

AFRICA'S FISHERIES' PARADISE AT A CROSSROADS

FULL REPORT

INVESTIGATING CHINESE COMPANIES' ILLEGAL FISHING PRACTICES IN WEST AFRICA



• Fishing port of Kafountine, Casamance, Senegal

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Abbreviations

AIS	Automatic Identification System
AIM	Africa Integrated Maritime (Strategy)
CFA franc	Currency used in West Africa, the West African CFA franc.
CNADC	China National Agricultural Development Group Co. Ltd
CNFC	China National Fisheries Corporation
COFC	CNFC Overseas Fisheries Co. Ltd.
CPUE	Catch per unit effort
DWF	Distant Water Fishing
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
kW	kiloWatts
MCS	Monitoring, Control and Surveillance
MFA	Ministry of Foreign Affairs of the People's Republic of China
MoA	Ministry of Agriculture of the People's Republic of China
MMSI	Maritime Mobile Service Identity
MSY	Maximum Sustainable Yield
RMB	Ren Ming Bi - Official currency for People's Republic of China
UNCLOS	United Nations Convention on the Law of the Sea
US	United States of America
VAT	Value-added tax
VMS	Vessel monitoring system

EXECUTIVE SUMMARY

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, including 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.

In just under 30 years, Chinese companies have expanded their fishing operations in Africa from 13 vessels in 1985 to 462 vessels in 2013, which now comprise one fifth of the total Chinese-owned distant water fishing fleet. These Chinese flagged and/or owned vessels currently fishing in African waters are predominantly bottom trawlers, one of the most destructive fishing methods in the modern fishing industry. While domestically the Chinese government is taking steps to eliminate some of these most destructive fishing methods such as bottom trawlers, China's DWF industry is taking advantage of the weak fisheries management policies and laws in West Africa and China to export this unsustainable fisheries model to Africa.

Repeated IUU cases by Chinese companies operating in West Africa have been documented over the years, involving companies ranging from the big Chinese state-owned to the small and medium private companies. A non-exhaustive list of 183 documented Chinese companies IUU fishing cases had been reported in six West Africa countries alone (Gambia, Guinea, Guinea-Bissau, Mauritania, Senegal and Sierra Leone) during the periods of 2000 to 2006 and 2011 to 2013. Out of these documented cases, 41% were for fishing in prohibited areas, 38% for fishing without a valid licence and 14% for illegal mesh size. Out of this, 31% of the vessels had committed IUU activities more than twice during the period. In addition, 60 of these cases (or 33% of total documented Chinese IUU cases) are

from the same company -- CNFC, China's biggest DWF Company.

New IUU cases documented as recently as in late-2014 showed that the chronic problems are still on-going. From 26 October to 21 November 2014, while the Greenpeace ship, MY Esperanza, was sailing through the EEZs of Senegal, Guinea-Bissau and Guinea, Greenpeace Africa and Greenpeace East Asia documented illegal fishing activities by Chinese companies while African nations such as Guinea were struggling to combat the Ebola outbreak and had no means to monitor their waters.

In total, 16 illegal fishing cases in forbidden fishing zones committed by 12 Chinese-flagged and/or owned vessels were documented in the waters of Guinea alone. These 12 vessels represent almost 23% of the 52 Chinese vessels in the waters of Guinea that the Greenpeace ship, MY Esperanza, came across. In total, in just 26 days of Greenpeace at-sea documentation in West African waters, an average of one new Chinese IUU case was found every two days. Thus the IUU fishing cases documented are most probably the tip of the iceberg as some infractions can only be documented while on board the fishing vessels – such as illegal mesh size and unauthorized catches. Based on these findings, the vessel monitoring system (VMS) introduced by the Ministry of Agriculture (MoA) does not seem to have detected the infractions

as documented by Greenpeace, allowing the offenders to escape sanctions. 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.

In addition, 74 out of 92 Chinese fishing vessels either had their Automatic Identification System (AIS) devices switched off or no such device had been installed. Of the 18 Chinese vessels that had their AIS switched on, at least 10 of them had their name, Maritime Mobile Service Identity (MMSI) number and/or position wrongly reported. AIS was designed for safety purposes and it is a publicly-available data stream but with weak security mechanisms. This makes it easy to manipulate and falsify data in the way the Chinese ships listed above were doing.

Another form of IUU fishing by Chinese companies has also been found. For example, research by Greenpeace Africa found that CNFC was falsifying the Gross Tonnage (GT) of most of its vessels in Senegal, Guinea-Bissau and Guinea. In 2014 alone, of the 59 CNFC vessels operating in those three countries, 44 were under-declaring their GT and 2 others were inconsistently reporting their GT. A total GT of 6757.7 has been under-declared which represents approximately the equivalent of adding a further 22 destructive trawlers, each with a GT of 300, into these West African waters in over just one year. For example, according to the terms and conditions provided by the fisheries agreement between CNFC and Guinea-Bissau 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%.

In addition, from 2000-2014, 12 CNFC vessels that operated in Senegal, though its local joint venture, Senegal Armement SA), had on average under-declared their actual GT by 43%, and avoided paying at least 371,404,800 CFA Francs (566,203 EURO)¹ in licence fees to Senegal. In 2014 alone, CNFC under-declared a total GT of 1742. This is equivalent to adding six trawlers of 300GT each, competing directly with Senegalese artisanal fishermen.

Other Chinese DWF companies were also found to have similarly under-declared their vessels' GT: For example, there were inconsistencies in GT declared by Dalian Lian Run Overseas Fishery Corp. (LianRun) to Guinea and Guinea-Bissau local authorities for 19 of its vessels in 2013 and 2014. In addition, Shandong Overseas Fisheries Development Co. Ltd. (Shandong Overseas) was found to have under-declared the GT of one of its vessels in Ghana in 2013. All these fragmented cases may just be the tip of the iceberg revealing the unscrupulous behaviour by Chinese DWF companies in

West Africa.

In total, at least 74 fishing vessels owned by four Chinese Distant Water Fishing (DWF) companies have been exposed for fishing illegally in areas where fishing by industrial vessels is prohibited and falsifying their fishing vessels' GT. The vessels, implicated in 82 IUU cases and GT fraud in Senegal, Guinea, Guinea-Bissau and Ghana, represent 16% of the Chinese flagged and/or owned Distant Water Fishing (DWF) fleet in Africa. The majority of the cases were documented in the period 2000-2014, with the oldest case dating as far back as 1988.

The recurring IUU fishing problems by Chinese DWF companies are due to the fundamental failings of the existing regulatory framework that guides the development of the Chinese DWF industry. The lack of policy and regulations based on sustainability and precautionary principles, management objectives and strategies gives a relative free hand to the overly zealous Chinese DWF companies to over-expand, increasing the difficulty for the responsible authorities to manage individual companies' aggressive business activities. The monitoring, control and surveillance (MCS) and enforcement mechanism under the Ministry of Agriculture's (MoA) responsibility is clearly lagging behind the "creativity" of Chinese companies who cheat whenever external conditions permit. In order to effectively deter IUU fishing, the responsible ministry must impose strict supervision and control rather than merely request companies to comply with hosting countries' laws and regulations.

Fisheries are an important sector in many West African countries especially in terms of livelihood and food security. Yet, the lack of efficient fisheries management systems and the weak governance by West African governments have allowed DWF companies to plunder marine resources at a low cost and with quasi impunity. 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 previous policy. For example, EU has recently reformed its Common Fisheries Policy (CFP) and has, in the process, updated most of its policies, management standards and tools to manage its fleet, including its DWF vessels. China should similarly endeavour to become a responsible global fishing power.

Despite the whole DWF sector only contributing less than 0.1% of China's overall overseas investments, the activities of Chinese DWF companies in Africa are undermining the mutually-beneficial partnership with Africa that the Chinese government has been strongly advocating. Not only are they exporting the destructive fishing model that destroyed China's own fisheries, but some

¹ 1 Euro= 655.957 CFA Francs

GROWING BIGGER AND GOING GLOBAL: THE RISE OF CHINESE DWF

irresponsible Chinese companies were stealing fish from African countries affected by Ebola outbreak as its government was conducting one of the biggest aid programmes to support these African countries to confront a major local public health crisis. These Chinese companies, heavily subsidized by the government, exploit China's weak laws and regulations and lack adequate auditing and accountability.

In 2015, African governments will join the international community in adopting post-2015 international development goals. One of those goals will be the eradication of poverty by 2030, and the fisheries sector has a big part to play in terms of job creation as well as serving as an important provider of a stable protein source for African people. In addition, the African Union Assembly declared the 2015-2025 decade as the "Decade of African Seas and Oceans", and the date of 25 July as the African Day of Seas and Oceans. China could play a valuable role in assisting African countries to achieve these important development goals.

Greenpeace East Asia calls on the Chinese Government to urgently carry out a thorough investigation of the IUU fishing practices of

Chinese DWF companies operating in West Africa. Furthermore, China's Ministry of Agriculture (MoA) should adopt a stricter fisheries management framework based on sustainability principles and objectives. For China to become a truly responsible major fishing nation, the Ministry of Foreign Affairs (MFA) should collaborate with MoA to ensure better coherence between Chinese DWF operation in Africa and the overarching Sino-African mutually-beneficial partnership, as well as ratify/accede to all relevant international legal instruments.

Greenpeace Africa calls on West African nations to urgently investigate potential weak governance within its bureaucracy characterized by a lack of oversight, transparency and accountability that further encourages IUU fishing by unscrupulous DWF operators. West African governments should ensure transparency, strengthen fisheries management regimes, through the adoption and implementation of policies to ensure the environmentally sustainable and socially equitable exploitation of marine resources, as well as effective national and regional plans of action to combat and deter IUU fishing following the FAO International Plan of Action (IPOA) to Prevent, Deter and Eliminate IUU fishing.



● CNFC 9509 fishing in the EEZ of Guinea Bissau

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The Chinese DWF fleet² is one of the world's largest and is still pursuing an aggressive expansion. When over 90% of the world's fish stocks are fully or overfished,³ such an expansion by Chinese DWF companies is a worrying sign.

By the end of 2014, there were 2,460 Chinese DWF vessels with a total declared catch of 2.03 million tonnes.⁴ These vessels are Chinese-owned vessels which include Chinese-flagged vessels

as well as foreign-flagged vessels owned and operated by Chinese interests. By comparison, in 2008, there were 718 EU-flagged vessels fishing outside EU waters for at least 90% of their activity, including in adjacent waters.⁵ This number has dropped considerably. The 2014 Annual Economic Report on the EU Fishing Fleet reports 335 EU-flagged vessels in the DWF category with a GT of 275,872, total engine power 376,942kW, and the total catch of 259,000 tonnes.⁶ In 2015, the US only has around 225 US-flagged DWF vessels.⁷

² According to China's Distant Water Fishery Supervisory Regulation (2003), Article 2 and Article 33, define distant water fishing as: citizens, legal entities, and other organizations of the People's Republic of China engaging in marine fishing and processing, supply and product transportation activities on the high seas and in waters under the jurisdiction of other countries, but does not include fishing activities in the Yellow Sea, East China Sea, or South China Sea

³ The State of World Fisheries and Aquaculture 2014, FAO, page 7

⁴ http://www.moa.gov.cn/sjzz/yzjzw/gdxwyzj/201503/t20150331_4466751.htm

⁵ Note these are EU-flagged vessels not EU-owned vessels flying another flag. http://ec.europa.eu/fisheries/documentation/studies/study_external_fleet/external_fleet_2008_en.pdf

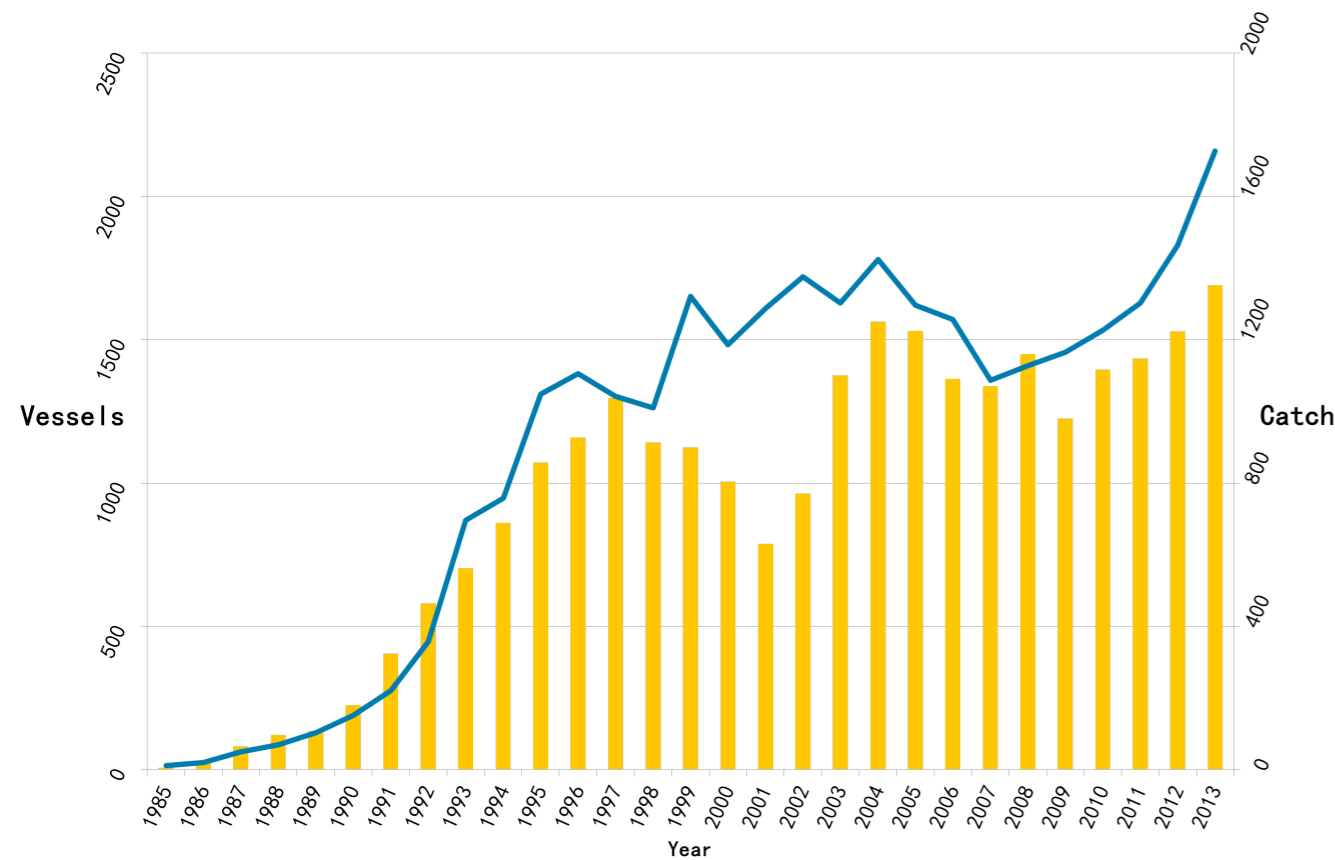
⁶ For several EU Member States, data on the distant-water fleet may be missing due to non-submission or aggregation of data for confidentially reasons. Additionally, data availability on certain fleet segments may be limited as each vessel can only be allocated to one fleet segment (fishing gear and vessel length and supregion combination) based on dominance (more than 50% of fishing time). So certain vessels fishing both inside and outside EU waters may not be accounted for.

⁷ <https://www.federalregister.gov/articles/2014/08/25/2014-20159/list-of-fisheries-for-2015#1-5> Table 3. These numbers only include long-liners, purse seiners and trawlers. Other types of vessels which are relatively very small in engine power and GT are excluded. In total, there are 225 vessels that fit to these criteria. Similar findings can be found in the research paper referenced in "Curbing China's Massive and Destructive Distant Water Fishing Fleet, November 11, 2013 By Katie Lebling"

From 1985 to 2000, the Chinese DWF fleet capacity steadily and sharply increased. After slowing down between 2000 and 2008, it started growing rapidly again. From 2011 to 2013, the DWF fleet grew by an average rate of around 12.1% per year, largely exceeding the

original growth target of 2.9% per year under China's 12th 5 year plan.⁹ In 2013 alone, the Chinese DWF fleet increased by 18% compared to previous years. Such rapid growth in fishing capacity is cause for serious concern in a situation of declining fish stocks.

Chart 1: Chinese DWF fleet evolution (1985 to 2013)⁹



■ Catch (1000 tonne, 2005–2013 included vessels fishing in Democratic People's Republic of Korea's eastern waters)
 — Vessel number (2005–2013 excluded vessels fishing in Democratic People's Republic of Korea's eastern waters)

⁹ According to China MoA's 12th 5 years plan for its DWF development (2011-2015), http://www.moa.gov.cn/zwl/m/gjhj/201110/t20111017_2357716.htm

⁹ From 2005 onwards, the vessel number excluded the vessels in DPR Korea's eastern waters, but the catch data didn't exclude the catch from that part. Detailed data and explanation can be found in Appendix 1 of this report

Today, Chinese DWF vessels are present in all the world's major fishing grounds, with gradually increasing catches. There are now at least 133 Chinese DWF companies, with 39 joint ventures overseas as well as operations in the EEZs of 38 countries and on the high seas of the Pacific, Atlantic, Indian and Antarctic Oceans.¹⁰

China's massive DWF fleet, with 2,159 vessels listed in 2013,¹¹ is mainly divided into two broad categories of fishing operations with

1,055 vessels fishing in other coastal States' EEZs (过洋性); and 1,044 vessels fishing on the high seas (大洋性). The first category consists of fishing operations in other countries' EEZ similar to China's domestic coastal fisheries. The second category refers to predominantly fishing in the international waters (including Antarctica) for migratory species such as tuna managed by RFMOs, as well as squid, saury, and krill.

Chart 2: Global distribution of Chinese DWF¹²



¹⁰ Report of the development of Chinese distant water fishery 2014, Fishery Bureau of MoA, China, 2014

¹¹ This includes industrial fishing vessels that are flagged in China or foreign-flagged (but owned by Chinese nationals/ China registered company)

¹² Detailed breakdown information is listed in APPENDIX 2 of this report

JUMPING ON THE BANDWAGON: THE MAKING OF CHINESE DWF EXPANSION



● Fishing vessels moored in the port of Zhangzhou, Fujian, China during fishing moratorium

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While Chinese DWF fleets operating under different RFMOs¹⁵ also contribute to global overfishing,¹⁶ problems caused by Chinese DWF fleets operating in other coastal States' EEZs not governed by RFMOs amount to institutionalized overfishing, mostly due to the lax fisheries

management of the hosting coastal States and the conduct of the Chinese fishing companies. This report addresses the problems and challenges posed by the second category.

1 Out On The Hunt For Seafood

Beginning in the 1970s, China's domestic fisheries developed rapidly, without sufficient attention to sustainability and ecosystem protection. As a result, China's domestic fishing industry as well as its resources have suffered from 40 years of severe overfishing which led to the decline and, eventually, the collapse of the commercially exploited fish stocks.

Today, China's 194,240 motorized marine fishing vessels, with an aggregated GT of 6.52 million,¹⁵ is the biggest fleet in the world, and almost four times as much as the fishing fleet of the European Union (EU),¹⁶ six times as much as Japan and eleven times as much as Korea.¹⁷ However, decades of overfishing seriously depleted China's own marine

¹⁵ Note that many RFMOs convention area includes EEZs

¹⁶ For example, specific data for Chinese DWF operations have not been fully disclosed to various RFMOs, making it very hard for the international community to evaluate the performance of Chinese DWF fleets

¹⁷ See China Fishery Statistical Year Book 2013, page 74. These figures include both domestic fishing vessels as well as DWF vessels

¹⁸ Scientific, Technical and Economic Committee for Fisheries (STECF) – The 2014 Annual Economic Report on the EU Fishing Fleet (STECF-14-16). 2014. Publications Office of the European Union, Luxembourg, EUR 26901 EN, JRC 92507, 363 pp.

