The geopolitics of China's fishing industry and its implications for global ocean governance

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ABSTRACT

China's rise has been accompanied by its growing presence in maritime affairs. With China possessing the largest fishing industry in the world, its national fishing industry constitutes a central player in China's expanding maritime presence. The fishing industry is vital for China's food and economic security, and thus securing access to and power over fish resources is essential. Consequently, China's fishing industry has been expanding beyond China's inshore waters to the regional waters of the South China Sea and distant waters surrounding Africa and Latin America. As China's fishing activities become increasingly global, the fishing industry will increasingly affect global ocean governance. Therefore, this research paper tackles the question of how the geopolitics of China's fishing industry impacts upon contemporary global ocean governance, and specifically investigates China's fishing operations in the regions of the South China Sea, West Africa, and Latin America. Through performing a within-case analysis, analyzing the case of China's fishing industry, and drawing on both qualitative and quantitative data sources, it is evident that China's geopolitically driven fishing activities in the various regions pose a threat to the central pillars of the current global ocean governance regime, namely the United Nations Convention on the Law of the Sea, Sustainable Development Goal 14, and blue economic development. Therefore, the geopolitics of China's fishing industry undermines contemporary global ocean governance.

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1. INTRODUCTION

1.1. Background

Over the past few decades, China has ascended to become a new world power, wielding significant influence on the global stage economically, politically, and environmentally, and has consequently dramatically shifted the geopolitical landscape. Under Hu Jintao, the former President of the People's Republic of China (PRC), much importance was attached to the maritime domain as a means to strengthen China's power and to support its rapid economic growth and development. In a report presented at the Eighteenth National Congress of the Communist Party of China, Hu Jintao asserted:

"We should enhance our capacity for exploiting marine resources, develop the marine economy, protect the marine ecological environment, resolutely safeguard China's maritime rights and interests, and build China into a maritime power" (Hu, 2012).

Under the current Chinese state administration, led by President Xi Jinping, this emphasis on the maritime domain has persisted (Dekun & Yu, 2021). Central to advancing such maritime-related objectives, as expressed by former President Hu Jintao, is China's fishing industry. China ranks first in the world in terms of fish consumption and production, however in attempting to meet high fish demands, overfishing has led to China depleting its inshore waters' fish stocks. Given its exhausted domestic fisheries and persistently rising fish demands, China has been forced to expand its fishing activities (Villasante, Rodríguez-González, Antelo, Rivero-Rodríguez, De Santiago & Macho, 2013). Consequently, China has emerged as the world's leading fishing nation, possessing the biggest fishing industry and fishing fleet worldwide (Zhang & Wu, 2017), and representing "the world's largest exploiter of fisheries" globally (Vaughn & Dolven, 2022). As China's fishing industry continues to expand and compete with other states in pursuit of securing fish resources, China will increasingly exert an impact on the global ocean governance system, its institutions, and the pursuit of its objectives.

In the context of increasing global overfishing, alongside increasing marine pollution, rising ocean temperatures and ocean acidification, the oceans are subjected to increasing pressure as a result of human-related activities. Consequently, the management of the oceans and its resources and the protection and conservation of the marine environment have gained increasing saliency on the international policy agenda and global ocean governance has

received renewed emphasis in the international arena (Mondré & Kuhn, 2022; Spalding & de Ycaza, 2020).

1.2. Research question and hypothesis

It is against this background that this research paper endeavors to tackle the subject of China's influence on global ocean governance, and more specifically seeks to address the following question: how does the geopolitics of China's fishing industry impact upon contemporary global ocean governance? While China's fishing industry is not exceptional is this regard and is not the only world power whose fishing activities impact upon global ocean governance, it is the size and scale of operation of China's fishing industry that makes China an intriguing case in terms of its implications for global ocean governance.

Drawing on the theory of environmental geopolitics, this research paper argues that given China's dependence on fish resources as essential for national food security and economic security, it is geopolitically imperative for China to secure access to fish resources. By investigating China's fishing activities in the South China Sea, off the coast of West Africa and in Latin American waters, this research paper hypothesizes that China's geopolitically driven fishing industry undermines the contemporary global ocean governance regime by posing a threat to the core tenets upon which the contemporary global ocean governance regime is centered.

1.3. Methodology

The methodological approach employed in this thesis investigates into the impact of the geopolitics of China's fishing industry on global ocean governance is centered upon a within-case analysis. The research method of within-case analysis is most relevant for this research paper as it seeks to investigate a single case, the case of China's fishing industry (Goertz & Mahoney, 2012). While within-case analysis typically focuses on qualitative research methodologies, this research paper draws upon both qualitative and quantitative data sources to conduct a comprehensive study of China's fishing industry (Willis, 2014). Quantitative and qualitative data are used to identify supporting evidence that demonstrates the linkages between China's fishing industry and the contemporary global ocean governance regime. Statistics and statistical reports provided by the Chinese government, such as the PRC's State Council and the National Bureau of Statistics of China, as well as data provided by the World Bank, informed the quantitative dimension of the research. Qualitative research was also

conducted by drawing on international legal documentation, such as the United Nations Convention on the Law of the Sea, books, academic journal articles, reports, and news articles reporting on China's fishing activities.

Both qualitative and quantitative data sources are, however, characterized by limitations. In terms of the quantitative data sources used, statistics provided by official government sources may be subjected to under- or over-reporting to serve the state's national interest. To address this limitation, statistics provided by international organizations such as the World Bank were also utilized. However, due to limited official statistics on China's fishing sector, this thesis primarily draws on qualitative research. In terms of the qualitative data, journal articles, reports and news articles are not entirely impartial, and are characterized by bias depending on the author of the article's nationality, profession, and other factors, that may lead to the article being disproportionately slanted towards a certain position (Willis, 2014). To account for such bias, this research paper drew on a broad range of articles written by scholars and authors from a variety of different backgrounds to allow for various perspectives to be accounted for.

1.4. Thesis overview

In conducting this analysis on the case of the Chinese fishing industry and its impact on global ocean governance, this thesis will firstly situate this paper's research agenda within the existing body of literature on the topic of China's influence on global ocean governance and establish a theoretical and analytical framework. Secondly, this thesis will locate China's growing fishing and its implications for global ocean governance within the context of China's rapid economic growth since 1978, marking the launch of China's reform and opening-up policy. This will then be followed by three empirical chapters that investigate the geopolitics of China's fishing activities in different regions, namely the in South China Sea, West Africa, and Latin America, and how such activities within the respective regions impact upon the contemporary global ocean governance regime.

2. LITERATURE REVIEW

Academic literature on the topic of China and global ocean governance remains limited, however the existing scholarly work has been characterized by diverging theories regarding China's influence on global ocean governance. While some scholars argue that China supports the existing global ocean governance regime and contributes to the advancement of its objectives, other scholars contend that China poses a challenge to the existing system. Other scholarly work has argued that China in fact seeks to reform the existing global ocean governance regime.

2.1. Conceptualization of global ocean governance

Global ocean governance can be defined as a framework of regulations, practices and institutions that regulate oceans uses and marine environmental protection mechanisms. The central objective of the ocean governance framework is to achieve an ocean management regime premised on sustainability in the allocation and utilization of marine natural resources and ocean areas, and to foster international cooperation in the maritime domain regarding security issues, economics and environmental policies (Pyć, 2016; Mondré & Kuhn, 2022). Global ocean governance is characterized by the engagement of institutions, both regional and global, alongside state and non-state actors, such as Non-Governmental Organizations (NGOs) and the private sector, in ocean ecosystem management and regulation in an effort to advance sustainable development (Adewumi, 2021).

The institutional framework of global ocean governance is primarily rooted within the United Nations (UN) system. Institutions tasked with global ocean governance include the UN Division of Ocean Affairs and the Law of the Sea (DOALOS), UN specialized agencies such as the International Maritime Organization (IMO) and the Food and Agriculture Organization (FAO), as well as UN programmes such as the UN Environmental Programme (UNEP) and UN Development Programme (UNDP) (Adewumi, 2021), all of which tackle a variety of issue areas, such as fisheries management, marine navigation, sustainable development and environmental protection (Spalding & De Ycaza, 2020).

2.2. China's reinforcement of global ocean governance

In research addressing China's role in global ocean governance, there are some academics who argue that China has endorsed and positively contributed to the development of global ocean governance within the existing framework.

According to Dr. Nong Hong, a scholar whose expertise lie in the field of ocean governance, maritime security, and international sea law, China has actively engaged in the existing multilateral institutional framework of the contemporary global ocean governance regime, and thus reflected its endorsement of the existing global ocean governance system. Hong highlights China's involvement in various "mechanisms under the United Nations Convention on the Law of the Sea" and China's ratification of several multilateral treaties related to ocean affairs (Hong, 2020). However, China's ratification of such treaties does not necessarily imply that China will in fact fulfill its obligations under such treaties. If China fails to satisfy such obligations, then China would not be reinforcing the functioning of global ocean governance but would rather be undermining it.

