CHINA'S SHARP POWER IN AFRICA

China's Domination of Distant-Water Fishing: The Impact on West and Central Africa

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THE IMPACT ON WEST AND CENTRAL AFRICA

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The media regularly pits China against the United States, the European Union (EU), and others in a war over the soul of the African continent. This putative rivalry is mainly economic but also increasingly ideological, and lately illustrated through the competition between China's Belt and Road Initiative (BRI) and the G7 countries' Build Back Better World (B3W) initiative. Some analysts have even suggested that China might be so far ahead that the contest is already over.[1]

However, Africa is not a monolithic unit with one set of needs and priorities but is instead a mosaic of fifty-five diverse countries.[2] Each has an individual relationship with the CCP, some of which date back to the Cold War era.

Besides infrastructure, the fisheries sector—particularly distant-water fishing (DWF)—is one area where China's involvement in Africa has quickly overtaken the rest of the world's. But fisheries might turn out to be a sector where China meets its Waterloo, allowing G7 countries to gain a competitive edge. Increasingly, China's voracious quest for quantitative dominance over quality is giving it a bad reputation, particularly in the Gulf of Guinea region of West and Central Africa.

As marine stocks are depleted elsewhere, their abundance in the Gulf of Guinea makes the region attractive to fishers from around the world. DWF fleets from faraway places come to operate along the region's nineteen coastal countries, which have a combined coastline of over 6,000 km.

However, DWF is pushing national industrial or semi-industrial fishing in many West and Central African countries to the brink of collapse. In addition, small-scale (artisanal) fishers often come into conflict with foreign fleets and accuse them of putting local fishers out of business. Still more concerning, DWF fleets increasingly resort to illegal, unreported, and unregulated (IUU) fishing and other criminal practices, such as overfishing, corruption of public officials, tax fraud and tax evasion, or money laundering, as they take greater risks and leverage superior technology to exploit fishing grounds.

Under an open-seas regime, rich nations would dominate the fishing sector and enjoy uncontrolled and unchallenged access to fishing grounds. This would lead to conflicts with countries at lower levels of technological development and ecological and environmental consequences for global fish stocks.

Exclusive Economic Zones (EEZs) were meant, in part, to prevent such outcomes by establishing national sovereignty over coastal waters and their resources. But EEZs do not eliminate inequalities. Richer countries are still able to acquire rights to exploit less-developed nations' resources, and the richer these rich nations become, the more they can practice DWF. Moreover, foreign fishing fleets do not always observe the same rules among less-developed nations as they do at home or in the waters of their rich peers.

A competition with disastrous consequences for the poorest communities has been playing out in the EEZs of developing countries, including in the Gulf of Guinea. A decade ago, global DWF fleets came from ten major fishing nations, but today China eclipses them all.[3] For coastal developing countries, this has triggered a race to the bottom in terms of regulations, ethics, and even peace and security, as conflicts between increasingly impoverished small-scale fishers and DWF operators continue to grow.

Rather than addressing these circumstances by regulating DWF practices and improving investment and living standards for small-scale fishing, many countries appear to be turning to aquaculture as an alternative source of protein and job creation.[4] This approach neglects the situation and allows a culture of impunity to thrive in the DWF sector.

This paper examines DWF and the competition over new fishing grounds in four Gulf of Guinea countries, namely Cameroon, the Republic of the Congo, Gabon, and Nigeria ("the four nations"). It explores the impacts on domestic industrial and artisanal fishing sectors of practices that result in unfair advantage for China and other DWF nations. Although DWF is here to stay owing to acute global demand for fish products, developing countries can get better deals from the exploitation of their marine resources, particularly fisheries. This paper offers recommendations for attaining greater equity and sustainability in the four nations studied.

The Different Types of Fishing in the Four Nations of Study

The fisheries sector can be divided into three categories, namely marine fishing, freshwater fishing, and fish farming (aquaculture). All three are practiced in the Gulf of Guinea to varying degrees. However, this paper focuses exclusively on marine fishing, which includes industrial and semi-industrial fishing on the high seas and in national EEZs under fishing agreements, and artisanal fishers who operate on a small scale, usually within a country's territorial waters.[5]

Key Distant-Water Fishing Actors and China's Dominant Position

DWF is the province of a few rich countries. In the 1990s, a handful of them, led by the Soviet Union (now Russia), Japan, and Spain, dominated the field. Later, an estimated ten nations—including Japan, South Korea, and Spain—were responsible for 90 percent of global DWF fleets.