<https://ec.europa.eu/jrc/en/publication/eur-scientific-and-technical-research-reports/2014-annual-economic-report-eu-fishing-fleet-stecf-14-16-scientific-technical-and-economic>

P. 15: The total number of vessels in the EU fishing fleet on the 1st of January 2012 was 86,283 vessels, with a combined GT of 1.7 million tonnes and engine power of 6.7 million kilowatts (kW)

¹⁹ Figures for EU, Japan and Korea came from the State of World Fisheries and Aquaculture 2014, FAO, 2014, page 36

resources, which resulted in the development of the distant water fishing industry which proceeded to use the same destructive fishing practices that had plundered fishing resources in domestic waters. Today, most

Chinese domestic fisheries can only be sustained thanks to the huge government fuel subsidy.

A Lesson To Learn: The Collapse Of Fisheries In Four Major Fishing Grounds In China

- By the 1980s, fishing effort in the four Chinese Seas (Bohai Sea, Yellow Sea, East China Sea and the South China Sea) had already reached the optimum level, but fishing effort kept growing.¹⁸
- Today, the fishing effort in Bohai Sea and Yellow Sea is about 4 times the optimum level, and the total declared catch is about 4 times the Maximum Sustainable Yield (MSY).¹⁹ Catches in the Bohai Sea, now commonly known as the Empty Sea, are in sharp decline. Catch per unit effort (CPUE) for the main commercially exploited species in the Bohai has fallen from 138.8 kg per net in 1959 to 5.017 kg per net in 2000²⁰ – a decline by more than 98%.
- The East China Sea also suffered from overfishing and destructive fishing. Today, fishing effort in the East China Sea is about three times the optimum level and the total declared catch is about 2 times the MSY.²¹ Of the four most famous and commercially exploited fish species in the East China Sea, two have almost disappeared: the wild big yellow croaker and the cuttlefish. The other two: the small yellow croaker and the hairtail are suffering from over-exploitation of juveniles. The percentage of these four species in the total catch dropped from 63.7% in the 1950s to 18.8% in the 1990s.²²
- The South China Sea, with relatively abundant resources, is also experiencing excessive catches and fishing intensity. Especially in the northern part, where the actual fishing capacity exerts now about 3 times of the optimum fishing effort, the fishing production in that area are mainly small and low-value fish species.²³

Overfishing in China's own waters pushed its big state-owned fishing companies to look for alternative fishing grounds overseas.²⁴ West Africa

is the first and main overseas base of China's distant water fishing industry dating back to 1985.²⁵

¹⁸ The Marine Living Resources and Habitats in China EEZ (中国专属经济区海洋生物资源与栖息环境), Tang Qisheng, 2006, Beijing, page 1151, for Bohai Sea, Yellow Sea, the East China Sea and the north part of South China Sea, the optimum fishing effort is about 2.4 million kW to 5 million kW.

According to the data from China Fishery Static Year Books (1980-2014), in 1980, the fishing effort had reached 2,4209 million kW and kept growing till 2013

¹⁹ Ibid. 18, page 1098, for Bohai Sea and Yellow Sea, the optimum fishing effort is about 764,400 kW, MSY 1.03 million tonnes. But according to China Fishery Static Year Book, in 2013, fishing effort in Bohai Sea and Yellow Sea has reached more than 3 million kW; and the total catch was 4.16 million tonnes

²⁰ Sustainable Utilization of Marine Fishery Resources of Bohai Sea, Journal of Anhui Agn. Sci. 2010, 38(26): 14579–14581; The Threat to China's Ocean under the Shadow of Greed and Ineffective Supervision (贪婪和监管不力阴影下的中国海洋危机), Wang Haibo, World Environment, 2013(04)

²¹ Regional Oceanography of China Seas—Fisheries Oceanography (中国区域海洋学——渔业海洋学), page 263-264: Several researches in the East China Sea suggested that the ideal MSY should range from 1 to 4 million tonnes. Ibid. 18, page 1099, for East China Sea, the optimum fishing effort was 2.17 million kW, and the MSY was 2.79 million tonnes. But according to China Fishery Static Year Book, in 2013, fishing effort in East China Sea has reached about 6 million kW; and the total catch was 5.023 million tonnes

²² Fisheries Resources Utilization of Donghai (East Sea) and the Yellow Sea (东海黄渔业资源利用), Cheng Jiahua, Zhang Qihua, 2007, Shanghai: Shanghai Technology and Science Publication

²³ Ibid. 18, page 1099; Regional Oceanography of China Seas—Fisheries Oceanography (中国区域海洋学——渔业海洋学), page 343&436

²⁴ http://news.xinhuanet.com/employment/2003-04/15/content_833202.htm

²⁵ "Adhere to the 'Going-out' strategy to accelerate the distant water fishing expansion" by Liu Shen Li, (Chinese Fisheries Economics), Volume 2002-3rd series, page 5-8 《坚持“走出去”战略 加快远洋渔业发展》，刘身利，《中国渔业经济》2002年第3期5-8页，共4页

2 A Heavily Subsidized Expansion

In the 21st century, DWF has become an extremely competitive business due to the decline of fish stocks globally, fleet overcapacity as well as rising fuel prices. However, China's DWF industry continues to flourish thanks to the various and generous supports granted by the government since the 1990s.

The fuel subsidy, which started in 2006, is the largest Chinese government subsidy for its DWF industry. In 2006,²⁶ the DWF industry received 281 million RMB (about 45 million USD) in fuel subsidies. By 2011, this amount had jumped to 2.68 billion RMB (about 431 million USD), more than nine times the amount in 2006. Meanwhile, Chinese DWF industry also received subsidies for vessel replacement and modernization, and is exempt from import duties, VAT on their catch, and from corporate income tax. They also enjoy other tax incentives. Every year these financial subsidies and preferential policies are increased, causing many DWF fishing companies to become ever more dependent on these policies.

To better understand the contribution of the government subsidies in key Chinese DWF companies' financial performance, GPEA analyzed the financial performance of two listed Chinese distant water fishing company, CNFC Overseas Fishery Co. Ltd. (COFC, SHE: 000798) which is controlled by the state-owned company, China National

Agricultural Development Group Co., Ltd. ; and Shanghai Kaichuang Marine International Co. Ltd. (SHE: 600097) which is fully owned by the Shanghai Fisheries General Corp. Group (SFGCG).

We utilized the figures directly related to their core business in fishing operations as their "Sales Revenue" and studied how subsidies, which are mainly categorized in the "Non-Operating Revenue" category, contribute to these two companies' total profits.

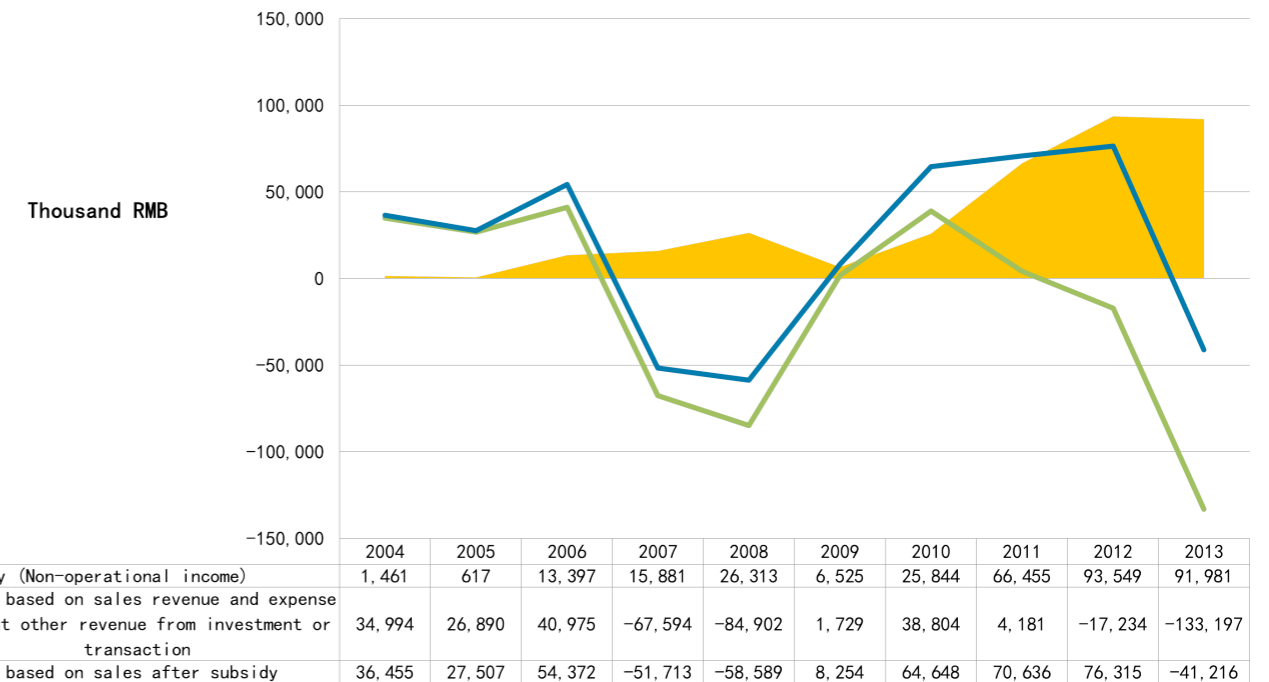
As shown in Chart 3a below, in recent years COFC has been relying entirely on government subsidies to compensate the loss from its fishing operation. The net profit of COFC from 2011 to 2013 was derived entirely from subsidy. From 2010, the gross profit from COFC fishing business kept declining, mainly due to rising fuel prices, fluctuation in fisheries resources and the competition of the overall increasing fishing capacity in COFC fishing grounds, as disclosed in its annual reports. Since then, COFC could hardly break even without the fuel subsidy from the Chinese government.²⁷ In 2013, the company's gross profit from its fishing business was - 41,347,699.98 RMB,²⁸ while the fuel subsidy was 82,535,000.00 RMB, turning the net loss into a profit.²⁹

A similar situation of dependence on the subsidy to compensate losses in the core fishing business also happened to Shanghai Kaichuang

Marine International Co. Ltd.³⁰ As shown in Chart 3b) below, since 2010, the sales revenue for the company's core fishing business was not able to compensate all its expense and its net profit were 100% contributed by subsidies.

Chinese DWF companies are losing money due to increasing operational costs, increasing fishing effort exerted to exploit decreasing fish stocks, and are surviving only thanks to the huge subsidy provided by their government. Under strict market rules, the majority of Chinese

COFC (CNFC Overseas Fishery Co., Ltd)



²⁶ China Fisheries Yearbooks [2007,2008,2009,2010,2011,2012]

²⁷ CNFC OVERSEAS FISHERIES CO. LTD, 2005 Financial report, retrieved from <http://www.cofc.com.cn/UserFiles/DownFiles/sys/2014-11-14/%E4%B8%AD%E6%B0%B4%E8%82%A1%E4%BB%BD2005%E5%B9%B4%E6%8A%A5-20141114085524790.pdf>

CNFC OVERSEAS FISHERIES CO. LTD, 2006 Financial report, retrieved from <http://www.cofc.com.cn/UserFiles/DownFiles/sys/2014-11-14/%E4%B8%AD%E6%B0%B4%E8%82%A1%E4%BB%BD2006%E5%B9%B4%E6%8A%A5-20141114085719949.pdf>

CNFC OVERSEAS FISHERIES CO. LTD, 2007 Financial report, retrieved from <http://www.cofc.com.cn/UserFiles/DownFiles/sys/2014-11-14/%E4%B8%AD%E6%B0%B4%E8%82%A1%E4%BB%BD2007%E5%B9%B4%E6%8A%A5-2014111408587217.pdf>

CNFC OVERSEAS FISHERIES CO. LTD, 2008 Financial report, retrieved from <http://www.cofc.com.cn/UserFiles/DownFiles/sys/2014-11-14/%E4%B8%AD%E6%B0%B4%E8%82%A1%E4%BB%BD2008%E5%B9%B4%E6%8A%A5-20141114085851724.pdf>

CNFC OVERSEAS FISHERIES CO. LTD, 2009 Financial report, retrieved from <http://www.cofc.com.cn/UserFiles/DownFiles/sys/2014-11-14/%E4%B8%AD%E6%B0%B4%E8%82%A1%E4%BB%BD2009%E5%B9%B4%E6%8A%A5-20141114085923267.pdf>

CNFC OVERSEAS FISHERIES CO. LTD, 2010 Financial report, retrieved from <http://www.cofc.com.cn/UserFiles/DownFiles/sys/2014-11-14/%E4%B8%AD%E6%B0%B4%E8%82%A1%E4%BB%BD2010%E5%B9%B4%E6%8A%A5-20141114090047663.pdf>

CNFC OVERSEAS FISHERIES CO. LTD, 2011 Financial report, retrieved from <http://www.cofc.com.cn/UserFiles/DownFiles/sys/2014-11-14/%E4%B8%AD%E6%B0%B4%E8%82%A1%E4%BB%BD2011%E5%B9%B4%E6%8A%A5-2014111409203715.pdf>

CNFC OVERSEAS FISHERIES CO. LTD, 2012 Financial report, retrieved from <http://www.cofc.com.cn/UserFiles/DownFiles/sys/2014-11-14/%E4%B8%AD%E6%B0%B4%E8%82%A1%E4%BB%BD2012%E5%B9%B4%E6%8A%A5-20141114092223648.pdf>

CNFC OVERSEAS FISHERIES CO. LTD, 2013 Financial report, retrieved from <http://www.cofc.com.cn/UserFiles/DownFiles/sys/2014-11-14/%E4%B8%AD%E6%B0%B4%E8%82%A1%E4%BB%BD2013%E5%B9%B4%E6%8A%A5-20141114092410852.pdf>

²⁸ Here the minus "-" means lost money

²⁹ 2013 COFC Annual report, http://file.finance.sina.com.cn/211.154.219.97:9494/MRGG/CNSESZ_STOCK/2014/2014-4/2014-04-25/1384501.PDF

³⁰ Shanghai Kaichuang Marine International Co. Ltd.,2008 Financial report, retrieved from <http://www.skmic.sh.cn/uploads/2008%E5%B9%B4%E5%B9%B4%E5%BA%A6%E6%8A%A5%E5%91%8A.PDF>

Shanghai Kaichuang Marine International Co. Ltd.,2009 Financial report, retrieved from <http://www.skmic.sh.cn/InvestorsDetail.aspx?cid=158>

Shanghai Kaichuang Marine International Co. Ltd.,2010 Financial report, retrieved from <http://www.skmic.sh.cn/uploads/2010%E5%B9%B4%E5%B9%B4%E5%BA%A6%E6%8A%A5%E5%91%8A.PDF>

Shanghai Kaichuang Marine International Co. Ltd.,2011 Financial report, retrieved from <http://www.skmic.sh.cn/uploads/2011%E5%B9%B4%E5%B9%B4%E5%BA%A6%E6%8A%A5%E5%91%8A.pdf>

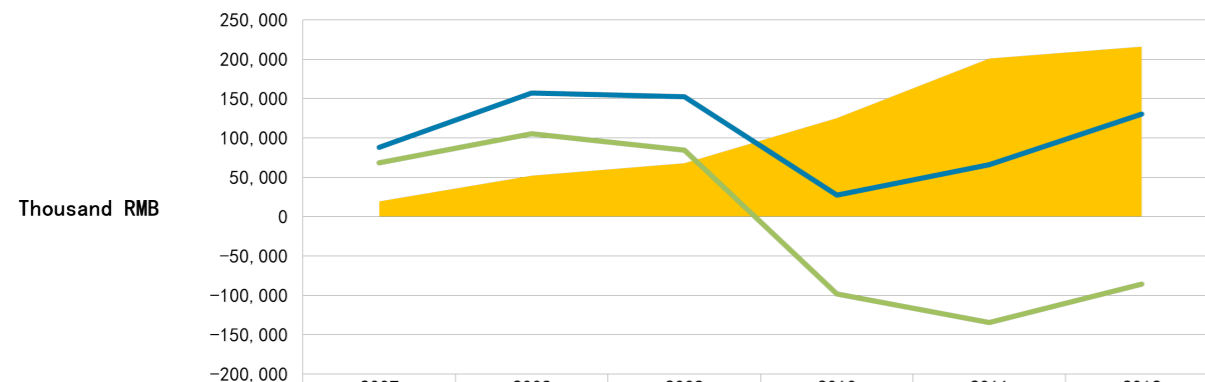
Shanghai Kaichuang Marine International Co. Ltd.,2012 Financial report, retrieved from <http://www.skmic.sh.cn/uploads/2012%E5%B9%B4%E5%B9%B4%E5%BA%A6%E6%8A%A5%E5%91%8A%E6%91%98%E8%A6%81.PDF>

Shanghai Kaichuang Marine International Co. Ltd.,2013 Financial report, retrieved from <http://www.skmic.sh.cn/uploads/2013%E5%B9%B4%E5%B9%B4%E5%BA%A6%E6%8A%A5%E5%91%8A.pdf>

DWF operations would have to stop. Another 2014 study conducted by a financial consulting company also estimated that fuel subsidy on average accounts for approximately 80% of Chinese DWF companies' "Non-Operating Revenue", turning the companies' total profit (balance sheet) from loss to surplus.⁴¹

Despite contributing less than 0.1% of China's overall overseas investments,⁴² the Chinese DWF sector has been strategically linking their operations to key government policies, allowing them to benefit from public funding and other preferential incentives both at central government and provincial level. These policies include the well-known China "Going-Out" Strategy introduced in the early 2000s.

Shanghai Kaichuang Marine International Co. Ltd.



	2007	2008	2009	2010	2011	2012
Subsidy (Non-operational income)	19,431	52,090	67,866	125,147	200,856	215,952
Profit based on sales revenue and expense without other revenue from investment or transaction	68,605	105,035	84,328	-97,962	-134,760	-85,454
Profit based on sales after subsidy	88,036	157,125	152,194	27,185	66,096	130,498

⁴¹ Stock exchange analysis by Everbright. <http://yanbao.stock.hexun.com/dzgg556338.shtml>

⁴² According to 2014 Report of the development of Chinese distant water fishery (2014 中国远洋渔业发展报告), Fishery Bureau of MoA, China, 2014, by the end of 2013, Chinese DWF companies' overseas investment came to a total of 470 million USD. On the other hand, according to 2013 China's foreign direct investment statistical bulletin (2013 年度中国对外直接投资统计公报) (http://www.mof.gov.cn/mofhome/mof/zhengwuxinxi/caijingshidian/zyzfmhwz/201409/t20140911_1137908.html), by the end of 2013, China's total overseas investment (直接投资累计净额/存量) was about 660.48 billion USD. So the proportion of DWF in the whole overseas investment equals about 0.47/660.48= less than 0.1%



On board the trawler OKFISH 9 off the coast of Sierra Leone

AFRICAN FISHERIES AT A CROSSROADS: A PATH TO SUSTAINABLE DEVELOPMENT?

The depletion of Africa's marine resources is happening in the context of a global fisheries crisis. And while African waters are among the few fishing grounds worldwide still relatively fertile, the lack of efficient fisheries management systems allows transnational DWF companies to plunder marine resources at a low cost and with quasi impunity.

