AFRICA’S FISHERIES’ PARADISE AT A CROSSROADS

INVESTIGATING CHINESE COMPANIES’ ILLEGAL FISHING PRACTICES IN WEST AFRICA
Irresponsible Chinese Distant Water Fishing (DWF) companies, including China’s largest DWF company - China National Fisheries Corporation (CNFC) - are undermining the long-term sustainability of West Africa’s fisheries through persistent Illegal, Unreported and Unregulated (IUU) fishing practices, systematic fishing vessel tonnage fraud and the exportation of a destructive fisheries model. Meanwhile, West African fisheries resources are increasingly being overfished. While these Chinese DWF companies’ activities contribute little to China’s overall overseas investments, they undermine the mutually-beneficial partnership which the Chinese government is seeking with African countries. The Chinese government must urgently reform its DWF regulatory framework and management system to close the loopholes that have allowed Chinese companies to overfish and flout rules with quasi impunity for decades. West African governments must urgently strengthen governance and adopt and implement policies to ensure that the exploitation of their marine resources is environmentally sustainable and socially equitable. All States concerned should also adopt and implement effective national and regional plans of action to combat and deter IUU fishing in the region.

The depletion of Africa’s marine resources is part of a global crisis in fisheries. Taking advantage of West African governments’ ineffectual fisheries management, weak governance, characterized by a lack of oversight, transparency and accountability, DWF companies plunder marine resources at a low cost. Some large fishing powers, such as the European Union, which allowed its DWF companies to fish irresponsibly in Africa in the past, are now taking steps to rectify their wrong. Likewise, China should similarly endeavor to become a responsible global fishing power.

In 2015, African governments will join the international community in adopting post-2015 international development goals. One of those goals is the eradication of poverty by 2030. The livelihood and food security of millions of African people depend on the fisheries sector. The Assembly of the African Union declared 2015-2025 as the Decade of African Seas and Oceans, the 25th July as the African Day of Seas and Oceans, and adopted a regional strategy against piracy, armed robbery and other illegal activities committed at sea, consistent with the 2050 Africa Integrated Maritime (AIM) Strategy. China could play a valuable role in assisting African countries to achieve these important development goals.

Notes: For more details, please refer to the full report available at URL: http://www.greenpeace.org/eastasia/publications/reports/oceans/2015/Africa's-fisheries-paradise-at-a-crossroads

© Jiri Rezac / Greenpeace

Abbreviations

AIM Africa Integrated Maritime (Strategy)
AIS Automatic Identification System
EEZ Exclusive Economic Zone
EU European Union
FAO Food and Agriculture Organization of the United Nations
GT Gross Tonnage
IPOA-IUU International Plan of Action to Prevent, Deter and Eliminate Illegal, Unreported and Unregulated Fishing
IUU Illegal, Unreported and Unregulated
MCS Monitoring, Control and Surveillance
MFA Ministry of Foreign Affairs of the People’s Republic of China
MMSI Maritime Mobile Service Identity
MoA Ministry of Agriculture of the People’s Republic of China
MSY Maximum Sustainable Yield
RMB Ren Min Bi – Official currency of the People’s Republic of China
VMS Vessel monitoring system
In just under 30 years, Chinese companies have expanded their fishing operations in Africa from 13 vessels in 1985 to 462 vessels in 2013, one fifth of the total Chinese-owned DWF fleet worldwide. The DWF vessels currently operating in African waters are predominantly bottom trawlers, which use one of the most destructive fishing gears in the modern fishing industry. While the Chinese government is taking steps to eliminate some of the most destructive fishing gears and practices in its own waters, China’s DWF industry is taking advantage of weak fisheries management policies and laws in West Africa and China to perpetuate an unsustainable fisheries model in Africa.

Decades of overfishing have seriously depleted China’s own marine resources and have impelled it to develop its DWF industry. While the world is facing a global overfishing crisis, it is extremely worrying that one of the world’s largest DWF fleets is guided by policies that lack strict sustainability principles and objectives. On top of that, existing measures adopted by the ministry responsible for DWF – the Ministry of Agriculture of the People’s Republic of China (MoA) – to manage and control the rapidly expanding DWF fleet are insufficient and are easily circumvented by greedy companies which engage in various IUU fishing practices.

In 2013, there were 462 Chinese flagged and/or owned fishing vessels operating in 13 African countries: Morocco, Mauritania, Senegal, Guinea-Bissau, Guinea, Sierra Leone, Ghana, Liberia, Cameroon, Gabon, Angola, Mozambique and Madagascar. Of these, more than 400 were operating along Africa’s Atlantic coast.

Over the years, Chinese DWF companies have been found committing a continuous stream of infractions, from large and well-established Chinese state-owned giants to small- and medium-sized private companies, including many repeat offenders.

A non-exhaustive list of 183 documented IUU fishing cases involving 118 Chinese vessels was recorded in just six West African countries (Gambia, Guinea, Guinea-Bissau, Mauritania, Senegal and Sierra Leone) between 2000 and 2006, and 2011 and 2013. The majority of these cases were reported by the Surveillance Operations Coordination Unit of the Sub-Regional Fisheries Commission (SRFC) which conducted joint operations involving different member States of the SRFC. Additional cases were compiled from Greenpeace’s own at-sea documentation work in 2001 and 2006, as well as from official lists of infractions from various coastal States in the region.