As China's engagement in global ocean governance has increased, scholars have put forth that China has become an active participant in and contributor to global ocean governance (Bai & Li, 2021), and such contributions have reinforced contemporary global ocean governance and its objectives. In an article analyzing China's impact on "marine environmental regulatory governance" carried out by the IMO, a central institution in the global ocean governance system, scholars, Jiayu Bai and Xiaoyu Li, concluded that China positively contributed towards the IMO fulfilling its governance role (Bai & Li, 2021). Bai and Yi argued that China submitted to and abided by the regulations put forward by the IMO, and that given China's position in the maritime domain as one of the largest flag states and as a significant actor in maritime shipping, China's adherence to the IMO's regulations reinforced the IMO's ocean governance function (Bai and Li, 2021). Similarly, scholars have also highlighted China's contribution to global ocean governance particularly in terms of marine waste governance (Yang, Chen & Xue, 2021). According to Yue Yang, Ling Chen, and Lan Xue, in their work addressing China's role in global marine pollution control and global environmental governance, China has prioritized marine waste governance and has been fostering international cooperation in this regard through various bilateral and multilateral agreements (Yang *et al.,* 2021). Therefore, it is argued that China has been effectively contributing to and supporting global ocean governance and its environmental objectives.

2.3. China's challenge to global ocean governance

In contrast to those scholars who argue that China reinforces global ocean governance, others have put forward that China poses a challenge to global ocean governance.

According to Fabinyi *et al.,* China's blue economy model poses a challenge to contemporary global ocean governance. China's conception of the notion of the blue economy deviates from that of contemporary global governance institutions, and given China's significance in and impact on international affairs, China's ideas regarding ocean governance and its implementation thereof carries global implications (Fabinyi, Wu, Lau, Mallory, Barclay, Walsh & Dressler, 2021). Whereas global governance institutions espouse the notion of the blue economy as relating to the simultaneous promotion of economic growth and environmental sustainability, China, on the contrary, regards the blue economy as a key means through which to fulfill the objectives of the Chinese state. While China's conception of the blue economy does not entirely neglect the environmental dimension, China attaches greater importance to the blue economy as a channel through which to pursue the state's economic and geopolitical ambitions, as opposed to the blue economy as a platform to advancement environmental sustainability and conservation (Fabinyi *et al.,* 2021). Given the prioritization of the blue economy as a means to advance China's nationalist agenda, China's conception of the blue economy contradicts and challenges contemporary global governance institutions' Western, liberal conception of the notion (Fabinyi *et al.,* 2021).

2.4. Reforming the current global ocean governance system

Other academics, on the other hand, contend that China seeks to reform the existing framework. Under the Xi administration, China's grand strategy has been premised on the principles of reassurance, reformation, and resistance: reassuring other states of the benevolent nature of China's rise; reforming, not overturning, the existing international order; and resisting any efforts that threaten to undermine China's core interests, as outlined by the Chinese Communist Party (Goldstein, 2020). Therefore, the argument that China endeavors to reform the current global ocean governance system aligns with the objectives of China's grand strategy.

Scholars from this school of thought argue that China's new maritime approach centered on President Xi Jinping's proposed notion of "a community of shared future linked by oceans" reflects China's ambition to develop a new global ocean governance regime (Dekun & Yu, 2021; Zhang, Chang & Zhang, 2020). Such a regime would be premised on increased inclusivity, shared prosperity and development and a common objective within the international community to ensure global maritime security (Dekun & Yu, 2021; Zhang *et al.*,

2020). It is argued that China's new maritime approach and its desire to establish a maritime community on a global scale demonstrates China's role as a responsible global governance actor who endeavors to serve the interests of the international community. Furthermore, it is put forth that such an approach aligns with the UN Sustainable Development Goal 14 (SDG14), "Life Below Water", and therefore confirms China's intention to reform, rather than entirely transform, the existing global ocean governance framework (Zhang *et al.,* 2020).

While it is argued that China's new maritime approach aligns with the UN's promotion of sustainable development, China's concept of an ecological civilization can be argued to represent a Chinese version of the UN's Sustainable Development Goals, and therefore could serve as another area where China may seek to reform the existing global ocean governance regime. Under Xi Jinping, the Chinese state has envisioned and promoted the notion of developing an 'ecological civilization' (生态文明), defined as "a civilization that 'respects nature, adapts to nature, protects nature, and develops the concept of unity" (Fabinyi, Wu, Lau, Mallory, Barclay, Walsh & Dressler, 2021). Through the establishment of an ecological civilization, China endeavours to establish a relationship between nature, people, and the economic development of the Chinese nation in which nature, the economy and society can simultaneously prosper (Fabinyi, *et al.*, 2021; Hansen, 2018). In an article discussing China's ecological civilization and ocean governance, Arthur Hansen, a researcher from the International Institute for Sustainable Development, highlighted the potential for China's ecological civilization to underpin China's approach to tackling contemporary challenges to global governance, and specifically, to global ocean governance (Hansen, 2018).

Scholars who align with the reformation argument further highlight the maritime dimension of China's Belt and Road Initiative (BRI), the 21st Century Maritime Silk Road, as central to China's efforts to reform the current global ocean governance system. According to Zhexin Zhang, a researcher at the Shanghai Institute for International Studies, the BRI is a "geo-economic strategy" premised on fostering regional integration and an international order characterized by inclusivity and multipolarity (Zhang, 2018). It is argued that the 21st Century Maritime Silk Road affords China the opportunity to establish a new international maritime order that aligns with China's idea of creating a global maritime community and with Xi Jinping's advocation of "openness, inclusiveness, cooperation, and [the] win-win spirit" (Yang, 2018). The 21st Century Maritime Silk Road's advancement of maritime cooperation with

the developing world and the promotion of South-South maritime cooperation has the potential to allow for a maritime order and system of global ocean governance that does not merely serve the interests of the maritime superpowers, but that serves the interests of all within the international community (Yang, 2018). However, while the BRI, and in particular the maritime dimension, has been argued by some scholars to have the potential to positively reform the current global ocean governance system, the impact of the BRI on global governance more generally has been contested. Critics of the initiative contend that the BRI is revisionist rather than reformist in nature, and therefore does not align with China's claimed ambition to merely want to reform the international order (Goldstein, 2020).

2.5. Focus of the research paper

Drawing on this body of literature and the competing schools of thought regarding China's impact on the contemporary global ocean governance regime, this research paper aims to contribute to this existing academic literature by examining the impact of a particular Chinese economic industry on global ocean governance. This paper endeavors to investigate the geopolitics of China's fishing industry and its implications for global ocean governance by addressing China's geopolitically driven fishing activities and whether such activities reinforce or undermine the functioning of the contemporary global ocean governance regime.

3. THEORETICAL AND ANALYTICAL FRAMEWORK

In investigating the impact of the geopolitics of China's fishing industry on global ocean governance, the theory of environmental geopolitics will be employed to draw linkages between China's geopolitical interests and its fishing activities in various maritime regions. Once this relationship between China's fishing and geopolitics has been established, this paper will conduct an analysis of the implications of the geopolitics of China's fishing for contemporary global ocean governance. In order to conduct this analysis, an investigation will be undertaken into how China's geopolitically motivated fishing activities impact upon the execution and fulfillment of the central pillars and principles of the current global ocean governance regime. However, prior to delving into such analysis, it is necessary to define key concepts and to outline the contemporary global ocean governance framework.

3.1. Environmental geopolitics

Environmental geopolitics serves as an analytical framework for studying global environmental politics from a geopolitical angle (O'Lear, 2011). The term 'geopolitics', as employed in this context, can be defined as the way in which inter-state relations and states' vie for power and influence in the international system is shaped by the geographical variables. Such variables include a state's degree of natural resource wealth, whether a country's geographical position is of strategic relevance and population size (Saxena, 2010). Environmental geopolitics investigates the nexus between environmental issues, relating to for instance resources, land or climate, and risk and security, and centers its focus on "how the environment is brought into narratives, practices and physical realities of power and place" (O'Lear, 2011).

As an analytical framework, environmental geopolitics analyses the securitization of environmental issues, examining the reasoning behind the securitization of an environmental issue and for whom such a securitization process is advantageous, seeking answers to the question of *"what is being secured and by whom?"* (O'Lear, 2011). According to the environmental geopolitics approach, an issue can be deemed an issue of security if such an issue impacts upon well-being or escalates a potential threat if left unaddressed. In conducting environmental geopolitical analyses, it is necessary to delineate what the environment is in the context of the analysis, to be cognizant of human agency and the power dynamics at play in a specific case, and to take into account the "spatial dimensions of human-environment

relationships", for example in certain cases one is detached from the environmental consequences of one's consumption because the environmental implications are felt elsewhere in the world (O'Lear, 2011).

3.2. Contemporary global ocean governance regime

The contemporary global ocean governance regime is premised on the 1982 United Nations Convention on the Law of the Sea (UNCLOS), UN Sustainable Development Goal 14 (SDG14) and the growth and development of the blue economy (Spalding & de Ycaza, 2020).