Today, China leads by a wide margin, including in the four nations. Estimates of the global size of China's DWF fleet range widely, from three thousand to six thousand vessels. By comparison, its nearest competitor, the United States, has a DWF fleet of approximately three hundred vessels. Even the European Union, with its twenty-seven member states, had a fleet of only about 250 vessels in 2018, down from 366 in 2008.[6]

Unfair Practices

DWF is not illegal, and has been practiced for centuries.[7] However, leading fishing companies are trending toward criminality, notably by way of tax fraud, corruption, and other economic crimes associated with IUU fishing.[8] At a minimum, DWF fleets enjoy unfair advantages over less-developed nations. These range from subsidies for commercial fishing fleets to the use of flags of convenience and governments turning a blind eye to irregular practices by their commercial fishing companies when they operate in foreign waters. In addition, rich nations often use their economic and diplomatic advantages to negotiate favorable fishing rights for their DWF fleets. The latter also benefit from poor governance systems in developing countries, including weak accountability and transparency mechanisms and legislation. While all DWF countries are guilty of unfair practices, China appears to be the biggest perpetrator.

China's Unfair Practices

China's global domination of DWF arises from a combination of several factors, including a demand for fish products that cannot be satisfied by domestic fishing alone, a state-subsidized commercial shipbuilding industry, and fuel subsidies for its DWF fleet. It is also linked to the so-called fishing militia, the People's Armed Forces Maritime Militia (PAFMM), which China uses to enforce sovereignty claims in the South China and East China Seas, according to the US Department of Defense. However, there is no tangible evidence of a PAFMM presence in the Gulf of Guinea.

DWF vessels are meant to fly the flags of their countries of origin when operating in foreign waters, but it is an open secret that many DWF vessels with Chinese owners actually fly the flags of foreign host countries. In fact, unpublished data from the Regional Fisheries Commission for the Gulf of Guinea (COREP) shows that the majority of vessels in the four nations operate under Chinese ownership, even though such information is generally not fully disclosed.[9]

There is abundant literature and research on IUU fishing by Chinese vessels in the four nations, and authorities in all of them have arrested Chinese vessels for IUU fishing activities. Nevertheless, the Chinese government appears to turn a blind eye toward these practices, even if it does not expressly condone or encourage them.

Impact of Unfair Advantages on Artisanal Fishing

Distant-water and artisanal fishers belong to two very different worlds. DWF uses seiners, trawlers, midwater trawlers, and fish factory vessels that cost millions of dollars and are equipped with technology capable of efficient, giant catches.[10] By contrast, artisanal fishers use handmade wooden boats equipped with small engines worth only a few hundred dollars.

But it is their different relations with their home governments that give distant-water fishers incomparable advantages over artisanal fishers. The former benefit from levels of state support unavailable to artisanal fishers.

State subsidies allow fishers from DWF nations to travel to distant locations and operate for weeks and even months at a time. The World Trade Organization estimates that global fisheries subsidies amount to US$14–$54 billion per year, and analysts believe that DWF would shrink by half without those subsidies.[11] The European Union, China, and to a lesser extent Russia and others support their fleets in the four nations mainly with fuel allocations. By contrast, an artisanal fisher in Gabon, for example, is typically able to remain at sea for no more than six days at an estimated cost of 80,000–100,000 CFA francs (US$138–$178).[12] Increasingly, artisanal fishers from the four nations are forced to travel farther beyond shore to catch a sufficient quantity of fish to make the trip worthwhile.[13] Their expenses include fuel, ice for storage of fish product, food, and other subsistence costs.[14] For Cameroonian fishers, travel could be as far as the maritime border with Equatorial Guinea, where they risk arrest for trespassing national boundaries by law enforcement, naval, and immigration authorities.[15] Other risks include collisions with foreign trawlers, for instance in the Niger Delta region.[16] Unlike subsidized distant-water fishers, artisanal fishers must bear the risks and costs themselves.

