



Fisheries  
Transparency  
Initiative

# **TAKING STOCK**

## Online Transparency of Fisheries Management information

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# People's Republic of China

## 2024 Detailed Assessment Report

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We would like to thank all the individuals and institutions who contributed to the various stages of research and preparation of this assessment.

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## **TAKING STOCK: Online Transparency of Fisheries Management Information**

assesses the level of information that China's national authorities publish on government websites regarding the country's marine fisheries sector.

## **The People's Republic of China 2024 TAKING STOCK: Online Transparency of Fisheries Management Information assessment**

consists of this Detailed Assessment Report, as well as a comprehensive Summary Assessment Report. Both reports, as well as information on the methodology, can be found at: [fiti.global/taking-stock](https://fiti.global/taking-stock)

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## ABBREVIATIONS

<b>CFA</b>	Chinese Fishery Association
<b>CFLEC</b>	China Fisheries Law Enforcement Command
<b>COFA</b>	Chinese Overseas Fishing Association
<b>CSS</b>	China Classification Society
<b>DWF</b>	Distant Water Fisheries
<b>EJF</b>	Environment Justice Foundation
<b>FAO</b>	Food and Agriculture Organisation of the United Nations
<b>FiTI</b>	Fisheries Transparency Initiative
<b>HS</b>	Harmonised System
<b>IUU</b>	Illegal, Unreported and Unregulated fishing
<b>MARA</b>	Ministry of Agriculture and Rural Affairs
<b>MEE</b>	Ministry of Ecology and Environment
<b>MFA</b>	Ministry of Foreign Affairs
<b>MNR</b>	Ministry of Natural Resources
<b>NGO</b>	Non Governmental Organisation
<b>ODA</b>	Official Development Assistance
<b>SSF</b>	Small-Scale Fisheries
<b>TAC</b>	Total Allowable Catch
<b>UNDP</b>	United Nations Development Programme
<b>USD</b>	United States Dollars
<b>WTO</b>	World Trade Organisation

# DIGITAL LANDSCAPE OF CHINA'S MARINE FISHERIES SECTOR<sup>1</sup>

## NATIONAL STRATEGIES FOR OPEN GOVERNMENT

Since the mid-2000s, the concept of open government and the right of citizens to access government-held information has gained momentum in China. In 2007, the State Council adopted the **Regulations of the People's Republic of China on Open Government Information**.<sup>2</sup> This regulation obligates public authorities at all levels to proactively disclose government-held information through appropriate means, including government websites, newspapers and the radio. It also provides the legal basis for citizens to request information from public authorities and the right to contest decisions on access to government information in law courts. The regulation has transformed government websites, leading to a substantial increase in documents published by authorities at the central, provincial and local levels.<sup>3</sup>

Alongside new regulations on public access to information, China has also enacted legislation that strengthens public participation in decision-making. In 2015, a revision to the national **Legislation Law** obliges all state bodies to publish drafts of proposed new legislation to allow at least 30 days for public input (art. 37).<sup>4</sup> In 2019, the State Council further enacted the **Interim Regulations on Major Administrative Decision-making Procedures**.<sup>5</sup> These provide more detailed guidance on public involvement in decision-making processes, including the importance of consulting groups most affected by government decisions.

Although China has made considerable advances in public access to information, China is still judged poorly on most international metrics on civil and political rights, including media freedoms.<sup>6</sup> The ability of Chinese citizens, including journalists and academics, to publish critical views on state management is therefore likely to be less strong as it is in many other countries. Additionally, the progress of laws in China for open government has occurred alongside the progress of strict laws on confidentiality of information and state secrets.

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1 This section is intended to provide a brief introduction to the overarching framework through which the China government facilitates public access to information about its marine fisheries sector, and should not be considered an exhaustive source covering every effort, channel and stakeholder contributing to this process.

2 An English translation is available at: [https://law.yale.edu/sites/default/files/documents/pdf/china/ogj\\_regulations\\_eng\\_jph\\_rev\\_9-11.pdf](https://law.yale.edu/sites/default/files/documents/pdf/china/ogj_regulations_eng_jph_rev_9-11.pdf)

3 See this analysis by the State council, describing that over 72 million records have been published by public authorities on their websites by 2018: [https://www.gov.cn/xinwen/2019-04/12/content\\_5381804.htm](https://www.gov.cn/xinwen/2019-04/12/content_5381804.htm)

4 An English translation of the Legislation Law is available at: <https://www.chinalawtranslate.com/en/2015lawlaw/>

5 Available in Chinese from: [https://www.gov.cn/zhengce/content/2019-05/08/content\\_5389670.htm](https://www.gov.cn/zhengce/content/2019-05/08/content_5389670.htm)

6 See for example, Reporters without Borders: <https://rsf.org/en/country/china>

## NATIONAL FISHERIES AUTHORITIES

The Ministry of Agriculture and Rural Affairs (MARA) is responsible for the management of fisheries in China. The **Bureau of Fisheries and Fisheries Administration**, is designated as the lead department within MARA for fisheries. MARA has further offices at the provincial level, which also coordinates the activities of Municipal Marine Development Bureaus. The lowest level of government in China is the county (town) level, which also has marine development bureaus.

In theory, the governance of marine fisheries in China is centralised. The national organisation of MARA determines laws, regulations, and policies for the development of fisheries. It also establishes targets that should be met by provincial governments. However, **provincial and local governments exercise considerable autonomous powers in the management of fisheries in their regions**, which includes the responsibility of authorising fishing, collating fisheries information and sanctioning fishers for non-compliance with laws. Provincial and local governments also issue their own legislation, albeit largely aligned with national laws. It is also known that provincial legislation can lag behind national legislation, which makes generalisations on the legal arrangements for the management of fisheries in China difficult. Consequently, there are aspects of China's approach to fisheries management where the roles and responsibilities of the central state, provincial and municipal authorities are characterised by complexity and the potential for overlap and divergence.<sup>7</sup> This is evident, for instance, in the provision of fishery subsidies (see section 10). Some academic research has documented tensions between the central state and provincial governments in terms of regulating companies engaged in distant water fisheries (DWF), while there appears to be competition between provinces as well, such as providing more attractive policies, procedures and subsidies for fishing companies to establish operations within their respective regions.<sup>8</sup>

Elements of fisheries management are also outsourced to industry associations, although the role of the Chinese state in such organisations is difficult to determine. The two most important examples are the Chinese Overseas Fishing Association (COFA),<sup>9</sup> a body that represents the interests of Chinese companies operating outside of the country, and the Chinese Fishery Association (CFA),<sup>10</sup> which represents the interests of companies operating in China's domestic fisheries. Both organisations have been given responsibility for collating information from their members, such as fishing logbooks, and they play a role in ensuring compliance with Chinese laws and regulations. Although both function as industry representative bodies, Chinese state actors appear to have a direct role in their management. For example, the vice minister of MARA has acted as the president of COFA since its inception in 2013.

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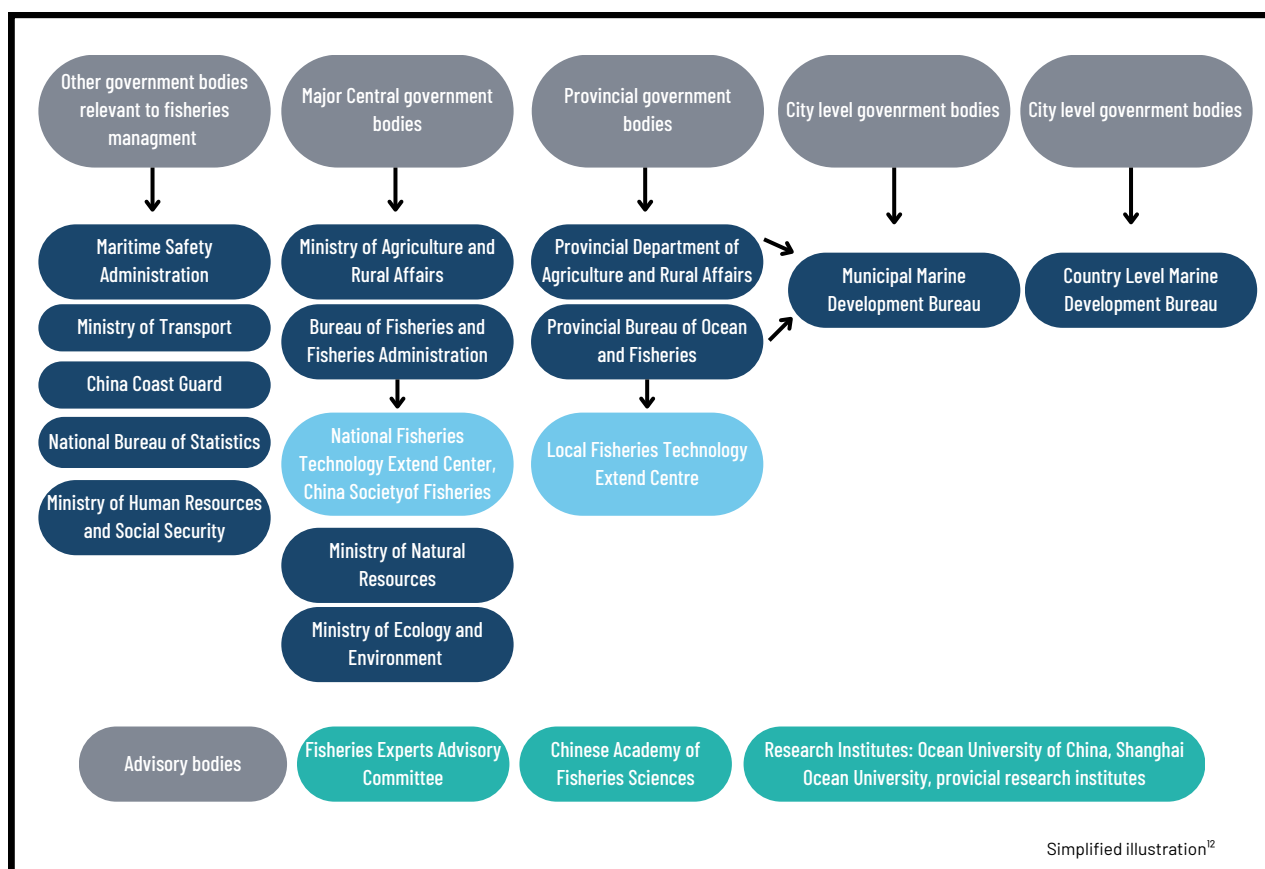
7 For an example on small-scale fisheries in China, see Xin Zhao, Peihong Jia, (2020), "Towards sustainable small-scale fisheries in China: A case study of Hainan", *Marine Policy*, Volume 121. <https://www.sciencedirect.com/science/article/pii/S0308597X19305998#bib24>

8 For a discussion on this, see Hang Zhou. (2023) Provincial variations and entrepreneurialism in the development of China's Distant Water Fisheries (2011-2020). *Marine Policy* 147, <https://www.sciencedirect.com/science/article/pii/S0308597X22003918>

9 <http://www.cofa.net.cn/#/home>

10 <http://www.china-cfa.org/xwzx/xydt/2022/1115/852.html>

Several other government Ministries and agencies contribute to the governance of marine fishing. These include the Ministry of Ecology and Environment (MEE),<sup>11</sup> Ministry of Natural Resources (MNR), the Ministry of Foreign Affairs (MFA), and the Chinese Coast Guard.