The 1982 UNCLOS constitutes the legal framework of the global ocean governance regime and defines the rules of conduct for states engaged in marine and maritime affairs, and party states' obligations in terms of ocean-related activities (Pyć, 2016:160). The principle of sovereignty is central to the UNCLOS. Under the UNCLOS, set areas of oceanic space spanning off states' coastlines are delineated and placed under the respective states' national jurisdiction (Beckman, 2013). Within such areas, the respective states possess sovereign rights with regards to marine environmental conservation, natural resource exploration and extraction, and other ocean-related economic activities. Such delineated areas include states' territorial seas – the area of ocean spanning 12 nautical miles from the state's coastline – and states' exclusive economic zones (EEZ) – the oceanic area adjacent to the territorial sea that stretches 200 nautical miles from the state's coastline (Beckman, 2013). Furthermore, the promotion of "the peaceful uses of the seas" and ensuring maritime security is central to the UNCLOS (United Nations, 1982). In order to advance this objective, the UNCLOS established standardized processes for maritime claims and maritime disputes (Nemeth, Mitchell, Nyman & Hensel, 2014; Alcock, 2011). Marine conservation and protection is yet another key dimension of the UNCLOS. As per Article 117 and 118 of the UNCLOS, States Parties of the Convention possess the responsibility to promote conservation of the marine resources and environment through the adoption of measures aimed at achieving this end or through international cooperation (United Nations, 1982).

The UN SDG14 is yet another central dimension of the contemporary global ocean governance regime (Spalding & de Ycaza, 2020). SDG14 aims to "conserve and sustainably use the oceans, seas and marine resources for sustainable development" (United Nations Department of Economic and Social Affairs). SDG14 is characterized by ten targets all of which aim to contribute to the achievement of the goal and its promotion of ocean conservation and

sustainable marine resource utilization. Marine pollution reduction, marine ecosystem restoration, sustainable fishing and enhancing the economic potential of the ocean and its resources are key themes addressed by the targets of SDG14. SDG14 further seeks to reinforce the UNCLOS and promote its effective implementation (United Nations Department of Economic and Social Affairs).

In addition to the UNCLOS and SDG14, the contemporary global ocean governance regime emphasizes the notion of the blue economy as an economic model (Campbell, Gray, Fairbanks, Silver, Gruby, Dubik & Basurto, 2016). The blue economy model espouses the idea of fostering economic growth through the sustainable usage of ocean resources while simultaneously prioritizing ocean conservation (Spalding & de Ycaza, 2020). The development of the blue economy is regarded as a key means through which the advance and meet the targets of SDG14 (Spalding & de Ycaza, 2020).

4. CONTEXTUALIZATION: CHINA'S ECONOMIC GROWTH AND GLOBAL OCEAN GOVERNANCE

4.1. China's economic growth and the role of the marine economy

Since the introduction of China's reform and opening-up policy (改革开放) in 1978, China has experienced rapid economic growth, as can be seen in the figure 1 illustrating China's increasing Gross Domestic Product since 1978. China has experienced an average Gross Domestic Product (GDP) growth rate of 9% per year (The World Bank, 2022). Over the past decade, China's GDP increased from US$6.1 trillion in 2010 to US$14.7 trillion in 2020 and in 2021, China's GDP reached US$ 17.7 trillion (The World Bank, 2022).

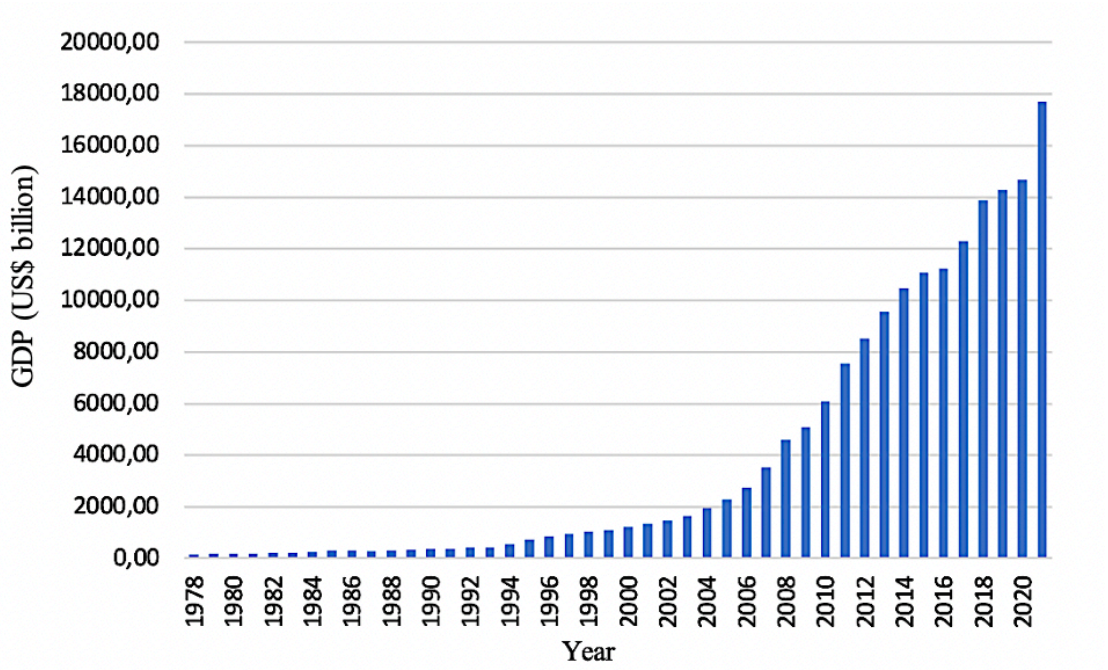

Figure 1: China's Gross Domestic Product (GDP) 1978-2021 (The World Bank, 2022)

China's marine economy has played a central role in China's economic development since the economic reform. In 1980, two years following the launch of the reform and opening-up policy, China's marine economy was worth approximately RMB 8 billion (To & Lee, 2018). By 2000, the marine economy was worth RMB 413.3 billion, and consequently the marine economy started to assume a more central position as a driver of China's national economic growth (Sun, Li, Zou, Wang & Wang, 2018; To & Lee, 2018). According to official data provided by the Chinese Ministry of Natural Resources, China's Gross Ocean Product for 2021 grew by 8.3% reaching above RMB 9 trillion, the equivalent of approximately US$ 1.41 trillion (The State

Council The People's Republic of China, 2022). The 2021 Gross Ocean Product constituted 8% of China's GDP for 2021 (Dong, Qiao, Yuan & Xu, 2022). As the marine economy has become increasingly important to China's national economy overall, the advancement of the marine economy has become a greater priority for the Chinese government. The Chinese government's prioritization of marine economic development was evident in China's 12th Five-Year Plan for National and Social Development (2011-2015), which emphasized the advancement of the marine economy "as a key national development strategy" (Zhao, Hynes & He, 2014), and under President Xi Jinping, increasing emphasis has been placed on utilizing the seas as a source of prosperity (Rihmo, 2017).

4.2. The significance of the marine fishing industry to China's national economy

The major industries driving China's marine economy include marine transportation, coastal tourism and the marine fishery industry (Xuemei, Yang, Cao, Zhang, Liu, Wang & Qu, 2021). In terms of the marine fishery industry in particular, since 1978, China's fishery gross output has dramatically increased, as illustrated in figure 2, with fishery gross output increasing from RMB 2.21 billion in 1978 to RMB 1.26 trillion in 2019 (National Bureau of Statistics of China). The fishing industry is of particular importance to China's overall national economy. As one the largest exporters of fishery products, China's marine fishery industry represents a generator of revenue and is important for China's international trade (FAO, 2022). Furthermore, the fishing industry represents a source of employment, employing 14.4 million people in 2015 (Zhang & Wu, 2017). Globally, China represents the country with the largest proportion of the "labor force employed in the fishing and aquaculture sector" (Mallory, 2013). Furthermore, the fishing industry is vital for ensuring food security in China (Mallory, 2013).

4.3. Economic growth and the impact of global ocean governance

The significance of China's marine economy as an important contributor to China's GDP suggests that China's ocean-based industries will continue to expand to foster China's continued economic growth. In terms of the fishing industry in particular, the expansion of the fishing industry is essential to ensure economic security and food security for China and its population. China's increasing economic reliance on the fishing industry has led to the industry expanding beyond China's inshore waters and the fishing industry's increasing involvement in China's offshore waters, in the EEZs of other states, and in the high seas (Zhang & Wu, 2017). Additionally, as a result of diminishing global fish stocks and increasing global demand for fish (Dupont & Baker, 2014:80), China's increasing global fishery engagement is marked by

increasing competition with other states, as states are vying to secure access to increasingly scarce fish resources. Thus, China's economic growth and its accompanied expanding fishing activities has led to China's fishing industry playing a larger role in affecting global ocean governance.

