

How China's Illegal Fishing Hurts Your Dinner And Your Rights

Jill Goldenziel Contributor

Jill Goldenziel writes & consults on security, law, & business risk.

[Follow](#)

0

Aug 26, 2024, 12:00pm EDT



ZHOUSHAN, CHINA - APRIL 29: Fishing boats berth at Shenjiamen Port as the annual summer fishing ban ... [+] VCG VIA GETTY IMAGES

Houthi [attacks](#) on Red Sea shipping are disrupting global trade and making headlines—but they are not the number one global maritime security threat. According to the [US Coast Guard](#), that distinction belongs to Illegal, Unreported, and Unregulated Fishing—a longer-term threat to global food security and international security. An estimated 3.3 billion people—nearly half of the world’s population—rely on fish for 20% of their protein. 93 percent of global fish stocks are exploited, overexploited, or significantly depleted. If this were not bad enough, IUU Fishing is linked to a host of international crimes—and to insidious military aims of the People’s Republic of China. Governments typically address IUU Fishing as an environmental problem—missing the boat. The US and the international community must address the key legal, criminal, social, and geopolitical aspects of the problem.

IUU Fishing is big business—and big trouble. IUU Fishing is linked to transnational criminal organizations, human trafficking, labor violations, human slavery, terrorism, corruption, money laundering, tax evasion, fraud, bribery, and a continuing parade of horrors. These organizations, and the tens of billions of dollars they cost states and legal fishermen every year, threaten economic stability and disrupt law enforcement efforts against transnational crime. At their worst, criminal organizations can undermine legitimate governments and state sovereignty.

The PRC compounds these threats by using IUU Fishing to advance its military and geopolitical strategy. The PRC boasts the world’s largest Distant-Water Fishing Fleet, which overlaps significantly with its maritime militia. The maritime militia is comprised largely of civilian fishing vessels who are on the PRC’s military payroll part-time. Estimates of the size of the militia vary dramatically, from several hundred to 700,000 ships. Militia vessels have military capabilities like intelligence, surveillance, and reconnaissance functions. All are known to habitually turn off the Automatic Identification Signals required by international law at strategic times.

Maritime militia vessels train with and support the PRC Navy and Coast Guard and have played a prominent role in recent confrontations with the Philippines over the Second Thomas Shoal and Japan over the Senkaku Islands. They are used to enter contested oil and gas fields and harass Vietnam and Malaysia. In 2020, 300 vessels were spotted fishing off the [Galapagos](#) islands with their AIS signals off. The PRC uses these vessels occasionally to fish but always to project power, threatening other states’ rights in their Exclusive Economic Zones and undermining international stability. The PRC’s erosion of the distinction between civilian and military vessels also undermines the principles of the law of war.

The PRC has also advanced its IUU Fishing enterprise by buying flags of other countries, a process known as “flagging in.” Each vessel must fly the flag of a state, and that flag state is then responsible for that vessel’s compliance with international law and the standards set by the International Maritime Organization. Buying another state’s flag is often a legal process, usually achieved through foreign business partnerships, such as with the Chinese National Fishing Corporation. Recognizing this, the PRC has made it part of an explicit strategy to quietly permeate other states’ waters—to win without fighting. Recent reporting by the [Outlaw Ocean Project](#) found 250 PRC-owned vessels that were flagged to other states; senior foreign officials have suggested others to me directly. These vessels are flagged all over the world, from Argentina to Ghana, Kenya, Morocco, Russia, Iran, and elsewhere. At least 50 of these vessels have been involved in transnational crime.

To counter the threat from IUU Fishing and associated activities, states must attack the business model of the transnational criminal organizations and other organizations involved in illegal fishing. The strategic use of law, or “[lawfare](#),” will be critical for attacking the root of the problem—on land. IUU Fishing organizations are involved in an array of transnational crimes that can be prosecuted in US courts or the domestic courts of other countries. Attacking the organizations that support and benefit from IUU Fishing is also much cheaper and less dangerous than having the military board and sweep vessels, and then impound them to safeguard evidence for trials. States must also address the food insecurity at the root of IUU Fishing by introducing alternative sources of protein and/or encouraging a shift toward vegetarian diets.

The PRC’s military aims should be addressed via [transparency](#), highlighting the PRC’s malign and illegal efforts and rallying a coalition of support to help other nations to understand and enforce their maritime rights and uphold the rules-based international order. When diplomatic, legal, and law enforcement solutions fail, Involvement by US and partner and ally militaries may be necessary to protect sovereign rights and conserve fishing stocks.

The US must push for stronger enforcement of the UN Convention on Transnational Organized Crime, the UN Convention on the Law of the Sea, and more. Members of the public can be trained to know their rights, recognize legal violations, and report them, contributing to a whole-of-society approach to fighting the problem.

IUU Fishing cannot be solved by conservation alone. A holistic look at the problem reveals the necessity of a whole-of-society approach. Without bringing a full array of legal, law enforcement, and societal tools to bear on the problem, a lucrative fishy business is sure to continue. Individuals must work with states to protect both fish and sovereignty.

Follow me on [Twitter](#) or [LinkedIn](#). Check out my [website](#) or some of my other work [here](#).



Jill Goldenziel

[Follow](#)

Jill Goldenziel is a [Professor](#) at the National Defense University-College of Information and Cyberspace... [Read More](#)