DWF fleets also benefit from the diplomatic, political, and economic power of their governments. The EU wields a combined force that lifts some of its twenty-seven member nations to the top of several countries' list of economic partners. Gabon

Figure 1. Woman bulk buyer of artisanally caught tuna, Douala, Cameroon, July 2021

Source: Photo by Jay-C NGON/Overdose Design.

recently renewed a fishing agreement with the EU, which allows European nations such as Spain and France to fish in Gabonese waters under preferential conditions.[17]

Yet, the EU also imposes its own regulations on imports of fisheries products. Early in 2021, it issued a warning (so-called yellow card) to Cameroon over IUU fishing following "identified shortcomings in [the country's] ability to comply with agreed standards under international law of the sea flag, port and market state." The main criticisms against Cameroon related to weak regulatory control, principally the absence of strong registration policies for fishing vessels operating under Cameroon's flag and inefficient and inadequate control of overfishing activities by vessels flying its flag.[18]

However, some Cameroonian observers saw this as a disguised strategy by the EU to "take control of Cameroon's fishing resources from Chinese (and other foreign) operators" who control and "skim the national and well-maintained exports channels." According to this perspective, Cameroon is not a major exporter of fisheries products to EU markets, and the move by the EU commission is therefore related more to the latter's competition with China, as Cameroon has "abandoned" its fisheries sector to unscrupulous foreign actors.[19]

China is the main economic competitor for G7 countries across Africa, and its influence in the region is such that government officials declined to respond to interview requests for this paper at the mere mention of its name (although they did not explicitly state that this was the reason). Yet, even as global efforts to curb and ultimately eradicate IUU fishing intensify, notably by suppressing fuel or other subsidies, China continues to support its armada of DWF fleets, despite statements to the contrary.[20] In the four nations, the number of Chinese DWF vessels has risen steadily, and most complaints about illegal practices cite them.

Perhaps in anticipation of the impact that international action against IUU fishing may have on their operations, Chinese companies are pursuing other strategies to maintain their dominant position in the region. In the Republic of the Congo, for example, a Chinese operator is building semi-industrial fishing vessels on land that was allegedly awarded by the government.[21] In this way, Chinese fishers can gradually improve the seaworthiness of their vessels and navigate more freely in the region's territorial waters while also cleaning up their bad image in the sector. Unfortunately, this would also mean more competition for local actors, especially artisanal fishers.

Coastal States' Responsibility

Notwithstanding the actions of DWF fleets, coastal countries in the Gulf of Guinea bear responsibility for how their EEZs and territorial waters are utilized and how their fishers are treated.

First, some coastal states have not completed their maritime zone delimitations to align with the United Nations Convention on the Law of the Sea and global best practices. The four nations still have maritime boundary disputes, for instance Cameroon (with Gabon and Equatorial Guinea). The border dispute between Nigeria and Cameroon was resolved in an International Court of Justice ruling in 2002.[22] The lack of clearly defined maritime zones weakens the ability of host countries to protect their maritime territories and creates loopholes that foreign actors can opportunistically exploit.

Second, investment in the maritime sector has not been a priority for most coastal countries in the Gulf of Guinea, and local actors across the four nations complain that they are not aware of any local investment mechanism. With respect to fisheries, and specifically industrial and semi-industrial fishing, regional states continue to favor rentier systems of licensing or bilateral agreements, even though this approach benefits distant-water fishers and rich fishing nations more than host countries. For example, the recently renewed fishing agreement between Gabon and the EU reportedly entails fishing licenses for twenty-seven European seiners to catch 32,000 tons of tuna annually over a six-year period (2021–2026) in return for a total sum of €26–€30 million to fund the industrialization of Gabon's tuna sector.[23] In the Republic of the Congo, Chinese fishing vessels make up almost all the country's industrial fishing fleet.