Of these 183 cases, 41% were for fishing in prohibited areas; 14% for illegal mesh size; and 38% for fishing without a valid license. Additionally, 31% of the vessels were involved in IUU fishing activities more than twice during these periods. 60 of these cases (or 33%) are repeat offences by the same company – CNFC.
These 12 vessels represent almost 23% of the 52 Chinese vessels in the Exclusive Economic Zones (EEZ) of Guinea that the Esperanza encountered. In total, within just 26 days, Greenpeace at-sea documentation came across an average of one new Chinese IUU fishing case discovered every two days. It is likely that what we witnessed is just the tip of the iceberg as some infractions can only be observed by an on-board inspection of the fishing vessel, such as illegal mesh size, unauthorized catches, and so on.

Based on available information, the MoA’s Vessel Monitoring System (VMS) does not seem to have detected the infractions documented by Greenpeace and, if that is the case, the offenders could escape sanctions by the Chinese authorities. In 2012, the MoA made it compulsory for all Chinese vessels to use a VMS as a way of preventing its DWF fleet from engaging in IUU activities; and in October 2014, it followed up with even stricter measures. However, the effectiveness of these new measures has yet to be demonstrated conclusively as these 12 Chinese vessels continued to fish in the prohibited zones, seemingly undisrupted. At the time of the final edit of this report, there is still no indication that the owners of these vessels have been investigated by the relevant Chinese authorities.

Under the fisheries legislation of Senegal, Guinea-Bissau and Guinea, industrial fishing vessels operating in these countries’ EEZs must be equipped with a VMS and all data must be reported to the relevant authorities. However, because these countries do not currently have the capacity to operate their own monitoring centers, they either have to use an external service provider or rely on the flag States to forward information received from their vessels, as provided for example under the bilateral fisheries agreement between Senegal and the European Union.
On 18th Nov. 2014, Lian Run 37 was found illegally fishing inside the 20m isobath zone. On 28th Oct. 2014, Bo Yuan 8 was found illegally fishing inside the 20m isobath zone. On 28th Oct. 2014, Bo Yuan 6 was found illegally fishing inside the 20m isobath zone. On 28th Oct. 2014, Bo Yuan 9 was found illegally fishing inside the 20m isobath zone. The vessel was also found illegally fishing inside 12 NM zone on 19th Nov. 2014. On 7th Nov. 2014, Lian Run 26 was found illegally fishing inside the 20m isobath zone. The vessel was also found illegally fishing inside 12 NM zone on 19th Nov. 2014.

AIS is now a widely-used system to record data on the activity of ships worldwide; it allows other ships and land-based systems to access information on vessels’ identity and movements. AIS was designed for safety purposes. It is a publicly-available data stream but with weak security mechanisms. This makes it easy to manipulate and falsify data, the way the Chinese ships listed above were.

In addition to IUU fishing cases, out of 92 Chinese fishing vessels observed by the crew of the Esperanza, 74 had not installed or switched on their Automatic Identification System (AIS) devices. Of the 18 Chinese vessels that did have their AIS switched on, at least 10 were wrongly reporting their name, Maritime Mobile Service Identity (MMSI) number and/or position.

By comparing the information received on the AIS system of the Esperanza and the ship’s helicopter, and our simultaneous direct observations at sea, we found that the vessels’ AIS information was incoherent:

<table>
<thead>
<tr>
<th>Name of vessel</th>
<th>Company/owner</th>
<th>Greenpeace observations</th>
</tr>
</thead>
<tbody>
<tr>
<td>Bo Yuan 11</td>
<td>Dalian Bo Yuan Overseas Fishery Corp.</td>
<td>1. The location shown on AIS and that observed from our helicopter did not match. The AIS reported the longitude in East but it was actually West, resulting in the vessel appearing to be on land in the AIS system</td>
</tr>
<tr>
<td>Fu Yuan Yu 360,</td>
<td>Fujian Pingtan Hengli Fishery Co., Ltd.</td>
<td>2. The ship was reporting its name as Min Dong Yu 61745 on AIS</td>
</tr>
<tr>
<td>Fu Yuan Yu 361</td>
<td></td>
<td>3. It was reporting its MMSI number as 412447093 on AIS but the MMSI number 412209032 was painted on the ship</td>
</tr>
<tr>
<td>Fu Yuan Yu 362</td>
<td></td>
<td>The ships were reporting false positions of around 100º West longitude, resulting in the vessels appearing to be in Mexican waters in the AIS system</td>
</tr>
<tr>
<td>Fu Yuan Yu 363</td>
<td></td>
<td>The ship was reporting its MMSI number as 412440272 on AIS while MMSI number 412440238 was painted on the ship</td>
</tr>
<tr>
<td>Fu Yuan Yu 366</td>
<td></td>
<td>The ship was reporting MMSI number 412440271 on AIS while MMSI number 4124402380 was painted on the ship</td>
</tr>
<tr>
<td>Fu Yuan Yu 380</td>
<td>Fujian Pingtan Hengli Fishery Co., Ltd.</td>
<td>The ship was reporting a name “0” on AIS</td>
</tr>
<tr>
<td>Fu Yuan Yu 381</td>
<td></td>
<td>The ship was reporting MMSI number 412440272 on AIS while MMSI number 4124402381 was painted on the ship</td>
</tr>
<tr>
<td>Bo Yuan 9</td>
<td>Dalian Bo Yuan Overseas Fishery Corp.</td>
<td>The ship was reporting the name &quot;Onwa467&quot; on AIS</td>
</tr>
<tr>
<td>Liao Pu Yu 15096</td>
<td>Dalian Bo Yuan Overseas Fishery Corp.</td>
<td>The ship was reporting the name Onwa467 on AIS</td>
</tr>
</tbody>
</table>