As a result, for decades, local coastal communities have suffered from the invasion by destructive fishing vessels from Asia, Russia and the EU. In the absence of adequate regulatory frameworks and science-based management plans to ensure sustainable and equitable fishing activities, destructive and excess fishing capacity is out of control.

Many African governments have become dependent on the income derived from selling fishing rights to foreign operators, often at a value far below the actual market value of the fisheries resources. A recent FAO report shows that if marine resources around Africa were caught

by Africans instead of foreign interests, in theory, it could generate an additional value worth eight times the US\$0.4 billion African countries currently earn from fisheries.⁴³

In addition to the challenge of overfishing and the lack of a conservation-oriented and precautionary management framework, African fisheries are plagued by illegal, unreported and unregulated (IUU) fishing activities. For nearly 20 years, IUU fishing has been recognized by the international community as a major factor in the depletion of marine resources⁴⁴ and several instruments have been adopted to combat that scourge. Greenpeace has been documenting IUU fishing activities in West Africa since 2001 which, unfortunately, are still rampant.

Although the very nature of IUU fishing makes it very hard to assess and quantify, some attempts have been made at estimating the extent and the revenue loss it incurs which indicate that it could range from 10 to

⁴³ The Value of African Fisheries, FAO, 2014, <http://www.fao.org/3/a-i3917e.pdf>

⁴⁴ <http://www.fao.org/docrep/005/Y3274E/y3274e08.htm>

23.5 billion US dollars globally.³⁵ Developing countries are most at risk, with total estimated catches³⁶ in West Africa 40% higher than reported catches. The total loss from IUU fishing in Sub-Saharan African EEZs is estimated to be 937 million USD.³⁷ Such estimates tend to be based on scarce, incomplete data or extrapolations and have to be treated with caution. Because much of IUU fishing still remains undetected, its real extent and impacts are unknown and most probably largely underestimated.

In 2015, African governments will join the international community in adopting post-2015 international development goals. One of those goals will be the eradication of poverty by 2030, and the fisheries sector

1 West African Seas: Crisis In A Fishermen's Paradise

West African waters have been a traditional fishermen's paradise within the rich Canary Current Large Marine Ecosystem, which extends from northwest Africa to Guinea Bissau.³⁸ The region is heavily dependent on fisheries in terms of people's livelihood, employment as well as food security. FAO estimates that fish has been an important commodity in local economies of many West African coastal countries for centuries.³⁹

But decades of intense exploitation has resulted in over 50% of fisheries resources in West African waters being overfished.⁴⁰ Despite this, more industrial fishing vessels are granted access, coming from Japan, South Korea, Russia, Spain, France, Italy, China, etc. Between 1950 and 2009, more than 250 species or groups of species were reported in fish landings taken by coastal States and 47 DWF nations, and the

has an important role to play in terms of job creation as well as serving as an important provider of stable protein source for African people.

The African Union Assembly declared the 2015-2025 decade as the "Decade of African Seas and Oceans", and the date of 25 July as the African Day of Seas and Oceans. The Assembly invited Regional Economic Communities and regional mechanisms to develop and adopt a regional strategy against piracy, armed robbery and other illegal activities committed at sea, consistent with the 2050 African Integrated Maritime (AIM) Strategy.⁴¹

total reported nominal catches increased almost twelve-fold from about 300,000 tonnes in 1950 to 3,600,000 tonnes in 2009.⁴²

As a result of such intense fishing, local artisanal fishermen have been complaining about shrinking catches and rising costs and workload. They are forced to travel further to catch fish and often have to compete for space with industrial trawlers in dangerous waters, increasing the risk of deaths at sea.

Regardless, West African countries continue to sell fishing rights as a source of revenue. However, due to the lack of sustainable management and efficient controls, the consequences are IUU and overfishing.

³⁵ <http://www.plosone.org/article/info:doi/10.1371/journal.pone.0004570>; <http://transparentsea.co/images/5/58/Illegal-fishing-mrag-report.pdf>

³⁶ Ibid 37

³⁷ <http://transparentsea.co/images/5/58/Illegal-fishing-mrag-report.pdf>, pg 100

³⁸ <http://summits.au.int/en/22ndsummit/events/22nd-ordinary-session-african-union-assembly-concludes-summary-key-decisions-0>

³⁹ Review of the state of world marine fishery resources, FAO, 2011, P14. The Western and Eastern Central Atlantic had the highest proportion of overfished stocks, about 54 percent in 2009

⁴⁰ <http://www.fao.org/fishery/topic/14886/en>. For example, FAO estimated that the proportion of protein that comes from fish is extremely high among these WA countries: 47 percent in Senegal, 62 percent in Gambia and 63 percent in Sierra Leone and Ghana

⁴¹ Review of the state of world marine fishery resources, FAO, 2011, P14. The Western and Eastern Central Atlantic had the highest proportion of overfished stocks, about 54 percent in 2009

⁴² Review of the state of world marine fishery resources, FAO, 2011, P67

2 Institutionalized Overfishing: Exploitation Under African Flags

The depletion of fisheries resources is increasingly provoking hostility on the part of local fishermen toward foreign DWF operators and the untenable competition for vital fish resources. However, foreign interests have found new ways to circumvent the mounting opposition. The establishment of joint ventures has become a common practice by foreign fishing companies operating in West Africa to get around local resentment.

By setting up a joint venture with a local company/local representative, originally foreign flagged vessels are reflagged to coastal States, therefore considered as "local", and often allowed to operate with less or looser restrictions than under the original flag, further fuelling the overfishing problem.

Loopholes in Senegalese Joint Venture regulations

Although Senegalese legislation specifies that Senegalese-flagged vessels above 100 GT must carry observers,⁴³ this provision is reportedly not strictly applied.⁴⁴ Moreover, the latest proposal for a revised Fisheries Code⁴⁵ is ambiguous in that it specifies an obligation for foreign-flagged fishing vessels to have an observer on board, but not the Senegal-flagged vessels. Another example is the fine applied for unauthorized fishing: for foreign vessels it ranges from 0.5 billion to 1 billion CFA francs but only 40 million to 50 million CFA francs for Senegalese vessels.

Joint ventures are widely promoted as a model of investment that allows shared profit and expertise between the hosting coastal States, local entrepreneurs and foreign fishing companies. It is also presented as a "win-win" arrangement whereby coastal developing States can develop

their own fishing capacity by absorbing other States' excess capacity. It is unfortunately not as profitable as it seems, and often not sustainable.

West African countries list conditions to transfer and reflag vessels and set up joint ventures. However, ambiguous terms, special authorizations and exemptions allow foreign fishing companies to use joint ventures mostly for their own benefit instead of being a truly shared venture.

Such a "nationalization" process tends to undermine fisheries management as, often, coastal States lack the means to efficiently control these fleets.

The original flag State and country of beneficial ownership can transfer its fishing capacity overseas which becomes "local", regardless of whether this contributes to overfishing, while foreign interests retain beneficial ownership of vessels. Meanwhile, the coastal State hopes to build its historical track record of fish catches as the basis for future quota allocation and/or attracting further investments or selling fishing rights.

A number of joint ventures have been criticized for the lack of transparency regarding the process of their creation and its consequences:⁴⁶ no added value in terms of local employment, income, food security or supporting sustainable livelihoods, and even causing a further deterioration of fish resources and marine ecosystems.

And last but not least, joint ventures also present a problem in terms of determining the actual fishing effort and impact in regions like West Africa given the limited control capacity of the coastal States. While it is easier to blame foreign fishing vessels for overfishing, the impact caused by foreign fishing capacities transferred under joint ventures has been largely ignored.

⁴³ Arrêté n° 1008 du 16 février 1999 fixant les modalités d'embarquement des observateurs à bord des navires sénégalais

⁴⁴ Observers are only taken on board a few foreign vessels, but not on board national vessels (USAID/COMFISH, unpub.)

⁴⁵ Draft text - revision of the Code de la pêche maritime - Loi n°98-32 du 14 avril 1998 (version April 2014). There is a contradiction between the draft Fisheries Code currently under revision by the Senegalese government (according to the latest draft available to Greenpeace) and the existing Decree nr 1008 which states that Senegalese-flagged vessels of 100GT or more must have an observer and vessels of 500GT or more must have 2 observers on board

⁴⁶ http://lesoleil.sn/index.php?option=com_content&view=article&id=26433:beatrice-gorez-coordinatrice-de-la-coalition-pour-des-accords-de-peche-equitables-cape-l-la-peche-artisanale-est-le-modele-davenir-en-afrique-r&catid=51:economy&Itemid=63

3 Chinese DWF Expansion In West Africa

West Africa's waters have a unique standing in the history of Chinese DWF development as these fleets' first port of call back in 1985, and where, over the past three decades, China has continued expanding its fishing operations. Today about one fifth of China's distant water fishing vessels are concentrated in African waters.

By the end of 2013, there were 23 Chinese DWF companies operating in various African countries, with a total of 462 DWF vessels, producing 205,000 tonnes of fish, with a net value of 2.68 billion RMB.⁴⁷ Out of these, over 400 Chinese DWF vessels were fishing along the West Coast of Africa. The majority of these vessels are equipped with one of the most destructive fishing gears in the modern industrial fishing history – the bottom trawl.

Chinese DWF companies' performances in West Africa are tainted with irregularities. IUU fishing cases have been documented for a long time, involving companies ranging from the big and well-established State-owned to the small and medium private Chinese companies.

A non-exhaustive list of documented IUU fishing cases by Chinese companies in six West Africa countries alone (Gambia, Guinea, Guinea-Bissau, Mauritania, Senegal and Sierra Leone) shows that a total of 183 cases involving 114 Chinese flagged and/or owned vessels have been reported during the period of 2000 to 2006 and 2011 to 2013.⁴⁸

A large part of these cases were documented by the Surveillance Operations Coordination Unit (SOCU) of the Sub-Regional Fisheries Commission (SRFC), a programme funded by Luxemburg from 1995 to 2004 and the European Union from 2010 to 2013. The SOCU organised joint surveillance operations with staff and assets from different States members of the SRFC. Additional cases were compiled from Greenpeace's own at-sea documentation in 2000 and 2006,⁴⁹ as well as from official lists from coastal States in West Africa.⁵⁰

Out of these documented cases, 41% were for fishing in prohibited areas, 38% for fishing without a valid licence, and 14% for illegal mesh size. Out of this, around 31% of the vessels were involved in IUU fishing activities more than twice during these periods. In addition, 60 of these cases (or 33% of the total documented Chinese IUU fishing cases) were from the same company -- CNFC, China's biggest DWF Company.

However, as many West African countries lack sufficient resources or sometimes political will to monitor and patrol their waters, the documented IUU fishing cases are most probably only the tip of the iceberg and not representative of the actual deplorable situation.

These abuses have provoked resentment on the part of West African stakeholders, especially by local artisanal fishermen who can be quite influential in local politics.

■ In March 2014, the then-Senegalese Minister of Fisheries, Haïdar el Ali, in an interview with a French magazine, expressed strong opinions regarding Chinese DWF's illegal activities and unsustainable practices in Africa: "China targets everything that moves in the sea: fish, birds and even sea horses for export. China is one of the leading players in illegal pirate fishing! Chinese industrial vessels are actively involved in we are denouncing. China never discloses the real figures for its catches and predation to international bodies and West African countries. China is now doing what European countries have done for decades. China claims to cooperate with West African countries but is increasing their debt and poverty. China practices a suspicious conception of "development assistance. The greatest cynicism is predominant in the current globalization; each country pursuing its own interests despite the nice declarations on sustainable development".⁵¹

■ In 2013, the Mauritanian government revoked an agreement negotiated with a Chinese fishing company that provided 25 years of fishing rights and extensive tax breaks. That agreement was fiercely opposed by local artisanal fishing groups and international non-governmental organisations.⁵²

⁴⁷ Report of the development of Chinese distant water fishery 2014 (2014 中国远洋渔业发展报告), Fishery Bureau of MoA, China, 2014

⁴⁸ See APPENDIX 3 for the detailed compilation of the documented IUU cases by Chinese DWF in West Africa for the period 2000 to 2006 and 2011 – 2013

⁴⁹ <http://www.greenpeace.org/international/Global/international/planet-2/report/2001/10/witnessing-the-plunder-a-repo.pdf>; http://www.imcsnet.org/imcs/docs/greenpeace_report_fisheries_west_africa_2006.pdf

⁵⁰ See Appendix 3 of the full report for the complete list of documented IUU cases involving Chinese DWF companies in West Africa (2000-2006, 2011-2013)

⁵¹ <http://www.marine-oceans.com/geopolitique/7379-entretien-avec-haidar-el-ali-ministre-senegalais-de-la-peche>

⁵² Mauritania-Poly Hondone Pelagic Fishery Co. agreement: press release of the FNP June 14, 2011; <http://www.cape-cffa.org/>



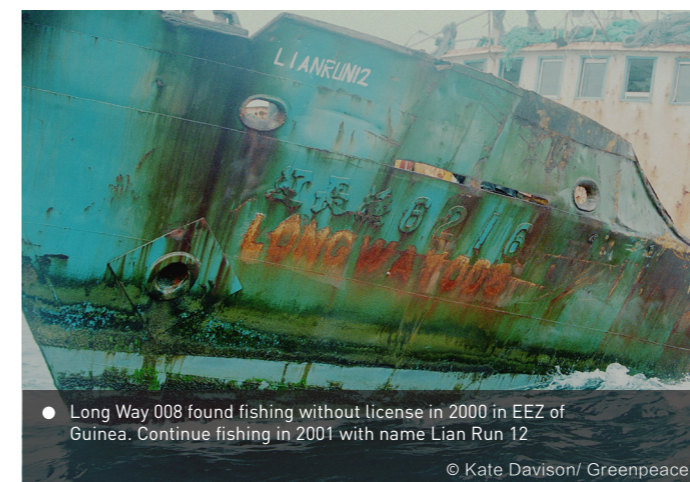
● Transshipment between CNFC reefer Hai Feng 830 and Jiu Yuan 812

© Pierre Gleizes / Greenpeace



● In 2006, Guinean fishery inspector arrested Lian Run 14, for fishing illegally

© Pierre Gleizes / Greenpeace



● Long Way 008 found fishing without license in 2000 in EEZ of Guinea. Continue fishing in 2001 with name Lian Run 12

© Kate Davison / Greenpeace



● Bycatch on board CNFC 24

© Pierre Gleizes / Greenpeace

04

FISHY OPERATIONS: CHINESE DWF IN WEST AFRICA

At the same time as the Chinese government was pouring resources to help African nations to fight the Ebola outbreak, sadly, some Chinese DWF companies operating in West Africa were stealing fish from the same affected countries whose attention and energy were diverted to

fight the epidemic. To make things worse, some of these companies were in fact frequent offenders with past IUU fishing records, which demonstrates that penalties imposed by MoA and/or by the coastal States fail to deter further crimes.

1 Greenpeace 2014 At-Sea Documentation Of Iuu Fishing In West Africa

From 26 October to 21 November 2014, while the Greenpeace ship MY Esperanza was sailing through the EEZs of Senegal, Guinea-Bissau and Guinea, Greenpeace Africa and Greenpeace East Asia documented illegal and destructive fishing activities while African nations like Guinea were struggling to combat the Ebola outbreak and had no means to monitor their waters.

During that period, GP observed primarily one type of serious infraction

Industrial Fishing:

- In Guinea-Bissau: prohibited inside the territorial sea (12 nautical miles from the base line);⁵³
- In Guinea: prohibited inside 12 nm from the base line and the 20 meter isobath;⁵⁴
- In Senegal: certain categories of industrial vessels are authorized to fish up to 6 nm from the coast.⁵⁵

Transshipment At Sea:

- In Guinea-Bissau allowed under certain conditions;⁵⁷
- In Guinea prohibited as a general rule since at least 2004 until 2013. In July 2013,⁵⁸ a Presidential Decree established a clear prohibition of transshipment at sea⁵⁹ which was replaced, in January 2014, by another Decree.⁶⁰ The latter, referred to in the 2014 management plan,⁶¹ prohibits transshipment at sea but implies that it can be authorized under certain conditions;
- In Senegal, prohibited except in case of force majeure.⁶²

This is further complicated by the fact that international agreements, primarily bilateral governmental access agreements, tend to take precedence over national legislation, sometimes establishing

by Chinese DWF companies: fishing in prohibited areas.⁵³ Other types of common infractions, such as the wrong mesh size or gear, wrong target species or by-catch could not be documented without boarding vessels.

The legislation applicable at the time of observation to the types of activities above differs in the three countries concerned. In particular:

weaker provisions such as those concerning by-catch percentage, transshipment conditions, vessel position monitoring, etc.

⁵³ Fishing zones reserved to small-scale fishing and ecologically sensitive areas

⁵⁴ Decreto Lei n.º 10/2011 of 7 June 2011 Art 24

⁵⁵ Arrêté N° A/2014/019 MPA/CAB/SGG Para I (scope)

⁵⁶ Décret N° 98-498 Art 44

⁵⁷ Decreto Lei n.º 10/2011 of 7 June 2011 Art 35

⁵⁸ Arrêté N°A/2013/10611/MPA/CAB/SGG Para. XIV

⁵⁹ Décret D/2013/128/PRG/SGG of 29 July 2013 Art 1 §1

⁶⁰ Décret D/008/PRG/SGG of 6th January 2014 Art 2.1

⁶¹ Arrêté N° A/2014/019 MPA/CAB/SGG Para XIV

⁶² Loi n°98-32 of 14 April 1998 Art 32

Observations And IUU Cases Documented

IUU Fishing

During 26 days of documentation at sea, 134 different vessels were sighted in the EEZs of Senegal, Guinea-Bissau and Guinea, out of which 79 were flagged to China, 28 to Senegal (13 vessels were spotted in Senegal's EEZ with 11 owned by CNFC through a joint venture), 4 to

Guinea, 6 to Comoros, 4 to Korea, 2 to Morocco, 1 to Panama (owned by CNFC), and 10 unknown (9 possibly flagged to Guinea and 1 possibly flagged to China). 122 fishing vessels, 7 reefers (refrigerated transport vessels), 2 supply vessels, 2 patrol boats and 1 oil tanker.⁶³

16 IUU illegal fishing cases committed by 12 Chinese-flagged and/or -owned vessels have been documented in the waters of Guinea:

IUU	No.	Name of vessel	Date observed	Company/Owner
Fishing inside the 12 nm zone (prohibited zone for industrial fishing vessels)	01	Bo Yuan 9	19th Nov 2014	Dalian Bo Yuan Overseas Fishery Corp.
	02	Lian Run 26	7th Nov 2014	Dalian Lian Run Overseas Fishery Corp.
Fishing inside the 20m isobath zone (prohibited zone for industrial fishing vessels)	03	Bo Yuan 1	28th Oct 2014	Dalian Bo Yuan Overseas Fishery Corp.
	04	Bo Yuan 2	28th Oct 2014	Dalian Bo Yuan Overseas Fishery Corp.
	05	Bo Yuan 5	16th Nov 2014	Dalian Bo Yuan Overseas Fishery Corp.
	06	Bo Yuan 6	28th Oct 2014	Dalian Bo Yuan Overseas Fishery Corp.
	07	Bo Yuan 6	18th Nov 2014	Dalian Bo Yuan Overseas Fishery Corp.
	08	Bo Yuan 6	19th Nov 2014	Dalian Bo Yuan Overseas Fishery Corp.
	09	Bo Yuan 7	28th Oct 2014	Dalian Bo Yuan Overseas Fishery Corp.
	10	Bo Yuan 8	28th Oct 2014	Dalian Bo Yuan Overseas Fishery Corp.
	11	Bo Yuan 9	28th Oct 2014	Dalian Bo Yuan Overseas Fishery Corp.
	12	Liao Pu Yu 15095	28th Oct 2014	Dalian Bo Yuan Overseas Fishery Corp.
	13	Lian Run 26	19th Nov 2014	Dalian Lian Run Overseas Fishery Corp.
	14	Lian Run 33	19th Nov 2014	Dalian Lian Run Overseas Fishery Corp.
	15	Lian Run 37	18th Nov 2014	Dalian Lian Run Overseas Fishery Corp.
	16	Lian Run 38	19th Nov 2014	Dalian Lian Run Overseas Fishery Corp.

