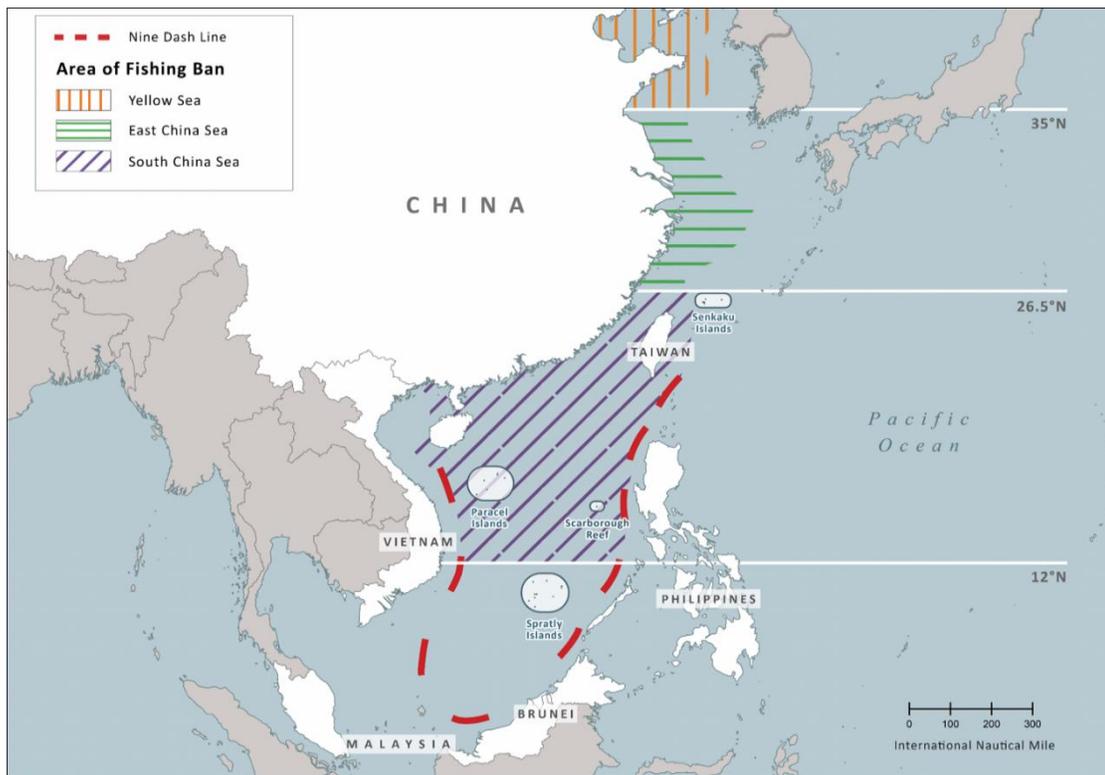


Figure 3. Chinese Summer Fishing Moratorium Area

Other Geopolitical Issues Involving China's DWF Fleet

In wider geopolitical issues, China's DWF fleet and investment activity has become a factor because of its size, continuing expansion, and the impact it could have on other countries' economies.

- The planned \$200 million China-backed fish processing and industrial park in **Papua New Guinea (PNG)** has become a touchstone for wider geopolitics in the Indo-Pacific.¹²⁸ The project was announced during ongoing tension between China and **Australia**—the latter being a historic partner of Papua New Guinea—after Australia called for an international investigation into the origins of COVID-

19.¹²⁹ China, one of Australia's largest trading partners, placed tariffs on key Australian imports during the last year in response to the call for an investigation.¹³⁰ Seafood became another part of the deteriorating tensions between the two countries. In late 2020, China's Ministry of Commerce asked Chinese seafood importers to cancel orders with Australian providers.¹³¹ The PNG project would open the opportunity for China-backed fishing vessels to fish in the Torres Strait. The fishing waters in the strait are under a joint agreement between Australia and PNG, although PNG has not historically had the capacity to fish up to the agreed-upon quotas.¹³² The introduction of China's fishing fleets to the Torres Strait could impact the viability of both PNG and Australian fishing in the area.