## GOVERNMENT WEBSITES AND NOTABLE REPORTS

The primary government website providing information on the fisheries sector is the official website of MARA. Alongside the main website in Chinese is a translated website in English, although this contains far less information. The Chinese version has a dedicated area for the Bureau of Fisheries and Fisheries Administration, which contains regular updates and news aimed at the fisheries sector and a large number of documents, including legislation, ministerial decrees and other public announcements.

MARA's flagship fisheries publication is the **Statistical Yearbook** on fisheries, which is not translated into English. This is a detailed report that contains a large amount of data on the fisheries sector, including data presented at the provincial level. Provincial governments also publish their own fisheries statistical yearbooks, although these have not been consulted for this study.

<sup>11</sup> <https://www.mee.gov.cn/>

<sup>12</sup> This diagramme is modified from Su, Shu, et al. "Evolution of marine fisheries management in China from 1949 to 2019: How did China get here and where does China go next?" *Fish and Fisheries* 21.2 (2020): 435-452



The website of the **State Council Information Office** – which is the lead institute that informs the public on government developments – also provides information on fisheries news and updates, including major policies and new laws. However, this is not as detailed as the website maintained by MARA.

It is important to note from the outset that **this assessment found the organisation of information on the Bureau of Fisheries and Fisheries Administration's website to be difficult to navigate, meaning it was hard to locate specific information.** The website consists of a central database of several thousand documents arranged in chronological order. The website has three separate navigation menus to access these documents, including 17 sub-headings displayed at the top navigation bar of the website, which are used to display a list of documents related to a particular theme. These cover the following sub-categories:

- Institutional Functions
- Work Dynamics
- Notices
- Comprehensive Information
- Documents
- Policy Interpretation
- Development Planning
- Fishing Information
- Quality of Science and Technology
- Aquaculture
- Fishing Vessels and Gear
- Distant Water Fishing
- Environmental Protection
- International Co-operation
- Fisheries Management
- Safety Management
- Organisation Construction

However, these themes are not clearly defined, and they produce many overlapping results. For example, a sub-heading entitled “comprehensive information” leads to a list of documents that includes several media reports and public briefings, which are also found under the subheading “fisheries management”. There is a search function for the website, but this does not work optimally: it provides large numbers of results for keyword searches, including many that are not clearly related to the keyword. Many documents contained in the database are also searchable only through a file number and not by keywords. Verifying what information is published on the government’s main website for fisheries information is, therefore, difficult, and it is likely that this assessment has missed some relevant documents.

## SOCIAL MEDIA

Over the past decade, China's government has expanded the use of social media to share government information. The most important mechanism for this has been the WeChat application, which is aimed at smartphone users.<sup>14</sup> China has a relatively high penetration of smartphones, with data from 2022 showing an estimated 80% of the population owns one, although it is likely that rural populations, including fishers, may be over-represented among those without this technology. MARA has its own WeChat account, which provides subscribers with regular updates and news. MARA has also published a version of the Statistical Yearbook through the WeChat application.

According to fisheries experts in China, people engaged in the fisheries sector rely on information from the WeChat application more than they do from the MARA website. This assessment has not undertaken a thorough review of the content of MARA's WeChat service. However, it appears that all information published through WeChat is also published on MARA's website. The website also provides a larger number of archived documents. Thus, MARA's website likely tells us what information is shared publicly, although it does not provide a complete picture of how accessible government information is.

## INSTITUTIONS OF PARTICIPATION

MARA has established an **advisory body** of prominent marine experts and industry leaders. It is not known how often this meets, and their activities are not well documented in government reports. This assessment was not able to locate any reports that have been produced by this body. MARA also organises an annual **National Fisheries Conference** where strategic matters are discussed with selected civil society and industry organisations.<sup>15</sup>

Legislation introduced in 2019 mandated small-scale fishers to become members of local producer organisations.<sup>16</sup> Some independent research in China suggests uneven uptake in the membership of these organisations by fishers, as well as a lack of clarity on what are the roles of these producer organisations.<sup>17</sup> However, other sources describe that uptake in producer organisations is more widespread and that representatives of these organisations are regularly consulted by provincial governments on important policy and legal developments.<sup>18</sup> Small-scale fishers are also thought to be included in meetings of the local government congress when

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<sup>15</sup> See for example: [http://english.moa.gov.cn/news\\_522/202203/t20220304\\_300812.html](http://english.moa.gov.cn/news_522/202203/t20220304_300812.html)

<sup>16</sup> MORA (2019). Provisions on the Administration of Fishing Licenses (Beijing: Ministry of Agriculture and Rural Affairs). Available at: [https://www.moa.gov.cn/gk/nynbcgzk/gzk/202112/t20211207\\_6384101.htm](https://www.moa.gov.cn/gk/nynbcgzk/gzk/202112/t20211207_6384101.htm)

<sup>17</sup> Xiong Minsi, Wu Zuli, Tang Yi, Su Shu, Shen Huihui, (2022), 'Characteristics of Small-Scale Coastal Fisheries in China and Suggested Improvements in Management Strategies: A Case Study From Shengsi County in Zhejiang Province', *Frontiers in Marine Science*, <https://www.frontiersin.org/articles/10.3389/fmars.2022.811382/full>

<sup>18</sup> Personal communication with a Chinese NGO (requesting anonymity) specialising in coastal fisheries research, January 2024.

this deals with fisheries-related topics. More research is required to establish the extent and nature of this participation. China has yet to enact formal policies for community co-management of fisheries.

There are also several research institutes that contribute to fisheries data analysis, including the Chinese Academy of Fishery Sciences, the Ocean University of China and the Shanghai Ocean University.

### CENTRAL GOVERNMENT PORTAL

The State Council of the People's Republic of China	<a href="http://english.www.gov.cn">http://english.www.gov.cn</a>
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### WEBSITES OF DEPARTMENTS RELEVANT FOR CHINA'S MARINE FISHERIES SECTOR

Ministry of Agriculture and Rural Affairs	<a href="http://english.moa.gov.cn">http://english.moa.gov.cn</a>
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### WEBSITES OF OTHER GOVERNMENT BODIES RELEVANT FOR CHINA'S MARINE FISHERIES SECTOR

Ministry of Natural Resources	<a href="https://www.mnr.gov.cn">https://www.mnr.gov.cn</a>
Ministry of Ecology and Environment	<a href="https://english.mee.gov.cn">https://english.mee.gov.cn</a>
Ministry of Human Resources and Social Security	<a href="http://www.mohrss.gov.cn">http://www.mohrss.gov.cn</a>
Ministry of Transport	<a href="https://www.mot.gov.cn">https://www.mot.gov.cn</a>
Maritime Safety Administration	<a href="https://en.msa.gov.cn">https://en.msa.gov.cn</a>
China Coast Guard	<a href="http://www.ccg.gov.cn/mhenu/">http://www.ccg.gov.cn/mhenu/</a>
National Bureau of Statistics	<a href="https://www.stats.gov.cn/english/">https://www.stats.gov.cn/english/</a>

### NOTABLE REPORTS AND OTHER INFORMATION SOURCES PUBLISHED BY THE NATIONAL AUTHORITIES RELEVANT FOR ITS MARINE FISHERIES SECTOR

Statistical Yearbook on Fisheries	
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## DETAILED ASSESSMENT: ONLINE TRANSPARENCY OF FISHERIES MANAGEMENT INFORMATION IN CHINA

This **TAKING STOCK: Online Transparency of Fisheries Management Information assessment** evaluates and documents whether specific information relating to marine fisheries management is published online by government authorities.<sup>19</sup> Only information published by government authorities is considered within the scope of this assessment, although information published by third parties is assessed to check whether government information is available at all, is up to date and is a true reflection of current government policies and activities.

This assessment covers 12 thematic areas of fisheries management, as defined by the **FiTI Standard**.<sup>20</sup> These 12 thematic areas have been further broken down into a total of 39 transparency elements.

The following Detailed Assessment Report provides explanations for the scorings of all transparency elements.

It should be emphasised that several transparency elements have been assessed as **'Not applicable'**. This is because the transparency element refers to an aspect of fisheries management that is not relevant to the country.

Additionally, some information has been assessed as **'Not produced'**. This refers to information that is not in the public domain because national authorities have yet to collect or compile the relevant data, which may be due to national authorities targeting different priorities or simply because they do not have the technical, financial or human resources needed to produce such information.<sup>21</sup>

For further information about the methodology behind this assessment, please refer to: <https://fiti.global/taking-stock/methodology>.

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19 Information disclosure through government websites and online publications remains critical in achieving transparency. This ensures information is freely available to anyone (including people outside the country), and that information - including historical data - can be accessed at any time.

20 The FiTI Standard is the only internationally recognised framework that defines what information on fisheries management should be published online by national authorities. The FiTI Standard was developed over two years in a global multi-stakeholder endeavour. Its objective is to contribute to the sustainability of marine fisheries by increasing the accessibility and credibility of national fisheries management information.