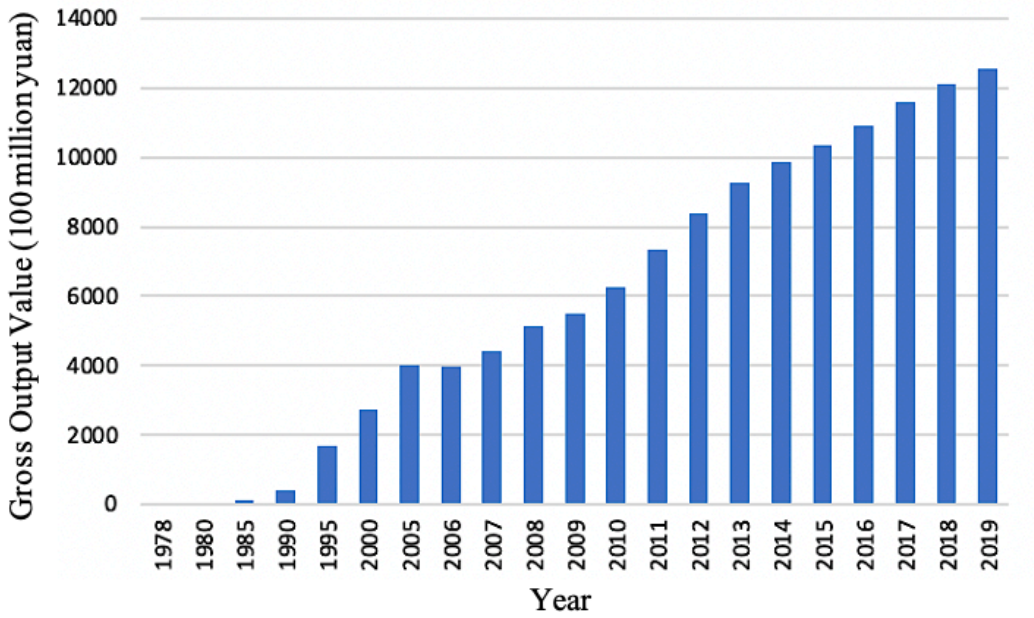

Figure 2: China's fishery gross output value (in 100 million yuan) 1978-2019 (National Bureau of Statistics of China, 2020)

5. SOUTH CHINA SEA

In the South China Sea (SCS), China, alongside the other coastal states bordering the SCS, are competing to assume power over and secure access to the SCS's abundant resources, such as the SCS's rich fishing grounds, as such resources are critical for the respective countries' economies, thus highlighting the environmental geopolitical dimension of the SCS resource competition. China's fishing activities in the SCS has largely been entangled with China's claims to maritime rights and territorial sovereignty in the region, and consequently, the geopolitics of China's fishing activities in the SCS has posed a direct challenge to the core principles of the UNCLOS, a central pillar of contemporary global ocean governance regime.

5.1. China's claims and interests in the South China Sea

In the SCS, China claims territorial sovereignty over the three central archipelagos in the sea, namely the Paracel Islands (Xisha Qundao), the Spratly Islands (Nansha Qundao) and the Pratas Islands (Dongsha Qundao), and over the Macclesfield Bank and Scarborough Shoal (Zhongsha Qundao). China further asserts maritime rights over the waters surrounding such island groups (Fravel, 2011; Morton, 2016). In justifying its territorial and maritime claims in the South China Sea, China's argues that, under international law and particularly the UNCLOS, it possesses historic rights over such islands and their surrounding waters (Morton, 2016). However, China's claims in the SCS have been the source of much tension between China and the other states and territories bordering the SCS – Taiwan, Vietnam, Malaysia, Philippines, Brunei, and Indonesia – due to the various governments asserting sovereignty and maritime rights over the same island groups and their related waters (Fravel, 2011). China's assertive stance in the SCS is largely motivated by the significance of the sea to China both economically and geopolitically.

The SCS represents one of the most significant regions for global trade (Zhong & White, 2017). In 2016, global trade worth approximately US$ 3.37 trillion - 21% of total global trade - transited through the SCS. For China, as a country heavily reliant on sea-based trade, the SCS is critical for economic security. According to 2016 statistics, the South China Sea carried more than 60% of China's maritime trade (China Power CSIS, 2017). Additionally, the SCS serves as a key channel for international shipping, connecting the Northern Pacific and the Indian Ocean. Therefore, the sea provides a means through which China, as well as other East Asian states, are able to gain access to markets beyond the East Asian region (Zhong & White, 2017). China's economic interest in the SCS, however, is not solely rooted in the sea's value as

an important trade route and shipping channel but is also based on the wealth of resources that the SCS hosts, such as oil and natural gas reserves as well as large volumes of fish resources which are essential for China's food and economic security (Zhong & White, 2017). Therefore, bringing the majority of the SCS under China's jurisdiction would allow China's to exercise significant control over the sea's resources and trade routes, both of which are of strategic significance to China.

Under Xi Jinping, China has demonstrated an increasing assertive stance in the maritime domain (Chubb, 2021). As China has increasingly sought to secure control over its claimed territories and resources in the SCS, China has increasingly found itself at the center of maritime disputes, many of which have involved China's fishing industry (Glaser, 2012). The US-China rivalry has also characterized the SCS and in turn contributed to further tensions in the region. In the SCS, the US is particularly concerned about the security of the sea corridors for shipping and trade as well as maintaining good relations with its allies in the region, such as the Philippines and Taiwan (Glaser, 2012). In recent years, both the US and China have ramped up their military activity in the SCS, and therefore concerns have been raised about the rising possibility of military and political clashes (Glaser, 2012). In the context of escalating tensions, control over the SCS would also serve China's military and security interests as the sea could act as a buffer zone for China's provinces bordering the SCS in the event of conflict (Fravel, 2011).

5.2. The geopolitics of China's fishing industry in the South China Sea

In the SCS, China has been employing its fishing industry to advance its interests in the region, and in particular to advance China's quest for fish resources and to assert China's maritime claims in the region. In serving such objectives, the fishing industry has become increasingly militarized, as evidenced by China's alleged fishing militia which has played a key role in asserting China's sovereignty and resource claims in the SCS (Zhang & Bateman, 2017). The fishing militia refers to a subdivision of the maritime militia – "a reserve force of the People's Liberation Army (PLAN)" (Zhang & Bateman, 2017). With the persistent escalation of tensions in the SCS, the significance of the maritime militia as a defender of the country's maritime interests has become increasingly important to the Chinese government. Consequently, under Xi Jinping, the development of China's maritime militia has gained new impetus, with China embarking on the construction of a state-owned fishing fleet that will serve

as part of the maritime militia, specifically in the South China Sea (Zhang & Bateman, 2017). Therefore, the geopolitical underpinnings of China's fishing industry are evident, and have been particularly apparent in disputes between China's fishing industry and the Philippines. However, these disputes between China and the Philippines are not the only cases in which the Chinese fishing industry has been at the center of maritime disputes in the SCS. China's fishing industry has also been involved in clashes with Vietnam on several occasions (Amer, 2014)

5.2.1. The Scarborough stand-off

In April 2012, in what is referred to as the Scarborough Shoal stand-off, tensions between China and the Philippines escalated over the Scarborough Shoal, one of the islands over which China claims territorial sovereignty and maritime rights (De Castro, 2014; Zhang 2016). However, in terms of the UNCLOS, the Scarborough Shoal falls within the Philippines EEZ and therefore the Philippines possesses jurisdictional and maritime rights over the shoal (De Castro, 2014). Tensions began to escalate following a Philippines aircraft's detection of eight Chinese fishing vessels surrounding the shoal. In response, the Philippines deployed a navy ship to investigate and to assert the Philippines' sovereignty and maritime rights over the shoal. Upon inspection of the Chinese fishing vessels, it was discovered that the fishermen had not obtained the required fishing permits and that they had been poaching endangered species (Poling, Mallory & Prétat, 2021; De Castro, 2014).

In previous incidents involving Chinese illegal fishing boats, the Philippines had arrested the fishermen and confiscated their catch, however in the case of the 2012 Scarborough Shoal incident, the Philippines government was prevented from doing so as a result of invention by Chinese surveillance vessels. The Chinese surveillance vessels impeded the arrest of the Chinese fishermen and further asserted China's claims to sovereignty over the shoal by accusing the Philippines navy ship's caption of being in Chinese territorial waters (De Castro, 2014). The incident triggered a two-month-long dispute between China and the Philippines (De Castro, 2014). What started off as an illegal fishing operation, led to a geopolitical dispute, which ultimately resulted in China occupying the shoal and therefore achieving its territorial and resource objective (Poling *et al.*, 2021). China's continued occupation of the shoal highlights the power dynamics at play, a key dimension of an environmental geopolitics (O'Lear, 2011). Given China's position as a stronger maritime power than that of Philippines,

China was able to achieve its objective as it was able to secure access to the shoal and its fish resources.

