

China and the distant seas

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In 1985, when China first ventured into distant water fishing, it had only 13 vessels. Since then, a lot has changed. On the one hand, China has become the leading producer and exporter of fish; and on the other, its domestic demand has grown a lot due to a great appetite for seafood from its growing middle class. These two factors resulted in the depletion of the Chinese seas, and has motivated Chinese companies to venture into other waters. Today, China's distant-water fishing fleet is the largest in the world, numbering more than 3,000 vessels, largely because the Chinese government has supported fishing companies through tax breaks, fuel subsidies and subsidies for the construction of ships.

In recent years, Chinese fishing boats have had several incidents in distant waters around the world, Latin America has been no exception. Some of these incidents have even affected protected areas such as the Galapagos Islands, considered by UNESCO as World Natural Heritage Site. In 2017, the Ecuadorian authorities detained the ship Fu Yuang Yu Leng 999 with 300 tons of fish (including sharks) illegally obtained in these Islands. Again, in June 2020, a fleet of about 260 Chinese vessels were fishing



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for giant squid in the limits of the exclusive economic zone (EEZ) of the Galapagos Islands. These experiences alerted government officials and Ecuadorian scientists to the absence of norms and measures in the country – and in China – that serve both to carry out an effective surveillance of the activities of Chinese fishing fleets, and to ensure proper protection and conservation of marine ecosystems. This story has been repeated several times in the EEZs of Peru, Argentina and Chile, which has resulted in the violation of sovereign principles related to the exploration, exploitation, conservation and administration of marine resources established in the Convention of the Sea of the United Nations (UNCLOS).

Undoubtedly, all States are obliged to ensure the protection of the seas, but it is also clear that what China does – or does not do – will have a great global impact, since this country is the leading exporter of seafood, has the largest distant water fishing fleet and domestic demand on the planet. Thus, the fact that the Chinese authorities have initiated processes of updating and creating regulations that contribute to improving the supervision of their fleet operations in distant waters is encouraging. For example, the Ministry of Agriculture and Rural Affairs of China, the State portfolio in charge of the administration and regulation of the country's fishing sector, is leading the revision of the Fisheries Law, in which draft severe and explicit sanctions were added to the vessels engaged in illegal fishing, such as equipment confiscation and significant fines. In addition, important changes have been made and relevant regulations have been promulgated that came into effect in 2020 and others that will become effective in 2021, such as the Distant Water Fisheries Management Regulations; the new Management Measures for Squid Fishing on the High Seas; a new Rule for Transshipment on the High Seas and new Administrative Measures of the Vessel Monitoring System. We consider it important that national authorities familiarize themselves with these new laws and make use, at least at the diplomatic level, of the provisions that prohibit illegal Chinese fishing in distant waters. At the international level, we must remember that China is not only a member of the UNCLOS, but that this past August a Chinese diplomat was elected as a member of the International Tribunal for the Rights of the Sea.

Now, the biggest challenge for the Chinese authorities is to be able to effectively implement current regulations, and to coordinate urgent and effective actions with the South American countries, since what is at stake is the survival of marine ecosystems and the rights of future generations to know and enjoy living oceans.



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