Information From Ais Was Not In Corresponding To Actual Status Of Fishing Vessel
A recent study by Greenpeace Africa revealed that Chinese DWF companies are also engaged in another more insidious form of IUU fishing: a fraudulent practice which involves misreporting their vessels’ gross tonnage (GT). Greenpeace Africa found that CNFC was falsifying the gross tonnage of most of its vessels in Senegal, Guinea-Bissau, Guinea and Ghana. In 2014 alone, of the 59 CNFC vessels operating in those three countries, 44 were under-declaring their GT and 2 were over-declaring their gross tonnage. This practice meant that 6,757 GT were “hidden” from these coastal States, roughly equivalent to adding 22 destructive trawlers of 3000 GT each into their waters in just one year. For example, according to the terms and conditions provided by the fisheries agreement between CNFC and Guinea-Bissau signed on 28th June 2010, it appears that, in the first half of 2014 alone, CNFC’s actual fishing capacity exceeded its authorized limit by 61%.

Greenpeace Africa’s study also showed that from 2000 to 2014, 12 CNFC vessels that were operating in Senegal through a local joint venture, Senegal Armement SA, had on average under-declared their actual GTs by 43%, which means they avoided paying at least 371,404,800 CFA Francs (566,203 EURO) in license fees. In 2014 alone, CNFC under-declared a total of 1742 GT, equivalent to 371,404,800 CFA Francs (566,203 EURO) in license fees. In addition, for 13 of the LianRun vessels that continued to fish in Guinea in 2014, the company declared a different GT than in 2013. Despite the scarcity of available data and the lack of transparency, further investigation may reveal that even more cases of GT fraud are being committed by Chinese companies operating in other West African countries. For example, Shandong Overseas Fisheries Development Co. Ltd. (Shandong) was found under-declaring the GT of one of its vessels in Ghana in 2013.

Greenpeace’s investigation has exposed the serious impacts of these IUU fishing activities by Chinese fishing vessels on the livelihoods of West African fishing communities, their food security, the marine environment and government revenue.

Under-declaring GT constitutes an infraction under the laws of Senegal, Guinea-Bissau, Guinea and China. This means their activities can be classified as illegal as defined in the United Nations Food and Agriculture Organization’s (FAO) International Plan of Action to Prevent, Deter and Eliminate Illegal, Unreported and Unregulated Fishing (IUCN) in Senegal, falsified GT has allowed industrial fishing vessels to gain access to the fishing grounds of local artisanal fishermen. Moreover, as license fees are calculated according to the declared GT, by under-declaring their vessels’ GT, these companies are depriving coastal States from their due revenue. Furthermore, it undermines fisheries management and conservation efforts because the actual fishing capacity of these vessels is greater than permitted. It undermines the sustainable and equitably exploited marine resources of their coastal States.

A MORE INSIDIOUS FORM OF IUU FISHING

China’s relevant laws, regulations and regulatory legal documents

- Article 21(2), 22(2) and 34(5) of the Act 645 Ghana Shipping Act, 2003
- Article 6 and 7 (l) of the Decree 027 on fines and penalties for fisheries infractions of 1st March 2012
- Article 19 (3) and 2002 of the Provisions for the Administration of Pelagic Fisheries (June 2003)
- Article 17 of the State Council’s opinions to promote the sustainable and healthy development of ocean fisheries (July, 2013)
- Article 17 of the State Council’s opinions on the implementation of the State Council’s opinions on promoting the sustainable and healthy development of ocean fisheries (July, 2013)
- Article 4 of the MoA’s Notice on enhanced management of DWF companies management (12th Feb, 2014)
- Article 34 (3) of the Fishing vessel inspection regulation of the PRC (2003)
- Article 19 (3) and 29(2) of the Provisions for the Administration of Pelagic Fisheries (June 2003)
- Article 19 (3) and 2002 of the Provisions for the Administration of Pelagic Fisheries (June 2003)
- Article 23 of the Fishery Law of the PRC (revised December 2013)

Infractions and sanctions

- Article I, IV of the Art. № 4/2014/019/MPA/CAB/SSG Fisheries management plan 2014
- Article 12 and 15.2 of the Fisheries Code L/05/13/CTR1
- Article 7 of the Decree D 97/227/FPR/SSG General Regulation on the implementation of the Fisheries Code
- Art 12.1 and 15.2 of the Fisheries Code L/05/13/CTR1
- Article 12.1 and 15.2 of the Fisheries Code L/05/13/CTR1
- Article 7 of the Decree D 97/227/FPR/SSG General Regulation on the implementation of the Fisheries Code
- Article 6 and 7 (l) of the Decree 027 on fines and penalties for fisheries infractions of 1st March 2012
- Article 12 of the MoA’s Opinions on enhanced management of DWF companies management (12th Feb, 2014)
- Art 20 of the Fisheries Code 98-32
- Art 18 (b) and 442:10.2 2.3 of the Fisheries Decree 98-468
- Art 85 (b) and 86 (f) of the Fisheries Code
- Article 74 (132) of Fisheries Regulations 2009