21 In the spirit of one of its key principles, namely 'progressive improvement', the FiTI does not expect all countries to have complete data for every transparency requirement from the beginning. Instead, public authorities must disclose the information they have, and where important gaps exist, demonstrate improvements over time. As such, engaging with the FiTI is not intended to be a burdensome and costly research activity. The FiTI has been designed to ensure that any country can implement it, including those where resources for collating information are limited. In fact, the FiTI may be particularly beneficial in such contexts, as it should support national authorities in their efforts to organise and present information. As this is the first TAKING STOCK assessment of China, transparency requirements for which information is assessed as not yet existent to the government ('Not produced') will therefore not negatively impact the country's overall transparency performance.



# 1. FISHERIES LAWS, REGULATIONS AND OFFICIAL POLICY DOCUMENTS



\_\_\_\_\_ A public record of the current laws, regulations and policy documents that relate to the management of marine fisheries is critical for ensuring transparency in the sector. Such documents are often, but not always, published by governments in a national gazette. However, transparency is undermined if it is difficult for citizens to locate these documents, which is the case when they are one of many entries in a more general national registry of official documents. To facilitate public access to laws, regulations and policy documents, the relevant public authority responsible for marine fisheries should list the key documents in one place, also providing summary information and dates of publication. \_\_\_\_\_

## 1-A | LAWS ON MARINE FISHERIES

Basic information requirements:	Available online?	Up to date? (The latest laws are published)	Easy to find?
Registry of national legislation related to the marine fisheries sector <sup>22</sup>	Yes	Yes	Partially
	To a full extent	To a full extent	To a limited extent

### Available online

The primary law for the management of marine fisheries in China is the **Fisheries Law of the People's Republic of China**, enacted in 1986 and last updated in 2013. A corresponding law is the **Regulation for the Implementation of the Fisheries Law**, which was last updated in 2020. However, beyond these two primary laws and regulations, the government of China has produced a large volume of more specific laws and regulations. This includes regular 'notices' (or decrees) issued by the Minister of MARA.

<sup>22</sup> This assessment does not cover legislations at the sub-national level.

**In many aspects of fisheries management, national laws, regulations, and decrees exist in parallel to legislation issued by provincial governments.** A review of laws and regulations on Chinese fisheries and aquaculture conducted in 2023 reported that there were at least 600 current laws, regulations and notices at the national and provincial levels.<sup>23</sup>

The national authorities are currently updating the National Fisheries Law, which, among other things, strengthens the state's response to illegal fishing. A draft of this law has been published by MARA on its website to assist with public engagement.<sup>24</sup> It has also been reported in national media that MARA has engaged seven fisheries experts to provide detailed feedback on the draft, which is now nearing completion (expected to become law in 2024).<sup>25</sup>

All laws, regulations and ministerial notices are compiled by the State Council and published in the State Council's official Gazette, which is updated every ten days.<sup>26</sup> The Official Gazette is published online, and there are no restrictions on public access. Another searchable database of Chinese laws and regulations is provided by Peking University.<sup>27</sup> MARA also provides digitised copies of laws, regulations and notices on its central website. It is beyond the scope of this assessment to verify if all laws, regulations and notices are published online by MARA. However, it is assumed that this is the case.

## Up to date

The available published information on laws and regulations is up to date.

## Easy to find

The MARA website provides a central landing page entitled Government Information Disclosure [政府信息公开].<sup>28</sup> The page provides five categories of documents, including Legislation, Administrative Regulations, Departmental Regulations, Normative documents (opinions) and Policies. The five most recent documents for each category are displayed on this central landing page, and a complete list of documents in chronological order is then accessible for each category. Specific documents can also be retrieved via a search function. Most recent laws and regulations are presented in full on the website, while older ones are available to download in Word or PDF. The database includes entries from 1950.

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23 Wu, Wei, Yang Liu, Zhaobin Pei, Yan Lin, Xin Sun, Jiaqi Xing, Yuwei Wang, and Yu Liu. 2023. "Inheritance and Development: The Evolution and Overview of China's Fisheries Legal System" *Fishes* 8, no. 1: 5. <https://doi.org/10.3390/fishes8010005>

24 For a discussion on the contents of the revised law, see He Juan & Zhang Xiong, (2023) 'China Revamping Decades-Old Fisheries Law to Combat Illegal, Unreported, and Unregulated Fishing: Stimulating the Intersection of Law, Technology, and Markets', *Frontiers in Ecology and Evolution*, available: <https://www.frontiersin.org/articles/10.3389/fevo.2022.777497/full>

25 [https://szb.farmer.com.cn/2022/20221020/20221020\\_006/20221020\\_006\\_1.htm](https://szb.farmer.com.cn/2022/20221020/20221020_006/20221020_006_1.htm)

26 An English website provided on the official gazette is available here: <https://english.www.gov.cn/archive/statecouncilgazette/>

27 <https://www.pkulaw.com>

28 <http://www.moa.gov.cn/gk/zcfg/>

However, this assessment found locating specific documents to be difficult. This is because some of the names of documents were file numbers only and not the title of the laws or regulations. This means that to locate a specific document, one has to scroll through multiple pages and/or open the file to see what law or regulation it applies to. This is time-consuming. The search function does not work well, again, because the title or keywords are not always retrievable.

Furthermore, while the database provides a list of documents in chronological order, it is not clear which laws and regulations have superseded others. What further hampers the ability of the public to comprehend fisheries laws and regulations is the lack of an overview or guide to these documents. This could be improved if laws and regulations were organised under thematic headings or if the MARA website provided an introductory text giving an overview of how laws have evolved.

What is positive for public access to laws and regulations is that MARA provides regular updates to subscribers through its WeChat application. All new laws, regulations, opinions and policy documents are shared through this platform. This suggests that subscribers to the MARA WeChat account will find accessing government information to be relatively straightforward. However, it remains difficult for people to search for archived information, including past legislation. For this reason this assessment considers information on laws to be somewhat difficult to find.

## 1-B | FISHERIES POLICY DOCUMENTS <sup>29</sup>

Basic information requirements:	Available online?	Up to date? (The latest policy documents are published)	Easy to find?
Comprehensive list of national policy documents	Yes	Yes	Partially
	To a full extent	To a full extent	To a limited extent

<sup>29</sup> Fisheries policy documents are defined in the broadest sense as the accumulation of documents and instruments regulating the sector. A policy document includes a national strategy for fisheries development. These may be produced as standalone documents exclusively for fisheries, or fisheries may be included as one sector of a broader policy, e.g. on the marine environment, agriculture and trade etc. Governments may produce multiple policy documents on fisheries development targeting different sub-sectors or thematic areas. For this assessment, policy documents are distinguished from fisheries management plans, which are time-bound strategies relating to the management of a specific fishery. These are assessed separately.

## Available online

The primary policy framework for marine fisheries is a five-year fisheries development plan whose production is led by MARA. These establish overarching objectives on production, capacity and conservation. The latest five-year plan for fisheries was produced in 2022, which contained 12 high level targets.<sup>30</sup> These important documents provide an accessible entry point to understanding the changing policies of the central government.

MARA produces a large number of other policy documents relating to specific areas of fisheries management, such as a five-year plan for the development of the distant water fishery.<sup>31</sup> A distinction is used in China's government between policy documents and opinions. In practice, it is hard to understand how these two types of documents are defined. In total, **the database of policy and opinion documents provided by MARA includes over 1400 separate documents going back to 2008.**

## Up to date

The information published on policy documents is up to date.

## Easy to find

The five-year plans are flagship documents and are easy to locate online. A large number of other policy documents and opinions are included in the document database available from the page entitled Government information disclosure [ 政府信息公开].<sup>32</sup> However, as with laws and regulations, the organisation of this information is not ideal. The list is arranged in chronological order but not by thematic headings. There are also difficulties in using the search function. As a result, it is somewhat difficult to develop a comprehensive understanding of China's policies in the fisheries sector and to find documents on specific themes.

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30 A short summary in English is published by MARA here:

[http://english.moa.gov.cn/news\\_522/202201/t20220110\\_300772.html#:~:text=The%20goal%20is%20to%20promote,modern%20fishing%20industry%20by%202035.](http://english.moa.gov.cn/news_522/202201/t20220110_300772.html#:~:text=The%20goal%20is%20to%20promote,modern%20fishing%20industry%20by%202035.)

31 [http://www.moa.gov.cn/gk/gjyh\\_1/201712/t20171227\\_6128624.htm](http://www.moa.gov.cn/gk/gjyh_1/201712/t20171227_6128624.htm)

32 <http://www.moa.gov.cn/gk/zcfg/>



## 1-C | FISHERIES MANAGEMENT PLANS <sup>33</sup>

Basic information requirements:	Available online?	Up to date? (The latest policy documents are published)	Easy to find?
Comprehensive list of fisheries management plans	Not Applicable		
Not Applicable			

### Available online

Chinese fishing authorities do not produce specific fisheries management plans, although it has been recommended by international and national Non-governmental Organisations (NGOs) that such plans should be considered as a tool to better regulate fishing effort.<sup>34</sup>

<sup>33</sup> Fisheries management plans are usually produced in consultation with fishers and other stakeholders, setting targets and procedures for the management of the fishery over a designated time frame.

<sup>34</sup> See for example, EDF, NRDC & Qingdao Marine Conservation Society (2021), 'Progress of China's TAC System: Evaluation Report for Zhejiang and Fujian Pilots, available at: <https://www.edf.org/sites/default/files/documents/Progress%20of%20Chinas%20TAC%20System%20report%2C%20English%2C%20May%202021.pdf>



## 2. FISHERIES TENURE ARRANGEMENTS



\_\_\_\_\_ Fisheries tenure arrangements define how fishing rights are accessed, used, and managed. Tenure in fisheries covers a wide range of scenarios. Fishing rights can be provided on an individual basis (such as through restricted short-term licensing systems), or they can be designated to entire groups (such as when exclusive long-term access to areas of the sea is provided to coastal fishing communities). Official rules on tenure are one of the most critical aspects of sustainable fisheries management because they influence the sector's social, ecological and economic impacts. However, the effectiveness of fisheries tenure arrangements can be undermined by a lack of publicity, and even confidentiality. As a result, citizens can suffer from limited insights into how tenures work, who owns fishing rights, and how the benefits and costs of fishing activities are distributed. \_\_\_\_\_

China's approach to the governance of tenure in domestic fisheries is predominantly based on limited and conditional individual licenses, which are non-transferable. The central government establishes restrictions on marine fishing by setting targets for both the number of vessels allowed to be authorised and the prohibition of fishing activities in specific areas of the sea, including marine protected areas and nature reserves.

