Combating IUU: China and the European Market

Tatjana Gerling
Smart Fishing Global Initiative
WWF International

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Outline

1. China’s marine capture fishery
   - Domestic marine capture fisheries
   - Seafood processing sector
   - Distant water fishing

2. China’s national and international fishery regulatory framework and policy

3. Major concerns including IUU Fishing

4. Role of the European Union

5. EU IUU regulation: the catch certificate

6. Recommendations
1.1 China: Domestic Marine Capture Fishery

The world’s largest fishing and aquaculture nation:

- 12.4 million tonnes from the inshore waters and EEZ (incl aquaculture)
- Fishing fleet: predominatly small-scale fisheries
- Miscellaneous catches, mostly low-trophic fish and shellfish
- Stocks of China’s domestic fisheries: mostly overfished
- Management measures: primarily 3-month summer fishing ban
- Industrial use: forage fish & fishmeal mainly for aquaculture

1.2 China: Seafood Processing Sector

The world's largest seafood processor:

- Re-export into the EU of fillets from the EU-member states and third countries (mostly Russia);
- 54% of Alaska Pollack, and 25% of all whitefish fillets, products used extensively by EU secondary processors

1.3 China: Distant Water Fishing (DWF)

- 38 countries and high seas
- 1.2 million tons (value 1.7 billion EUR): 58% back to China; 41% – sold abroad
- 120 DWF enterprises, 1,830 vessels, 43,000 seamen
- Further growth

Tuna DWF:

- 360 vessels, over 170,000 tons
- Five major enterprises provide 70% of China’s annual tuna catches

2.1 China’s Fishery Management: National Legal Framework

The State Council

The Ministry of Agriculture (1986)
• The State Fishery Bureau (1982)

The Fisheries Law (1986)
• Implementation Measures for the Fisheries Law (1987)
  • Measures on Management of Fishing Licenses (1989)

2.2 China: International Fishery Policy

- China is a member of all tuna RFMOs and IWC
- Signed (not ratified): 1995 Compliance Agreement (flag states to license high seas fishing vessels)
- Not signed: 2009 Port State Measures Agreement (port states to inspect fishing vessels)
- Bilateral Agreement with Russia to combat IUU fishing and trade (2011)
- EU IUU Regulation. China is compliant, but among third countries concerned by restrictions

MRAG 2014. Study on the application and implementation of the IUU Regulation – Final Report.
3.1 China’s Fishery Management: Major Problems

Over-capacity (governmental subsidies):
- 7,300,000 fishermen
- 450,000 vessel, many outdated
- Lack of alternative livelihoods

Institutional defects:
- Outdated legislation
- Weak enforcement (inadequate monitoring and surveillance)
- Lack of provisions for public participation in decision-making

These facts, in addition to poor legal awareness of fishermen, lead to severe over-exploitation of fishery resources in the Chinese waters and occasionally to international disputes.

Based on: China’s Fisheries Yearbook 2012; Guifang Xue 2006. China and Int’l Fisheries Law and Policy
3.2 China’s DWF: Independent Studies


Source: Sea Around Us Project 2013

EEZs of countries or territories where Chinese vessel were reported to operate in 2000 – 2011.

Source: Blomeyer et al. 2012. The Role of China in World Fisheries
3.3 IUU Fishing: before and after 2013

Multiple contributing factors:
• Disconnected regulatory framework, poor enforcement, quick economic expansion
• Lack of transparency of the bilateral fishing agreements
• Use of third-country flags
• No comprehensive data on catches by the Chinese DWF

• IUU Hotspots: Eastern Central Atlantic and North West Pacific

• Before 2013: In China little discussion on China’s role in IUU

• 2013: China’s Fishery Management Bureau issued a policy document highlighting IUU as a higher priority for the state

What is the solution?
4.1 DWF and the European Market

- Presence of China’s DWF in the EEZs of all countries exporting into EU
- 506 tonnes harvested by China’s DWF are exported

4.2 China’s Seafood Processing and the EU seafood market

- China re-exports whitefish caught in other countries like Russia, Norway, USA, New Zealand

5.1 The EU IUU Regulation

The EU is a leader

1. Is the EU IUU Regulation system effective and robust?
   - Clear rules and criteria?
   - Robust verification?
   - Transparent implementation?

2. Are exporters ready to comply?
   - Assistance for compliance?
   - Investment in infrastructure for catch certificates?
   - Lessons learnt from the seafood industry?
   - Role of the Members of the European Parliament?
   - International cooperation?
5.2 EU IUU Regulation: the Catch Certificate

CATCH CERTIFICATE OR EXPORT DOCUMENTATION?
The EU requires that the weight on the catch certificate (CC) is that of the consignment of fish for export, not that of a particular landed catch. This creates a gap between when the fish is caught and when it is packed into consignments for export, exacerbated in the case of Russian fish processed in China by two further factors:
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- CCs can be issued at any point on the consignment's journey.

Based on: Shelley Clarke et al. 2014. Traceability, Legal Provenance and the EU IUU Regulation.
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6. Recommendations to the EU:

• Dialogue with the Chinese authorities and major fishing nations on the transparency of fishing operations at the global level

• Strong EU coordination and sufficient resources in implementing the Regulation.
  ➔ High priority: EU-wide database for digitized catch certificates

• More transparent and more participatory process in implementing the EU IUU Regulation

• European Parliament:
  • Important role to facilitate better implementation of the current EU legal framework
  • Increased cooperation with major fishing nations at global level, by making full use of its co-legislator powers
Thank you!
Tatjana Gerling
tatjana.gerling@wwf.de