Guinea-Bissau’s relevant laws and regulations

- Article 14, 14 (a) of the Decreto Lei nº 10/2011
- Art 12, Article 14, 14 (a) of the Decreto Lei nº 10/2011

Guinea’s relevant laws and regulations

- Article 6 and 7 (l) of the Decree 027 on fines and penalties for fisheries infractions of 1st March 2012

Infractions and sanctions

- Article 21(2), 22(2) and 34(5) of the Act 645 Ghana Shipping Act, 2003
- Article 2 (1), 3(2) of Fisheries Regulations 2009
- Article 2 (1), 3(2) of Fisheries Regulations 2009

Ghana’s relevant laws and regulations

- Art 95 (2) of the Fisheries Code
- Art 97 (2) of the Fisheries Code
- Article 21(2), 22(2) and 34(5) of the Act 645 Ghana Shipping Act, 2003
- Article 2 (1), 3(2) of Fisheries Regulations 2009

Infractions and sanctions

- Article 64(g) and 70.3 of the Decreto Lei nº 10/2011
- Article 64(g) and 70.3 of the Decreto Lei nº 10/2011

Guinea-Bissau’s relevant laws and regulations

- Infractions and sanctions
- Infractions and sanctions
- Infractions and sanctions
- Infractions and sanctions
- Infractions and sanctions
- Infractions and sanctions
- Infractions and sanctions
The world is in the midst of a global overfishing crisis and therefore it is extremely worrying that one of the world’s largest DWF fleets is not subject to strict and effective policies that ensure it operates legally and sustainably. Chinese DWF companies are relatively free to expand without limit because China lacks strict DWF policy and regulations based on sustainability and precautionary principles, with clear management objectives and strategies.

In contrast, China’s domestic fisheries management framework includes specific criteria, objectives, and strategies to ensure the sustainability of fisheries in its own waters. China strengthened the sustainability elements of its domestic fisheries legislation in response to the serious depletion of marine resources at home. China must learn from this painful experience and prevent the same tragedy from happening with Africa’s marine resources. At the very least, the same management standards that apply to China’s domestic fisheries should also apply to its DWF fleets.

Various international legal instruments and action plans as well as multilateral organizations have established progressive principles for a sustainable and responsible fisheries industry. China must ideally implement these so as to become a responsible global fishing power. These are not unattainable goals or standards, and many of them have been ratified and implemented by a number of countries. The European Union recently reformed its Common Fisheries Policy (CFP) and has, in the process, updated most of the policy, management standards and tools that cover its fleets. Including those vessels it just prior to this reform. Prior to 2009, the European Union also established its strong legal framework for control, inspection and enforcement of these rules, and made this legal framework provide a solid legal basis that can serve as an example to China in terms of the kinds of improvements needed in its own DWF management.

Chinese DWF companies have been expanding in Africa in an apparent blind pursuit of short-term economic interests. In 2013, 462 Chinese DWF vessels were operating in African waters, the majority being bottom trawlers. These ships use one of the most destructive fishing methods in the modern fishing industry.

They are repeating the same mistakes in Africa that drove China’s domestic fisheries resources to the brink of collapse. In the six main West African coastal states where Chinese DWF vessels operate there is no obligation to give preferential access to low-impact fishing methods, and bottom trawling is still the main fishing method used by Chinese vessels.

Because West African countries often do not have effective management regimes in place or the capacity to effectively control fishing operations in their waters, Chinese DWF fleets are able to operate with much lower standards than they would have to under China’s current domestic fisheries regulations.

Companies’ Short-Term Economic Interests Undermine China’s Desire For A Mutually-Beneficial Partnership With Africa

Chinese companies are not only overfishing Africa’s fisheries resources legally. Some operators are also engaging in illegal fishing activities, despite huge fuel and other subsidies they receive from their government which give them a competitive edge over other fishing players.

The fact that some Chinese companies are stealing fisheries resources from African countries while their own government is involved in one of the biggest overseas humanitarian aid programs to help combat the Ebola outbreak underscores their complete lack of scruples. Although the industry itself contributes less than 0.1% to China’s overseas investments, they jeopardize the mutually-beneficial partnership advocated by the Chinese government for Sino-African relations by engaging in illegal fishing and repeating the same mistakes that devastated China’s own marine resources in Africa.

Chinese fishing fleets are engaged in a short-sighted pursuit of their economic interests in Africa. However, Africa’s fisheries sector is a key pillar supporting the continent’s food security and sovereignty and so it should not be treated purely from an investment perspective. If Chinese DWF companies are allowed to continue to operate in this way, it is inevitable that local resentment will build towards all kinds of Chinese investments in Africa.

In 2012, the MoA introduced measures to regulate the Chinese DWF industry and prevent it from engaging in IUU fishing activities, but these were far from adequate. In 2014, the MoA strengthened its administrative measures to require all Chinese DWF vessels to report their location every four hours and keep the VMS switched on 24 hours a day. Despite these stricter regulations, Chinese vessels continue to engage in IUU fishing as shown by Greenpeace Africa and Greenpeace East Asia recent investigations in West Africa.