In 1999, China adopted an official policy of 'zero growth' in wild capture fisheries production in domestic waters while advancing the growth of both aquaculture and distant water fishing to increase national fish supply. However, over the past decade, and communicated through the last five-year plan, China's marine fisheries management for domestic fisheries has introduced more restrictive measures to reduce fishing efforts to sustainable limits, therefore adopting a national policy aimed at 'negative growth'. An important policy to achieve this has been changes to the use of fisheries subsidies (see section 10, below)

One of the most important policies designed to manage fishing efforts in China has been a ban on fishing activities during the summer. Introduced first in 1995, the summer ban was initially restricted to certain parts of the sea and lasted for two months. However, subsequently, the geographical scope has increased, and the summer ban is now active for four and half months. This is not an absolute ban on all fishing activities, and some types of fishing (defined by gear types) are permitted in selected areas or are subject to bans lasting for shorter periods.

Provincial governments are given the responsibility for authorising fishing licenses and meeting

central government targets. Provincial governments are also responsible for processing applications for fishing authorisations by fishing companies seeking to operate on the high seas or in a third country's waters.

All commercial fishing activities require a license. The licensing regime in China does not require vessel owners to pay a fishing license, although each authorised vessel is required to pay a Fishery Resource Enhancement and Protection Fee (what is sometimes referred to in fisheries literature as a cost recovery charge). In practice, most provinces do not apply the cost recovery charges to vessels under 12 meters in length.

All fishing vessels require a seaworthy certificate, which is provided by the China Classification Society (CCS, 中國船級社) as directed by the Ministry of Transport (交通运输部).

## CATEGORIES OF LICENSES

Marine fisheries licenses fall into one of seven categories:

1. **Marine fishing license**, which allows Chinese fishing vessels to fish in sea areas under the jurisdiction of China. Specific licenses are issued for permitted gear types.
2. **High Seas Fishing License**, which allows Chinese fishing vessels to operate on the high seas.
3. **Foreign fishing license**, which allows foreign ships and foreigners to fish in waters under the jurisdiction of China;
4. **Special (chartered) fishing license**, applicable to fishing operations licensed in specific waters, at specific times, or for specific species, or fishing operations using specific fishing gear or fishing methods;
5. **Temporary fishing licenses**, which permit temporary fishing operations and non-professional fishing vessels to temporarily engage in fishing operations;
6. **Recreational fishing licenses**;
7. **Fishing auxiliary boat license**, applicable to boats that provide services for fishing production and engage in fishing auxiliary activities.

The application of fishing licenses is further managed by a zoning system. There are four zones designated in China's fisheries laws:

**Zone A:** Coastal areas of the sea (prohibited from engine-powered bottom trawling).

**Zone B:** Jointly managed fishing areas determined by agreements concluded between China and other countries.

**Zone C:** Areas under the exclusive jurisdiction of China except for Zone A and Zone B fishing areas.

**Zone D:** High seas.

## SMALL-SCALE VS LARGE-SCALE

Until recently, the Chinese government did not explicitly distinguish between industrial and small-scale fishing. Instead, Chinese regulations apply to vessels within three categories defined by vessel length. The three categories include vessels under 12 meters in length, those between 12 and 24 meters in length, and those above. Vessels under 12 meters in length are provided exclusive access to the sea that is no more than 12 nautical miles from the coastline. This area is restricted for vessels larger than this unless granted special approval.<sup>35</sup>

However, a shift in China's official approach to small-scale fishing is reflected in the wording of new legislation enacted in 2017, starting with the Notice of the Ministry of Agriculture on Further Strengthening the Management of Domestic Fishing Vessels and Implementing the Total Management of Marine Fishery Resources. This was followed in 2019 by changes to the Fishing License Management Regulations. Both documents recognised traditional small-scale fishing in China and the need for policies that better regulated this sector. As such, it is now more common in China to refer to fishing with vessels under 12 meters as small-scale fishing, including fishing by people without a vessel.<sup>36</sup> However, there is still some confusion on whether small-scale fishing is officially recognised in China, with reports by fisheries experts claiming that the definition of Small-scale fisheries (SSF) is still ambiguous and not mainstreamed in China's fisheries policies.<sup>37</sup> In MARA's Statistical Yearbook, some data, such as employment data, is presented for 'traditional fishers', although it has not been possible to locate a definition of this term.

The new laws on fishing license management introduced in 2017 prohibited individuals operating in small-scale fisheries from owning more than one fishing vessel, while they also introduced the need for people fishing without a vessel to obtain a fishing license.<sup>38</sup> Furthermore, individuals obtaining a license from traditional small-scale fishing communities are encouraged to become members of a local fishing association. The new rules also prohibit the trading of fishing vessels between provinces. Since 2017, those engaged in small-scale fishing are also prohibited from fishing outside of their provinces.

## CATCH-QUOTAS

Traditionally, China's approach to fisheries management has focused on restrictions to inputs as

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35 Zhao, Xin & Jia, Peihong. (2020), 'Towards sustainable small-scale fisheries in China: A case study of Hainan', *Marine Policy*. 121. 103935. 10.1016/j.marpol.2020.103935.

36 Xiong Minsi, Wu Zuli, Tang Yi, Su Shu, Shen Huihui, (2022), 'Characteristics of Small-Scale Coastal Fisheries in China and Suggested Improvements in Management Strategies: A Case Study From Shengsi County in Zhejiang Province', *Frontiers in Marine Science*, <https://www.frontiersin.org/articles/10.3389/fmars.2022.811382/full>

37 <https://www.sixthtone.com/news/1007561>

38 MOA (2017). Notice of the Ministry of Agriculture on Further Strengthening the Management of Domestic Fishing Vessels and Implementing the Total Management of Marine Fishery Resources (Beijing: Ministry of Agriculture). Available at: [http://www.moa.gov.cn/nybgq/2017/derq/201712/t20171227\\_6130861.htm](http://www.moa.gov.cn/nybgq/2017/derq/201712/t20171227_6130861.htm).

a means to control fishing efforts. The national government has set targets for restrictions on catches, which are expected to be met by provincial governments. However, recently, China has experimented with the development of Total Allowable Catch (TAC) limits for specific fisheries, and it has piloted schemes of tradable catch quotas.<sup>39</sup> However, the use of TAC limits is not widespread.

## **TRANSHIPMENTS AND LOCAL LANDINGS**

All fish caught by Chinese vessels operating in China's seas must be landed locally. However, there are no prohibitions on transshipments at sea, and it is reported that fishing vessels routinely deliver catches to other vessels at sea for transshipment.

From 2020, MARA has embarked on an initiative to designate selected ports for fish landings. Vessels over 12 meters in length will be prohibited from landing fish in non-designated ports.

## **MANAGEMENT OF DISTANT WATER FISHING VESSELS**

The state's approach to the management of China's distant water fishing fleet is set out in the 2020 regulation entitled "The Administration of Distant Ocean Fisheries", which updated previous legislation from 2013. The evolving policy of the Chinese government has been elaborated in several white papers, the most recent one in 2023 entitled: 'The Development of China's Distant Water Fishery' (published in English and Chinese).<sup>40</sup> This explains the government's regulations and policies towards the sector.

According to these reports, over the past five years, the central government has mandated the number of Chinese-flagged vessels operating in third countries and the high seas to no more than 3000 vessels, with a combined catch of no more than 2.3 million tonnes. The authorisation of fishing licenses for distant water fishing is handled by provincial authorities for private companies registered in their province, while the central government authorises state-owned fishing companies. All authorisations for fishing in third countries must be based on a cooperation agreement signed by the government of the third country or an equivalent certification or license agreement. This authorisation must be shared with the central administration of MARA when applying for a distant water fishing authorisation.

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39 See MARA "Notice to Further Strengthen the Management and Control of Domestic Fishing Vessels and the Implementation of Total Allowable Catch": [http://www.moa.gov.cn/nybgb/2017/derq/201712/t20171227\\_6130861.htm](http://www.moa.gov.cn/nybgb/2017/derq/201712/t20171227_6130861.htm)

40 [http://www.scio.gov.cn/zfbps/zfbps\\_2279/202310/t20231024\\_775875.html](http://www.scio.gov.cn/zfbps/zfbps_2279/202310/t20231024_775875.html)

## 2-A | COMMERCIAL FISHERIES (LARGE-SCALE AND SMALL-SCALE)

Basic information requirements:	Available online?	Up to date?	Easy to find?
Fees of access rights and fishing authorisations	Partially	Yes	Yes
Duration of such rights and authorisations	Yes	Yes	Yes
Transferability of such rights and authorisations	Yes	Yes	Yes
Divisibility of such rights and authorisations	Yes	Yes	Yes
Authorities/persons that are legally entitled to issue such rights and authorisations	Yes	Yes	Yes
Mandatory administrative procedures required to determine their issue	Yes	Yes	Yes
Conditions relating to fishing effort	Yes	Yes	Yes
Conditions relating to ecosystem impact	Yes	Yes	Yes
Conditions relating to landings	Yes	Yes	Yes
Conditions relating to transshipping	Yes	Yes	Yes
Conditions relating to catch reporting	Yes	Yes	Yes
Procedures and rules for authorising a China-flagged vessel to fish in a third country or on the High Seas	Yes	Yes	Yes
Nature of any oversight or public consultation processes	Not applicable		
	To a full extent	To a full extent	To a full extent

### Available online

National authorities and provincial governments publish fisheries laws and regulations that set the rules for fisheries tenure. Information required for this transparency element is described in the **Regulation for the Implementation of the Fisheries Law** and the **Regulations on the Administration of Fishing Licenses**, last updated in 2022.