In most countries of the region, fish caught by DWF fleets are reserved almost exclusively for export outside the region, leaving residents with limited sources of protein or reliant on lower-quality imported frozen products or small-scale fishing for fresh fish. Gabon, for example, imports approximately 70,000 tons of fish annually to offset its deficit in local production.[24] In 2019, Cameroon imported 185,829 tons of fisheries products (broadly defined as fish, crustaceans, mollusks, and other aquatic invertebrates), representing 59.16 percent of all imports by the country's Ministry of Livestock, Fisheries and Animal Industries.[25] Even though this was a decline of 17.7 percent compared to 2018, it still amounted to €198.4 million (US$225.7 million), or 2.7 percent of the country's annual revenue for that year.[26] In 2021, the ministry authorized the importation of 249,857 tons of fisheries products, as local production amounted to only 93,000 tons between January and October of that year, out of an annual demand of about 500,000 tons.[27]

Last, DWF in developing countries thrives because of weak governance and transparency mechanisms and limited administrative and legal frameworks, particularly for practices such as IUU fishing. Notably, sanctions for contravening international or national laws on overfishing or economic crimes in the fishing sector, including tax evasion or corruption, are often limited to administrative penalties. In the four nations, artisanal fishers complain of harassment by fisheries authorities and even by security forces for violating fishing zone regulations or for catching protected species. Meanwhile, they have accused authorities of double standards and of collecting bribes from distant-water fishers to exonerate them of the same violations.[28]

Artisanal fishers pay a heavy price when accused of infringing regulations. Sanctions vary from heavy fines that they are unable to pay to (often illegal) confiscation of their equipment, especially engines, which are key components of artisanal fishing boats. In Gabon, fishers report paying 500,000–2.5 million CFA francs (US$860–$4,300) for the return of their engines following confiscation.[29] In Cameroon, sanctions for industrial foreign fishers vary from 50 to 100 million CFA francs (US$86,000–$172,000) for the first offense—and double for the second offense[30]—and may include suspension of the offender's fishing license, permit, or authorization for up to six months. Such penalties can put artisanal fishers out of business after a single offense, but distant-water fishers have the means to pay their way out of regulatory infractions undeterred. The Regional Fisheries Commission for the Gulf of Guinea reported that ten foreign fishing vessels were arrested for illegal fishing in Cameroonian waters in 2014. The following year, the number grew to fifteen vessels. The majority were allegedly Chinese.[31]

DWF operators also get away with illegality because fisheries authorities in host countries often lack adequate surveillance and inspection capacities, such as vessels or fuel for patrols. In the Republic of the Congo, for example, the Kouilou divisional fisheries inspection directorate has only two patrolling vessels (one of which had been under repair in Brazzaville, the country's capital, for seven months at the time of this writing). In addition, there were only two patrolling vessels for the waterways unit, leaving the country's waters virtually uncontrolled.[32]

Conclusions and Ways Forward

Responses to DWF from African countries should be primarily homegrown. Cameroon, the Republic of the Congo, Gabon, and Nigeria, like other countries of the Gulf of Guinea region, are responsible for the sustainable use and exploitation of the marine resources in their maritime spaces. They ought to develop strategies to protect their maritime domain from predatory practices such as unethical DWF, through criminalization and effective sanctioning of illegal practices.

At the same time, the fight against IUU fishing is a global responsibility for all nations. DWF countries should ensure that their fishers respect ethical standards and international and regional laws, as well as their national legislation and that of host countries. China sustains unfair advantages, such as fuel subsidies, for its nationals despite previous commitments to curb them. In the long term, all countries stand to lose from overfished and depleted stocks in the Gulf of Guinea. If unaddressed, scarcity in one region of the world will simply displace IUU fishing to other regions. Introducing and maintaining a culture of ethical and law-abiding DWF would provide a win-win environment for all involved.

China's stock, at least among ordinary African citizens, appears to be falling. In a recent publication in *World Politics Review*, author Chris Olaoluwa Ogunmodede asked whether China had become the victim of its own success in Africa.[33] Elsewhere, the same author noted African demands for a "more equitable partnership with China" at the Forum on China-Africa Cooperation held in Dakar, Senegal, in 2021.[34]

Despite China's numerical dominance of the DWF sector, the bad image it suffers from could create opportunities for other nations. The real competition between China and other DWF giants in West and Central Africa should be over transparency and accountability. Rather than chase a rivalry over infrastructure development in Africa—including the Gulf of Guinea—where China is clearly far ahead in terms of the quantity of projects and speed of execution, countries such as the United States could pursue higher-quality engagements, such as applying their reputations as more democratic, transparent, and accountable investors to the DWF sector.