Beijing has also leaned on China's financial and diplomatic clout to help shield its DWF fleet from negative international policies. This demonstrates that the growing presence of the Chinese DWF fleet abroad is in itself a foreign policy goal. The interconnectedness of China's fishing investments and its other infrastructure development projects can make it difficult for governments reliant on Chinese financing to untangle the possible impacts of impeding Chinese global fishing while working with China on unrelated projects. This can be observed in cases where the Chinese DWF fleet causes tension with local populations or governments, but resisting the Chinese fishing activity could undermine other projects with Chinese financing or being completed by Chinese companies.

- In **Ecuador**, as noted above, hundreds of Chinese fishing vessels were operating in the waters around the Galapagos in the summer of 2020. Ecuador protested these vessels' activity, but the country also relies on China for loans and investments. Ecuador recently negotiated a restructuring of around \$17 billion of debt to international creditors, and is negotiating to restructure its \$5 billion debt to China, as well as asking for another \$2.4 billion from China.¹³³ ¹³⁴ China is also the main importer of Ecuador's shrimp, buying over 50 percent of Ecuador's second-largest trade commodity.¹³⁵ ¹³⁶ China placed restrictions on importing Ecuadorian shrimp in July 2020 after it claimed to discover COVID-19 traces on a small portion of shrimp packaging sent from Ecuador. At the same time, China has increased its catch of shrimp on the high seas off Ecuador, reducing its reliance on Ecuador and harming the value of the Ecuadorian shrimp industry.¹³⁷
¹³⁸ ¹³⁹
- Throughout **Latin America**, China's fishing expansion has occurred at the same time as an increase in infrastructure investment and development projects with

regional countries. In 2017, Beijing had connected the Americas to the BRI as a “natural extension of the 21st Century Maritime Silk Road.”¹⁴⁰ Bilateral trade between Latin America and China grew from \$12 billion in 1999 to \$306 billion in 2018, making China Latin America’s second-largest trade partner (after the United States).¹⁴¹ Deepening economic ties may make it harder for countries to push back on Chinese fishing off the coasts, even as that fishing increases economic dependencies. Growing economic ties in **Africa** may also make it harder for countries on that continent to push back on Chinese fishing.^{142 143 144}

Beijing has occasionally been responsive to critiques by other governments on its DWF fleet’s activities, and has taken action to reduce the possibilities that other countries may strengthen restrictions against its fishing vessels, sometimes by offering development aid to local fishermen and fishing fleets.

- Fishing is a relatively small part of China’s commercial projects in **Pakistan**, but is one that has drawn recent concern from local fishermen on Pakistan’s coast.¹⁴⁵ China has over \$60 billion in ongoing and planned investment projects in Pakistan under the China-Pakistan Economic Corridor (CPEC), a flagstone initiative under China’s BRI. With the amount of money flowing in from China to CPEC projects, Pakistan’s fishermen have voiced concerns that their livelihoods are at risk from the ongoing construction.¹⁴⁶ The presence of Chinese fishing vessels in Pakistan’s ports have heightened those concerns.^{147 148} Recently, however, Pakistani press reporting indicates that China may be willing to assist Pakistan’s fishing industry in building capacity through processing facilities and other developments.¹⁴⁹ It is unclear how successful any of these Chinese investments in Pakistan’s fishing industry would be—or even if they will move forward, but such steps could help alleviate some of the local concern around Chinese BRI projects and presence in the country. This sort of investment in local fishing capacity and projects would be similar to efforts undertaken by China in other countries.
- Chinese fishing investments and activity in **Madagascar** have resulted in opposition by local fishermen, with a petition launched to repeal a 2018 agreement that allowed 330 Chinese trawlers access to Madagascar’s waters for 10 years.^{150 151} Following that opposition, China announced new investments in training programs for local agriculture and aquaculture programs. Over the last several years, China has grown its infrastructure investments and loans in

Madagascar to slightly over \$1 billion. China's training programs and investments may make it difficult for Madagascar to push back on China's fishing activity.¹⁵²

- In 2019, China hosted fisheries officials from the **Philippines** under the auspices of the "China Philippines United Fishery Committee." The Chinese government has highlighted that China has donated fish seedlings to the Philippines and trained Filipino fishermen in aquaculture and algae technology. In 2017, a Chinese fishing company invested \$437 million in an aquaculture and fish processing facility in the Philippines following altercations between Chinese and local Filipino fishing vessels.
- The Chinese government has also built out fishing cooperation programs with **South Korea**, including the China Korea Fishery Resources Protection Project to restock fish supplies in the Yellow Sea.^{153 154 155 156} Altercations between South Korea's coast guard and Chinese fishing vessels served as part of the catalyst for the creation of the project. In November 2016, the South Korean coast guard fired on two Chinese fishing vessels that had threatened to ram a Korean coast guard vessel in the Yellow Sea.¹⁵⁷ While helping to reduce tensions, the joint project also helps maintain Chinese access to needed fishing stock in the Yellow Sea.