Based on the cases above, up to 12 different Chinese vessels⁶⁴ or almost 23% of the 52 Chinese vessels observed in the waters of Guinea were involved in IUU fishing. In total, in just 26 days of Greenpeace at-sea documentation, an average of one new Chinese IUU fishing case was discovered every two days.

These IUU fishing cases are most probably only the tip of the iceberg as some infractions can only be documented on board the fishing

vessels – such as illegal mesh size, which is among recent IUU fishing activities by CNFC detected in Senegalese waters.⁶⁵ The investigation and documentation conducted by official bodies as well as civil society organizations for more than a decade, combined with the numerous testimonies of those who are the first victims of these activities, the local fishing communities, all point to the continuous and unscrupulous behaviour by Chinese DWF companies.

⁶³ Greenpeace West Africa at-sea documentation (26 October to 21 November 2014) can be downloaded from the following URL: <http://www.greenpeace.org/eastasia/publications/reports/oceans/2015/Africas-fisheries-paradise-at-a-crossroads/>

⁶⁴ The ships Lian Run 26 and Bo Yuan 9 were observed committing two different types of infraction at two different times, while Bo Yuan 6 was observed committing the same infraction at three different times

⁶⁵ See APPENDIX 3 of this report for details

Transshipment At Sea

Transfer of fish between fishing and transport vessels at sea has long been identified as a regulatory loophole, an operation often used to launder illegally-caught fish and a weak link in traceability and catch documentation systems. It also deprives coastal States from important data and revenue and must be prohibited. Incorrect information as

to the exact origin, the legality and quantity of fish is undermining fisheries management. Greenpeace has documented such operations and exposed illegal cases in West Africa since 2001. It is therefore no surprise that the FAO advises coastal States to consider requiring that all transshipments take place in port.⁶⁵

Three transshipments were documented, all in the waters of Guinea-Bissau:

- between Hai Feng 895 and CNFC 9305, on 13 November;
- between Hai Feng 896 and CNFC 9308, on 13 November;
- between Hai Feng 895 and CNFC 9510, on 14 November;

Based on available information, it is not possible to determine whether these operations were duly authorized and conducted according to legal requirements. But, although Guinea-Bissau law provides for the authorization of transshipment at sea under certain conditions, given the lack of monitoring and control capacity, some transshipment operations are bound to escape supervision.

Automatic Identification System (AIS) Inconsistencies

74 out of 92 Chinese fishing vessels observed by Greenpeace MY Esperanza crew in the area had their Automatic Identification System (AIS) devices either switched off or not installed. Of the 18 that had their

AIS turned on, at least 10 of these vessels had their name, Maritime Mobile Service Identity (MMSI) number and/or position wrongly reported.

Vessel name	Company	Greenpeace observation
Bo Yuan 11	Dalian Bo Yuan Overseas Fishery Corp.	<ol style="list-style-type: none"> 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 2. The ship was reporting its name as Min Dong Yu 61745 on AIS 3. It was reporting its MMSI number as 412447093 on AIS but the MMSI number 412209032 was painted on the ship
Fu Yuan Yu 360, Fu Yuan Yu 361, Fu Yuan Yu 362, Fu Yuan Yu 363, Fu Yuan Yu 366	Fujian Pingtan Hengli Fishery Co., Ltd.	The ships were reporting false positions of around 100° West longitude, resulting in the vessels appearing to be in Mexican waters in the AIS system.
Fu Yuan Yu 381	Fujian Pingtan Hengli Fishery Co., Ltd.	The ship was reporting MMSI number 412440272 on AIS while MMSI number 4124402381 was painted on the ship
Fu Yuan Yu 380	Fujian Pingtan Hengli Fishery Co., Ltd.	The ship was reporting MMSI number 412440271 on AIS while MMSI number 4124402380 was painted on the ship
Bo Yuan 9	Dalian Bo Yuan Overseas Fishery Corp.	The ship was reporting a name "0" on AIS
Liao Pu Yu 15096	Dalian Bo Yuan Overseas Fishery Corp.	The ship was reporting the name Onwa487 on AIS

⁶⁵ <http://www.fao.org/docrep/005/Y3554E/y3554e01.htm>

AIS has become a widely used source of data on ship activity worldwide, allowing information on vessels identity and movement to be visible to each other and to land-based systems. As AIS was designed

for safety purposes, it is therefore a publicly available data stream with weak security mechanisms, making it prone to manipulation as highlighted above.

Vessel Monitoring System (VMS) Failing To Stop IUU Fishing

A fishing vessel monitoring system (VMS) is a cost-effective tool for the monitoring, control and surveillance (MCS) of fishing and related activities.⁶⁷ In theory, VMS provides a fisheries control agency with accurate and timely information about the location and activity of fishing vessels. Nevertheless, VMS systems are also vulnerable to tampering, providing false data to control authorities to conceal IUU fishing operations. Unlike AIS, VMS data is not accessible to the public, and are predominantly shared between governmental agencies of the coastal States and the flag States and/or with the fishing companies.

Under the fisheries legislation of Senegal,⁶⁸ Guinea-Bissau⁶⁹ and Guinea,⁷⁰ industrial fishing vessels operating in their EEZs must be equipped with VMS systems and data reported to the relevant authorities. However, the current lack of capacity of these States to operate their own monitoring centres means they have to either use an external service provider⁷¹ or rely on the flag States to forward information received from their vessels, as provided for instance under the bilateral fisheries agreement between Senegal and the European Union.⁷²

Of paramount importance are the types of data communicated through the satellite tracking system, such as vessel identification, geographical position, date, time, course and speed as well as the interval between signals transmitted by the vessel system. The longer the time interval between reported positions, the easier it is for a vessel to enter a prohibited area and leave before the next signal is sent. This is especially relevant in the area surveyed by Greenpeace off Guinea and Guinea-Bissau where fishing in prohibited areas appears to happen regularly. In addition to receiving data sent automatically from the vessels, the control authorities should also be able to log into the system to check specific vessels (called polling).

In 2012, China's MoA, in its efforts to combat IUU activities by its DWF fleet, introduced its own compulsory VMS reporting system, followed by stricter measures in October 2014.⁷³ 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 undisturbed. 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.

2 Another Form Of IUU Fishing - Vessel GT Fraud

One of the conditions to get a fishing licence from West African States is that all industrial fishing vessels must declare their technical specifications, including GT, to the relevant authorities. The fishing licence fees are based on the vessel tonnage and are an important source of income for local governments.

The vessel's GT can also determine the fishing zone where the vessel can operate. For instance in Senegal, the bigger the tonnage of the industrial fishing vessel, the further it has to fish from the coast, to avoid competition with local artisanal fishermen whose livelihood depends on fisheries resources closer to shore. Hence if a DWF company cheats

⁶⁷ VMS is a satellite tracking system primarily used to monitor the location and movement of commercial fishing vessels

⁶⁸ Arrêté n° 7958 of 5 December 2005

⁶⁹ Decreto Lei n.º 10/2011 Article 43

⁷⁰ Arrêté n° 1629/MPA/2009/SGG

⁷¹ Such as CLS <http://www.cls.fr/en/>

⁷² Protocol Annex, Chapter IV, Section 4 <http://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:22014A1023%2801%29&from=EN>

⁷³ See section 5.2 of this report for more detailed explanation

on their vessel tonnage declaration, not only will they pay less for the fishing license, but most importantly, their vessels may gain access to ecologically sensitive areas closer to the coast.

A recent investigation by Greenpeace Africa revealed that CNFC had grossly falsified their fishing vessels' GT declared to local authorities in Senegal, Guinea-Bissau and Guinea. In 2014 alone, out of the 59 CNFC vessels fishing in the waters of these three countries, evidence was found showing that the GT of 44 CNFC vessels was under-declared and the GT of 2 others was inconsistently reported. A total, GT of 6757.7 has been "hidden" from coastal States which represents approximately the equivalent of adding 22 destructive trawlers of 300 GT into these West African waters. For example, according to the terms and conditions provided by a fisheries agreement signed between CNFC and Guinea-Bissau on 28 June 2010,⁷⁴ it appears that, in the first half of 2014 alone,

CNFC vessels' actual fishing capacity exceed the authorized limit by 61%.⁷⁵

Greenpeace Africa research also shows that from 2000 to 2014, 12 CNFC vessels that operated in Senegal, though its joint venture, Senegal Armement S.A., had on average under-declared their actual GT by 43%, and avoided paying at least 371,404,800 CFA Francs (566,203 EURO)⁷⁶ in licence fees to Senegal. In 2014, CNFC's under-declaration represented a fraud of 1742, GT, the equivalent of six destructive trawlers of 300GT each competing with Senegalese artisanal fishermen. In addition to the loss of revenue for the States concerned, one needs to consider the ecosystem damage caused and the fish illegally caught by CNFC in these past years in Senegal by gaining unfair access to coastal fishing grounds.

Other Chinese DWF companies were also found to have engaged in similar GT fraud:⁷⁷

- For Dalian Lian Run Overseas Fishery Corp. (LianRun): There were inconsistencies in GT declared by this company to local authorities for 19 of its 24 vessels operating in Guinea in 2013 and 2014. In 2014, the company transferred six of these 19 vessels from Guinea to Guinea-Bissau where it declared a different GT than had been declared in Guinea. 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 nations. For example, Shandong Overseas Fisheries Development Co. Ltd. (Shandong Overseas) was found to have under-declared the GT of one of its vessels in Ghana in 2013.

Under-declaring of GT constitutes an infraction under the laws of these three countries as well as of China. Thus, under-declaring the vessel GT falls within the definition of illegal fishing in the FAO International Plan of Action to Prevent, Deter and Eliminate Illegal, Unreported and Unregulated (IUU) Fishing.⁷⁸

⁷⁴ <http://www.minpesca-gw.org/protocolo%20acordo%20gb%20e%20china%20national%20of.corporation.pdf>

⁷⁵ For more details, see Greenpeace Africa report, accessible at URL: [http://www.greenpeace.org/africa/Global/africa/graphics/Amigo/Scam%20on%20the%20African%20Coast%20FINAL%20PROOF\(1\).pdf](http://www.greenpeace.org/africa/Global/africa/graphics/Amigo/Scam%20on%20the%20African%20Coast%20FINAL%20PROOF(1).pdf)

⁷⁶ 1 Euro= 655.957 CFA Francs

⁷⁷ Ibid 75

⁷⁸ Section II, 3.1 Illegal fishing refers to activities: 3.1.1 conducted by national or foreign vessels in waters under the jurisdiction of a State, without the permission of that State, or in contravention of its laws and regulations.

3 Laws And Regulations Allegedly Violated By Chinese DWF Companies

In conclusion, four Chinese companies have violated relevant Chinese as well as the respective coastal States' rules and regulations by engaging in IUU fishing operations and other fisheries related fraud.

Company name	Implicated vessels	IUU fishing and GT fraud cases
China National Fisheries Corporation (CNFC)	44 vessels	44 cases of under-declared GT in Senegal, Guinea Bissau and Guinea
	2 vessels	2 cases of inconsistent GT declared to Guinea Bissau's authorities
Dalian Bo Yuan Overseas Fishery Corp. (Bo Yuan)	8 vessels	11 cases of fishing illegally in a prohibited zone in Guinea's waters
Dalian Lian Run Overseas Fishery Corp. (Lian Run)	19 vessels	19 cases of inconsistent GT declared to Guinea Bissau and Guinea's authorities
	4 out of these 19 vessels	5 cases of fishing illegally in a prohibited zone in Guinea's waters
Shandong Overseas Fisheries Development Co. Ltd.	1 vessels	1 case of under-declared GT to Ghana authorities
Sub total	74 vessels	61 cases of IUU fishing; 21 cases of GT fraud

In total, 74 fishing vessels owned and/or operated by these companies are implicated in 82 cases of IUU fishing activities and GT fraud in Senegal, Guinea, Guinea-Bissau and Ghana. Most cases occurred between 2000 and 2014, with the oldest case dating as far back as 1988.

Note that the laws and regulations referred to are those in force at the time of observation and available from official sources. Translation of the legal texts cited is by the authors.

	Laws and regulations violated	Alleged IUU activities	
		Vessel tonnage fraud	Fishing in prohibited zone
1	Chinese laws, regulations and regulative legal documents		
1.1 ⁷⁹	The Fishery Law of the PRC (revised December 2013) ⁸⁰ Article 23: Fishing operations under the jurisdiction of other countries shall be subjected to the approval of the State Council's administrative department of fisheries affairs, and must comply with the treaties and legal agreements ratified by or in which the Chinese government participates, as well as laws and regulations of the hosting country.	✓	✓

⁷⁹ Law 法律法规

⁸⁰ http://www.gov.cn/ziliao/tifg/2005-08/05/content_20812.htm

1.2 ^①	Provisions for the Administration of Pelagic Fishery (June 2003) 远洋渔业管理规定 (2003) ^②	Article 29 (2): Depending on the severity and impact of cheating in the application or during the execution of the approved distant water fishing project, the Ministry of Agriculture shall suspend or cancel the distant water fishing qualification of the implicated enterprise.	✓	✓
		Article 19 (3): Fishing operations under the jurisdiction of other countries must comply with the treaties and legal agreements ratified by or in which the Chinese government participates, as well as laws and regulations of the hosting country.	✓	✓
	Fishing vessel inspection regulation of the P.R.C. (2003) ^③	Article 34 (3): Unauthorized modification of the fishing vessel tonnage, load line, main engine power, personnel quota and airworthiness region	✓	
1.3 ^④	State Council's notice on foreign fisheries management (2004; No 65) ^⑤	Article 2(2): All enterprises and personnel involved in distant water fishing activities must strictly abide by relevant laws and regulations, and the international treaties that China has ratified or acceded to; as well as to reduce and prevent overseas violations.	✓	✓
	State Council's opinions to promote the sustainable and healthy development of ocean fishery (March, 2013; No-11) ^⑥	Article 17 of Section 6: Strengthen distant water fisheries management. Deepen bilateral and multilateral fisheries cooperation and actively participate in the formulation of international fisheries treaties, agreements and standards. Establish and improve international fisheries management rules and adapt to ocean fisheries management system, improve the management level of distant water fishery. Fishermen and fishing enterprises to strengthen education and management, and strict compliance with relevant laws and regulations and international treaties.	✓	✓
	MoA's "Opinions regarding promoting the sustainable development of distant water fishery" (2012, No. 30) ^⑦	Article 7: Improve the management of distant water fishing. (13) Prohibit illegal, unreported and unregulated (IUU) fishing. Improve the ability to implement international fisheries conventions and agreements.	✓	✓
	MoA's "Opinions on the implementation of "State Council's opinions to promote the sustainable and healthy development of ocean fishery" (July, 2013) ^⑧	Article 12: Strengthen distant water fisheries management. Establish a holistic distant water fisheries management system in line with international fisheries management rules. Strict compliance with relevant laws and regulations and international treaties. Engage in fisheries production in accordance with relevant international organizations and other coastal States' fisheries management rules.	✓	✓
	MoA's "Notice on enhanced management of DWF companies management" (12th Feb., 2014) ^⑨	Article 4: Enhance the enterprise's responsibility. Every DWF enterprise must conduct fishing operations according to the approved fishing area, type and species. Strictly prohibit fishing across the permitted boundary and illegal fishing.	✓	✓

① Rule and regulation 规章、条例

② http://www.gov.cn/gongbao/content/2004/content_62790.htm

③ http://www.gov.cn/jfjg/2005-08/06/content_21046.htm

④ Ministry notice. measure & by-law 政策通知

⑤ http://www.gov.cn/gongbao/content/2004/content_62925.htm

⑥ http://www.gov.cn/zwggk/2013-06/25/content_2433577.htm

⑦ http://www.moa.gov.cn/zwlml/tzgg/tz/201211/t20121122_3069037.htm

⑧ http://www.moa.gov.cn/zwlml/tzgg/tz/201307/t20130710_3518356.htm

⑨ http://www.moa.gov.cn/govpublic/YYJ/201409/t20140905_4048028.htm

2	Senegalese laws, regulations and regulative legal documents			
2.1	Fisheries Code 98-32 ^⑩	Art 20 Vessel registry: The registry contains all the information required, including notably on the characteristics of vessels Art 86 (f) Serious infractions: False declarations of the technical specifications of vessels and notably those concerning the gross tonnage of vessels authorized to operate in waters under Senegal's jurisdiction	✓	
2.2	Fisheries Decree 98-498 ^⑪	Art 18 Each request for a licence must be accompanied by the following information b) Technical specifications of the vessel, including: date of construction, overall length, width, draught, gross and net tonnage, engine power, catch preservation system Gross and net tonnage are verified based on copies of certificates delivered by classification societies accredited by the ministry in charge of maritime fisheries Art 44 2.1/2.2/ 2.3 Fishing zones based on vessel tonnage	✓	
3	Guinea-Bissau laws and regulations			
3.1	Decreto Lei nº 10/2011 ^⑫	Art 12 Fishing vessel registry The fishing vessel registry shall specify all the information and data necessary namely: a) Vessels, notably, the name, the port and registration number, technical specifications or characteristics, the owner and any information considered useful	✓	
		Art 14.1 Access agreements a) Specify the number and technical specifications of the fishing vessels operating under the framework of the fishing agreement or contract, as well as the type of fishing, species and catch authorized	✓	✓
		Art 64 (g) Serious infractions The presentation of false information, data, and documents on the technical specifications of the fishing vessels authorized to operate in the waters under the national jurisdiction, notably the gross tonnage	✓	
		Art 24 Industrial fishing prohibited inside the territorial sea		✓

⑩ http://www.spcsrp.org/medias/csrp/Leg/SN/Leg_SN_1998_LOI-00032.pdf

⑪ http://www.spcsrp.org/medias/csrp/Leg/SN/Leg_SN_1998_DCR-00498.pdf

⑫ http://www.spcsrp.org/medias/csrp/Leg/GBIS/nouveau/LEG_GB_2011_DCR-LEI-00010.pdf

4	Guinea laws and regulations			
4.1	Arrêté N° A/2014/019/MPA/CAB/SGG Fisheries management plan 2014 ³³	I (scope) the limits for industrial trawling in Guinean waters are maintained at 12 nm and/or the 20 metre isobath VI – maritime fishing zones Fishing zones authorized per fishing category are as follows : --Beyond 12 nautical miles, in waters deeper than 20m for demersal fishery for fish and cephalopods. --Beyond 12 nautical miles, trawling is not authorized if the water depth is less than 20m. --Beyond 30 nautical miles for shrimpers		✓
4.2	Fisheries Code L/95/13/CTRN ³⁴	Article 12. 1 International agreements and other arrangements for the access of foreign fishing vessels: a) Specify the number or the capacity of vessels whose operations are authorized as well as the type of fishing and species authorized to be caught		✓
		Article 15. 2 Vessel registry The registry will contain all the information requested, including on the specifications of vessels and their operations in Guinea maritime waters	✓	
4.3	Decree D 97/227/PRG/SGG General Regulation on the implementation of the Fisheries Code ³⁵	Article 7 (1) License The minister in charge of fisheries can request information that can be reasonably considered as relevant such as: --Technical specifications concerning the gross tonnage measurements accepted by the relevant service of the fisheries ministry --A solemn declaration testifying the accuracy of the demand or the information provided	✓	
4.4	Decree 027 on fines and penalties for fisheries infractions of 1 March 2012 ³⁶	Article 6: a) fishing in prohibited zones Article 7: l) False declarations on the technical specifications of vessels and notably those concerning the gross tonnage of vessels authorized to operate in the maritime waters of the Republic of Guinea	✓	✓