Furthermore, other Chinese IUU fishing activities in Africa, such as using nets with illegal mesh sizes, can only be detected by onboard inspections and this requires human and financial resources that many West African countries do not have. It is clear that in order to effectively control Chinese vessels overseas, the Chinese government needs to do more than just requiring that vessels report their position more frequently. It should develop and implement a comprehensive control system, including, but not limited to, VMS, for all Chinese vessels.

In the absence of sustainability principles or a precautionary approach, there is no obligation to give preferential access to low-impact fishing methods, and bottom trawling is still the main fishing method used by Chinese vessels.

China must learn from this painful experience and prevent the same tragedy from happening with Africa’s marine resources. At the very least, the same management standards that apply to China’s domestic fisheries should also apply to its DWF fleets.
West African countries are increasingly asserting their right to exploit marine resources and benefit from that exploitation, a right emphasized in various international instruments. However, the exploitation of available resources should not be at the expense of the long-term environmental sustainability, food security or the livelihoods of dependent local communities. Developing coastal States must ensure that they do not only exercise their rights but that they are in a position to fulfill their obligations.

Fisheries management policies are often outdated and fail to include progressive management and conservation measures provided for under various international instruments. Transparency and the participation of stakeholders and civil society are either very limited or non-existent. Instead, the interests of economically powerful and politically influential actors in the fishing sector tend to override the rights and needs of those who depend on fishing as their sole source of livelihood. Finally, the commitments to combat IUU fishing are frequently not acted upon, including the strict enforcement of sanctions on perpetrators.

Fisheries Management Policies Need Strengthening

Certain West African coastal States are in the process of revising and updating their fisheries legislation to adapt it to new economic or regulatory requirements. For instance, Guinea is revising its legislation in response to the European Union black-listing for regulatory requirements. For instance, Guinea is revising its legislation in response to the European Union black-listing for enforcement of sanctions on perpetrators. Fisheries management policies must include and apply a precautionary approach and ensure that limits are imposed on catches and fleet capacity to stop overfishing. Management and conservation measures must also be implemented to prevent the fishing industry from damaging the marine ecosystems.

Too Many Industrial And Destructive Vessels

One of the major problems with the global fishing industry is its overcapacity. It leads to the unsustainable exploitation of resources and economically unviable fisheries. Many West African coastal States do not have enough information to determine the real fishing capacity and the environmental impact of fleets operating in their waters. But sadly, many West African countries are encouraging DWF fishing vessels to come and fish in their waters, including through the creation of joint ventures. These joint ventures are primarily controlled by the DWF operator and often engage in IUU fishing practices or even encourage these fishing vessels to change their nationality, arrange for vessels to fish in their waters. The effectiveness of control systems varies considerably between countries. Unscrupulous fishing companies take advantage of lax control systems to engage in IUU fishing practices.

Failure To Stop IUU Fishing

Many West African coastal States lack the capacity, and sometimes the political will, to manage and control fishing fleets operating in their waters. The effectiveness of control systems varies considerably between countries. Unscrupulous fishing companies take advantage of lax control systems to engage in IUU fishing practices, sometimes repeatedly.

While promises have been made, little concrete action has been taken to date. It is clear that fishing companies believe they are not likely to be caught and even if they are, the penalties are not tough enough to dissuade them from repeating their offence. Fishing vessels that have been caught engaging in IUU activities on several occasions are still awarded fishing licenses in the region. It is clear that West African countries are not strictly enforcing their own laws.

Lack Of Transparency

The lack of transparency benefits unscrupulous operators and prevents meaningful participation by relevant stakeholders and civil society. West African countries have long pledged to make the fishing sector more transparent. Even so, a great deal of data is not publicly available, such as the list of vessels authorized to fish in their waters, their beneficial owners, the amount paid for the fishing access, the list of vessels/companies engaging in IUU fishing and the sanctions imposed by the coastal and flag States, the terms and conditions of bilateral agreements and, last but not least, if and how the relevant governments evaluate the impact of fishing activities on the ecosystem and their long term environmental and social sustainability.

Big Operators Are Pushing Small-Scale Fishing Out

Fisheries resources are the common inheritance of everyone. They must be exploited sustainably for the benefit of local populations and dependent fishing communities, and not allocated, leased or sold to those who can afford to pay rather than to those who fish in the most environmentally sustainable and socially equitable manner.

African governments are using a number of forms of access arrangements to bestow fishing rights — bilateral agreements, joint ventures, chartering arrangements, or even quasi property rights — to those who can afford to pay, to the detriment of the majority whose livelihood depends primarily on fisheries.