APPENDIX A. Description of Maritime Zones

The UN Convention on the Law of the Sea establishes several zones with implications for fishing activity on the world ocean (**see Figure A1**).

A coastal state enjoys sovereignty over the air, water, soil, and subsoil in its territorial sea, which may stretch up to 12 nautical miles (NM) from the shore's low-water mark or duly-established straight baselines. Archipelago states (such as Indonesia) may establish archipelagic baselines to enclose archipelagic waters, and also generate a 12 NM territorial sea. From a fisheries perspective, archipelagic waters are practically identical to territorial seas.

The region between 12 and 200 NM from shore or baselines is the EEZ. Here, the coastal state possesses exclusive sovereign rights over all resources, living or not, in the water column, on the seafloor or in the subsoil. All waters more than 200 NM from any state's coast or baselines are always high seas. In managing fishing resources, the coastal state establishes a total allowable catch (TAC) based on the best available scientific evidence to avoid over-exploitation of resources but enable a maximum sustainable yield. The coastal state may sell some part of the TAC quota to other states or their nationals, who may then also fish in the coastal state's EEZ. Such users must abide by the coastal state's regulations.

States may be entitled to an "extended" continental shelf beyond 200 NM, which extends the coastal state's rights to resources on and in the shelf to the established limit. For the shelf's entire extent, the coastal state has a right to sedentary species that live exclusively on or in the shelf. A continental shelf extension never extends the coastal state's EEZ. The coastal state possesses no exclusive rights to fish in the water (i.e. non-sedentary species) beyond its extended continental shelf.¹⁵⁸

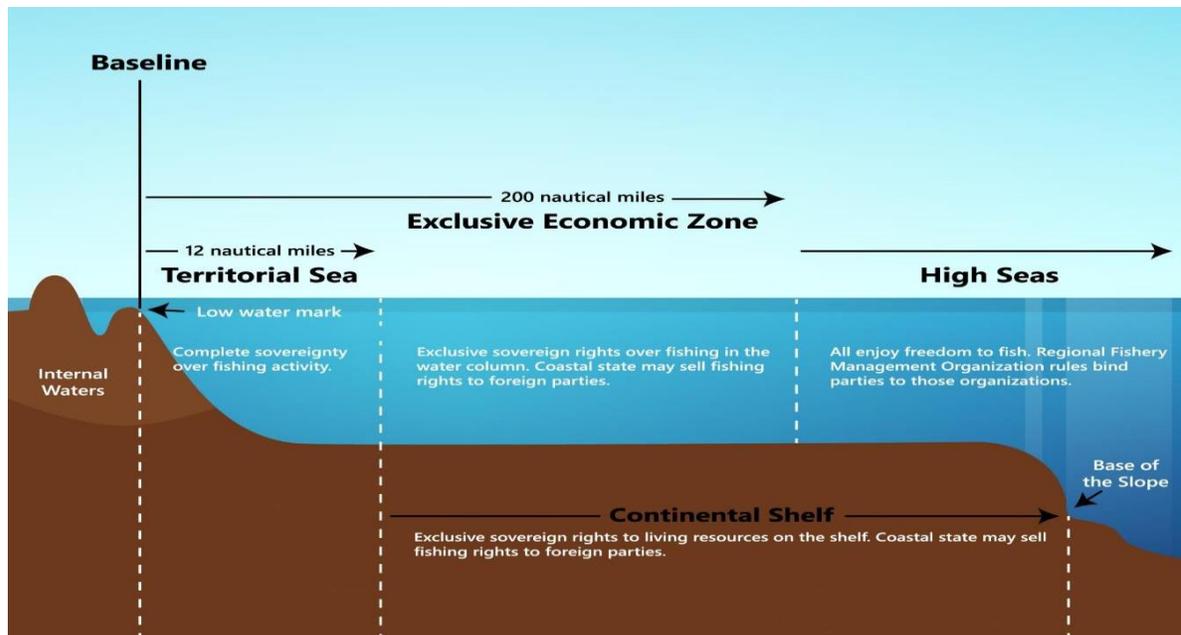


Figure A1. The economic implications of maritime zones

APPENDIX B. China's Governance of its Distant Water Fishing Fleet

China's three most important national-level organizations with regard to distant water fishing (DWF) activities are the Ministry of Agriculture and Rural Affairs, the Ministry of Transport, and the China Coast Guard (CCG)