The days of unethical and uncontrolled DWF may be numbered, principally due to its association with IUU fishing and the risks it represents for fisheries sustainability worldwide.[35] But China will not wait patiently to be pushed out. For G7 countries, the B3W initiative should pay closer attention to sectors such as fisheries and agriculture, notably artisanal fishing, where demand for investment exceeds the traditional supply.

Winning the so-called battle for the soul of Africa may simply lie in the ability to build back better in neglected or overlooked areas, not in sectors where China's domination is already so great that it may be insurmountable.

NOTES

1 Yuen Yuen Ang, speaker, "Can the BRI and B3W Coexist in Africa?" webinar, Carnegie Endowment for International Peace, July 15, 2021, https://carnegieendowment.org/2021/07/15/can-bri-and-b3w-coexist-in-africa-event-7666.

2 Per the African Union official member states. See "Member States," African Union, accessed January 3, 2022, https://au.int/en/member_states/countryprofiles2.

3 "Shining a Light: The Need for Transparency across Distant Water Fishing," Stimson Resources & Climate Report, accessed January 3, 2022, https://www.stimson.org/wp-content/files/file-attachments/Stimson%20Distant%20Water%20Fishing%20Report.pdf.

4 Cameroon, for instance, has continued to promote the development of aquaculture. See "Cameroon Seeks Investors for Its High Aquaculture Potential Areas," *Business in Cameroon*, July 23, 2020, https://www.businessincameroon.com/public-management/2307-10571-cameroon-seeks-investors-for-its-high-aquaculture-potential-areas; see also "Aquaculture Is Key to Meet Increasing Food Demand, Says FAO," press release, Food and Agriculture Organization of the United Nations, September 23, 2021, https://reliefweb.int/report/world/aquaculture-key-meet-increasing-food-demand-says-fao.

5 For a description of the different types of legal agreements applicable in distant-water fishing, see "Shining a Light."

6 "Fishing outside EU Waters: The European Long-Distance Fleet in Numbers," Coalition for Fair Fisheries Arrangements, accessed January 3, 2022, https://www.cffacape.org/long-distance-fleet.

7 "Shining a Light," 13.

8 The United Nations Office on Drugs and Crime (UNODC) classifies IUU fishing as transnational organized crime, in line with the United Nations Convention against Transnational Organized Crime (UNTOC). The latter primarily focuses on corruption and economic crimes along the fisheries value chain. Similarly, the 2018 Copenhagen Declaration, a nonbinding instrument, identifies IUU fishing as a transnational activity that includes crimes committed through the whole fisheries supply and value chain including illegal fishing, corruption, tax and customs fraud, money laundering, embezzlement, document fraud, and human trafficking. See, for example, "Stretching the Fishnet: Addressing Crimes in the Fisheries Value Chain," Blue Justice Initiative, September 17, 2020, https://bluejustice.org/publication/stretching-the-fishnet-addressing-crimes-in-the-fisheries-value-chain.

9 Database consulted with permission in Libreville, Gabon, in July 2021.

10 "What Is an Industrial Fishery?" Industrial Fishery: Fishing Methods Fact Card, World Fisheries Trust, accessed January 3, 2022, http://www.worldfish.org/GCI/gci_assets_moz/Fact Card - Industrial Fishery.pdf.

11 "Factsheet: Negotiations on Fisheries Subsidies," World Trade Organization, accessed January 3, 2022, https://www.wto.org/english/tratop_e/rulesneg_e/fish_e/fish_intro_e.htm; and Sebastián Villasante, U. Rashid, Sumaila, Jose María Da-Rocha, Natacha Carvalho, Daniel J. Skerritt, Anna Schuhbauer, Andrés M. Cisneros-Montemayor, Nathan J. Bennett, Quentin Hanich, and Raúl Prellezo, "Strengthening European Union Fisheries by Removing Harmful Subsidies," *Marine Policy* 136 (February 2022), https://www.sciencedirect.com/science/article/pii/S0308597X21004954.