³³ Document available upon request

³⁴ http://www.spcsrp.org/medias/csrp/Leg/GUI/nouveau/Leg_GUI_1995_LOI-00013.pdf

³⁵ http://www.spcsrp.org/medias/csrp/Leg/GUI/nouveau/Leg_GUI_1997_DCR-00227.pdf

³⁶ http://www.spcsrp.org/medias/csrp/Leg/GUI/nouveau/Leg_GUI_2012_DCR-00027.pdf

5	Ghana laws and regulations			
5.1	Act 645 Ghana Shipping Act, 2003 ³⁷	Article 21: Tonnage Regulations (2) The Minister shall in making the Tonnage Regulations, incorporate the International Convention on Tonnage Measurement of Ships, 1969 including amendments to it.		✓
		Article 22 (2) The tonnage of a ship once ascertained shall be entered in every subsequent registration of that ship unless (a) an alteration is made in the size or capacity of the ship, or (b) it is discovered that the tonnage of the ship has been erroneously determined, and in each case the ship shall be remeasured		✓
		Article 34. Registration of alterations of tonnage (5) The owner of a ship commits an offence where there is default in registering a new a ship that has been altered and is liable on summary conviction to a fine not exceeding five hundred penalty units or to a term of imprisonment not exceeding two years or to both the fine and the imprisonment and in addition is liable to a fine of one hundred penalty units for each day during which the offence continues after the conviction.		✓
5.2	Fisheries Regulations 2009 ³⁸	Application for registration, Licencing of Local industrial and semi-industrial fishing vessels Article 2(l): International Tonnage Certificate		✓
		Registration and identity of fishing vessels Article 3(2): An application for registration of a fishing vessel shall be as in Form A of the Schedule to these Regulations and shall be submitted to the Commission.		✓
		Falsification of documents Article 74. (1) A person shall not falsify or unlawfully alter, destroy, erase or obliterate any declaration, certificate or other document made or issued under these Regulations. (2) A person who acts contrary to subregulation (1) commits an offence and is liable on summary conviction to a fine not exceeding fifty penalty units or to imprisonment for a term of not more than three months.		✓

³⁷ <http://faolex.fao.org/docs/pdf/gha93388.pdf>

³⁸ <http://www.mofad.gov.gh/sites/default/files/file%20uploads/Fisheries%20Regulations%202010.pdf>

PROBLEMS WITH CHINESE DWF COMPANIES' EXPANSION IN AFRICA



● CNFC fishing vessel Soleil 11 trawling in the EEZ of Senegal. CNFC have been underreporting the gross tonnage of this vessel since 1988

© Jiri Rezac / Greenpeace

Problems caused by Chinese companies' IUU fishing activities in Africa are multi-faceted. The recurring problems are first due to the fundamental failings of the existing regulatory framework that guides the development of Chinese DWF industry. The lack of sustainability principles and a precautionary approach, management objectives and strategies gives a relatively free hand for the overly zealous Chinese DWF companies to

over-expand, increasing the difficulty for the responsible authorities to manage individual companies' aggressive business expansion.¹⁰⁷ At the same time, weaknesses in the existing Chinese monitoring, control and surveillance (MCS) mechanism for its massive DWF vessel fleet have provided individual companies with opportunities to engage in IUU fishing activities whenever external factors allowed.

1 Aggressive Expansion Guided By Outdated Fisheries Policies, Without Sustainability Principles And A Precautionary Approach

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. That means that Chinese DWF companies are relatively free

¹⁰⁷ "State Council's opinion on promoting the sustainable and healthy development of marine fisheries", "China's Fishery Law" and "Distant water fishery regulation". These opinion and law/regulation do not contain management principles, objectives and strategies applying to distant water fishing toward sustainable and equitable exploitation of marine resources in the long term

to expand without limit because Chinese DWF policies and regulations lack strict sustainability and precautionary principles,¹⁰⁸ and have no clear management objectives and strategies to guide its fisheries operations in international waters and other countries' EEZs.

By contrast, China's new domestic fisheries¹⁰⁹ management framework has already incorporated specific criteria, objectives and strategy to address the acute overfishing problem in its domestic fisheries. The strengthening of the sustainability elements in China's domestic fisheries legal framework was in response to the depletion of domestic fisheries resources. China could prevent the same tragedy from happening to African fisheries resources by learning from its painful experience at home. At a minimum, the higher management standards which apply to domestic fisheries should also apply to distant water fisheries. China should also adopt the best international management standards such as those contained in the 1995 UN Fish Stocks Agreement.¹¹⁰ Currently, China's DWF policy and regulations predominantly focus only on requiring compliance with coastal States' and/or RFMOs' regulations¹¹¹ regardless of the management measures adequacy and the capacity of relevant management authorities or bodies.

Over 1055 Chinese vessels are fishing in other countries' EEZs.¹¹² Out of these, 462 vessels were fishing in Africa's waters in 2013, the biggest foreign-flagged and/or -owned industrial fishing fleet in Africa. Without a strong regional fisheries management body¹¹³ to adopt and implement conservation and management measures, the decision whether or not to adopt a sustainable fisheries model rests entirely with West African

governments and the Chinese government, and possibly the DWF companies. The lack of will or resources to impose an environmentally and socially sustainable fisheries management system directly results in the depletion of marine resources and the destruction of local coastal communities' livelihood.

Under the Chinese State Council's "Opinions to promote the sustainable and healthy development of ocean fishery"¹¹⁴ and MoA's fisheries 12th 5 years plan for China DWF development, fleets continue to get a green light for rapid expansion on the assumption that the world fisheries resources are still abundant. Chinese DWF companies normally submit applications for fishing operation to MoA on a case-by-case basis. Information required by MoA's for approval is focused on regulations and legislation applicable in the fishing area, target species and current status of species and fishing area, including "mitigation plan" and feasibility to deal with restrictions imposed on fishing gear type/ fishing quota for fishing activities in international waters (that fall under the remit of different RFMOs), but there is no requirement for independent scientific review on sustainability of the fishing project.¹¹⁵

As a result, the development plan for Chinese DWF is mainly based on the expansion of fishing fleets. In African EEZs, the number of Chinese DWF vessels has increased from 13 vessels back in 1985 to 462 vessels in almost 30 years.

Key problems identified in Chinese distant water fishing policies that could potentially fuel global overfishing are listed below.¹¹⁶

¹⁰⁸ [Provisions for the Administration of Pelagic Fisheries] Article 1
[State Council's notice on Foreign fisheries management] No.2
[State Council on promoting the sustainable and healthy development of marine fisheries] No. 17
[State Council's notice on Strengthening safe fishery production] No.19
[State Council on promoting the sustainable and healthy development of marine fisheries]

¹⁰⁹ For example, the objective for China domestic fisheries is to ensure that the number of coastal fishing vessels and fishing intensity are adapted to reproductive ability of fish, and with a very clear principle that catches shall be below the growth of the fish stock

¹¹⁰ http://www.un.org/depts/los/convention_agreements/convention_overview_fish_stocks.htm

¹¹¹ [State Council's notice on Foreign fisheries management] No.2

¹¹² Out of 2,159 Chinese DWF vessels operating globally in 2013, 1055 Chinese vessels were fishing in other countries EEZs, while the remaining 1044 vessels were fishing predominantly in international waters.

¹¹³ Apart from the International Commission for the Conservation of Atlantic Tunas (ICCAT), there is no regional management body with decision-making power

¹¹⁴ http://www.gov.cn/zwqk/2013-06/25/content_2433577.htm

¹¹⁵ Refer to [Provisions for the Administration of Pelagic Fishery] (远洋渔业管理规定) Article 4, 5, 6 and 7 and [Notice of the General Office of the Ministry of Agriculture to further strengthen offshore fishing enterprise management] Point 2

¹¹⁶ Refer to Greenpeace East Asia "Comprehensive Chinese DWF Policy Advice" (in Chinese) for detailed elaboration. Draft English summary is available upon request

Key areas of Chinese DWF policies	Major loopholes
Management principle	<ul style="list-style-type: none"> - Management principles such as ensuring "active and stable development¹⁰⁷ of overseas and distant water fisheries" and ensuring a "sustainable and healthy development of the industry" are sometimes contradictory. - Other important principles such as precautionary, ecosystem-based approaches and long term perspective planning are lacking. - Chinese Companies are asked to comply with the legislation of coastal States regardless if Chinese regulations provide for higher sustainability standards.
Management objective and strategy	<ul style="list-style-type: none"> - No objectives and strategy toward sustainable and equitable development of the DWF sector in the long term. - Lack of management guidance on preferable vessel types and fishing gear types, as well as lack of management of fishing capacity both quantitative and qualitative (vessels, gears, practices) – especially for DWF projects with individual coastal States outside of RFMOs management. - No clear objective/strategy to cooperate with coastal States to improve local fisheries management standards such as provided for in international instruments to ensure environmentally and socially sustainable fisheries.
Management tools and measures	<ul style="list-style-type: none"> - The approval of a company's DWF project is not based on principles and objectives for sustainable and equitable exploitation of marine resource in the long term. Instead, the approval is merely based on administrative matters. - Lack of independent scientific evaluation of the status of fish stocks and the impact of fishing operations in project feasibility study.
Feedback System	<ul style="list-style-type: none"> - No independent feedback system to assist the evaluation by the relevant Chinese authorities of the DWF companies' performance in the annual renewal process of their DWF permits. - No comprehensive impact assessment of the performance of the DWF companies toward sustainable and equitable exploitation of global marine resource in the long term.
Control and Enforcement	<ul style="list-style-type: none"> - Chinese fishing vessels coordinates are reported through VMS. However, without proactive and real-time verification, including enforcement at sea, anecdotal evidence shows that Chinese DWF companies are able to avoid detection and sanctions. - Compliance with the majority of the laws/regulations requires voluntarily self-regulated conduct by the company (eg submission of the vessel's fishing log book; fishing operation in line with coastal State's laws/regulations), thus is prone to manipulation. This also reflects the a posteriori status of the fisheries management system. - Greenpeace Africa's and Greenpeace East Asia's documentation in 2014 shows that Chinese DWF vessels fish inside prohibited zones, possibly undetected by the VMS system. 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.

¹⁰⁷ Based on the contextual interpretation of China Fishery 12th 5 year plan and MoA's "Opinions on the implementation of "State Council's opinions to promote the sustainable and healthy development of ocean fishery", the term "development" here could be understood as referring to "expansion"

Various international and multilateral conventions and action plans exist that introduce the most advanced criteria for sustainable and responsible fisheries which China should adopt and implement as soon as possible to become a truly responsible stakeholder. These are not unattainable goals or standards, many of them have been ratified and implemented by many countries. The European Union has recently reformed its EU Common Fisheries Policy (CFP) and has, in the process, updated most of its policies, management standards and tools to manage its fleet, including

its DWF vessels.¹¹⁰ Just prior to this reform, in 2008 and 2009, the EU had also updated its legal framework for control, enforcement and the fight against illegal, unreported and unregulated (IUU) fishing.¹¹¹ While the EU can and must still further improve the implementation and enforcement of these rules, the new CFP and IUU legislation provide a solid legal basis, which can and should serve as an example to China in terms of improvements needed in the DWF management.

2 China's previous failed domestic fisheries model transferred to Africa

The Chinese companies DWF expansion into Africa is a classic example of double standards and the rush to the bottom in pursuit of short-term interests. The 462 Chinese DWF vessels fishing in African waters in 2013 were predominantly bottom trawlers, one of the most destructive fishing methods in the modern fishing industry.¹¹²

After decades of extreme overfishing, fish stocks in three of the four main Chinese domestic fishing grounds have collapsed due to the use of destructive fishing methods, pollution, as well as the failure of the fisheries management system to rectify the situation. In response, China has improved the sustainability provisions in the legislation applying to its domestic fisheries. Though with limited success, the Chinese government is taking steps to eliminate some of the most destructive fishing methods such as bottom trawlers from its own EEZ, including a new regulation to strictly limit the construction of new bottom trawlers, as well as other incentives to undertake fleet capacity reduction.¹¹³

Unfortunately, the painful lesson learned from overfishing China's own EEZ has not been taken on board by the Chinese DWF companies in their overseas expansion. Their investment and operation model in Africa shows no improvement or innovation to avoid repeating the same

mistake. In the six important West Africa Coastal States where China DWF companies fleets operate,¹¹⁴ there are no access criteria in favour of low-impact fishing methods, and bottom trawling is still the main fishing method used by Chinese vessels. In the absence of strict fisheries management in many West Africa countries, Chinese DWF operators apply much lower standards than they would have to under China's domestic fisheries regulations.

Fisheries are an important sector in many West African countries especially in terms of food security. The activities of Chinese DWF companies exporting the destructive fishing model that destroyed China's own fisheries and environment to Africa does not fit with the mutually-beneficial partnership¹¹⁵ strongly advocated by its government based on the understanding that China's development should not be at the expense of others.¹¹⁶

Today, the majority of Chinese coastal fishermen are relying on a state fuel subsidy to sustain their fishing activity, without which they would not be able to survive. If African fisheries were to collapse due to overfishing, African coastal States' populations do not have many alternative livelihoods, if at all.

¹¹⁰ [Regulation No. 1380/2013 OF THE EUROPEAN PARLIAMENT AND OF THE CONCIL on the common Fisheries Policy] 2

¹¹¹ Council Regulation (EC) No 1005/2008 of 29 September 2008; Commission Regulation (EC) No 1010/2009 of 22 October 2009

¹¹² See Discards in the World's Marine Fisheries, An Update <http://www.fao.org/docrep/008/y5936e/y5936e00.htm>

¹¹³ Since 1987, controls of the vessel numbers and fishing capacity are two major measures introduced by Chinese government to address overfishing problem in China's own waters. In 2003 MoA published its first notice on the "implement opinions of fishing vessels number and capacity control" http://www.moa.gov.cn/govpublic/YYJ/201006/t20100606_1538270.htm. However by the end of 2010, although vessels numbers had dropped by 9.1%, vessels' fishing capacity increased by 5.3% during the period. Recognizing the new problem ahead, MoA released a new notice at the beginning of China Fishery 12th 5 year plan, this time with the objective to cap the growth of vessel numbers and fishing capacity at the baseline of 2010. After 3 years of implementation, the results are mixed. Although the total vessel numbers had decreased by 3.7% from 2010 baseline; nevertheless, net vessels' fishing capacity continued to increase by 4.4% by 2013

¹¹⁴ Ghana, Guinea-Bissau, Guinea, Mauritania, Senegal, Sierra Leone

¹¹⁵ http://www.gov.cn/dhd/2010-11/19/content_1748530.htm; <http://politics.people.com.cn/n/2012/0711/c1001-18488885.html>; <http://www.focac.org/chn/zfgx/zfgxdfzc/t1154184.htm>.

¹¹⁶ See <http://cppcc.people.com.cn/GB/12655414.html>. "China's pursuit of its development should not be at the expense of others" has been a major principle since China's "Going Out" strategy was developed. Many Chinese top leaders have described this principle in many international forums, especially in the field of foreign affairs. For example, in March 2014, President Xi Jinping repeated this emphasis during his visit in Germany <http://www.chinanews.com/gn/2014/03-29/6007557.shtml>, former Minister of Foreign Affairs Yang Jiechi also reiterated this principle in the China Development Forum 2010

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

As outlined above, the outdated Chinese legal framework gives its DWF industry a "free" hand in expanding its business overseas as a purely economic venture. However, the unique standing of fisheries as a sector essential to African people food security and sovereignty means that it cannot be treated purely from an economic investment perspective.

Anecdotal evidence shows that the aggressive expansion by Chinese DWF companies has already created local dissatisfaction. What is worse, Chinese companies do not only plunder Africa's decreasing fisheries resources legally, some bad players were found to have engaged in IUU fishing activities, despite the huge fuel and other subsidies granted by their government, giving them a competitive edge over other fishing players.

Chinese companies stealing fish from African countries while its government is launching its biggest overseas humanitarian aid program to help affected African countries to combat Ebola outbreak,¹⁷

underscores the challenges facing the responsible ministry for Chinese DWF – MoA, and the lack of sufficient means to control China's large expanding fishing fleet in Africa.

Despite the whole DWF industry contributing less than 0.1% of China's overall overseas investments,¹⁸ they jeopardize the mutually-beneficial partnership advocated by the Chinese government for Sino-African relations by engaging in illegal fishing and simply repeating the same mistakes that devastated China's own marine resources in Africa.

Artisanal fishermen are increasingly important stakeholders in local politics in many West Africa countries. This is a classic example of one particular type of overseas investment, mostly by Chinese private entities, allowed to operate on a short-sighted and purely mercantilist pursuit of economic interests in Africa. If Chinese DWF companies are allowed to continue to operate out of control, local resentment toward Chinese overseas investments will inevitably increase.

3 Predatory Companies Circumvent Government Measures

Monitoring, control and surveillance (MCS) is a key component of a fisheries management system, especially to counter IUU fishing. Illegal fishing has long been recognized as one of the main threats to marine ecosystems and the African communities which depend on them.

The various measures introduced by MoA to regulate Chinese DWF players and prevent them from engaging in IUU activities are far from

sufficient.¹⁹ Compared to the massive Chinese DWF fleets operating globally, MCS-related rules and regulations introduced by MoA are inadequate and insufficient.

Various regulations as well as the compulsory installation of VMS do not seem to be able to effectively deter Chinese DWF companies from engaging in IUU fishing. One of the reasons, apart from tampering with

the equipment to transmit a false position (see section 4.1 of this report) is the length of the interval between the transmissions of the vessel position coordinates which makes it difficult to tell where a fishing vessel was during the interval and if it was engaging in IUU fishing or not.

MoA published its first "Distant water fishing vessels position surveillance (temporary) administrative measures" in early 2012, requiring all Chinese DWF vessels "to report their location at least 2 times a day, and that each vessel's VMS system needs to be switched on 24 hours/day".²⁰ Less than 2 years after this temporary measure was introduced, MoA updated the administrative measure in October 2014, requiring all Chinese DWF vessels to "report the vessel's location every 4 hours, and the VMS system must be switched on 24hours/day".²¹ With this latest amendment, the VMS regulation has become stricter, yet IUU fishing by Chinese vessels continues as recently documented by Greenpeace Africa and Greenpeace East Asia in West Africa.

Even with the introduction of the compulsory VMS reporting in 2012, and the revised VMS reporting measures in October 2014, the three IUU fishing cases penalized by MoA so far were in response to complaints from other governments and not based on its own VMS monitoring.²² For

example, Lian Run's IUU fishing case penalized by MoA in 2013 was first detected by Guinean authorities and then reported by the European Commission to the Chinese government.²³ This concrete example shows clearly that the existing VMS system managed by MoA is not effective enough to deter IUU fishing by Chinese DWF vessels.