The Ministry of Agriculture and Rural Affairs has authority over most aspects of China's food production, including most aspects of the fisheries industry. Its Bureau of Fisheries has oversight over such activities as quota-setting aquaculture research, DWF, and international agreements related to fishing. The Bureau also produces important documents for the DWF industry, including the 13th Five Year Plan for the DWF fleet and its white paper on compliance and China's DWF fleet.

The Ministry of Transport is responsible for inspection issues related to vessels in China's DWF fleet. A reorganization in 2018 transferred administrative jurisdiction over China's fishing fleet, including inspection of fishing vessels, from the Bureau of Fisheries to the Ministry of Transport.

The China Coast Guard is primarily tasked with maritime law enforcement in waters that China considers under its jurisdiction, and it is the primary security force tasked with defending China's maritime claims in the East and South China Seas. Beginning in 2020, however, the CCG was tasked with duties related to the DWF fleet operating outside the Yellow Sea, South China Sea, and East China Sea, marking the first time the CCG has been tasked to deploy ships outside of waters claimed by China. The CCG implemented its first high seas fisheries law enforcement cruise in the North Pacific in 2020, reportedly being tasked with boarding and inspecting Chinese DWF vessels operating in the North Pacific to ensure they comply with North Pacific Fishery Commission guidelines. Moreover, there are reportedly plans to send the CCG to other high seas areas where Chinese vessels fish. As the CCG goes out to monitor Chinese fishing on the high seas, DWF may present opportunities for the CCG to work with other maritime law enforcement agencies.¹⁵⁹

APPENDIX C. China's Definition of and Views on Distant Water Fishing

China's fisheries law defines distant water fishing (DWF) as "citizens, legal entities, and other organizations of the People's Republic of China engaging in marine fishing and its processing, supply, and product transportation...on the high seas and in the sea areas under the jurisdiction of other countries." However, China's fisheries law explicitly excludes fishing activities in the Yellow Sea, East China Sea, and South China Sea.¹⁶⁰ Therefore, many fishing vessels in these regional seas that other countries might consider to be engaged in DWF are excluded by China's definition. China's exclusion of the Yellow, East China, and South China Seas is tied to its territorial claims, as well as its ongoing maritime boundary and EEZ demarcation disputes with all of its neighbors.¹⁶¹

Overall, Chinese official documents state that about half of the 3 million square kilometers of water it claims jurisdiction over is in dispute. Areas where China's maritime jurisdiction claims are in dispute with neighbors are treated as domestic waters by China. As a result, some Chinese fishing activities that others might regard as DWF are not included in Chinese DWF data. Chinese fishing vessels in these areas are also treated as domestic fishing vessels, and are categorized differently. They are regulated as such and appear in a different part of the Five Year Plan from the DWF fleet. For example, the 13th Five Year Plan caps the number of DWF vessels but reduces the number or domestic vessels.¹⁶²

Defending its claims to sovereignty and its "maritime rights and interests" in the Yellow, East China, and South China Seas is a fundamental Chinese national interest. Furthermore, this issue is about more than just using the military to defend Chinese claims; it is also a matter of using the whole of the government to assert jurisdiction over what Beijing considers its territorial water and EEZ. Or put more simply: a country does not conduct DWF in waters over which it claims jurisdiction.¹⁶³

A well-managed DWF fleet is seen as contributing to a positive image for China. In recent years, China has been making greater efforts to enact better regulation and supervision over the DWF fleet out of concern that negative reporting of Chinese global fishing activities is causing harm to China's international image.¹⁶⁴

In 2017, Beijing announced a cap of 3,000 vessels for its DWF fleet and established a policy of zero growth in the number of companies authorized to operate DWF vessels. According to China's Ministry of Agriculture and Rural Affairs, at the end of 2019 the total number of vessels approved for DWF was 2,701.

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