5.2.2. Whitsun Reef incident

In March 2021, relations between China and the Philippines were strained yet again after over 200 Chinese fishing boats, allegedly crewed by China's maritime militia, were detected at Whitsun Reef by the Philippines coast guard ("South China Sea disputes: Huge Chinese 'fishing fleet' alarms Philippines", 2021). Whitsun Reef falls within the Philippines EEZ and is in the Spratly Islands. The Philippines Defense Minister accused China of "militarizing the area" and of infringing the Philippines sovereignty and maritime rights over the area ("South China Sea disputes: Huge Chinese 'fishing fleet' alarms Philippines", 2021). However, China denied all accusations that the fishing fleet is part of its maritime militia and argued that the boats were merely taking shelter at the reef due to unfavorable weather conditions (Puri & Austin, 2021). Concerns have been raised about the potential for China to embark on island building activities at Whitsun Reef, activities which China has previously used as a means to reinforce its territorial and resource claims in the SCS. Further environmental concerns have been raised about potential fish resource exploitation and marine environmental harm as a result of Chinese operations at Whitsun Reef ("South China Sea disputes: Huge Chinese 'fishing fleet' alarms Philippines", 2021; Chavez, 2021).

5.3. The implications of China's South China Sea disputes of global ocean governance

The question is: how does the geopolitics of China's fishing activities in the SCS impact upon global ocean governance? In a 2022 keynote speech presented by China's Vice Foreign Minister, Xie Feng, commemorating 40 years since the adoption of the UNCLOS, Feng emphasized the "need to faithfully uphold the purposes and principles of the UNCLOS" (Feng, 2022). However, China's fishing activities in the SCS tend to contradict China's claimed commitment to the UNCLOS and its effective implementation. The Chinese fishing industry's engagement in the SCS undermines several aspects of the UNCLOS, particularly the sovereignty of coastal states and maritime security, and therefore undermines the contemporary global ocean governance regime, as the UNCLOS constitutes a core pillar of the regime.

5.3.1. EEZ encroachment and UNCLOS' principle of sovereignty

Chinese fishing vessels encroachment on other SCS coastal states' EEZs contravenes the UNCLOS sovereignty principle, and thus undermines a core principle of the contemporary global ocean governance regime. According to the UNCLOS, coastal states possess the legal

right to exercise sovereignty over their EEZ and to extract resources within such zone (Beckman, 2013). While the Chinese Vice Foreign Minister, in his keynote speech, stressed UNCLOS party states' responsibility to safeguard other states' sovereignty rights (Feng, 2022), China's fishing industry undermines such rights. As demonstrated in the case of the Philippines, as well as several other cases involving China and other SCS coastal states, China's fishing industry has encroached on other states' sovereign waters and exploited fish resources in such waters. In the 2012 incident between China and the Philippines, while Chinese vessels were indeed fishing in the Philippines EEZ, the Chinese surveillance vessel accused the Philippines navy vessel of encroaching on Chinese sovereign territorial waters. Such claims made by the Chinese surveillance vessel are rooted in China's contentious nine-dash line, which forms the basis of China's claims to sovereignty over the SCS. While China maintains that it possesses historic territorial rights over the sea, its resources and land features encompassed by the nine-dash line, the International Tribunal for the Law of the Sea ruled the contrary. According to the tribunal, China's ratification of the UNCLOS in 1996 invalidated China's historic claims to the SCS based on its nine-dash line due to such claims opposing the UNCLOS's demarcation of coastal states' territorial waters and EEZs (Kuok, 2019). Therefore, China's fishing industry's continued push to fish in the waters encompassed by the nine-dash line transgresses China's rights and obligations under the UNCLOS, and therefore undermines a key aspect of contemporary global ocean governance.

5.3.2. Aggressive confrontations and maritime peace, safety, and security

China's fishing operations in the SCS further pose a challenge to the UNCLOS' promotion of "the peaceful uses of the seas", as per Article 301 of the UNCLOS, and its aim of reinforcing maritime security (United Nations, 1982). On separate occasions in 2019, Chinese fishing vessels were involved in aggressive confrontations with Vietnam and the Philippines (Manullang, Siswandi & Dewi, 2020). The China-Vietnam confrontation occurred in the disputed waters surrounding the Paracel Islands, in which a Chinese fishing vessel obstructed a Vietnamese fishing vessel's path. The Vietnamese fishing vessel was further subjected to harassment and theft by the Chinese fishermen. In the case of the 2019 China-Philippines confrontation, it was reported that a Chinese fishing vessel intentionally collided with a Philippines fishing vessel in the Reed Bank's surrounding waters – declared "as the Philippines' continental shelf" (Manullang *et al.*, 2020). The incident resulted in Vietnam embarking on a mission to rescue the Filipino fishermen impacted by the collision (Manullang *et al.*, 2020).

Such aggressive actions by China's fishing industry threatens the peaceful utilization of the SCS, as promoted by the UNCLOS, and threatens maritime safety in the region. This largely undermines global ocean governance regime's promotion of maritime safety, and contravenes flag states' obligation, under the UNCLOS, to ensure maritime safety and to ensure that their vessels align with and advance such obligations (Poling *et al.,* 2021).

As a result of the aggressive actions of Chinese fishing vessels and fishermen, coupled with China's illegal fishing in the EEZ's of its neighbours in the region, China's fishing industry and its operations in the SCS have been a source of much contention in the region, and consequently concerns have been raised regarding the potential escalation of such fishing disputes into regional "diplomatic and security conflicts" (Zhang, 2012). While the Chinese fishing industry's activities in the disputed waters of the SCS largely undermines maritime security in the region, the Chinese government has advocated the importance of protecting and maintaining maritime security (Yi, 2022). In order to portray itself as a responsible maritime power, China has engaged in maritime security cooperation with the Association of Southeast Asian Nations (ASEAN), however it has been argued that China has sought to use such maritime cooperation with ASEAN as a means to validate its increasing presence in Southeast Asian waters, such as the SCS (Lee & Chan, 2021). The Chinese government advocation of maritime security and its supposed desire to foster regional maritime security cooperation is largely contradictory, given that the Chinese government subsidizes fishing vessels that fish in disputed waters, such as around the Spratly Islands (Poling *et al.,* 2021). Such subsidies encourage fishing in these contested waters, which are the source of concern in terms of regional maritime security. Therefore, such aggressive activities carried out by China's fishing vessels threatens the peaceful use of the SCS, violating the UNCLOS' promotion of the "peaceful uses of the seas" (United Nations, 1982), and in turn undermines the maritime peace and security principle of the contemporary global ocean governance regime.

6. WEST AFRICAN WATERS

Over recent years, China has demonstrated a growing interest in the African continent, developing closer ties with various African states politically, economically, and on the security front. Similarly, China has also established closer fishing ties with African states, and in particular West African states, as China's distant-water fishing fleet has continued to expand and has extended its reach to the coastlines of Africa (Mallory, 2013; Belhabib, Sumaila, Lam, Zeller, Le Billin, Kane & Pauly, 2015). China's increased engagement in West African fisheries has allowed China to draw on new fishing grounds in order to secure access to fish resources and to meet China's economic and food security needs. However, China's increasing fishing activities off the coasts of West Africa are hindering the West African region's ability to develop its blue economy and advance the targets of SDG14. Therefore, by impeding the advancement of SDG14 and blue economic development, China undermines two central dimensions of the contemporary global ocean governance regime.

6.1. China's interests in West African waters

As in the case of the South China Sea, China's interests in West African waters are both economic and geopolitical. On the economic front, West Africa's offshore oil reserves are of particular value to Chinese industry and economic development (Hurst, 2006). Additionally, West African waters are marked by an abundance of fish resources which China seeks to exploit in order to meet its economic needs and to ensure food security at home. However, while China draws on West African fish resources to meet its own national food demand, it simultaneously threatens food security in various West African states who are heavily reliant on such fish resources (Vaughn & Dolven, 2022; Mallory, 2013).

Furthermore, by increasing its engagement in West African waters, China is able to increase its maritime power. Through China's BRI projects in West Africa, and specifically China's port-building projects, such as the Lekki Deep Sea Port in Nigeria and the Port of Tema in Ghana, China is able to secure access to strategic sea-based trade routes (Chen, Xu & Haralambides, 2020). Additionally, the increasing size of China's fishing fleet in West Africa waters has enabled China to assert its role as a significant fishing power in West Africa and gain increasing access to West Africa's rich fishing grounds, as a strategic resource.

6.2. The geopolitics of China's fishing fleet in West African water

Due to depleted fish stocks in China's inshore waters and declining fish stocks in the South China Sea, China has sought to expand its fishing operations, namely to the coastal waters off West Africa. According to environmental geopolitics, an environmental matter is considered a security issue if it carries implications for well-being or poses an increasing threat if the issue is not dealt with (O'Lear, 2011). In alignment with the environmental geopolitics theory, China's quest for fish resources in West Africa represents a security issue in that failing to secure access to sufficient fish resources will threaten China's economic security and food security, and will in turn present a threat to the well-being of the Chinese population.

6.2.1. Sino-West Africa bilateral fisheries agreements

In order to secure access to West African fish resources, China has entered into several bilateral fisheries access agreements with various West African states, namely Mauritania, Senegal, Sierra Leone, Guinea, and Guinea-Bissau. Such agreements permit foreign states' distant-water fishing (DWF) fleets to legally operate and extract fish resources in a given host country's EEZ (Mallory, 2013). While official data on China's DWF fleet is limited and often inconsistent, it has been estimated that in 2014 China's DWF fleet in East and West Africa combined comprised of 393 fishing vessels (Gutiérrez, Daniels, Jobbins, Gutiérrez Almazor & Montenegro, 2020).