Fish Market in Senegal

© Gordon Welters / Greenpeace

© Pierre Gleizes / Greenpeace

© Pierre Gleizes / Greenpeace

© Pierre Gleizes / Greenpeace

© Pierre Gleizes / Greenpeace

© Pierre Gleizes / Greenpeace

© Pierre Gleizes / Greenpeace

© Pierre Gleizes / Greenpeace

© Pierre Gleizes / Greenpeace

© Pierre Gleizes / Greenpeace

© Pierre Gleizes / Greenpeace

© Pierre Gleizes / Greenpeace

© Pierre Gleizes / Greenpeace

© Pierre Gleizes / Greenpeace

© Pierre Gleizes / Greenpeace

© Pierre Gleizes / Greenpeace

© Pierre Gleizes / Greenpeace

© Pierre Gleizes / Greenpeace

© Pierre Gleizes / Greenpeace

© Pierre Gleizes / Greenpeace

© Pierre Gleizes / Greenpeace

© Pierre Gleizes / Greenpeace

© Pierre Gleizes / Greenpeace

© Pierre Gleizes / Greenpeace

© Pierre Gleizes / Greenpeace

© Pierre Gleizes / Greenpeace

© Pierre Gleizes / Greenpeace

© Pierre Gleizes / Greenpeace

© Pierre Gleizes / Greenpeace

© Pierre Gleizes / Greenpeace

© Pierre Gleizes / Greenpeace

© Pierre Gleizes / Greenpeace

© Pierre Gleizes / Greenpeace

© Pierre Gleizes / Greenpeace

© Pierre Gleizes / Greenpeace

© Pierre Gleizes / Greenpeace

© Pierre Gleizes / Greenpeace

© Pierre Gleizes / Greenpeace

© Pierre Gleizes / Greenpeace

© Pierre Gleizes / Greenpeace

© Pierre Gleizes / Greenpeace

© Pierre Gleizes / Greenpeace

© Pierre Gleizes / Greenpeace

© Pierre Gleizes / Greenpeace

© Pierre Gleizes / Greenpeace

© Pierre Gleizes / Greenpeace

© Pierre Gleizes / Greenpeace

© Pierre Gleizes / Greenpeace

© Pierre Gleizes / Greenpeace

© Pierre Gleizes / Greenpeace

© Pierre Gleizes / Greenpeace

© Pierre Gleizes / Greenpeace

© Pierre Gleizes / Greenpeace

© Pierre Gleizes / Greenpeace

© Pierre Gleizes / Greenpeace

© Pierre Gleizes / Greenpeace

© Pierre Gleizes / Greenpeace

© Pierre Gleizes / Greenpeace

© Pierre Gleizes / Greenpeace

© Pierre Gleizes / Greenpeace

© Pierre Gleizes / Greenpeace

© Pierre Gleizes / Greenpeace

© Pierre Gleizes / Greenpeace

© Pierre Gleizes / Greenpeace

© Pierre Gleizes / Greenpeace

© Pierre Gleizes / Greenpeace

© Pierre Gleizes / Greenpeace

© Pierre Gleizes / Greenpeace

© Pierre Gleizes / Greenpeace

© Pierre Gleizes / Greenpeace

© Pierre Gleizes / Greenpeace

© Pierre Gleizes / Greenpeace

© Pierre Gleizes / Greenpeace

© Pierre Gleizes / Greenpeace

© Pierre Gleizes / Greenpeace

© Pierre Gleizes / Greenpeace

© Pierre Gleizes / Greenpeace

© Pierre Gleizes / Greenpeace

© Pierre Gleizes / Greenpeace

© Pierre Gleizes / Greenpeace

© Pierre Gleizes / Greenpeace

© Pierre Gleizes / Greenpeace

© Pierre Gleizes / Greenpeace

© Pierre Gleizes / Greenpeace

© Pierre Gleizes / Greenpeace

© Pierre Gleizes / Greenpeace

© Pierre Gleizes / Greenpeace

© Pierre Gleizes / Greenpeace

© Pierre Gleizes / Greenpeace

© Pierre Gleizes / Greenpeace

© Pierre Gleizes / Greenpeace

© Pierre Gleizes / Greenpeace

© Pierre Gleizes / Greenpeace

© Pierre Gleizes / Greenpeace

© Pierre Gleizes / Greenpeace

© Pierre Gleizes / Greenpeace

© Pierre Gleizes / Greenpeace

© Pierre Gleizes / Greenpeace

© Pierre Gleizes / Greenpeace

© Pierre Gleizes / Greenpeace

© Pierre Gleizes / Greenpeace

© Pierre Gleizes / Greenpeace

© Pierre Gleizes / Greenpeace

© Pierre Gleizes / Greenpeace

© Pierre Gleizes / Greenpeace

© Pierre Gleizes / Greenpeace

© Pierre Gleizes / Greenpeace

© Pierre Gleizes / Greenpeace

© Pierre Gleizes / Greenpeace

© Pierre Gleizes / Greenpeace

© Pierre Gleizes / Greenpeace

© Pierre Gleizes / Greenpeace

© Pierre Gleizes / Greenpeace

© Pierre Gleizes / Greenpeace

© Pierre Gleizes / Greenpeace

© Pierre Gleizes / Greenpeace

© Pierre Gleizes / Greenpeace

© Pierre Gleizes / Greenpeace

© Pierre Gleizes / Greenpeace

© Pierre Gleizes / Greenpeace

© Pierre Gleizes / Greenpeace

© Pierre Gleizes / Greenpeace

© Pierre Gleizes / Greenpeace

© Pierre Gleizes / Greenpeace

© Pierre Gleizes / Greenpeace

© Pierre Gleizes / Greenpeace

© Pierre Gleizes / Greenpeace

© Pierre Gleizes / Greenpeace

© Pierre Gleizes / Greenpeace

© Pierre Gleizes / Greenpeace

© Pierre Gleizes / Greenpeace

© Pierre Gleizes / Greenpeace

© Pierre Gleizes / Greenpeace

© Pierre Gleizes / Greenpeace

© Pierre Gleizes / Greenpeace

© Pierre Gleizes / Greenpeace

© Pierre Gleizes / Greenpeace

© Pierre Gleizes / Greenpeace

© Pierre Gleizes / Greenpeace

© Pierre Gleizes / Greenpeace

© Pierre Gleizes / Greenpeace

© Pierre Gleizes / Greenpeace

© Pierre Gleizes / Greenpeace

© Pierre Gleizes / Greenpeace

© Pierre Gleizes / Greenpeace

© Pierre Gleizes / Greenpeace

© Pierre Gleizes / Greenpeace

© Pierre Gleizes / Greenpeace

© Pierre Gleizes / Greenpeace

© Pierre Gleizes / Greenpeace

© Pierre Gleizes / Greenpeace

© Pierre Gleizes / Greenpeace

© Pierre Gleizes / Greenpeace

© Pierre Gleizes / Greenpeace

© Pierre Gleizes / Greenpeace

© Pierre Gleizes / Greenpeace

© Pierre Gleizes / Greenpeace

© Pierre Gleizes / Greenpeace

© Pierre Gleizes / Greenpeace