One piece of information that this assessment was unable to locate on government websites is the precise **fees charged for the Fishery Resource Enhancement and Protection Fee**. In 1989, a government regulation was passed entitled 'Measures for the collection and use of fisheries resource enhancement and conservation fees'.<sup>[1]</sup> This describes that the setting of the fishery resource enhancement and protection fee is devolved to local fishery administrations, although decisions on fee structures are to be approved by the central government. In the regulation, it is described that fees should be 1-3% of the monetary value of the average output for a fishery, although this can increase to 5% for high-value fisheries. Thus, fees are determined by the prices paid for fish. However, there appears to be no central information on what fees are charged in different fisheries, including information on the total sums received by state authorities. This assessment was able to confirm that the Fishery Resource Enhancement and Protection Fee is not applied to distant water fisheries.

Additionally, this assessment was unable to locate government information on the **regulation of reflagging of Chinese fishing vessels**. This is not covered in the 2020 regulation on distant water fishing. It is, therefore, uncertain whether Chinese companies are subject to rules on reflagging, including the ability to be re-authorised to fly the Chinese flag. It is also unclear whether various rules and policies apply to Chinese-owned but foreign-flagged vessels, including catch reporting, inspections by Chinese officials and access to state subsidies.

**Note:** There is no indication that China implements a system for external oversight and public consultations of fisheries tenure decisions. Decisions on the authorisation of fishing vessels are undertaken by provincial governments, although these decisions must be approved by the central government, which includes the authorisations for distant water fisheries.

### Up to date

The available published information found on tenure rules was considered up to date.

### Easy to find

The complexity of Chinese laws and regulations makes it somewhat hard to locate details on existing rules and procedures, and public access to this information would be strengthened by summary documents aimed at the layperson. However, for the purpose of this assessment, we consider that information on the governance of tenure is easy to find.

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<sup>41</sup> <http://lawinfochina.com/display.aspx?id=20866&lib=law>

## 2-B | COASTAL SUBSISTENCE FISHING

Basic information requirements:	Available online?	Up to date?	Easy to find?
Fees of access rights and fishing authorisations	Not produced		
Duration of such rights and authorisations	Not produced		
Authorities/persons that are legally entitled to issue such rights and authorisations	Not produced		
Mandatory administrative procedures required to determine their issue	Not produced		
Conditions relating to fishing effort	Not produced		
Conditions relating to ecosystem impact	Not produced		
Conditions relating to landings (including the sale of fish)	Not produced		
Conditions relating to catch reporting	Not produced		
Nature of any oversight or public consultation processes	Not produced		
<b>Not Produced</b>			

### Available online

Subsistence fishing is not formally recognised in Chinese laws. Since 2017, people fishing without a vessel have been obliged to obtain a fishing license. However, there does not appear to be any formal rights afforded to people to fish for their own consumption, although it is well-documented that such fishing exists. There are, therefore, no rules that regulate subsistence fishing, such as limits to catches.

It would seem that any fishing that is not licensed by national authorities is illegal, although in practice, authorities do not prohibit people from catching for their own consumption. This is, therefore, a grey area of fisheries tenure in China and could be considered a customary right that has not been codified in law.



## 2-C | SCIENTIFIC AND EXPLORATORY FISHING

Basic information requirements:	Available online?	Up to date?	Easy to find?
Fees of access rights and fishing authorisations	Yes	Yes	Yes
Duration of such rights and authorisations	Yes	Yes	Yes
Authorities/persons that are legally entitled to issue such rights and authorisations	Yes	Yes	Yes
Mandatory administrative procedures required to determine their issue	Yes	Yes	Yes
Conditions relating to fishing effort	Yes	Yes	Yes
Conditions relating to ecosystem impact	Yes	Yes	Yes
Conditions relating to landings (including the sale of fish)	Yes	Yes	Yes
Conditions relating to catch reporting	Yes	Yes	Yes
Nature of any oversight or public consultation processes	Yes	Yes	Yes
	<b>To a full extent</b>	<b>To a full extent</b>	<b>To a full extent</b>

### Available online

Scientific and exploratory fishing is explicitly recognised in Chinese fisheries laws and requires a special license. There is no fee imposed for this license. However, those wishing to apply for one must submit a project plan. Education institutes undertaking research must further provide information on the purpose of the research and project feasibility report. Applications are processed by provincial governments.

This information is included in the Regulations on the Management of Fisheries Fishing Licenses.

### Up to date

The information relevant to scientific fishing is up to date.

## Easy to find

The information relevant to scientific fishing is easy to find.

## 2-D | SPORT FISHING

Basic information requirements:	Available online?	Up to date?	Easy to find?
Fees of access rights and fishing authorisations	Not produced		
Duration of such rights and authorisations	Not produced		
Authorities/persons that are legally entitled to issue such rights and authorisations	Not produced		
Mandatory administrative procedures required to determine their issue	Not produced		
Conditions relating to fishing effort	Not produced		
Conditions relating to ecosystem impact	Not produced		
Conditions relating to landings (including the sale of fish)	Not produced		
Conditions relating to catch reporting	Not produced		
Nature of any oversight or public consultation processes	Not produced		
<b>Not Produced</b>			

## Available online

Sports and recreational fishing are recognised in Chinese laws. The government has encouraged fishing for tourism. Licenses are required to operate fishing charters, and these are restricted to vessels over 20 meters long. In 2020, MARA issued a draft policy on measures for the management of Recreational Fishing Vessels.<sup>42</sup> However, this assessment has not been able to establish if these measures have been finalised.

<sup>42</sup> [https://www.moa.gov.cn/xw/bmdt/202007/t20200701\\_6347610.htm](https://www.moa.gov.cn/xw/bmdt/202007/t20200701_6347610.htm)



### 3. FOREIGN FISHING ACCESS AGREEMENTS



\_\_\_\_\_ A foreign fishing access agreement refers to a contractual arrangement that is entered into between a coastal state and a foreign party<sup>43</sup> that allows the foreign party's fishing vessels to operate in the coastal state's marine jurisdictional waters.<sup>44</sup> These agreements provide a contribution for the coastal state, including monetary transfers, commitments for investments and services, or reciprocal access to overseas fishing grounds for the country's national fishing fleet. A lack of transparency surrounding foreign fishing access agreements has been a persistent concern in international debates. Governments may not publicise whether foreign fishing access agreements are in active use, and the contracts of these agreements can be withheld as confidential information. \_\_\_\_\_

China's access agreements can be divided into two categories: **reciprocal agreements** and **non-reciprocal agreements**.

China has three reciprocal fisheries agreements signed with Korea, Japan and Vietnam. These agreements allow Chinese vessels to operate in the national waters of partner countries while also allowing foreign-flagged vessels access to Chinese waters.

Public information provided by Chinese authorities on the list of non-reciprocal agreements is limited. The 14th Five-Year Fisheries Development Plan describes that during the 13th Five-Year Plan period, China signed more than 20 bilateral fisheries cooperation agreements with countries in Asia, Africa and Latin America. A precise list of which these countries are was not provided. It is unclear whether these cooperation agreements include access agreements, and they may cover cooperation on other aspects of marine fisheries, such as sharing information and providing technical capacity building.

The nature of Chinese non-reciprocal fisheries agreements is also ambiguous. This is because some reports describe Chinese fishing agreements as being exclusively private agreements, entered into between Chinese fishing companies and the governments of third countries.<sup>45</sup>

43 Agreements can be signed between governments, between a coastal state and a union of foreign governments (such as the European Union), or between coastal states and private corporations, or associations of private companies.

44 Territorial Sea and Exclusive Economic Zone, in the following referred to as 'China's waters'.

45 Gutiérrez, M., Daniels, A., Jobbins, G., Gutiérrez-Almazor, G. & Montenegro, C. (2020). "China's distant-water fishing fleet: Scale, impact and governance". ODI. London

In these private agreements, the Chinese state is not a signatory to the agreement (as is the case, for example, with the European Union). Nevertheless, it is also reported that the Chinese State provides diplomatic support for its fisheries companies seeking to obtain a fisheries agreement in third countries, and there might be financial support, including through decoupled aid.<sup>46</sup>

What is noteworthy is that the Chinese government does provide some information on the fishing enterprises that are authorised to operate in foreign countries. This information is published in two online resources. For the past eight years, MARA has published notifications on new offshore fishery projects. These provide a list of fishing enterprises, the location of the project and the species targeted. Notices also provide a list of fishing vessels that are attached to these projects.

In the past, MARA has published multiple 'batches' of notifications. However, it does not provide a consolidated public database of all these notifications. This assessment has attempted to locate all notifications for the past three years on the MARA website via keyword searches. This has not provided a complete list (several batches could not be found). Additionally, some notifications provide the list of projects in annexes that are linked as PDF files, but the links are not working.<sup>47</sup> It is, therefore, the finding of this assessment that MARA has been inconsistent in publishing these notifications, and it is possible that this is no longer a policy of the Ministry.

The Ministry of Commerce also provides a database of Chinese enterprises operating in foreign countries, and this includes enterprises engaged in sea fishing.<sup>48</sup> It is possible to isolate a list of fishing companies through keyword searches. However, this assessment cannot confirm whether the information on Chinese fishing companies operating abroad is complete and up to date.<sup>49</sup>

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46 FAO. 2022. Mapping distant-water fisheries access arrangements. FAO Fisheries and Aquaculture Circular No. 1252. Rome.

<https://doi.org/10.4060/cc2545en>

47 <https://www.szyq.gov.cn/public/6623531/155532081.html>

48 The following is a link to the database on overseas fisheries projects. This link no longer appears to work.

[http://femhzs.mofcom.gov.cn/fecpmvc\\_zj/pages/fem/CorpJWList\\_nav.pageNoLink.html?session=T&sp=9&sp=S+\\_t1.CORP\\_CDE%2C+\\_t1.id&sp=T&sp=S](http://femhzs.mofcom.gov.cn/fecpmvc_zj/pages/fem/CorpJWList_nav.pageNoLink.html?session=T&sp=9&sp=S+_t1.CORP_CDE%2C+_t1.id&sp=T&sp=S)

49 The assessment has cross checked information for selected countries, including Mauritania and Ghana, and the list of Chinese vessels corresponds to the published list of authorised vessels in Ghana but not Mauritania. However, more work is needed to confirm if there are missing entries in the two Chinese state databases and this assessment should not be considered exhaustive. Furthermore, during research for this assessment, the database of Chinese enterprises provided by the Ministry of Commerce was taken offline, which may be temporary.