12 Conversations with artisanal fishers in Gabon, July 2021.

13 Conversations with artisanal fishers in Cameroon, Congo, Gabon, and Nigeria, July, August, and October 2021.

14 Conversations with artisanal fishers in Gabon, July 2021.

15 Conversations with artisanal fishers in Douala and Kribi, Cameroon, July 2021.

16 Interview with fishers in Oron and Ibaka, Akwa Ibom District, Brass, Bayelsa State, and Andoni, Rivers State, Nigeria, July 2019 and August 2021.

17 The fisheries partnership agreement between the EU and Gabon was concluded for a six-year period (tacitly renewable) on June 29, 2021. See "Oceans and Fisheries: Gabon," European Commission, accessed January 6, 2022, https://ec.europa.eu/oceans-and-fisheries/fisheries/international-agreements/sustainable-fisheries-partnership-agreements-sfpas/gabon_en. The agreement was approved by the EU Parliament on December 14, 2021. See "European Parliament approves new EU/Gabon fisheries agreement," Europe Daily Bulletin No. 12854, Agence Europe, December 16, 2021, https://agenceurope.eu/en/bulletin/article/12854/23.

18 "Fighting against Illegal, Unreported and Unregulated Fishing: Commission Notifies Cameroon with a Yellow Card," press release, European Commission, February 17, 2021, https://ec.europa.eu/commission/presscorner/detail/en/ip_21_621.

19 Brice R. Mbodiam, "L'EU menace les produits halieutiques camerounais d'embargo pour des failles dans la lutte contre la pêche illicite," *Investir au Cameroun*, February 22, 2021, https://www.investiraucameroun.com/economie/2202-16005-l-ue-menace-les-produits-halieutiques-camerounais-d-embargo-pour-des-failles-dans-la-lutte-contre-la-peche-illicite.

20 See Tabitha Grace Mallory, Chen Hao, and Leng Danyan, "China's Fisheries Subsidies Propel Distant-Water Fleet," *Oceana*, October 2021, https://oceana.org/wp-content/uploads/sites/18/ChinaSubsidies_ResearchSummary_Final.pdf. In the study, the authors suggest that China's subsidies to the domestic fishing sector have decreased, but more subsidies have been reoriented toward distant-water fishing.

21 The company is located in the coastal Bas-Kouilou Division (Départment) of the Republic of Congo.

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24 Sandrine Gaingne, "Accords de pêche: le Gabon autorise 37 navires européens a pêcher dans ses eaux 32 000 tonnes de poisson par an," July 22, 2021, Agence Ecofin, https://www.agenceecofin.com/gestion-publique/2207-90288-accords-de-peche-le-gabon-autorise-37-navires-europeens-a-pecher-dans-ses-eaux-32-000-tonnes-de-poisson-par-an.

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28 Conversations with artisanal fishers in the four nations.

29 Conversations with artisanal fishers in Libreville, Gabon, July 2021.

30 See Food and Agriculture Organization of the United Nations (FAO), "Cameroon," accessed January 3, 2022, https://www.fao.org/3/v9982e/v9982e0s.htm.

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32 Conversation with a fisheries inspector, Pointe-Noire, Kouilou Division (Départment), Republic of the Congo, October 2021.

33 Chris Olaoluwa Ogunmodede, "In Africa, China Is a Victim of Its Own Success," *World Politics Review*, December 8, 2021, https://www.worldpoliticsreview.com/trend-lines/30173/beijing-needs-to-address-tensions-in-africa-china-relations.

34 Chris Olaoluwa Ogunmodede, "Africa Seeks a More Equitable Partnership with China," *World Politics Review*, December 3, 2021, https://www.worldpoliticsreview.com/trend-lines/30163/the-next-step-for-africa-china-relations-is-more-balance.

35 See Dominic Ziegler, "The World Is Waking Up to the Scourge of Illegal Fishing," *The Economist*, November 8, 2021, https://www.economist.com/the-world-ahead/2021/11/08/the-world-is-waking-up-to-the-scourge-of-illegal-fishing.

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