According to the fisheries access agreement, China is obligated to pay a fee to the respective West African governments in exchange for having access to West African resources. Between 2000 and 2010, China's fisheries access fees brought in an approximate annual average of US$166 million for the West African states (Belhabib *et al.*, 2015). However, this financial compensation is problematic for these West African states, as it establishes a relationship between the West African host country and China in which the host country becomes increasingly economically reliant on Chinese fishing in the region (Mallory, 2013). Such economic dependence on the foreign fishing country gives rise to countries compromising on other terms of their fishing access agreements with China, such as catch limits, and this in turn results in unsustainable fishing practices and the over-exploitation of West African fish resources (Belhabib *et al.*, 2015). Additionally, as a result of power imbalances, both politically and economically, West African states' ability to enforce the agreed-upon terms and conditions under the fisheries access agreements with China is often undermined, as West African states commonly do not possess the necessary resources and means to effectively monitor and enforce

such terms and conditions (Belhabib *et al.*, 2015). This has to lead to breaches of the contract, and illegal and unsustainable fishing activities by Chinese fishing fleets. In accordance with environmental geopolitics' emphasis on power relations, China's disproportionate power relative to that of West African states enables China to violate fishing regulations and agreements in order to secure its access to the necessary fish resources.

China's disproportionate leverage over the respective West African states has presented China with an opportunity to increase its soft power. China has the ability to utilize its economic power and the West African states' economically dependent relationship with China to establish new diplomatic alliances on the continent (Fabricius, 2018).

6.2.2. Chinese Illegal, Unreported, and Unregulated Fishing in West Africa

Largely owing to West African states' lack of capacity to ensure that China is complying with the conditions under the fisheries access agreement, Chinese Illegal, Unreported, and Unregulated (IUU) fishing represents a serious issue facing the coastal states in the West Africa. In the West African region, an estimated 40% of total catch can be attributed to illegal fishing (Doumbouya, Camara, Mamie, Intchama, Jarra, Ceesay, Guèye, Ndiaye, Beibou, Padilla & Belhabib, 2017), and according to 2017 data by the FAO, "over 40% of assessed fish stocks in the region were harvested at biologically unsustainable levels" (Vaughn & Dolven, 2022). IUU fishing in West Africa negatively impacts West African countries economies accounting for US$ 12.3 billion in economic losses for West African states between 2010 and 2015 (Doumbouya *et al.,* 2017). Chinese IUU fishing is responsible for 20% of the total US$2 billion in economic losses attributed to unreported fishing (Doumbouya *et al.,* 2017). Furthermore, IUU fishing has driven up unemployment in West Africa, as declining fish stocks have reduced the number of available jobs in the fishing sector (Pedrozo, 2022). According to a 2015 Greenpeace report, Chinese state-owned fishing company, China National Fisheries Corporation, was implicated in more than half of illegal fishing operations recorded in West Africa and that China National Fisheries Corporation under-reported the catch tonnage for almost 75% of its vessels operating in the West African region (Pedrozo, 2022).

In the case of Ghana, China's illegal fishing activities have been rife. Ghana's 2002 Fisheries Act prohibits joint ventures allowing foreign countries or companies to participate in the country's national industrial fishing sector. Such legislation aims to prevent any form of profit repatriation and to ensure that Ghana retains the economic gains earned by its industrial fishing

sector (Environmental Justice Foundation, 2018). However, China has still managed to assume a prominent position in the Ghanian industrial trawling sector, with China's playing a role in approximately 90% of the Ghanian trawl fleet, thus transgressing the Ghanian fisheries legislation. In Ghanian waters, "Chinese companies operate through Ghanian "front" companies" which allows Chinese vessels to fish under the pretense of being a part of the Ghanian fishing fleet (Environmental Justice Foundation, 2018). Such Chinese involvement in the Ghanian fishing sector is problematic, as Chinese investments into the fishing sector have allowed China's to exercise significant control over the Ghanian fishing fleets, which has commonly led to unsustainable and environmentally destructive fishing practices (Environmental Justice Foundation, 2018). In 2019, Ghanian authorities detained and fined "a Chinese-owned Ghana-based vessel owned by the Rongcheng Ocean Fish Company, after discovering that the vessel was utilizing prohibited fishing nets and employing environmentally destructive fishing practices. While the Chinese-owned vessel did not pay the fine of US$1 million, and thus was unable to obtain a fishing license to operate in Ghanian waters, the vessels continued to engage in fishing activities illegally off Ghana's coast and in 2020 was detained yet again for its illegal fishing activities (Pedrozo, 2022).

While Chinese IUU fishing threatens economies, livelihoods and the marine environment in West Africa, West African states' ability, and willingness to effectively address the issue and hold China accountable for its illegal fishing operations have largely been undermined by a lack of resources as well as these states' economic dependency on China, yet again highlighting the power imbalances between China and West African states (Pedrozo, 2022). Many West African states rely on China as a major trade partner, as well as for investment and development aid. Under the BRI, these African states have become increasingly dependent on China for infrastructural development (Pedrozo, 2022). Consequently, West African states are often hesitant to punish China for its IUU fishing out of concern that it will sour relations their economic relations China.

6.3. Implications of China's West African fishing operations for global ocean governance

As in the case of the South China Sea, China's fishing activities in West African waters also pose a threat to central pillars of the contemporary global ocean governance regime and compromise West African efforts to contribute to effective global ocean governance. China's fishing operations off the coast of West Africa not only violates States Parties obligation under the UNCLOS to protect the marine environment, but also hinders the ability of the region to

achieve SDG14 and to effectively develop its blue economy, all of which are central elements of contemporary global ocean governance. The Chinese fishing industry's threat to the advancement of SDG14 in the West African region stands in stark contrast, however, to the Chinese government's asserted commitment to sustainable development on the African continent as a whole. In a speech by China's State Councilor Wang Yi, Yi stated that through China-Africa cooperation, China alongside African states had "advanced resilient and sustainable development" (Yi, 2022). However, China's West African fishing activities demonstrate the contrary.

6.3.1. Africa Blue Economy Strategy and ECOWAS integrated Maritime Strategy

In 2019, the African Union (AU) adopted the Africa Blue Economy Strategy, a strategy that seeks to play a key role in advancing SDG14 on the African continent. The Africa Blue Economy Strategy aims to promote "the development of an inclusive and sustainable blue economy" that fosters "socio-economic transformation and growth" across all AU member states (AU-IBAR, 2019). Through such a strategy, the AU endeavors to tackle the challenges to blue economic growth in the Africa, factors such as IUU fishing, climate change and piracy, and to promote environmental sustainability. Additionally, such a strategy seeks to allow for the full realization of the economic potential of the oceans as a source of employment, income, and food security (AU-IBAR, 2019). The Africa Blue Economy Strategy represents a regional initiative that has the potential to positively contribute to regional and global ocean governance, if implemented effectively. In the case of West Africa, more specifically, the Economic Community of West African States (ECOWAS) adopted the ECOWAS Integrated Maritime Strategy (EIMS). The EMIS largely aligns with objectives of the Africa Blue Economy Strategy as it aims to establish a West African maritime domain that is "prosperous, safe and peaceful" and that "will allow environmentally sustainable development and wealth creation" (ECOWAS, 2016). However, Chinese fishing activities in West African waters, and in particular China's IUU fishing, has largely undermined the effective implementation of the Africa Blue Economy Strategy and EIMS and has impeded the West African region's ability to fulfill the targets of SDG14, thus hindering the West African region's ability to effectively advance and contribute to regional and global ocean governance.

6.3.2. Undermining economic sustainability

The development of the blue economy and SDG14, as central dimensions of contemporary global ocean governance, promote the use of ocean resources in a sustainable manner that

allows for the economic advantages of such ocean resources to be realized, while simultaneously ensuring the preservation of ocean ecosystems (United Nations Department of Economic and Social Affairs; Spalding & de Ycaza, 2020). Many West African states are economically reliant upon the fishing industry as a source of employment and income for the local populations. The fishing sector employs an estimated 7 million people across West African countries, and therefore it vital to sustain the livelihoods of many (Doumbouya *et al.,* 2017). Given West African waters' rich fishing grounds, such waters have immense economic potential that could positively contribute to economic growth and development in coastal West African states. However, China's fishing activities, and particularly Chinese IUU fishing, in West African waters deprives West African states from taking advantage of such economic potential.