In addition, many documented Chinese IUU fishing cases in Africa such as illegal mesh size can only be detected through inspection on board the fishing vessels, requiring human and financial resources that many West African countries lack. It is obvious that the Chinese government efforts to combat IUU fishing activities should not be limited to requesting more frequent vessel's position reporting, but should also be focused on establishing and contributing to a comprehensive control system, including but not limited to VMS, wherever Chinese vessels operate.

Clearly, the monitoring, control and surveillance (MCS) and enforcement mechanism under MoA's responsibility is lagging behind the "creativity" of Chinese companies who cheat whenever external conditions permit. In order to effectively deter IUU fishing, the responsible ministry must impose strict supervision and control rather than merely request companies to comply with hosting countries' laws and regulations.

¹⁷ As of January 2015, Chinese government has provided over 750 million RMB worth of humanitarian aid to assist affected African countries to combat Ebola outbreak, and has sent over 1000 medical workers and experts. For more details, see http://www.fmprc.gov.cn/mfa_chn/zyxw_602251/t1227252.shtml

¹⁸ According to 2014 Report of the development of Chinese distant water fishery, Fishery Bureau of MoA, China, 2014, by the end of 2013, Chinese DWF companies' overseas investment totaled 470 million USD. On the other hand, according to 2013 China's foreign direct investment statistical bulletin (http://www.mof.gov.cn/mofhome/mof/zhengwuxinxi/caijingshidian/zyzfmhwhz/201409/t20140911_1137908.html), by the end of 2013, China's total overseas investment (直接投资累计净额/存量) was about 660.48 billion USD. So the proportion of DWF in the whole overseas investment equals about 0.47/660.48= less than 0.1%

¹⁹ In 2012, MoA released the opinions regarding promoting the sustainable development of distant water fishery. In this published "Opinions", MoA advises Chinese DWF operators to adhere to international IUU regulation and fishery legislation management, implying that the conduct by Chinese DWF operators is far from ideal. http://www.moa.gov.cn/zwl/m/tzgg/tz/201211/t20121122_3069037.htm

²⁰ http://www.moa.gov.cn/govpublic/YYJ/201201/t20120131_2471663.htm

²¹ Distant water fishing vessels position surveillance administrative measures (2014-58) 农业部办公厅关于印发《远洋渔船船位监测管理办法》的通知(农办渔2014第58号) http://www.cndwf.com/upload_files/article/150/1_20141030101052_umwmi.pdf

²² See IUU penalized cases published at MoA website at URL: <http://www.moa.gov.cn/govpublic/#>

²³ For more detailed of this case, see http://www.moa.gov.cn/govpublic/YYJ/201308/t20130828_3589507.htm

PROBLEMS WITH WEST AFRICAN COUNTRIES' FISHERIES GOVERNANCE



● Fish Market in Senegal

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Increasingly, West African countries are asserting their right to exploit and better benefit from marine resources, a right emphasized in various international instruments.²⁴ However, it is important to remember that rights imply responsibilities and obligations with respect to fishing activities. Developing States must ensure that they do not only exercise their rights but that they are in a position to fulfil their obligations. The exploitation of available resources should not be at the expense of long-term environmental sustainability, food security or the livelihoods of dependent local communities.

The FAO Code of Conduct calls on States, relevant intergovernmental and non-governmental organizations and financial institutions to “work for the adoption of measures to address the needs of developing countries,

especially in the areas of financial and technical assistance, technology transfer, training and scientific cooperation and in enhancing their ability to develop their own fisheries as well as to participate in high seas fisheries, including access to such fisheries.”²⁵ The FAO International Plan of Action for the Management of Fishing Capacity also requires that its implementation “be based on the Code of Conduct, particularly Article 5, in relation to enhancing the ability of developing countries, to develop their own fisheries as well as to participate in high seas fisheries, including access to such fisheries, in accordance with their legitimate rights and their obligations under international law.”²⁶

²⁴ See UNCLOS, 1995 UN agreement on straddling and highly migratory fish stocks, FAO Code of Conduct and International Plans of Action, etc

²⁵ Article 5

²⁶ Paragraph 10

1 Fisheries Management Policies Need Strengthening

Since UNCLOS, international fisheries law has evolved to establish certain fundamental principles such as the precautionary approach which aims to prevent overexploitation before it occurs and ecosystem-based management which takes into account the impact of fishing activities on the marine environment as a whole rather than only the target species. The 1995 UN Agreement²⁷ provides for an operational definition of and guidelines for the application of the precautionary approach which can be widely applied to other fisheries. The global fight against IUU fishing has also led to the adoption of new measures and mechanisms to reinforce control over fishing fleets.

Such requirements must urgently be implemented through national legislation. For various reasons, certain West African 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 their identification by the EU as failing to take measures against IUU fishing. The reform process in

Senegal is close to completion and is expected to provide the country with a more progressive legislation. Hopefully, with the involvement of civil society and artisanal fishing, the revised legislation will establish more efficient management systems to ensure sustainable and equitable exploitation of marine resources.

The main failings in current management systems in many West African countries are the lack of:

- operational definitions of precautionary and ecosystem-based approaches and clear management objectives;
- management of fishing capacity (vessels, gears, practices);
- allocation mechanism based on equitable and transparent environmental and social criteria, rewarding those operators who comply the most with those environmental and social criteria;
- strict and efficient monitoring, control, surveillance and enforcement system.

2 Too Many Industrial And Destructive Vessels

Overcapacity has been identified as one of the major problems afflicting fisheries worldwide as it impedes achieving sustainable exploitation of resources and damages the economic performance of the fishing sector.

It is in that context that many West African countries are putting in place policies and mechanisms to increase or develop their fishing capacity, including by encouraging the transfer of/flagging in of industrial fishing vessels or the creation of joint ventures which are supported by DWF nations and operators but are not necessarily conducive to an environmentally sustainable and socially equitable exploitation.

Although many West African governments purport to support sustainable, small-scale, artisanal fishing, and to ensure local food security and the livelihood of dependent local communities, foreign investments are encouraged and facilitated and special treatment and conditions or even exemptions from regulations are granted to industrial operators. For instance, until now, the Code for Maritime Fisheries in Senegal provided for the development of the artisanal fishing sector. But the proposed new draft legislation includes support for the development of the industrial fishing sector. In a situation of fully or even over-exploited resources, importing or developing new fishing capacity will inevitably affect some

of the stakeholders and raises the question of who should have priority to exploit and benefit from available marine resources.

Expansion of fishing fleets is often planned without knowing precisely how much fishing capacity is actually deployed and its environmental and social impacts. At the same time, stocks assessments are unreliable or even non-existent due to poor catch and fishing effort data. All too often, investments and subsidies result in large-scale fisheries development at the expense of dependent fishing communities, especially in developing countries, as well as the long term sustainability of the fisheries and the environment.

Capacity assessment and management plans must be put in place. Existing fishing capacity must be measured and evaluated. Such plans should include not only vessel number, size and engine power but also major capacity characteristics by gear type and the impact of various types of vessels and gears on fish stocks and the marine environment. They should also provide the socio-economic profile of the various fleets deployed, thereby demonstrating or clarifying the relative importance of various sectors or fleet segments for food security and livelihood of dependent fishing communities.

²⁷ Agreement for the implementation of the provisions of the United Nations Convention on the Law of the Sea of 10 December 1982 relating to the conservation and management of straddling fish stocks and highly migratory fish stocks (Article 6 & Annex II)

3 Big Operators Are Pushing Small-Scale Fishing Out

The question of capacity management is directly linked to the issue of allocation of available fish resources. As overcapacity is a major driver of IUU fishing, so is inequitable access to and allocation of marine resources.

Various forms of access arrangements are being used by African governments to grant fishing rights: bilateral agreements, joint ventures, chartering arrangements, or even property rights, to the detriment of the vast majority of people in developing countries. Property rights, under various guises, are increasingly presented as the "solution" to the race for fish.

4 Failure to stop IUU fishing

The problem of IUU and overfishing is directly linked to a lack of oversight and control over fishing fleets. When granting their flag to foreign vessels, developing coastal States accept the burden of control and become responsible for these vessels' activities as their flag State. And even without flagging vessels, coastal States have responsibilities to conserve marine resources¹²⁶ and should do so for the benefit of their populations and dependent local fishing communities in particular.

However, many West Africa coastal States lack the means and capacity, and sometimes political will, to manage and control those fishing fleets. The efficiency of MCS systems varies considerably among West African coastal States. Unscrupulous fishers take advantage of weaker systems and the waters of coastal States where there is little or no control become a refuge for those involved in IUU fishing, including many repeat offenders. The example of Guinea with rampant IUU fishing which led to its identification by the EU as non-cooperating State shows the challenge facing West Africa coastal States and regional bodies. Many commitments to address the problem have been made, but, to date, few have been concretised.

Already in 1993, the States member of the Sub-Regional Fisheries Commission (SRFC)¹²⁷ adopted a Convention on conditions of access and exploitation of marine resources in their waters¹²⁸ in which they committed to a number of measures against IUU fishing¹²⁹ such as the withdrawal of the fishing licence for repeat offenders, among others in case of fishing

Marine resources are and should remain a common patrimony exploited sustainably for the benefit of populations, 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. In various parts of the world, property or quasi property rights have been shown to lead to the concentration of the right of access in the hands of economically and politically powerful operators and the exclusion of dependent coastal communities.

in prohibited zone, using the wrong mesh size, false declaration of vessel characteristics (Article 12). Article 13 provided that for repeat offenders for one or several infractions listed in article 12 in at least two SRFC member States, the vessel should be prohibited from fishing in all the waters under the jurisdiction of the member States

In September 2001, the Nouakchott Declaration on Illegal, Unreported and Unregulated Fishing adopted by the Conference of Ministers of the SRFC called for the use of all means at its disposal to fight against IUU fishing activities in the EEZs of its member States, better cooperation, stricter control, the implementation of the FAO International Plan of Action.¹³⁰

In 2012, SRFC member States adopted a revised Convention on conditions of access¹³¹ which provides for the establishment of a sub-regional data base on fishing activities in the sub-region (Article 19). Article 32.1 requires that repeat offenders in one of the member States be prohibited from fishing in all waters under the jurisdiction of member States for a period of one year.

Obviously, a lot remains to be done to implement those commitments. And while MCS programmes can be costly, the loss to IUU fishing is considerable. Moreover, low-cost low-tech participatory surveillance programmes involving local small-scale fishermen, which have demonstrated their efficiency in certain West Africa coastal States such as

Guinea and Senegal and complement traditional MCS systems, are still not integrated or adequately supported by governments or aid agencies.¹³²

But possessing adequate MCS means and capacity (equipment, personnel and operational budgets) is not sufficient. Fisheries legislation must ensure their efficient use. For instance, as explained in section 4.1, vessel satellite tracking systems (Vessel Monitoring Systems – VMS) cannot be considered as the panacea and even less trusted blindly. VMS Systems are too easily tampered with and wrong data sent to control authorities.

Considering the continued occurrence of IUU fishing and the numerous repeated offenders operating in the region, the probability for perpetrators to be caught is obviously too low and sanctions are not sufficiently dissuasive. Too often, when IUU operators are caught, a fine is paid

5 Lack Of Transparency

Lack of transparency benefits unscrupulous operators and prevents meaningful participation by relevant stakeholders and civil society organisations. West Africa coastal States have long pledged to more transparency regarding fishing activities and interests in their waters. However, much information and data are still not publicly available.

6 Double Standards Are Undermining Conservation Measures

Based on documentation collected, DWF companies seem to have found creative ways to by-pass fisheries management measures introduced by coastal States through negotiating and signing private agreements that allow much lower standards than provided in the national legislation.

Although agreements negotiated by China with third countries are extremely rarely publicly available, certain aspects have been documented that show that Chinese fishing vessels benefit from special conditions which exempt them from abiding by the local legislation.

For example, until 2013 the Guinean legislation strictly prohibited transshipment at sea in Guinea's EEZ and specified that transshipments must take place in port or anchorage of Conakry or Kamsar¹³³ so that

and the vessel goes back to fishing even in cases of repeated serious infractions. The fishing licence is extremely rarely cancelled, if at all. Low fines in comparison to the value of the catch simply become part of the operational costs. This is especially true for operators who are not only heavily subsidized but do not apply minimum safety and social standards. Moreover, sanctions and fines are subject to negotiations or transactions.

Cooperation and exchange of information is still lacking among coastal States and with relevant flag and port States regarding vessels authorized to fish in their waters or under their flag, as well as vessels involved in IUU fishing (including name of operator/owners, flag, type of infraction, etc). Vessels and companies with a history of IUU fishing use the lack of cooperation to move between coastal States EEZs and avoid potential sanctions or black-listing as could be the case under the EU IUU regulation.¹³⁴

Hopefully, the recent Nouakchott Declaration¹³⁵ adopted on 20 January 2014 during the high-level International Conference on "Transparency and Sustainable Development in Africa" will lead to the adoption of concrete measures to ensure greater transparency.

adequate control of catches can take place. This was reinforced by a presidential decree adopted on 29 July 2013.¹³⁶ But in 2014, Guinea adopted a new law on transshipment¹³⁷ which is much more ambiguous on where such operations can take place. Hopefully, the Guinean fisheries law currently being revised will once and for all clearly establish a prohibition of transshipment at sea.

However, according to the agreement signed on 8 December 2009 for a 2 year period between the Guinean Ministry for fisheries and aquaculture and China's MoA,¹³⁸ CNFC benefitted from an exemption from the legislation in force to transship at sea. Greenpeace Africa confirmed that such "Special authorisations" to transship at sea have been granted to Chinese vessels.

¹²⁶ See UNCLOS

¹²⁷ <http://www.spcsrp.org/>

¹²⁸ <http://www.spcsrp.org/Documents/Documents+harmonisation+des+politiques+et+des+legislations>

¹²⁹ http://www.spcsrp.org/medias/csrfp/documents/CSRP-2001-Decl_Nouakchott.pdf

¹³⁰ <http://www.fao.org/fishery/ipoa-iuu/en>

¹³¹ http://www.spcsrp.org/medias/csrfp/documents/csrfp2012/csrfp-CMA_version_originale_juin_2012_fr.pdf

¹³² Participatory surveillance has been recognized by the United Nations Resolution on Sustainable Fisheries of 9 December paragraph 70: "Acknowledges the development of participatory surveillance activities at sea involving fishing communities in West Africa as a cost-effective way of detecting illegal, unreported and unregulated fishing;" 2013 <http://daccess-dds-ny.un.org/doc/UNDOC/GEN/N13/443/71/PDF/N1344371.pdf?OpenElement>

¹³³ <http://eur-lex.europa.eu/legal-content/EN/TXT/?qid=1408984470270&uri=CELEX:02008R1005-20110309>

¹³⁴ <http://conferencetransparence.mauritanie2015.org/eng/>

¹³⁵ See Arrêté N°A/2013/10611/MPA/CAB/SGG Article XIV http://www.spcsrp.org/medias/csrfp/Leg/GUI/LEG_GUI_2013_ARR-10611.pdf

¹³⁶ Decree D/2013/123/PRG/SGG

¹³⁷ Décret n° 008/PRG/SGG du 07/01/2014

¹³⁸ Article 9 of the Agreement grants authorization to transship catches at sea for free inside the limits of maritime waters under sovereignty or jurisdiction of Guinea



● Pirogue Fishing Boats in Dakar

© Christian Aslund/ Greenpeace

2015 is an important year for Africa where the post-2015 development agenda will be discussed. Fisheries is one of the main pillars of employment and livelihood in many West African countries, and an important source of protein for the local population. 2015 is also an important milestone for Sino-Africa relationships as the 6th Sino-African Forum is scheduled to be held in South Africa. Moreover, the African Union Assembly has declared 2015-2025 as the "Decade of African Seas and Oceans", and the date of 25 July as the African Day of Seas and Oceans. The Assembly invited Regional Economic Communities and regional mechanisms to develop and adopt a regional strategy against piracy, armed robbery and other illegal activities committed at sea, consistent with the 2050 African Integrated Maritime (AIM). Strategy.¹⁴

As Chinese DWF fleets are becoming the largest industrial fleets in Africa, Chinese DWF companies therefore have an important role to play

in helping their African counterparts to develop a sustainable model of fisheries, taking into account the hard lessons learned by China from the collapse of its own domestic fisheries.

However, expecting these companies to take the lead unilaterally on this would be unrealistic without a strong and adequate guidance from the Chinese government. In this regard, the review of China's DWF fisheries regulation led by MoA that started in 2014 and is expected to be concluded in 2015 is a golden opportunity for the Chinese government to bring its distant water fishing industry under proper control. Failing to do so, companies like CNFC, Dalian Lian Run and Dalian Boyuan, will continue to operate on the assumption that China will not enforce their fisheries obligations, with the consequence that the Chinese government will continue to be embarrassed by the conduct of its DWF fleets.

1 Chinese DWF Companies

- CNFC, Dalian Lian Run, Dalian Boyuan, and Shandong Overseas should immediately halt all illegal fishing practices, and cooperate with investigations by the coastal States and Chinese government into illegal practices;
- CNFC, Dalian Lian Run, Dalian Boyuan, and Shandong Overseas must ensure full compliance with the strictest regulations;
 - All coastal States' fisheries laws and regulations:
 - Chinese laws, regulations and policies:
 - ◆ Fishery Law of the PRC (July 1986, revised October 2000, August 2004, August 2009 and December 2013)
 - ◆ Provisions for the Administration of Pelagic Fishery (June 2003)
 - ◆ Fishing vessel inspection regulations of PRC (August 2003)
 - ◆ State Council's notice on foreign fisheries management (2004; No 65)
 - ◆ State Council's opinions to promote the sustainable and healthy development of ocean fishery (March, 2013; No-11)
 - ◆ MoA's "Opinions regarding promoting the sustainable development of distant water fishery" (2012, No. 30)
 - ◆ MoA's opinions on the implementation of "State Council's opinions to promote the sustainable and healthy development of ocean fishery" (July, 2013)
 - ◆ MoA's "Notice on enhanced management of DWF companies management" (12th February, 2014)

2 Chinese Government

Zero tolerance on IUU fishing

China, as flag State and/or State of beneficial ownership, should strengthen its MCS and sanction system to force these companies and fleets to abide by the rules:

- Ministry of Agriculture (MoA) and Ministry of Foreign Affairs (MFA) should immediately carry out a comprehensive investigation into IUU fishing practices as well as other forms of IUU fraud (eg GT fraud) by Chinese distant water fishing companies in West Africa and the wider African continent;
- Apply dissuasive sanctions.
- Suspend all policy support, financial support and subsidies currently given to these Chinese distant water fishing companies until a comprehensive investigation is undertaken into IUU fishing and recommendations for corrective actions are formulated.
- MoA should immediately upgrade its legislation and close all the loopholes used by companies involved in IUU fishing to evade monitoring of their activities;

¹⁴ <http://summits.au.int/en/22ndsummit/events/22nd-ordinary-session-african-union-assembly-concludes-summary-key-decisions-0>

Adopt stronger DWF regulatory framework based on stricter sustainability principles and objectives

- MoA should immediately put a stop to the continuing trend among Chinese DWF companies to increase their fishing capacities. All construction of new DWF vessels should be stopped until a comprehensive assessment of the DWF fleet capacity can be conducted and their actual environmental and socio-economic impacts are evaluated and corrective measures are adopted and implemented. Less destructive fishing methods should replace the older methods;
- MoA should review existing subsidies for all its DWF fleets regardless of their fishing gear types with the final goal of elimination of excess fishing capacity, and a transition to environmentally sustainable practices/gears.
 - ◆ As a transition, comprehensive criteria should be developed so that allocation of subsidies is decided based on the particular fishing vessel's environmental impact. Fishers using less destructive fishing methods should be given priority access;
- MoA should incorporate higher standards and stricter requirements in the current revision of China DWF regulations:
 - ◆ As a start, fishing outside of China should achieve the same sustainable and responsible level as in China's domestic fisheries. The next step would be for MoA to adopt all the strictest principles contained in international law,¹⁴² such as the precautionary and ecosystem-based approaches, into its legislation for domestic as well as for distant water fisheries;
 - ◆ The Maximum Sustainable Yield (MSY) should be defined by the best scientific advice based on the core principles mentioned above, and establish the appropriate fishing mortality and capacity/effort in order to maintain stocks well above levels capable of producing MSY. Where there is no reliable scientific basis, the calculation of MSY and appropriately conservative levels of fishing mortality and capacity/effort need to follow strictly the precautionary principle. An evaluation system is needed to give timely feedback to the management authorities to enable them to take any necessary preventive or corrective measures;
 - ◆ Transparency: scientific evaluations, impact assessments, partnership/cooperation agreements with third countries, bilateral private agreements, annual authorization lists of companies and projects, lists of vessels involved in illegal fishing, infractions, sanctions, fines, or any follow-up should be made public;
 - ◆ Sustainable partnership and cooperation framework agreements between China and other governments should be in place before fishing projects by companies are approved.
 - ◆ Individual companies' fishing projects should be approved by the government, and Chinese companies should not be allowed to negotiate private fisheries agreements with third countries' governments.