© Pierre Gleizes / Greenpeace

© Pierre Gleizes / Greenpeace

© Pierre Gleizes / Greenpeace

© Pierre Gleizes / Greenpeace

© Pierre Gleizes / Greenpeace

© Pierre Gleizes / Greenpeace

© Pierre Gleizes / Greenpeace

© Pierre Gleizes / Greenpeace

© Pierre Gleizes / Greenpeace

© Pierre Gleizes / Greenpeace

© Pierre Gleizes / Greenpeace

© Pierre Gleizes / Greenpeace

© Pierre Gleizes / Greenpeace

© Pierre Gleizes / Greenpe
**Recommendations**

**For West African Governments**

- Immediately carry out a comprehensive investigation into all forms of IUU fishing, including vessel GT fraud by all vessels operating in their waters.
- Urgently identify potential loopholes and malpractice that allow IUU fishing activities to go unpunished.
- Urgently conduct an independent and transparent assessment of the capacity and technical specifications of all vessels authorized to fish in their waters.
- Improve transparency, including making public the names, beneficial owners and technical specifications of all vessels authorized to fish in their waters.
- Adopt and implement national and regional plans of action to combat and deter IUU fishing following the FAO POGA.
- Improve monitoring, control, surveillance and enforcement mechanisms, including reliable and effective VMS and participatory surveillance programs.
- Improve strict, dissuasive, non-discriminatory and non-negotiable sanctions and penalties on transgressors.
- Review existing fisheries agreements with the Chinese government, including the improvement of MCS cooperation, among others through VMS information sharing, eliminate loopholes and prevent fraud.
- Stop negotiating and phase-out existing agreements with companies.
- At the very least, fishing in waters outside of China should be conducted according to the same level of sustainability and responsibility as in China’s own waters. The next step for this MoA is to adopt the highest principles and practices adopted in international law, for domestic fisheries as well as for its DWF industry.
- Sustainable partnership and cooperation framework agreements between China and a third country should always be in place before any fishing project is authorized. Fishing activities should take place exclusively within the framework of those agreements. Chinese companies should not be allowed to negotiate private fisheries agreements.
- A system to effectively manage fishing capacity including vessel type, equipment used and practices.
- An allocation mechanism based on transparent and equitable environmental and social criteria, and granting preferential access to operators who fish in the most environmentally, socially beneficial and equitable manner.
- Strict and effective monitoring, control, surveillance and enforcement mechanisms, with the technical capacity to handle electronic data in real-time, including vessel tracking, catch data, and so on. These mechanisms should be supported by dissuasive and non-negotiable sanctions and penalties.

**For The Chinese Government**

- Construction of all new DWF vessels should be halted until a comprehensive and accurate assessment of the current DWF fleet capacity can be conducted, the environmental and socio-economic impacts evaluated, and corrective measures adopted and implemented. Low impact fishing methods should replace destructive methods.
- Existing subsidies for the entire DWF fleet, irrespective of their type, should be reviewed with the aim of shedding excess fishing capacity and moving towards environmentally sustainable practices.
- Tougher standards and stricter requirements should be incorporated into the ongoing revision of China’s DWF regulations.
- At the very least, fishing in waters outside of China should be conducted according to the same level of sustainability and responsibility as in China’s own waters. The next step for this MoA is to adopt the highest principles and practices adopted in international law, for domestic fisheries as well as for its DWF industry.
- Sustainable partnership and cooperation framework agreements between China and a third country should always be in place before any fishing project is authorized. Fishing activities should take place exclusively within the framework of those agreements. Chinese companies should not be allowed to negotiate private fisheries agreements.
- A system to effectively manage fishing capacity including vessel type, equipment used and practices.
- An allocation mechanism based on transparent and equitable environmental and social criteria, and granting preferential access to operators who fish in the most environmentally, socially beneficial and equitable manner.
- Strict and effective monitoring, control, surveillance and enforcement mechanisms, with the technical capacity to handle electronic data in real-time, including vessel tracking, catch data, and so on. These mechanisms should be supported by dissuasive and non-negotiable sanctions and penalties.