Compensation fees charged by local West African governments, to allow foreign vessels to fish in their water, bring in revenue for the local economies, however in agreeing on such fees, West African governments possess little bargaining power relative to China, and other foreign countries. Consequently, local governments are commonly forced to agree on fees that are significantly lower that desired (Denton & Harris, 2019). Additionally, due to an absence of "monitoring and enforcement" capabilities, West African governments are commonly unable to ensure that Chinese fishing vessels comply with the agreed-upon conditions, in terms of catch size, fishing net types and fishing areas, thus leading to IUU fishing and overfishing (Denton & Harris, 2019). In the Gulf of Guinea, for example, China reports less than 10 percent of its catches, and, when accounting for Chinese illegal fishing in West Africa, it appears that China pays West African states only 4 percent of its catch's value, as opposed to the official compensation rate of approximately 40 percent. However, it should be noted that China is not the only guilty party engaged in IUU fishing in West Africa. European Union vessels, for example, have also been responsible for IUU fishing in West African waters (Denton & Harris, 2019), however the scale of Chinese IUU fishing is significantly larger. Chinese IUU fishing deprives local West African governments of income in the form of fishing compensation fees, but also has implications for the local West African populations in terms of employment and income. As a result of IUU fishing, there has been a rapid decline in fish stocks, and this has been detrimental to the local fishing industries and fishermen in West African states (Nunoo & Ofori-Danson, 2015). Declining fish stocks has led to many local fishermen losing their jobs and therefore losing their source of income. Therefore, it is evident that Chinese IUU fishing off the West African coastline has hindered West African states' ability to reap the economic

benefits of its waters and marine resources, and to reach the targets of SDG14 and develop their blue economy, and thus had largely undermined two central dimensions of contemporary global ocean government.

6.3.3. Environmentally destructive and unsustainable fishing

However, as previously mentioned, contemporary global ocean governance, and specifically SDG14 and the idea of the blue economy, do not only emphasize the economic potential of the oceans but also prioritize the protection of marine environment and the sustainable use of marine resources (United Nations Department of Economic and Social Affairs; Spalding & de Ycaza, 2020). Chinese fishing activities in West African waters not only deprives West African states' of realizing the full economic potential of their waters, but also undermines marine environmental conservation and protection, and the sustainable use of marine resources. In the case of Ghana, as discussed above, China was accused of employing environmentally destructive fishing practices and using prohibited fishing nets, for which the Chinese vessel was fined (Pedrozo, 2022). However, this is not an isolated incident. In other West African states, such as Liberia, Chinese fishing vessels have been reported to have been using a fishing method known as pair trawling, which involves "two ships [that] drag a huge net between them". Such a fishing method is regarded an environmentally destructive and unsustainable and results in significant amounts of bycatch (Mallory, 2013). Such environmentally destructive fishing practices employed by China not only undermines the achievement of the targets of SDG14, but also demonstrates China's failure to fulfil its responsibilities and obligations under the UNCLOS. Under the UNCLOS, China is responsible for adopting necessary marine resource conservation and management measures and to cooperate with other countries in this regard, and China is obliged to contribute towards marine environmental protection (Alexander, 2021). China's fishing practices in West Africa evidently do not align with such responsibilities and obligations under the UNCLOS.

7. LATIN AMERICAN WATERS

West Africa is not the only region to which China's DWF fleet has ventured to secure access to strategic fish resources. China's fishing fleet has also been increasing its engagement in the waters surrounding Latin America. According to a news article by the New York Times, in 2022, 80% of fishing conducted in the international waters around Peru, Argentina and Ecuador was carried out by China (Leonhardt, 2022). As in the case of West Africa, China's expanding fishing activities to the waters of Latin America are largely driven by China's growing need to access new fishing grounds to ensure economic and food security, as a result of declining fish resources in China's inshore waters and in the regional waters of the SCS. As in both the cases of China's fishing activities in the South China Sea and West Africa, China's increasing fishing engagement in Latin American waters has negatively impacted upon the contemporary global ocean governance regime, undermining central principles of the UNCLOS and the advancement of SDG14.

7.1. China's interests in Latin American coasts

Both in the South China Sea and the waters of West Africa, China's economic interests in the regions were premised on China's quest for resources, and in particular oil and fish resources. The same holds true in the case China's increasing engagement with Latin American states. As China seeks to reduce its reliance on Saudi Arabia and the neighboring states for oil and as China aims to secure energy supplies, China has increasingly engaged with oil-rich Latin American states, such as Venezuela, Brazil and Argentina (Abdenur & De Souza Neto, 2013). In addition to energy security, food security is another factor driving China's increasing engagement in Latin America, and more specifically in Latin American fisheries (Abdenur & De Souza Neto, 2013).

While China maintains that it merely possesses economic interests in the region, political and geopolitical interests also seem to be underpinning China's increasing engagement with Latin American states. It appears China has endeavored to establish closer ties with Latin America states as a means to increase China's power share in the region relative to that of the United States. For example, China has been lending to indebted Latin American countries and has been providing loans characterized by more favorable terms and conditions in comparison to loans offered by the United States (Roby, 2020). It has been put forth that China may potentially

seek to use such loans as a means to sway Latin American states into granting China increasing access to natural resources (Roby, 2020).

7.2. Geopolitics of Chinese fishing in the Latin American region

In terms of China's fishing activities in Latin America, it is geopolitically imperative for China to exploit new fishing ground. Secure access to fish resources is necessary for China in order to ensure China security economically, and to ensure the well-being of the population due to fish constituting an essential source of food in the country, thus highlight the securitization of fish resources in alignment with the theory of environmental geopolitics. However, the activities of China's fishing industry in Latin American waters have sparked disputes between China's DWF fleet and Latin American states. Fishing disputes between China and various Latin American states, including Peru, Chile, Argentina, and Ecuador, have been triggered by China's illegal fishing operations in the respective countries' EEZs and China's disregard for these states' sovereignty and maritime rights (Borquez & Anand, 2022). Illegal fishing and over-exploitation of fish resources have been amongst the central criticisms made against China's DWF fleet by Latin American states (Borquez & Anand, 2022).

7.2.1. China-Ecuador tensions and the Galápagos Islands

Illegal fishing around Ecuador's Galápagos Islands has been a key source of contention between Ecuador and China. According to the UNCLOS, the waters channeling "between the Galápagos and continental Ecuador" are considered as international waters, as illustrated in figure 3, and therefore all states are legally permitted to fish in that strip (Alava & Paladines, 2017). However, the Galápagos Islands and the surrounding waters fall under Ecuador's jurisdiction (Alava & Paladines, 2017).

The Galápagos, as a United Nations Educational, Scientific and Cultural Organization (UNESCO) World Heritage Site, hosts a wide variety of fish species, sharks and is characterized by "a unique marine biodiversity" (Alava, Barragán-Paladines, Denkinger, Muñoz-Abril, Jiménez, Paladines, Valle, Tirapé, Gaibor, Calle, Reyes, Espinoza & Grove, 2017), and as a consequence the resource-rich waters have attracted illegal fishing activities in the area. In 2017, 300 Chinese vessels were detected illegally fishing near the Galápagos Islands. In response, the Ecuadorian Navy sent a coast guard vessel to the area and deployed a

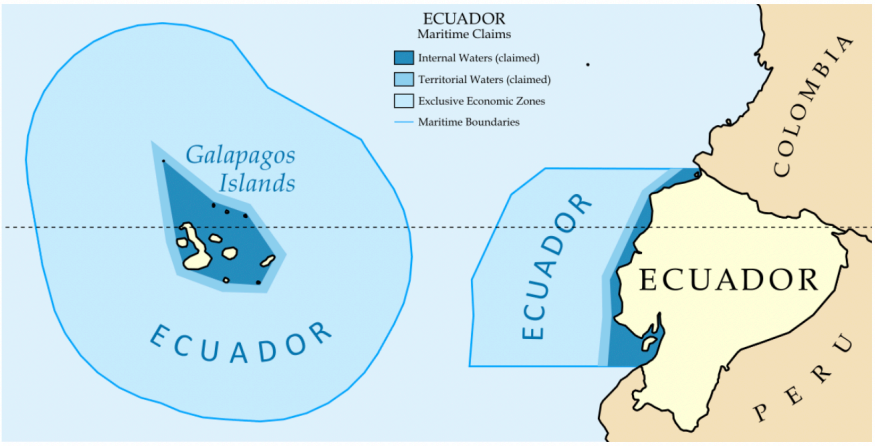

Figure 3: Illustration of Ecuador's Exclusive Economic Zone (International Institute for the Law of the Seas Studies, 2021)

naval aircraft to investigate Chinese activities near the islands (Alava & Paladines, 2017; Alava *et al.,* 2017). Upon investigating, it was discovered that the Chinese fishing vessels possessed 300 tons of fish, 6000 sharks, including endangers shark species, as well as illegal tuna catch onboard, all of which was confiscated by the Ecuador's Armada. Therefore, it was apparent that the Chinese fishing activities were threatening the marine life in the area, and consequently raising much concern amongst the Ecuadorian authorities (Alava & Paladines, 2017; Alava *et al.,* 2017). Similarly, in 2020, the Ecuadorian authorities detected, yet again, a Chinese fishing fleet of approximately 200 vessels near the Galápagos. The Chinese fishing vessels were allegedly attempting to avoid being detected as it was reported that the vessels marine radars were not activated (Borquez & Anand, 2022).