Better alignment of Chinese DWF operations in Africa with Sino-Africa mutually-beneficial Partnership

MFA and MoA should act in accordance with their government's stated policy towards Africa and take the lead in ensuring that:

- ◆ Fishing and related activities by Chinese fleets and interests respect the applicable rules;
- ◆ Fisheries in Africa are environmentally sustainable and socially equitable;
- ◆ Bilateral fisheries agreement with West African coastal States should include financial support for, inter alia, scientific fish stock assessments, local artisanal fishing communities, MCS including funds to combat IUU fishing

¹⁴² In particular the 1995 UN Agreement on the management of straddling and highly migratory fish stocks which tends to be applied more widely than its specific remit and is increasingly considered international customary law

Be a truly responsible fishing country

- **MFA and MoA should actively participate in the Fishery Committee for the Eastern Central Atlantic (CECAF), to increase China's cooperation and exchanges with West Africa and other participating countries in the collective efforts to establish the basis for sustainable fisheries in the region;**¹⁴³
- **MFA and MoA should lead the process to:**
 - Ratify/accede to all relevant international legal instruments to act as a responsible fisheries stakeholder, namely:
 - ◆ The 1995 UN Fish Stocks Agreement;¹⁴⁴
 - ◆ (Agreement for the Implementation of the Provisions of the United Nations Convention on the Law of the Sea of 10 December 1982 relating to the Conservation and Management of Straddling Fish Stocks and Highly Migratory Fish Stocks)
 - ◆ FAO Agreement To Promote Compliance With International Conservation And Management Measures By Fishing Vessels On The High Seas;
 - ◆ FAO Agreement on Port State Measures to Prevent, Deter and Eliminate Illegal, Unreported and Unregulated Fishing;
 - Implement:
 - ◆ 1995 Code of Conduct for Responsible Fisheries;¹⁴⁵
 - ◆ IPOA-IUU (International Plan Of Action To Prevent, Deter And Eliminate Illegal, Unreported And Unregulated Fishing);
 - ◆ International Plan Of Action For The Management Of Fishing Capacity.

3 West African Governments

Zero tolerance on IUU fishing

- Immediately carry out a comprehensive investigation into the illegal fishing practices as well as other forms of IUU fishing (such as GT fraud) by all industrial fishing companies operating in West Africa;
- Urgently investigate potential malpractice in its own governance that encourages IUU fishing by unscrupulous DWF operators, which further undermine their own laws and regulations;
- Urgently implement the relevant provisions of the 2012 Convention for the Minimal condition for Access (CMA) (SRFC member states);
- Strengthen the transparency and strict implementation of fisheries management framework;

¹⁴³ see <http://www.fao.org/fishery/rfb/cecaf/en> (CECAF has no management decision power but is the only regional organisation for non-tuna species where coastal States and DWF States as well as countries engaged in scientific and other cooperation programmes are present and where compiled scientific data and evaluations can be available

¹⁴⁴ http://www.un.org/depts/los/convention_agreements/texts/fish_stocks_agreement/CONF164_37.htm

¹⁴⁵ <http://www.fao.org/docrep/005/v9878e/v9878e00.htm>

- Adopt and implement national and regional plans of action to combat and deter IUU fishing following the FAO IPOA on IUU fishing;
- Strengthen monitoring, control, surveillance and enforcement mechanisms, including a reliable and efficient vessel monitoring system and participatory surveillance programmes;
- Strictly impose effectively dissuasive, non-discriminatory and non-negotiable sanctions and penalties;
- Review their fisheries agreements with the Chinese government, including enhancement of MCS cooperation, such as vessel monitoring (VMS/AIS) and information-sharing in order to eliminate loopholes and fraud.
- Stop negotiating and phase-out existing agreements with companies,

Adopt a stricter fisheries regulatory framework based on sustainability principles and objectives¹⁶⁶

- In order to ensure an exploitation of marine resources that is both environmentally sustainable and socially equitable, African coastal States should adopt fisheries legislation based on a long term vision and the following fundamental principles:

The precautionary approach and the ecosystem-based approach,

The participation and consultation of all stakeholders and civil society;

Transparency.

- And provides for:
 - ◆ Objectives which are clear and quantifiable, such as stock biomass, which must be maintained 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 cease or prevent over-exploitation and fleet over-capacity and to ensure that fishing effort does not reach a level that is incompatible with the sustainable exploitation of marine resources;¹⁶⁷
 - ◆ Management of fishing capacity ensuring the appropriate amount and type of fishing capacity (vessels, gears, practices) to exploit target stocks and maintain them at levels above those capable of producing MSY and conserve associated and dependent species and the marine environment. An independent and transparent assessment of fishing fleets authorized to fish in WA waters should be conducted urgently;
 - ◆ An allocation mechanism based on transparent and equitable environmental and social criteria,¹⁶⁸ granting preferential access to those operators who fish in the most environmentally and socially beneficial and equitable manner. Those criteria should include:

- ▲ environmental impact: level of bycatch, damage caused to the marine and coastal environment;
- ▲ vessel/company history of compliance with applicable rules;
- ▲ quantity and quality of data provided;
- ▲ consumption of energy per unit of catch;
- ▲ quality of fish landed and placed on the market;
- ▲ socio-economic benefits, in particular for coastal communities.
- ◆ Strict and efficient monitoring, control, surveillance and enforcement mechanisms including the necessary technical capacity to receive electronic data in real time, including vessel tracking, catch data, etc and supported by dissuasive and non-discriminatory sanctions and penalties;
- ◆ Transparency and access to information. At a minimum, the following information must be made public:
 - ▲ the status of resources as well as statistics on catches and landings by fleet segment, gear type, etc.;
 - ▲ the list and characteristics of fishing vessels authorized to fish in its waters, or operating under its flag in international waters or the waters of third countries, as well as the conditions of their fishing licences and authorizations;
 - ▲ infringements, arrests, fines and other sanctions imposed and other follow-up;
 - ▲ bilateral agreements, chartering agreements, joint ventures, etc.

It is important to note that the FAO Voluntary Guidelines for Securing Sustainable Small-Scale Fisheries in the Context of Food Security and Poverty Eradication¹⁶⁹ were endorsed by the Committee on Fisheries in June 2014 as a complement to the 1995 FAO Code of Conduct for Responsible Fisheries. The negotiations involved the participation of small-scale fishing communities and civil society organizations from around the world.¹⁵⁰ In a declaration, they stated that: "The new instrument is global in scope, and applies to small-scale fisheries in all contexts, but with a specific focus on the needs of small-scale fishing communities in

developing countries" and that "The Guidelines are comprehensive and deal, in one instrument, with all significant aspects of small-scale fisheries and fishing communities within a human rights perspective. These Guidelines will support the visibility, recognition and enhancement of small-scale fisheries and fishing communities in the context of eradicating hunger and poverty. The Guidelines will contribute significantly to effectively addressing numerous challenges and constraints facing small-scale fishing communities around the world."

¹⁶⁶ Rather than transferring industrial fishing capacity to developing coastal States, local artisanal fisheries should be supported and/or developed, based on fishing techniques which are more environmentally sustainable and suitable for use by local coastal communities, offer greater and better employment opportunities and greater returns to the region, local populations and fishing communities

¹⁶⁷ Art. 5(h) of the Agreement for the Implementation of the Provisions of the United Nations Convention on the Law of the Sea of 10 December 1982 Relating to the Conservation and Management of Straddling Fish Stocks and Highly Migratory Fish Stocks

¹⁶⁸ <http://www.greenpeace.org/international/en/publications/reports/criteria-sustainable-fisheries/>

¹⁶⁹ <http://www.fao.org/cofi/42011-0d2bdfc444f14130c4c13ecb44218c4d6.pdf>

¹⁵⁰ <http://igssf.icsf.net/en/page/1053-FAO%20SSF%20Guidelines%20Adopted.html> http://www.icsf.net/images/ssf/SSF_BROCHURE_English.pdf

APPENDIX 1: CHINESE DWF VESSEL NUMBERS AND CATCH OVER TIME (1985 TO 2013)

Year	Number of DWF vessels		Catch (1000 tonnes)		Number of DWF companies
	included vessels fishing in DPR Korea's eastern waters*	excluded vessels fishing in DPR Korea's eastern waters*	included vessels fishing in DPR Korea's eastern waters*	excluded vessels fishing in DPR Korea's eastern waters*	
1985	N/A	13 ^b	N/A	4.7 ^a	N/A
1986	N/A	25 ^a	N/A	19.9 ^a	N/A
1987	N/A	61 ^a	N/A	63.9 ^a	N/A
1988	N/A	87 ^a	N/A	96.4 ^a	N/A
1989	N/A	129 ^a	N/A	107.1 ^a	N/A
1990	N/A	189 ^a	N/A	179.1 ^a	N/A
1991	N/A	276 ^a	N/A	323.5 ^a	N/A
1992	N/A	447 ^a	N/A	464.3 ^a	N/A
1993	N/A	869 ^a	N/A	562.2 ^a	N/A
1994	N/A	948 ^a	N/A	688.3 ^a	N/A
1995	N/A	1311 ^a	N/A	856.8 ^a	N/A
1996	N/A	1381 ^a	N/A	926.5 ^a	N/A
1997	N/A	1302 ^a	N/A	1037.0 ^a	N/A
1998	N/A	1262 ^a	N/A	913.1 ^a	N/A
1999	N/A	1652 ^a	N/A	899.1 ^a	N/A
2000	N/A	1482 ^b	N/A	804 ^b	N/A
2001	N/A	1610 ^b	N/A	630 ^b	N/A
2002	N/A	1720 ^b	N/A	770 ^b	N/A
2003	N/A	1628 ^b	N/A	1100 ^b	78 ^b
2004	N/A	1780 ^b	N/A	1250 ^b	88 ^b
2005	1796 ^b	1621 ^b	1224 ^b	1198 ^b	80 ^e
2006	1599 ^b	1571 ^b	1090 ^b	1083 ^b	99 ^e
2007	1495 ^b	1359 ^b	1070 ^b	Unknown	Unknow
2008	1457 ^b	1409 ^b	1160 ^b	Unknown	105 ^b
2009	1456 ^b	1456 ^b	980 ^b	980 ^b	108 ^b
2010	1989 ^b	1533 ^b	1116 ^b	993 ^b	111 ^b
2011	2232 ^{a,d}	1628 ^{a,c}	1147.8 ^{a,c}	1067.8 ^{a,b,c}	118 ^e
2012	2434 ^c	1830 ^c	1223 ^c	1154 ^c	120 ^c
2013	2159 ^c	2159 ^c	1352 ^c	1352 ^c	133 ^c

Notes: In 2014, there were 2460 Chinese DWF vessels, produced 2,030,000 tonnes of fish. These latest figures disclosed by Chinese government did not specify if they include the vessels fishing in the Democratic People's Republic of Korea (DPR Korea) eastern waters.⁵¹

Because of changes to the statistical methods and specifications, the data in this table was compiled from a number of different sources. Data is largely derived from the Report of The Development of Chinese

Distant Water Fishery (an annual report began publishing in 2011), China Fisheries Yearbook (an annual report began publishing in 2000) and the China Fishery Statistical Yearbook (an annual report began publishing in 1979). The first choice is the Report of The Development of Chinese Distant Water Fishery as it is specialized on distant water fishery. The second choice is the Fishery Year Book because this is the more comprehensive than Fishery Statistical Year Book.

- Data comes from the China Fishery Statistical Yearbook;
- Data comes from China Fisheries Yearbook;
- Data comes from Report of The Development of Chinese Distant Water Fishery
- http://www.moa.gov.cn/govpublic/YJJ/201105/t20110510_1988661.htm
- Since the number of DWF companies has not been collected consistently, this was taken from the sources listed below:

For the year 2005: http://www.moa.gov.cn/sjzz/yjzwl/yyyzyj/qyzygyy/200505/t20050530_2647138.htm

For the year 2006: We sourced the number of enterprises from the Ministry of Agriculture's list of DWF Industry enterprises.

For the year 2011: http://www.moa.gov.cn/sjzz/yjzwl/yyyzyj/zhyyzy/201202/t20120208_2722943.htm

*In 2004, DPR Korea opened its eastern sea access for Chinese fishing vessels. Since 2005, China official statistics began to record the numbers of Chinese vessels fishing in DPR Korea's eastern waters. Considering that the fishing vessels in that area are distant water fishing vessels converted from coastal fishing vessels and the numbers fluctuate greatly each year – Greenpeace East Asia has decided to exclude them from the total Chinese distant water fishing vessels' number to better reflect the overall situation in China's global distant water fishing industry. However,

because the catch data in these statistics usually include catches from DPR Korea's eastern waters and in some years it was impossible to separate them, in the Appendix 1 table we also provide the total vessel number and the total catch of both including and excluding vessels in DPR Korea's eastern waters for better reference.

⁵¹ http://www.yjj.moa.gov.cn/gdxwyzj/201503/t20150331_4466751.htm

APPENDIX 2: GLOBAL DISTRIBUTION OF CHINESE DWF OPERATIONS

Species	2013 Catch (10,000 tonne)	2013 Vessel number	Area	Vessel type
Squid	42.7	569	Mainly located in the North Pacific (250 vessels, 55,000 tonne catch), the Southeast Pacific (254 vessels, 264,000 tonne catch) and the Southwest Atlantic (151 vessels, 108,000 tonne catch).	Squid jigger
Tuna	25.3	488	mainly located in the Pacific (435 vessels, 240,000 tonne catch), the Atlantic (17 vessels, 3000 tonne) and the Indian Ocean (36 vessels, 10,000 tonne)	Mainly Long liner and purse seiner
Various Targets	31.6	563	EEZs of Asian neighboring countries (except for Japan, South Korea, Vietnam and DPR Korea): mainly located in the waters around Indonesia, Myanmar, Malaysia, Bangladesh, Brunei, India, Sri Lanka, Yemen, Oman and Thailand	Mainly trawlers
Various Targets, including octopus, squid, cuttlefish, shrimp and fish	20.5	462	EEZs of African countries, and mainly located in West Africa: Morocco, Mauritania, Senegal, Guinea-Bissau, Guinea, Sierra Leone, Ghana, Angola, Gabon, Liberia and Cameroon, Madagascar and Mozambique.	Mainly trawlers
Squid, Shrimps, etc. ²²	2.9	30	South America, including Argentina, Suriname and Uruguay	Mainly trawlers
Saury	2.3	20	North Pacific	Saury fishing vessels
Chilean Jack Mackerel	0.8	2	The Southeast Pacific	Factory trawlers
Antarctic Ice fish and squid	2.5	4	The Southwest Atlantic	Factory trawlers
Mackerel	1.7	3	The Faroe Islands and Greenland waters	Factory trawlers
Unknown	0.48	3	Russia EEZ	Factory trawlers
Antarctica krill	3.2	3	The Southern ocean	Factory trawlers
Various Targets Including mackerel, hairtail, sardine, saury, etc	1.2	15	Mainly located in the West Pacific and the North Pacific Ocean	Pelagic purse seiner
Squid, Sardine, etc.	0.2	12	Mainly located in the Southwest Atlantic Ocean	Pelagic trawler
Total	135.2	2159²³		

Reference: China Fishery Year Books. 2014 Report of the development of Chinese distant water fishery (2014 中国远洋渔业发展报告), Fishery Bureau of MoA, China, 2014

²² http://www.moa.gov.cn/zwl/m/zwdt/201409/t20140901_4042971.htm

²³ As some vessels can fish in several areas for different species, the total number may not be a sum of different vessel groups.