### 3-A | AGREEMENTS ALLOWING FOREIGN-FLAGGED VESSELS TO FISH IN CHINA'S WATERS

Basic information requirements:	Available online?	Up to date?	Easy to find?
Signed contracts allowing foreign-flagged vessels to fish in China waters	Yes	Yes	Yes
Related documents, such as Memorandum of Understandings or amendments (if applicable)	Yes	Yes	Yes
	To a full extent	To a full extent	To a full extent

#### Available online

The texts of the reciprocal agreements that allow foreign-flagged vessels to fish in China's waters are published by the Chinese authorities. These can be found on the website of the Bureau of Fisheries and Fisheries Administration, listed under the sub-heading of 'international cooperation'. Each of these agreements is managed by a joint committee comprising government representatives from China and the foreign country. Updates on changes to the agreements are published online for Japan<sup>50</sup>, Korea<sup>51</sup> and Vietnam<sup>52</sup>. There are also reports published on the outcomes of meetings between the joint committees, including updates published on the China Fisheries Association website.

#### Up to date

The information on reciprocal agreements appears to be updated regularly.

50 中华人民共和国和日本国渔业协定 Fisheries Agreement between People's Republic of China and Japan.

[https://www.mfa.gov.cn/web/wjw\\_673085/zzjg\\_673183/bjhysws\\_674671/bhgjty/yyhzsbtj/202303/P020230320588443756378.pdf](https://www.mfa.gov.cn/web/wjw_673085/zzjg_673183/bjhysws_674671/bhgjty/yyhzsbtj/202303/P020230320588443756378.pdf), and 中日渔业协定暂定措施水域管理暂行办法 Interim Measures for the Management of Waters under the Provisional Measures of the China-Japan Fisheries Agreement [http://www.fgs.moa.gov.cn/flfg/202201/t20220127\\_6387845.htm](http://www.fgs.moa.gov.cn/flfg/202201/t20220127_6387845.htm)

51 中华人民共和国政府和大韩民国政府渔业协定 Fisheries Agreement between the Government of the People's Republic of China and the Government of the Republic of Korea.

[https://www.mfa.gov.cn/web/wjw\\_673085/zzjg\\_673183/bjhysws\\_674671/bhgjty/yyhzsbtj/202303/P020230320588575380659.pdf](https://www.mfa.gov.cn/web/wjw_673085/zzjg_673183/bjhysws_674671/bhgjty/yyhzsbtj/202303/P020230320588575380659.pdf) and 中韩渔业协定暂定措施水域和过渡水域管理办法 Measures for the Management of the Waters of the China-Korea Fisheries Agreement on Provisional Measures and Transitional Waters [http://www.fgs.moa.gov.cn/flfg/202201/t20220127\\_6387846.htm](http://www.fgs.moa.gov.cn/flfg/202201/t20220127_6387846.htm)

52 中华人民共和国政府和越南社会主义共和国政府北部湾渔业合作协定 Agreement between the Government of the People's Republic of China and the Government of the Socialist Republic of Viet Nam on Fisheries Cooperation in the Beibu Gulf

[http://new.fmprc.gov.cn/web/wjw\\_673085/zfxgk\\_674865/gknrlb/tywj/tyqk/200904/t20090409\\_9276907.shtml](http://new.fmprc.gov.cn/web/wjw_673085/zfxgk_674865/gknrlb/tywj/tyqk/200904/t20090409_9276907.shtml) and [https://www.mfa.gov.cn/wjw\\_673085/zzjg\\_673183/bjhysws\\_674671/xqzx\\_674673/202303/t20230331\\_11052208.shtml](https://www.mfa.gov.cn/wjw_673085/zzjg_673183/bjhysws_674671/xqzx_674673/202303/t20230331_11052208.shtml)

## Easy to find

The information on reciprocal agreements was found on the MARA website through a keyword search.

### 3-B | AGREEMENTS ALLOWING CHINA FLAGGED VESSELS TO FISH IN THIRD COUNTRY WATERS

Basic information requirements:	Available online?	Up to date?	Easy to find?
Signed contracts allowing foreign-flagged vessels to fish in China waters	No		
Related documents, such as Memorandum of Understandings or amendments (if applicable)	No		
No			

## Available online

While the government of China publishes information on where Chinese enterprises have fisheries projects in foreign countries, it was not possible to find any government information on the non-reciprocal fishing agreements signed with other third countries. This information was also not available on the website of the China Overseas Fishing Association.



## 4. STATUS OF FISHERIES RESOURCES



Concern is mounting over decreasing marine biodiversity due to human activities, such as overfishing, climate change, habitat destruction and pollution. National authorities have the duty to collate and publish information on the state of marine fish populations in their waters. This is particularly important for fish targeted by commercial fisheries, given their overfishing can put unsustainable pressure on stocks whose continued existence is essential for national development and food security. However, without up-to-date and reliable information, both the health of the fish stock and trends in marine biodiversity are difficult to assess. Furthermore, information that is publicly available is often difficult to understand.

### 4-A | NATIONAL REPORTS ON THE STATE OF MARINE FISH POPULATIONS

Basic information requirements:	Available online?	Up to date?	Easy to find?
National reports on China marine fish population, including at least the Top 5 commercial fish species	Not produced		
Information on trends in the state of stocks and explanations on the reasons for change	Not produced		
<b>Not Produced</b>			

#### Available online

This assessment was unable to find national government reports that provide an overall description of the status of marine fish populations. It has been recognised in the government’s five-year plans that fish populations have been severely depleted in China’s seas from a combination of pollution and overfishing. However, quantitative analysis of fish stocks by government authorities appears to have been neglected.<sup>53</sup>

<sup>53</sup> Liang, C., Xian, W. W., Liu, S. D., and Pauly, D. (2020). Assessments of 14 exploited fish and invertebrate stocks in Chinese waters using the LBB method. *Front. Mar. Sci.* 7:314. doi: 10.3389/fmars.2020.00314

In 2013, a policy document issued by the State Council established the need for a comprehensive survey of marine resources to be done every five years.<sup>54</sup> This further required developing an information system whereby data collated by local governments would be shared with the central government. This national fisheries resources survey is the responsibility of three state enterprises: the Yellow Sea Fisheries Research Institute, East China Sea Fisheries Research Institute, and South China Sea Fisheries Research Institute of the Chinese Academy of Fisheries Science. They conduct fisheries resource surveys annually, covering the Bohai Sea, Yellow Sea, East China Sea, and South China Sea. The purpose of the survey is to understand the status of fisheries resources in China, and the results are reported to MARA. However, these reports are not shared with the public online.

In an effort to improve government information on fish populations, in 2019, the Ministry of Agriculture established the National Expert Committee on Marine Fishery Resources Assessment. This is composed of experts from the Chinese Academy of Fisheries Sciences and its affiliated sea area research institutes, universities, research institutions and fishing industry enterprises. The committee has one chairman and three vice-chairmen, with three expert groups for the Yellow Sea and Bohai Sea Area, East China Sea Area, and South China Sea Area. Again, there are no detailed reports published by this committee for the public.

## 4-B | SCIENTIFIC STOCK ASSESSMENTS

Basic information requirements:	Available online?	Up to date?	Easy to find?
Scientific stock assessments	No		
Information on the methods and data used to assess fish stocks			
Information on ongoing or planned efforts to update and expand fish stock assessments			
<b>No</b>			

54 2013, Opinions of the State Council on Promoting the Sustainable and Healthy Development of Marine Fisheries 国务院关于促进海洋渔业持续健康发展的若干意见 [http://www.moa.gov.cn/nybgj/2013/dqg/201712/t20171219\\_6119315.htm](http://www.moa.gov.cn/nybgj/2013/dqg/201712/t20171219_6119315.htm)



## Available online

The government of China does not publish scientific stock assessments online. No stock assessment reports could be found on the website of MARA.

There are, however, some scientific stock assessments on Chinese marine fisheries published in academic journals, including those that are authored by Chinese scientists involved in state fisheries management.<sup>55</sup> There are also examples of independent stock assessments that have relied on information sharing between the Chinese government and academics, including fisheries marine biologists working at the University of British Columbia.<sup>56</sup>

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55 For example: Hydroacoustic assessment of spatial-temporal distribution and biomass of fishery resources in the central South China Sea, doi: 10.3969/j.issn.2095-0780.2016.04.004 (in Chinese). Current status of community structure and diversity of fishery resources in offshore northern South China Sea, doi: 10.3969/j.issn.2095-0780.2018.02.002 (in Chinese). Variations of fishery resource structure in the Yellow Sea and East China Sea, DOI: 10.19663/j.issn2095-9869.20181120001 (in Chinese). Preliminary analysis on the division of fishery resources based on hydrological environment factors in the East China Sea and south of the Yellow Sea, DOI: 10.3724/SP.J.1118.2019.18366 (in Chinese)

56 See for example, Zhai Lu, Liang Cui, Pauly Daniel, (2020) 'Assessments of 16 Exploited Fish Stocks in Chinese Waters Using the CMSY and BSM Methods', *Frontiers in Marine Science* (7) <https://www.frontiersin.org/articles/10.3389/fmars.2020.483993>



## 5. LARGE-SCALE FISHERIES



Large-scale commercial fishing often represents the most important sector of marine fisheries in terms of catches, landings, and government revenues. It typically involves the use of large high-capacity boats, equipped with on-board facilities for freezing and processing seafood while at sea. These vessels often remain at sea for long periods of time and carry large crews for catching and processing fish on board. A number of important issues affecting large-scale fisheries, ranging from levels of by-catch and discards to the fair distribution of revenues, make the public availability of information on the sector a crucial element of increasing transparency in fisheries management.

As described above, the management of fisheries in China does not rely on a clear distinction between large-scale (or industrial) or small-scale (artisanal) marine fisheries. Nevertheless, Chinese statistics on marine fisheries categorise vessels according to their size. The following section, therefore, applies to vessels that are above 12 meters in length.