In the case of Chile, Chinese fishing vessels have been implicated in the majority of violations of Chile's Nazca- Desventuradas Marine Park, the largest marine park in the Latin American region (Borquez & Anand, 2022). Within the marine park, fishing is prohibited, yet Chinese fishing vessels have continued to engage in illegal fishing activities in the park. As of 2016, Chinese vessels were responsible for approximately 80% of violations of the marine park (Borquez & Anand, 2022). China was accused of illegally fishing in Chilean waters again in 2020, when eleven Chinese fishing vessels were detected in Chile's EEZ. Due to China's reputation in the region for being a perpetrator of illegal fishing, Chile deployed its navy to monitor the Chinese vessels ("Chilean navy ships monitor huge Chinese fishing fleet", 2020). Illegal fishing has had significant consequences for the Chilean economy, costing Chile approximately $300 million yearly (Ford, 2020).

7.3. Implications of China's Latin American fishing activities for global ocean governance

As in the cases of the South China Sea and the West African waters, Chinese fishing activities in the Latin American region carry implications for global ocean governance. In the case of Latin America, China's fishing activities have contravened the UNCLOS' principle of sovereignty and have undermined maritime security in the region and have further posed a challenge to SDG14 and its emphasis on sustainable marine resource use and marine conservation.

7.3.1. The UNCLOS' principles of sovereignty and maritime peace and security

In Latin America, Chinese fishing fleets have encroached on the EEZs of various Latin American countries, as demonstrated in the cases of Ecuador and Chile as discussed above. Therefore, China's encroachment on and illegal fishing in the EEZ's of Latin America states has undermined these countries' sovereignty rights under the UNCLOS, similar to the case of the South China Sea. Such actions by China's fishing industry stands as a violation of China's commitments under the UNCLOS. China's encroachment on Latin American countries' EEZs was evident in the case of the Galápagos Islands in which China's illegal fished in Ecuador's EEZ (Alava & Paladines, 2017; Alava *et al.,* 2017). Similarly, in 2014, 2015, 2016 and 2020, Argentinian authorities detected Chinese vessels illegally fishing in its EEZ (Ellis, 2020). China's encroachment on the EEZs of Latin American countries has, however, not only undermined the UNCLOS' sovereignty principle, but also undermined the UNCLOS' emphasis on ensuring maritime security and the peaceful utilization of the seas and oceans (Masahiro, 2016; United Nation, 1982). As in the South China Sea, China has been involved in aggressive confrontations with Argentinian Coast Guard vessels following Argentina's detected of illegal Chinese fishing operations in its EEZ (Ellis, 2020). In 2016, Chinese illegal fishing activities in Argentina's EEZ led to the sinking of Chinese fishing vessel Lu Yan Yuan Yu 010 by the Argentinian coastguard, following the Chinese vessel's attempted to flee to international waters and escape being apprehended ("Argentina sinks Chinese fishing boat Lu Yan Yuan Yu 010", 2016; Ellis, 2020). In 2018, Chinese fishing vessel Jing Yuan 626 tried to intentionally collide with an Argentinian Coast Guard vessel as it attempted, successfully, to escape yet again after being caught for illegal fishing in the Argentinian EEZ (Ellis, 2020). The Chinese fishing fleet's violation of Latin American states' EEZs and the challenge it poses to maritime peace and security evidently undermines the UNCLOS, a central pillar of

contemporary global ocean governance, and as a result also undermines the contemporary global ocean governance regime.

7.3.2. The targets of SDG14 and the promotion of marine environmental sustainability

Chinese fishing operations in Latin America further undermined Latin American efforts to promote sustainable resource use and to conserve and protect the marine environment, central to the targets of SDG14. Target 14.5 of SDG14 emphasizes coastal and marine area conservation (United Nations Department of Economic and Social Affairs). In both the cases of Ecuador and Chile, as discussed above, Chinese fishing vessels were caught illegally fishing in the marine reserves surrounding the Galápagos and Desventuradas Islands, respectively. In these cases, Chinese fishing activities jeopardize Ecuador and Chile's effort to effectively contribute to the fulfillment of SDG14 and to the objectives of the contemporary global ocean governance regime centered upon sustainable marine resource use and marine environmental conservation. Additionally, Chinese illegal fishing activities in Latin American waters undermined target 14.4 of SDG14 that promotes sustainable fishing (United Nations Department of Economic and Social Affairs). In the case of the Galápagos Marine Reserve, for example, Chinese illegal fishing threatened the native marine species through its unsustainable fishing yields, as demonstrated in the 2017 incident where Chinese fishing vessels were found in possession of 300 tons of fish and 6000 sharks (Alava & Paladines, 2017; Alava *et al.,* 2017). Therefore, it is evident that China's fishing activities in Latin America contradict SDG14 and its objective to promote marine environmental sustainability. Given the threat posed by China's fishing activities to the fulfillment of the targets of SDG14, it is apparent that China's Latin American fishing operations undermine SDG14 and in turn a central aspect of the contemporary global ocean governance regime.

8. CONCLUSION

As evidenced by the case of China's fishing activities in the South China Sea, West Africa and Latin America, it is apparent that China is expanding the scope of its fishing operations in pursuit of securing access to fish resources. Drawing on the theory of environmental geopolitics, it is argued that China's need to secure fish resources represents a security matter, given the significance of fish resources for China's national economy in terms of trade, and the importance of fish resources for the well-being of the Chinese population, who are dependent on fish as a source of food and nutrition. Therefore, to ensure economic security and food security, it is geopolitically vital for China to persistently compete for power over strategic fisheries.

The Chinese fishing industry's increasing presence in the waters of the South China Sea, West Africa and Lain America are also, however, underpinned by China's strategic interests. In the South China Sea, China's growing fishing presence is intertwined with China's ambition to assert its claims to territorial sovereignty in the region. Possessing territorial sovereignty over the majority of the South China Sea would in turn allow China to secure its power over the South China Sea's fisheries, and other strategic resources. In West Africa, China's increasing engagement in West African fisheries contributes to the development of China's maritime power in the region which is important for securing strategic maritime trade routes around the African continent. Similarly, in the case of Latin America, China's increasing fishing activities allows China to increase its maritime presence and access to resources in the region, relative to the United States. Thus, the geopolitical underpinnings of China's fishing industry and its expanding sphere of operation are evident.

Regarding how the geopolitics of China's fishing industry impacts upon global ocean governance, it is evident based on the analysis of China's fishing operations in the South China Sea, West Africa, and Latin America that China's fishing industry undermines the contemporary global ocean governance regime, premised on the 1982 UNCLOS, the advancement of SDG14 and the development of the blue economy. The Chinese fishing industry's weakening of the contemporary global ocean governance regime, however, stands in contrast to the Chinese government's asserted commitment to upholding and advancing global ocean governance, as reflected by Chinese government speeches.

In terms of the 1982 UNCLOS, the geopolitics of China's fishing industry has violated the UNCLOS' principle of sovereignty and maritime peace and security. Chinese fishing fleets encroachment and illegal fishing activities in the EEZs of other states in South China Sea and in Latin America demonstrates how China's fishing industry undermines these states' sovereignty and maritime rights under the UNCLOS and reflects the Chinese fishing industry's failure to uphold China's commitments to safeguarding the sovereignty of other states under the UNCLOS. Furthermore, China's environmentally unsustainable and destructive fishing practices, as in the case of the West African and Latin American waters, demonstrates China's failure to fulfil its responsibilities under the UNCLOS to promote and ensure marine environmental protection and conservation. In the case of Latin America, in particular, China's illegal fishing activities in the marine parks further undermined Latin American states' efforts to fulfil their responsibilities with regards to the environmental dimension of the UNCLOS.

With regards to the advancement of SDG14 and the development of the blue economy, two central features and objectives of the contemporary global ocean governance regime, China's geopolitically motivated fishing activities have largely impeded the realization of these objectives, and thus, yet again, reflecting how the Chinese fishing industry undermines the contemporary global ocean governance regime. This was particular apparent in the case of China's fishing activities in West African waters, where China's fishing activities undermined West African states' ability to effectively contribute to advancing SDG14 and to development the region's blue economy. China's West African fishing operations hinder West African states' ability to realize and benefit from the economic potential of the region's rich fisheries and further undermine the environmentally sustainable fishing in the region's waters. Similarly, the negative implications of China's fishing activities for marine environmental sustainability and conservation were also reflected in the case of China's fishing in Latin America.

Therefore, based on the evidence presented, the hypothesis of this research paper holds true – the geopolitics of China's fishing industry has undermined the contemporary global ocean governance regime, and the central pillars and principles upon which the regime is premised. However, China's fishing sector is not the only Chinese ocean-based economic sector that carries implications for global ocean governance. As China continues to expand its presence in the maritime domain and increasingly impact upon global ocean governance, a potential avenue

for future research on China and global ocean governance could involve a comparative study on the impact of different Chinese ocean-based sectors on global ocean governance. Further research could be undertaken into how the current global ocean governance system could be reformed to address these challenges that are undermining the system's potential to effectively govern and protect our global oceans.

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