**Principle and Objectives**

- **A strict fisheries regulatory framework based on sustainability principles and objectives.**
  - The precautionary approach and an ecosystem-based approach.
  - The participation and consultation of all stakeholders and civil society.
  - Transparency and access to information.
  - Objectives which are clear and quantifiable to maintain stocks at levels well above those capable of producing the Maximum Sustainable Yield.
  - A mechanism to evaluate the success of management measures which ensures that corrective measures are adopted in a timely manner to stop or prevent over-exploitation and fleet over-capacity.
  - A system to effectively manage fishing capacity including vessel type, equipment used and practices.
  - An allocation mechanism based on transparent and equitable environmental and social criteria, and granting preferential access to operators who fish in the most environmentally, socially beneficial and equitable manner.
  - Strict and effective monitoring, control, surveillance and enforcement mechanisms, with the technical capacity to handle electronic data in real-time, including vessel tracking, catch data, and so on. These mechanisms should be supported by dissuasive and non-negotiable sanctions and penalties.
CHINA MUST BECOME A TRULY RESPONSIBLE FISHING NATION

Recommendations For The Chinese Government

- **Introduction**: Measures to ensure that Chinese companies do not negotiate weaker conditions for fisheries operation than provided for in the legislation for developing coastal States.

- **Participate in the Fishery Committee for the Eastern Central Atlantic (CECAF)**: Increase Chinese cooperation and exchanges with West African and other participating countries to establish a framework for the sustainable exploitation of marine resources in the region.

- **Recommendations For All Concerned Governments**

- **Ratify/accede to all relevant international legal instruments, namely:**
  - The 1958 UN Fish Stocks Agreement
  - FAO Agreement on Port States Measures to Prevent, Detter and Eliminate Illegal, Unreported and Unregulated Fishing.
  - FAO Code of Conduct for Responsible Fisheries
  - FAO International Plan of Action to Prevent, Deter and Eliminate Illegal, Unreported and Unregulated Fishing.

- **Implementation:**
  - Implement the 1995 Code of Conduct for Responsible Fisheries
  - FAO International Plan of Action to the Management of Fishing Capacity

- **http://www.greenpeace.org/international/en/publications/reports/criteriasustainable-fisheries/**
- **http://www.greenpeace.org/international/en/publications/reports/criteriasustainable-fisheries/ManagementofStraddlingFishStocksandHighlyMigratoryFishStocks**
- **http://www.greenpeace.org/international/en/publications/reports/criteriasustainable-fisheries/FAOCodeofConductforResponsibleFisheries**

- **BETTER ALIGNMENT OF CHINESE DWF OPERATIONS IN AFRICA WITH THE GOAL TO CEMENT A SINO-AFRICA MUTUALLY-BENEFICIAL PARTNERSHIP**

- **http://www.greenpeace.org/international/en/publications/reports/criteriasustainable-fisheries/UNFishStocksAgreement**
- **http://www.greenpeace.org/international/en/publications/reports/criteriasustainable-fisheries/FAOCodeofConductforResponsibleFisheries**

- **Implementation:**
  - Implement the 1995 Code of Conduct for Responsible Fisheries
  - FAO International Plan of Action to Prevent, Deter and Eliminate Illegal, Unreported and Unregulated Fishing.
  - FAO International Plan of Action for the Management of Fishing Capacity.

- **http://www.greenpeace.org/international/en/publications/reports/criteriasustainable-fisheries/UNFishStocksAgreement**
- **http://www.greenpeace.org/international/en/publications/reports/criteriasustainable-fisheries/FAOCodeofConductforResponsibleFisheries**


- **http://www.greenpeace.org/international/en/publications/reports/criteriasustainable-fisheries/UNFishStocksAgreement**
- **http://www.greenpeace.org/international/en/publications/reports/criteriasustainable-fisheries/FAOCodeofConductforResponsibleFisheries**

- **Implementation:**
  - Implement the 1995 Code of Conduct for Responsible Fisheries
  - FAO International Plan of Action to Prevent, Deter and Eliminate Illegal, Unreported and Unregulated Fishing.
  - FAO International Plan of Action for the Management of Fishing Capacity.

- **http://www.greenpeace.org/international/en/publications/reports/criteriasustainable-fisheries/UNFishStocksAgreement**
- **http://www.greenpeace.org/international/en/publications/reports/criteriasustainable-fisheries/FAOCodeofConductforResponsibleFisheries**

- **Implementation:**
  - Implement the 1995 Code of Conduct for Responsible Fisheries
  - FAO International Plan of Action to Prevent, Deter and Eliminate Illegal, Unreported and Unregulated Fishing.
  - FAO International Plan of Action for the Management of Fishing Capacity.

- **http://www.greenpeace.org/international/en/publications/reports/criteriasustainable-fisheries/UNFishStocksAgreement**
- **http://www.greenpeace.org/international/en/publications/reports/criteriasustainable-fisheries/FAOCodeofConductforResponsibleFisheries**

- **Implementation:**
  - Implement the 1995 Code of Conduct for Responsible Fisheries
  - FAO International Plan of Action to Prevent, Deter and Eliminate Illegal, Unreported and Unregulated Fishing.
  - FAO International Plan of Action for the Management of Fishing Capacity.
Greenpeace is an independent global campaigning organist that acts to change attitudes and behavior, to protect and conserve the environment and to promote peace.