APPENDIX 3: Documented IUU cases of Chinese DWF companies in West Africa (2000-2006, 2011-2013)

No	Year	Vessel name	Date of infraction	IUU type	Company	Location	Source
01	1995	SOLEIL 8	02/03/1995	Fishing in prohibited area	CNFC	Senegal	SRFC
02	1995	SOLEIL 8	15/09/1995	Fishing in prohibited area	CNFC	Senegal	SRFC
03	1996	SOLEIL 12	05/03/1996	Fishing in prohibited area	CNFC	Senegal	SRFC
04	1996	SOLEIL 8	05/03/1996	Fishing in prohibited area	CNFC	Senegal	SRFC
05	1996	SOLEIL 8	20/12/1996	Fishing in prohibited area	CNFC	Senegal	SRFC
06	1997	SOLEIL 8	21/06/1997	Fishing in prohibited area	CNFC	Senegal	SRFC
07	1997	SOLEIL 8	30/11/1997	Prohibited mesh size	CNFC	Senegal	SRFC
08	2000	C.P.M.C.12 (EX. HUYU 736)	23/03/2000	Fishing in prohibited area	Unknown	Mauritania	SRFC
09	2000	C.P.M.C.2 (EX. HUYU 850)	23/02/2000	Fishing in prohibited area	Unknown	Mauritania	SRFC
10	2000	C.P.M.C.3 (EX. HUYU 851)	23/02/2000	Fishing in prohibited area	Unknown	Mauritania	SRFC
11	2000	CNFC9310	10/10/2000	No valid license	CNFC	Gambia	SRFC
12	2000	CNFC9314	10/10/2000	Fishing in prohibited area	CNFC	Gambia	SRFC
13	2000	DEEGO 1	14/06/2000	Fishing in prohibited area	Unknown	Gambia	SRFC
14	2000	DEEGO 1	28/06/2000	Fishing in prohibited area	Unknown	Gambia	SRFC
15	2000	DEEGO 2	28/06/2000	Fishing in prohibited area	Unknown	Gambia	SRFC
16	2000	HU 1547	23/11/2000	No valid license	Shang Hai Dier	Gambia	SRFC
17	2000	HU 1398	06/05/2000	No valid license	Shang Hai Dier	Gambia	SRFC
18	2000	ISMAIL 10 (EX. ZHO.SH.9407)	23/02/2000	Fishing in prohibited area	CNFC	Mauritania	SRFC
19	2000	ISMAIL 10 (EX. ZHO.SH.9407)	23/03/2000	Fishing in prohibited area	CNFC	Mauritania	SRFC
20	2000	ISMAIL 11 (EX. ZHO.SHU.9408)	21/03/2000	Fishing in prohibited area	CNFC	Mauritania	SRFC
21	2000	ISMAIL 11 (EX. ZHO.SHU.9408)	23/03/2000	Fishing in prohibited area	CNFC	Mauritania	SRFC
22	2000	ISMAIL 4 (EX. JING YU 805)	12/01/2000	Fishing in prohibited area	CNFC	Mauritania	SRFC
23	2000	ISMAIL 4 (EX. JING YU 805)	10/02/2000	Fishing in prohibited area	CNFC	Mauritania	SRFC
24	2000	ISMAIL 4 (EX. JING YU 805)	23/03/2000	Fishing in prohibited area	CNFC	Mauritania	SRFC

25	2000	ISMAIL 4 (EX. JING YU 805)	28/03/2000	Fishing in prohibited area	CNFC	Mauritania	SRFC
26	2000	ISMAIL 5 (EX.YAN YU 805)	21/03/2000	Fishing in prohibited area	CNFC	Mauritania	SRFC
26	2000	ISMAIL 5 (EX.YAN YU 805)	21/03/2000	Fishing in prohibited area	CNFC	Mauritania	SRFC
27	2000	ISMAIL 5 (EX. YAN YU 805)	23/03/2000	Fishing in prohibited area	CNFC	Mauritania	SRFC
28	2000	ISMAIL 6 (EX. JING YU 806)	23/03/2000	Fishing in prohibited area	CNFC	Mauritania	SRFC
29	2000	ISMAIL 8 (EX. ZHO.SH.9405)	21/03/2000	Fishing in prohibited area	CNFC	Mauritania	SRFC
30	2000	ISMAIL 8 (EX. ZHO.SH.9405)	23/03/2000	Fishing in prohibited area	CNFC	Mauritania	SRFC
31	2000	ISMAIL 9 (EX. ZHO. SH. 9406)	23/03/2000	Fishing in prohibited area	CNFC	Mauritania	SRFC
32	2000	LIAN RUM 11	18/02/2000	No valid license	Dalian Lian Run	Guinea	SRFC
33	2000	LIAN RUM 8	24.02/2000	No valid license	Dalian Lian Run	Guinea	SRFC
34	2000	LIAN YU 1	24.02/2000	No valid license	Unknown	Guinea	SRFC
35	2000	LIAN YU 1	14/03/2000	No valid license	Unknown	Guinea	SRFC
36	2000	LIAN YU 2	22/04/2000	No valid license	Unknown	Guinea	SRFC
37	2000	LIAN YU 3	14/03/2000	No valid license	Unknown	Guinea	SRFC
38	2000	LIAO JIN YU 1	12/01/2000	No valid license	Liaonin JinLun Pelagic Fisheries	Guinea	SRFC
39	2000	LIAO JIN 5	22/04/2000	No valid license	Liaonin JinLun Pelagic Fisheries	Guinea	SRFC
40	2000	LIAO JIN YU 1	13/01/2000	No valid license	Liaonin JinLun Pelagic Fisheries	Guinea	SRFC
41	2000	LIAO JIN YU 2	13/01/2000	No valid license	Liaonin JinLun Pelagic Fisheries	Guinea	SRFC
42	2000	LIAO JIN YU 3	12/01/2000	No valid license	Liaonin JinLun Pelagic Fisheries	Guinea	SRFC
43	2000	LIAO JIN YU 3	13/01/2000	No valid license	Liaonin JinLun Pelagic Fisheries	Guinea	SRFC
44	2000	LIAO JIN YU 4	19/04/2000	No valid license	Liaonin JinLun Pelagic Fisheries	Guinea	SRFC
45	2000	LIAO JIN YU 5	12/01/2000	No valid license	Liaonin JinLun Pelagic Fisheries	Guinea	SRFC
46	2000	LIAO JIN YU 5	13/01/2000	No valid license	Liaonin JinLun Pelagic Fisheries	Guinea	SRFC
47	2000	LIAO JIN YU 6	13/01/2000	No valid license	Liaonin JinLun Pelagic Fisheries	Guinea	SRFC
48	2000	LIAO JIN YU 8	12/01/2000	No valid license	Liaonin JinLun Pelagic Fisheries	Guinea	SRFC
49	2000	LIAO JIN-YU	02/04/2000	Prohibited mesh size	Liaonin JinLun Pelagic Fisheries	Guinea	SRFC
50	2000	LONG WAY	29/04/2000	No valid license	Unknown	Guinea	SRFC
51	2000	LONG WAY 1	12/01/2000	No valid license	Dalian Lian Run	Guinea	SRFC
52	2000	LONG WAY 10	14/03/2000	No valid license	Dalian Lian Run	Guinea	SRFC
53	2000	LONG WAY 21	22/04/2000	No valid license	Dalian Lian Run	Guinea	SRFC

54	2000	LONG WAY 22	24/02/2000	No valid license	Dalian Lian Run	Guinea	SRFC
55	2000	LONG WAY 27	14/03/2000	No valid license	Dalian Lian Run	Guinea	SRFC
56	2000	LONG WAY 4	22/04/2000	No valid license	Dalian Lian Run	Guinea	SRFC
57	2000	LONG WAY 605	14/03/2000	No valid license	Dalian Lian Run	Guinea	SRFC
58	2000	LONG WAY 7	22/04/2000	No valid license	Dalian Lian Run	Guinea	SRFC
59	2000	LONG WAY 8	14/03/2000	No valid license	Dalian Lian Run	Guinea	SRFC
60	2000	LONG WAY 8	29/04/2000	No valid license	Dalian Lian Run	Guinea	SRFC
61	2000	LONG-WAY 004	12/03/2000	No valid license	Dalian Lian Run	Guinea	SRFC
62	2000	OKFISH 1	29/04/2000	No valid license	Unknown	Guinea	SRFC
63	2000	OKFISH 1	29/04/2000	No valid license	Unknown	Guinea	SRFC
64	2000	OKFISH 1	28/01/2000	Fishing in prohibited area	Unknown	Sierra Leone	SRFC
65	2000	OKFISH 1	31/03/2000	Fishing in prohibited area	Unknown	Sierra Leone	SRFC
66	2000	OKFISH 10	15/03/2000	Fishing in prohibited area	Unknown	Sierra Leone	SRFC
67	2000	OKFISH 11	15/02/2000	Fishing in prohibited area	Unknown	Sierra Leone	SRFC
68	2000	OKFISH 11	15/03/2000	Fishing in prohibited area	Unknown	Sierra Leone	SRFC
69	2000	OKFISH 11	31/03/2000	Fishing in prohibited area	Unknown	Sierra Leone	SRFC
70	2000	OKFISH 11	16/11/2000	Fishing in prohibited area	Unknown	Sierra Leone	SRFC
71	2000	OKFISH 12	28/01/2000	Fishing in prohibited area	Unknown	Sierra Leone	SRFC
72	2000	OKFISH 14	31/03/2000	Fishing in prohibited area	Unknown	Sierra Leone	SRFC
73	2000	OKFISH 15	31/03/2000	Fishing in prohibited area	Unknown	Sierra Leone	SRFC
74	2000	OKFISH 16	31/03/2000	Fishing in prohibited area	Unknown	Sierra Leone	SRFC
75	2000	OKFISH 16	16/11/2000	Fishing in prohibited area	Unknown	Sierra Leone	SRFC
76	2000	OKFISH 17	07/03/2000	Fishing in prohibited area	Unknown	Sierra Leone	SRFC
77	2000	OKFISH 17	08/03/2000	Fishing in prohibited area	Unknown	Sierra Leone	SRFC
78	2000	OKFISH 17	15/03/2000	Fishing in prohibited area	Unknown	Sierra Leone	SRFC
79	2000	OKFISH 17	16/11/2000	Fishing in prohibited area	Unknown	Sierra Leone	SRFC
80	2000	OKFISH 19	16/11/2000	Fishing in prohibited area	Unknown	Sierra Leone	SRFC
81	2000	OKFISH 2	07/03/2000	Fishing in prohibited area	Unknown	Sierra Leone	SRFC
82	2000	OKFISH 2	15/03/2000	Fishing in prohibited area	Unknown	Sierra Leone	SRFC
83	2000	OKFISH 20	31/03/2000	Fishing in prohibited area	Unknown	Sierra Leone	SRFC
84	2000	OKFISH 20	17/11/2000	Fishing in prohibited area	Unknown	Sierra Leone	SRFC
85	2000	OKFISH 3	28/01/2000	Fishing in prohibited area	Unknown	Sierra Leone	SRFC
86	2000	OKFISH 3	16/11/2000	Fishing in prohibited area	Unknown	Sierra Leone	SRFC
87	2000	OKFISH 4	28/01/2000	Fishing in prohibited area	Unknown	Sierra Leone	SRFC
88	2000	OKFISH 4	15/02/2000	Fishing in prohibited area	Unknown	Sierra Leone	SRFC

89	2000	OKFISH 4	07/03/2000	Fishing in prohibited area	Unknown	Sierra Leone	SRFC
90	2000	OKFISH 4	31/03/2000	Fishing in prohibited area	Unknown	Sierra Leone	SRFC
91	2000	OKFISH 7	15/02/2000	Fishing in prohibited area	Unknown	Sierra Leone	SRFC
92	2000	OKFISH 7	17/11/2000	Fishing in prohibited area	Unknown	Sierra Leone	SRFC
93	2000	OKFISH 9	15/03/2000	Fishing in prohibited area	Unknown	Sierra Leone	SRFC
94	2000	OKFISH 9	16/11/2000	Fishing in prohibited area	Unknown	Sierra Leone	SRFC
95	2000	OKFISH 9	17/11/2000	Fishing in prohibited area	Unknown	Sierra Leone	SRFC
96	2000	YAN YU 8	11/10/2000	Wrong mark on the ship	CNFC	Guinea Bissau	SRFC
97	2000	YANMING 6827	16/01/2000	Fishing in prohibited area	Qingzhou Long Da Fisheries	Mauritania	SRFC
98	2000	YANMING 6827	18/04/2000	Fishing in prohibited area	Qingzhou Long Da Fisheries	Mauritania	SRFC
99	2000	YANMING 6827	15/05/2000	Fishing in prohibited area	Qingzhou Long Da Fisheries	Mauritania	SRFC
100	2000	YANMING 6828	16/01/2000	Fishing in prohibited area	Qingzhou Long Da Fisheries	Mauritania	SRFC
101	2000	YANMING 6828	13/04/2000	Fishing in prohibited area	Qingzhou Long Da Fisheries	Mauritania	SRFC
102	2000	YANMING 6828	15/05/2000	Fishing in prohibited area	Qingzhou Long Da Fisheries	Mauritania	SRFC
103	2000	ZONG YU YANG 7	22/04/2000	No valid license	Unknown	Guinea	SRFC
104	2001	CHINESE VESSEL	06/01/2001	Fishing in prohibited area	Unknown	Sierra Leone	SRFC
105	2001	LIAN RUN 12	13/09/2001	No valid license	Unknown	Guinea	Greenpeace 2001
106	2001	LIAN RUN 9	13/09/2001	No valid license	Unknown	Guinea	Greenpeace 2001
107	2001	LONG WAY 008	13/09/2001	No valid license	Unknown	Guinea	Greenpeace 2001
108	2001	LONG WAY 009/ LIAN RUN 7	13/09/2001	No valid license	Unknown	Guinea	Greenpeace 2001
109	2001	LONG WAY 27	01-06-2001	No valid license	Dalian Lian Run	Guinea	SRFC
110	2001	LONG WAY 28	N/A	No valid license	Dalian Lian Run	Guinea	SRFC
111	2001	OKFISH 14	11/01/2001	Fishing in prohibited area	Unknown	Sierra Leone	SRFC
112	2001	OKFISH 17	06/01/2001	Fishing in prohibited area	Unknown	Sierra Leone	SRFC
113	2001	OKFISH 9	06/01/2001	Fishing in prohibited area	Unknown	Sierra Leone	SRFC
114	2001	SOLEIL 5	24/04/2001	No valid license	CNFC	Gambia	SRFC
115	2001	SOLEIL 8	21/02/2001	Fishing in prohibited area	CNFC	Senegal	SRFC
116	2001	YAN YU 625	13/03/2001	No valid license	CNFC	Guinea Bissau	SRFC
117	2002	CHANG HAI 5	05/04/2002	Fishing in prohibited area	Unknown	Guinea	SRFC
118	2002	CHANG HAI 5	05/04/2002	No valid license	Unknown	Guinea	SRFC
119	2002	LIAO YU B02	05/04/2002	No valid license	Unknown	Guinea	SRFC
120	2002	MIN YU 701	12/12/2002	No valid license	CNFC	Guinea	SRFC
121	2002	MIN YU 701	12/12/2002	Prohibited mesh size	CNFC	Guinea	SRFC
122	2002	OKFISH 2	25/01/2002	Prohibited mesh size	Unknown	EEZ Sierra Leone	SRFC
123	2002	OKFISH 2	05/04/2002	Fishing in prohibited area	Unknown	EEZ Sierra Leone	SRFC
124	2002	OKFISH 4	25/01/2002	No valid license	Unknown	EEZ Sierra Leone	SRFC

125	2002	OKFISH 8	25/01/2002	Fishing in prohibited area	☒	Sierra Leone	SRFC
126	2002	SOLEIL 12	28/05/2002	Prohibited mesh size	CNFC	Senegal	SRFC
127	2002	SOLEIL 8	01/08/2002	Juvenile catch	CNFC	Senegal	SRFC
128	2002	YUAN YU 812	12/12/2002	No valid license	CNFC	Guinea	SRFC
129	2002	YUE YUAN YU 7	12/12/2002	No valid license	CNFC	Guinea	SRFC
130	2002	YUE YUAN YU 8	12/12/2002	No valid license	CNFC	Guinea	SRFC
131	2003	LIAN RUN 13	19/10/2003	No valid license	Dalian Lian Run	Guinea	SRFC
132	2003	LIAN RUN 7	19/10/2003	No valid license	Dalian Lian Run	Senegal	SRFC
133	2003	LIAN RUN 8	19/07/2003	No valid license	Dalian Lian Run	Guinea	SRFC
134	2003	LIAN RUN 8	19/07/2003	No valid license	Unknown	Guinea	SRFC
135	2003	OKFISH 8	29/07/2003	Prohibited mesh size	Unknown	Guinea	SRFC
136	2003	OKFISH 8	29/07/2003	Prohibited mesh size	Unknown	Guinea	SRFC
137	2003	OKFISH 8	07/05/2003	No valid license	Unknown	Senegal	SRFC
138	2003	SOLEIL 12	01/04/2003	No valid license	CNFC	Guinea	SRFC
139	2003	SOLEIL 12	01/04/2003	No valid license	CNFC	Senegal	SRFC
140	2003	SOLEIL 8	09/05/2003	Prohibited species: hake	CNFC	Senegal	SRFC
141	2003	SOLEIL 8	01/04/2003	No valid license	CNFC	Senegal	SRFC
142	2003	SOLEIL 8	01/04/2003	No valid license	CNFC	Senegal	SRFC
143	2003	YAN YUN 625	21/20/2003	No valid license	CNFC	Mauritania	SRFC
144	2004	CNFC 9311	20/10/2004	Prohibited mesh size	CNFC	Guinea	SRFC
145	2004	DEEGO 2	24/07/2004	Prohibited mesh size	Unknown	GAMBIA	SRFC
146	2004	DEEGO 2	25/03/2004	Prohibited mesh size	Unknown	GAMBIA	SRFC
147	2004	DEEGO 2	25/03/2004	Prohibited mesh size	Unknown	GAMBIA	SRFC
148	2004	LIAN RUN 12	12/05/2004	No valid license	Dalian Lian Run	Guinea	SRFC
149	2004	OKFISH	14/05/2004	Prohibited mesh size	Unknown	Sierra Leone	SRFC
150	2004	OKFISH 12	14/05/2004	Prohibited mesh size	Unknown	Sierra Leone	SRFC
151	2004	SOLEIL 12	01/09/2004	False declaration of gross tonnage	CNFC	Senegal	SRFC
152	2005	LIAN RUN 13	03/02/2005	No valid license	Dalian Lian Run	Guinea	SRFC
153	2005	LIAN RUN 15	03/02/2005	No valid license	Dalian Lian Run	Guinea	SRFC
154	2005	MIN YU 701	30/04/2005	Prohibited mesh size	CNFC	Guinea	SRFC
155	2005	MIN YU 701	18/02/2005	Prohibited mesh size	CNFC	Guinea	SRFC
156	2005	YUAN YU 630	03/02/2005	Prohibited mesh size	CNFC	Guinea	SRFC
157	2006	LIAN RUN 14	28/03/2006	No valid license	Dalian Lian Run	Guinea	Greenpeace 2006
158	2006	Yuan Yu 17	2006	No valid license	CNFC	Guinea	Greenpeace 2006
159	2006	Yue Yuan 812	2006	No valid license	CNFC	Guinea	Greenpeace 2006

160	2006	Zhang Yuan Yu 18	19/07/2011	No valid license	Dalian Lian Run	Guinea	Greenpeace 2006
161	2006	Zhang Yuan Yu 7	19/07/2011	No valid license	Dalian Lian Run	Guinea	Greenpeace 2006
162	2011	Lian Run 18	19/07/2011	Prohibited mesh size	Dalian Lian Run	Guinea	SRFC
163	2011	Lian Run 22	19/07/2011	Prohibited mesh size	Dalian Lian Run	Guinea	SRFC
164	2011	Lian Run 28	19/07/2011	No observer on board	Dalian Lian Run	Guinea	SRFC
165	2011	Soleil 09	13/07/2011	Prohibited mesh size	CNFC	Senegal	SRFC
166	2012	CNFC 24	09/11/2012	Prohibited mesh size	CNFC	Guinea	SRFC
167	2012	Soleil 11	04/02/2012	No valid license	CNFC	Senegal	SRFC
168	2012	Soleil 66	04/02/2012	No valid license	CNFC	Senegal	SRFC
169	2012	Soleil 68	03/02/2012	Refusal to comply	CNFC	Senegal	SRFC
170	2012	Soleil 7	26/12/2012	Prohibited mesh size	CNFC	Senegal	SRFC
171	2013	CNFC 9314	09/12/2013	N/A	CNFC	Guinea	SRFC
172	2013	kai-li	08/05/2013	Fishing in prohibited area	Shang Hai Kai Chuang	Guinea	SRFC
173	2013	lian run 21	09/12/2013	N/A	Dalian Lian Run	Guinea	SRFC
174	2013	Lian Run 23	23/03/2013	Prohibited mesh size	Dalian Lian Run	Guinea	SRFC
175	2013	lian Run 24	2013/5/22 AM12:00:00	Fishing in prohibited area	Dalian Lian Run	Guinea	SRFC
176	2013	Lian Run 35	04/09/2013	Prohibited mesh size	Dalian Lian Run	Guinea	SRFC
177	2013	Soleil 11	03/02/2013	Prohibited species: hake	CNFC	Senegal	SRFC
178	2013	Soleil 67 DAK 1196	02/02/2013	Juvenile catch	CNFC	Senegal	SRFC
179	2013	Zhong SHUI 9417	01/09/2013	mistreatment of the observer	CNFC	Guinea	SRFC
180	2013	zong shui 9418	2013/12/9 AM12:00:00	N/A	CNFC	Guinea	SRFC
181	2013	zong Shui 9419	2013/12/9 AM12:00:00	N/A	CNFC	Guinea	SRFC
182	N/A	MINYU 701	N/A	Prohibited mesh size	CNFC	Guinea	SRFC
183	N/A	OKFISH 12	05/05/N/A	Prohibited mesh size	Unknown	Sierra Leone	SRFC

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promote peace

2015 May

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