According to the most recent Fisheries Statistical Yearbook, there are 35,002 marine fishing vessels above 24 meters in length registered by the authorities, and a further 29,177 between 12 and 24 meters in length. Of these, 2071 vessels are classified as Distant Water Fishing vessels, with 1,589 described as fishing in international marine waters. However, a report issued by the State Council Information Office in 2023 on the development of China's distant water fishing fleet described that there are 2,551 distant water fishing vessels, including 1,498 high-seas fishing vessels.<sup>57</sup> There is, therefore, some inconsistency in official reports on the number of active fishing vessels.

Given the reciprocal agreements China has with Korea, Japan and Vietnam, foreign-flagged vessels operate in China's seas as well, although it is difficult to locate information on the number and characteristics of these vessels.

<sup>57</sup> State Council Information Office of the People's Republic of China, (2023) "Development of China's Distant Water Fisheries", available at: [http://www.scio.gov.cn/zfbps/zfbps\\_2279/202310/t20231024\\_775875.html](http://www.scio.gov.cn/zfbps/zfbps_2279/202310/t20231024_775875.html)

## 5-A | VESSELS

Basic information requirements:	Available online?	Up to date?	Easy to find?
Registry of nationally- and foreign-flagged vessels authorised to fish in China waters	No		
Name of the vessel			
Legal owner of the vessel, including their address and nationality			
Registered port of the vessel			
Flag State of the vessel			
Unique identification number(s) of the vessel			
Type of vessel, according to fishing gear or fishing method			
Physical characteristics of the vessel, including length, beam, tonnage and engine power			
Name of the vessel's agent			
Access agreement under which the foreign-flagged vessel is granted authorisation to fish			
Type of fishing authorisation held by the vessel			
Quantity and names of target species, permissible by-catch and discards that the vessel is authorised to fish, if specified in the vessel's fishing authorisation			
Duration of the fishing authorisation, indicating start and end date			
Rights holder for whom the vessel is fishing, including the name and nationality of the rights holder			

Country and/or regions of the High Seas where the nationally-flagged vessel is authorised to fish

No

### Available online

Rules for the registration of fishing vessels were first introduced in 2012 and revised in 2013 and then again in 2019.<sup>58</sup> The Bureau of Fisheries is mandated with the task of compiling a central registry of fishing vessels. Provincial governments are also required to compile vessel registries for vessels in their province. Neither the central government's registry nor those of the provincial governments are freely available online. However, Article 7 of the regulation on the vessel registry does state that members of the public can inspect the registries. The regulation does not state how access to such information is regulated and whether it is subject to any restrictions. Research reports from Chinese academics confirm that access to vessel registry information at the regional level does occur.<sup>59</sup>

China participates in the Food and Agriculture Organisation of the United Nations (FAO's) Global Record of fishing vessels. China has provided information on 1529 fishing vessels that operate in international waters, including the name of the vessel and its length only. There is no corresponding information on where the vessels are authorised to fish or who owns these vessels.

Information provided by MARA on overseas fishery projects also includes the names of vessels that are linked to these projects. While this does not represent a vessel registry, it does provide public access to information on which Chinese-owned vessels are operating in foreign countries. However, it does not appear that this information is maintained and is therefore outdated. This information also does not include Chinese-owned vessels that have reflagged to a third country.

58 中华人民共和国渔业船舶登记办法 Measures of the People's Republic of China for the Registration of Fishery Vessels  
[https://www.gov.cn/zhengce/2019-04/25/content\\_5721374.htm](https://www.gov.cn/zhengce/2019-04/25/content_5721374.htm)

59 <https://www.frontiersin.org/articles/10.3389/fmars.2022.811382/full#B53>

## 5-B | PAYMENTS

Basic information requirements:	Available online?	Up to date?	Easy to find?
Annual total amount of payments for fishing from large-scale vessels	No		
Name of the natural person or legal entity that made the payment			
Name of the national authority who received the payment			
Date on which payment was received by the national authority			
Purpose of the payment			
<b>No</b>			

### Available online

As stated above, Chinese-flagged vessels are exempt from paying fishing license fees. However, they are charged for the costs of fisheries management and marine conservation based on a percentage of the value of fish catches. No public information was found on the amount of these payments.

## 5-C | CATCHES WITHIN CHINA'S WATERS

Basic information requirements:	Available online?	Up to date?	Easy to find?
Total quantity of annual recorded retained catches	Partially	Yes	Yes
Disaggregated by species or species groups	Yes	Yes	Yes
Disaggregated by fishing authorisations or gear type	No		
Disaggregated by flag State of the vessels	No		
<span style="background-color: #e67e22; padding: 5px;">To a limited extent</span> <span style="background-color: #27ae60; padding: 5px; margin-left: 20px;">To a full extent</span> <span style="background-color: #27ae60; padding: 5px; margin-left: 20px;">To a full extent</span>			

## Available online

Catch data is presented in the Annual Fisheries Statistical Yearbook. This provides catch data that is disaggregated according to species and provinces.

While the Statistical Yearbook provides data on catches for major species and species groups, information is not collated for the proportion of fish used for human consumption, as opposed to those used for animal feed. Independent research suggests a high proportion (approximately 35%) of marine fish caught from domestic waters is used for animal feed.<sup>60</sup>

Although the statistical yearbook provides data on catches, it does not provide data that describes the amount of catch caught by large-scale vessels as opposed to small-scale vessels. There is no record in the Annual Statistical Yearbook of catches made by foreign-flagged vessels, such as those fishing under reciprocal agreements. It is possible that these catches are not included in production statistics as they are considered the products of foreign fishing vessels.

## Up to date

The Statistical Yearbook is up to date, with the latest version covering fishing in 2022.

## Easy to find

The Statistical Yearbook is a flagship publication by MARA and is easy to find.

## 5-D | CATCHES OUTSIDE CHINA'S WATERS

Basic information requirements:	Available online?	Up to date?	Easy to find?
Total quantity of annual recorded retained catches by nationally-flagged vessels	Yes	Yes	Yes
Disaggregated by species or species groups	Partially	Yes	Yes

60 Zhang W, Liu M, Sadovy de Mitcheson Y, et al. (2020) "Fishing for feed in China: Facts, impacts and implications". *Fish Fish*; 21: 47-62. <https://doi.org/10.1111/faf.12414>

Disaggregated by fishing authorisations or gear type	No		
Disaggregated by fishing area (i.e. High Seas and third country)	No		
	To a large extent	To a full extent	To a full extent

### Available online

The Statistical Yearbook includes data for marine fish caught by Chinese-flagged vessels outside of China (p.46). Information is provided on total catches attributed to companies in specific provinces of China, and separate figures are provided for tuna and squid only (non-tuna and squid catches comprise the remainder). There is no information on types of fishing or where the fish were caught.

### Up to date

The Statistical Yearbook is up to date, with the latest version covering fishing in 2022.

### Easy to find

The Statistical Yearbook is a flagship publication by MARA and is easy to find.

## 5-E | LANDINGS IN CHINA'S PORTS

Basic information requirements:	Available online?	Up to date?	Easy to find?
Total quantity of annual recorded landings in China ports of fish caught in China waters	No		
Disaggregated by species or species groups			
Disaggregated by fishing authorisations or gear type			
Disaggregated by flag State of the vessel			
<b>No</b>			

## Available online

The Statistical Yearbook does not include data on fish landings in ports. In 2020, MARA announced 66 designated fishing ports, with plans to add to this list in the future.<sup>61</sup> The government's policy will prohibit fishing vessels above 12 meters in length from landing in non-designated ports. However, the status of this policy is unclear, so it is assumed that fish are landed in a large number of ports.

## 5-F | TRANSSHIPMENTS AND LANDINGS IN FOREIGN PORTS

Basic information requirements:	Available online?	Up to date?	Easy to find?
Total quantity of annual recorded transshipments at sea or landings in foreign ports of fish caught in China waters	Not applicable		
Disaggregated by species or species groups			
Disaggregated by fishing authorisations or gear type			
Disaggregated by flag State of the vessel			
<b>Not Applicable</b>			

## Available online

Although transshipments at sea are permitted in China, all fish caught in Chinese waters must be landed in national ports. It is, therefore, assumed that no fish in China's waters are transhipped at sea and landed directly in foreign ports.

<sup>61</sup> <https://chinadialogueocean.net/en/fisheries/16063-designated-ports-pave-way-for-sustainable-fishing-chinese-waters/>



## 5-G | DISCARDS

Basic information requirements:	Available online?	Up to date?	Easy to find?
Total quantity of annual discards from large-scale vessels authorised to fish in China waters	No		
Disaggregated by species or species groups			
Disaggregated by fishing authorisations or gear type			
Disaggregated by flag State of the vessel			
<b>No</b>			

### Available online

This assessment did not locate government information on discards or by-catch in China's fisheries. According to fisheries experts, discarding is limited in China's domestic fisheries as most marine fish are used, including for fishmeal, to supply aquaculture farms. However, it is unlikely that no discards take place. The by-catch of endangered species and marine mammals is regulated in China, but there is no government information on the scale of by-catch.

## 5-H | FISHING EFFORT

Basic information requirements:	Available online?	Up to date?	Easy to find?
Total annual recorded fishing effort	No		
Disaggregated by fishing authorisations or gear type			
Disaggregated by flag State of the vessel			
<b>No</b>			

## Available online

No reports published by national authorities provide data on fishing efforts by large-scale vessels. However, it is evident in academic articles describing stock assessments in China that fishing authorities collate this information (via logbooks) and share it with others.

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61 <https://chinadialogueocean.net/en/fisheries/16063-designated-ports-pave-way-for-sustainable-fishing-chinese-waters/>



## 6. SMALL-SCALE FISHERIES



In many countries, commercial small-scale fisheries, also commonly referred to as artisanal fisheries, account for the vast majority of people engaged in fishing activities, whether they be full-time, part-time or seasonal. It is widely recognised that this sector can play a vital role in national food security, the economic well-being of large numbers of people, as well as the culture of coastal communities. However, official information on the small-scale sector is often limited and insufficient public resources are allocated to collating this information. This represents a potential barrier to responsible fisheries management. It may also marginalise small-scale fisheries in national debates and policy implementations.

As described for large-scale fishing vessels, there is no official definition of small-scale fisheries in China. The following section will, therefore, focus on vessels under 12 meters in length and fishing in coastal areas that does not involve a vessel.

### 6-A | VESSELS

Basic information requirements:	Available online?	Up to date?	Easy to find?
Total number of commercial small-scale fishing vessels	Yes	Yes	Yes
Disaggregated by fishing authorisations or gear type	Yes	Yes	Yes
	To a full extent	To a full extent	To a full extent

#### Available online

The Statistical yearbook provides total figures for fishing vessels that are less than 12 meters in length. In 2022, it was reported that there were 140,125 vessels in this category. Data on the number of vessels is provided at the provincial level. The Statistical yearbook also provides

further information on categories of fishing or gear types. More detailed information on gear types at the provincial and local level is collated by authorities and has been shared with independent researchers for academic publications.<sup>62</sup>

Indicator	Total			Marine fishing vessel			Inland fishing vessel			
	Number	Tonnage (ton)	Power (kW)	Number	Tonnage (ton)	Power (kW)	Number	Tonnage (ton)	Power (kW)	
<b>Total Fishing Vessel</b>	<b>511046</b>	<b>10313283</b>	<b>18370182</b>	<b>206676</b>	<b>9651409</b>	<b>16498900</b>	<b>304370</b>	<b>661874</b>	<b>1871282</b>	
<b>Total Motorized Fishing Vessel</b>	342418	10073621	18370182	204304	9644393	16498900	138114	429228	1871282	
<b>1. Production fishing vessel</b>	328952	8861311	15904746	194530	8467631	14342155	134422	393680	1562591	
(1) Capture Fishing Vessel	228289	8462288	14247008	129063	8146665	13007341	99226	315623	1239667	
>441 kW	3438	1935449	3091959	3393	1919265	3052053	45	16184	39906	
44.1–441 kW	44083	5742690	8679685	44381	5721471	8620645	422	21219	59040	
<44.1 kW	180048	784149	2475364	81289	505929	1334643	98759	278220	1140721	
(2) Farming Vessel	100663	399023	1657738	65467	320966	1334814	35196	78057	322924	
<b>2. Auxiliary Fishing Vessel</b>	13466	1212310	2465436	9774	1176762	2156756	3692	35548	308691	
(1) Auxiliary Capture Fishing Vessel	9642	1118863	1697567	8770	1113660	1663318	872	5203	34249	
(2) Law Enforcement Vessel	2944	83414	735326	549	55638	452076	2395	27776	283250	
Motorized Fishing vessel by Vessel Length	>24 m	35398	7964337	11542467	35002	7946029	11456202	396	18308	86265
	12–24 m	35041	1186626	2932789	29177	1084894	2695412	5864	101732	237377
	<12 m	271979	922658	3894926	140125	613470	2347286	131854	309188	1547640
<b>Total Non-motorized Fishing Vessel</b>	<b>168628</b>	<b>239662</b>		<b>2372</b>	<b>7016</b>		<b>166256</b>	<b>232646</b>		

Source: China's Statistical Yearbook on Fisheries, 2023 [translated]

## Up to date

The Statistical Yearbook is up to date, with the latest version covering fishing in 2022.

## Easy to find

The Statistical Yearbook is a flagship publication by MARA and is easy to find.

## 6-B | LICENSES

Basic information requirements:	Available online?	Up to date?	Easy to find?
Total number of licenses issued to commercial small-scale fishing vessels	Yes	Yes	Yes
Disaggregated by categories of fishing authorisations	Yes	Yes	Yes
	<b>To a full extent</b>	<b>To a full extent</b>	<b>To a full extent</b>

62 See for example, Xiong Minsi, Wu Zuli, Tang Yi, Su Shu, Shen Huihui, (2022), 'Characteristics of Small-Scale Coastal Fisheries in China and Suggested Improvements in Management Strategies: A Case Study From Shengsi County in Zhejiang Province', *Frontiers in Marine Science* (9), <https://www.frontiersin.org/articles/10.3389/fmars.2022.811382/full>

## Available online

As all fishing vessels require a license to operate, the figures on the total number of fishing vessels in the small-scale sector correspond to the number of licenses issued. The Statistical yearbook does not provide a breakdown of the different types of licenses issued to the small-scale fishing sector, but this could be inferred from data on gear types.

## Up to date

The Statistical Yearbook is up to date, with the latest version covering fishing in 2022.

## Easy to find

The Statistical Yearbook is a flagship publication by MARA and is easy to find.

## 6-C | FISHERS

Basic information requirements:	Available online?	Up to date?	Easy to find?
Total number of licenses issued to commercial small-scale fishing vessels	Yes	Yes	Yes
Disaggregated by categories of fishing authorisations	Yes	Yes	Yes
Disaggregated by type of occupation <sup>63</sup>	Yes	Yes	Yes
	To a full extent	To a full extent	To a full extent

## Available online

The Statistical yearbook provides information on the total number of people engaged in marine small-scale fishing, including information on the number of women involved and the type of occupation. The data also distinguishes between those employed in fish farming with those involved in wild capture fishing.

<sup>63</sup> Proportion of full-time work, seasonal or part-time fishing.

Indicator	Unit	2022	2021	Changes	Marine Fisheries		
					2022	2021	Changes
1. Fisheries County		700	696	4	383	380	3
2. Fisheries Village		7065	7078	-13	3221	3235	-14
3. Fisheries Household		4152214	4196021	-43807	1291294	1284811	6483
4. Fisheries Population		16194500	16342392	-147892	5060443	5036462	23981
Traditional Fishers		5151638	5171560	-19922	2699798	2524113	175685
5. Fisheries Employee		11779185	11846287	-67102	3356409	3351954	4455
(1) Full-time Employee		6274139	6341223	-67084	2024581	2034784	-10203
Female		1215559	1220156	-4597	322921	295184	27737
Capture		1188736	1212667	-23931	842122	855874	-13752
Farm		4316700	4353995	-37295	831368	827121	4247
Other		768703	774561	-5858	351091	351789	-698
(2) Part-time Employee		4007221	4003042	4179	774474	766318	8156
(3) Temporary Employee		1497825	1502022	-4197	557354	550852	6502

Source: China's Statistical Yearbook on Fisheries, 2023 [translated]

### Up to date

The Statistical Yearbook is up to date, with the latest version covering fishing in 2022.

### Easy to find

The Statistical Yearbook is a flagship publication by MARA and is easy to find.

## 6-D | PAYMENTS

Basic information requirements:	Available online?	Up to date?	Easy to find?
Total amount of payments made from commercial small-scale fisheries	Not applicable		
Disaggregated by payments for fishing authorisations, catches and landings			
Disaggregated by categories of fishing authorisations or gear types			
Disaggregated by recipient of payments			
<b>Not Applicable</b>			

## Available online

As for the large-scale sector, there are no fees charged by fishing authorities when issuing licenses to fish. However, owners of authorised fishing vessels are eligible to be charged for the costs of fisheries management and marine conservation based on a percentage of the value of fish catches. No public information was found on the amount of these payments. It is reported that provinces do not charge small-scale fishers for cost recovery. However, there are no government reports that confirm this. It is assumed that there are no charges, so this transparency element is not applicable in China. However, more research is needed on cost recovery charges in China

## 6-E | CATCHES

Basic information requirements:	Available online?	Up to date?	Easy to find?
Total amount of payments made from commercial small-scale fisheries	Partially	Yes	Yes
Disaggregated by payments for fishing authorisations, catches and landings	Partially	Yes	Yes
Disaggregated by categories of fishing authorisations or gear types	No		
	<b>To a limited extent</b>	<b>To a full extent</b>	<b>To a full extent</b>

## Available online

As for the large-scale sector, the Statistical yearbook provides information on total catches from marine wild capture fisheries, and this includes volumes of fish for major species and the volume of catches for different gear types. The data is also provided for each coastal province. However, the data does not clearly distinguish between catches made by small-scale vessels and large-scale vessels.

## Up to date

The partial information published on catches is up to date.

## Easy to find

The partial information on catches is easy to find.

## 6-F | DISCARDS

Basic information requirements:	Available online?	Up to date?	Easy to find?
Total amount of payments made from commercial small-scale fisheries	Not applicable		
Disaggregated by payments for fishing authorisations, catches and landings			
Disaggregated by categories of fishing authorisations or gear types			
Disaggregated by recipient of payments			
<b>Not Applicable</b>			

## Available online

No information was found on discards from artisanal fisheries. This may reflect the fact that discards are very low to non-existent in small-scale fisheries.





## 7. POST-HARVEST SECTOR AND FISH TRADE



\_\_\_\_\_ Fish is the most traded agricultural product in the world! The commerce it generates provides important revenues and foreign exchange and it contributes to national food security. The fisheries post-harvest sector, which includes the processing and selling of fish, often accounts for the majority of jobs created across the industry, and, in many countries, the sector represents an important source of income for women. The inflow and outflow of fish from a country also has substantial implications on national food availability. Widespread access to public information is therefore critical for ensuring properly informed national debates around the post-harvest sector's management and the resulting social, economic and food security implications. \_\_\_\_\_

### 7-A | IMPORTS

Basic information requirements:	Available online?	Up to date?	Easy to find?
Total quantity of imports of fish and fish products	Yes	Yes	Yes
Disaggregated by species and fish products	Yes	Yes	Yes
Disaggregated by country of origin	Yes	Yes	Yes
	<b>To a full extent</b>	<b>To a full extent</b>	<b>To a full extent</b>

#### Available online

Government information of fish imports and exports is summarised in the Fisheries Statistical yearbook and more detailed information is provided in the dedicated "Seafood Imports and Exports Statistical Yearbook". This provides significant information on species and fish products imported, including information on the origin of imports and the destination of exports. Nevertheless, as is the case with many countries, data on marine fish imports and

exports is presented for categories of fish species and, therefore, does not provide information on many specific fish species. For example, this report could not locate statistics on trade data for tuna species, as this is included within a general heading of frozen fish.

Further detailed information on fish trade is provided in monthly data reports issued by the General Administration of Customs. China uses the Harmonised System (HS) of Custom Codes, and these codes can be used on the Customs Authority website to isolate reports on imports and exports for each HS Code. The search function (also available in English) allows for data results to be produced for individual countries.<sup>64</sup>

### Up to date

Information on exports and imports of seafood products is up to date.

### Easy to find

Information on exports and imports of seafood products is easy to find.

## 7-B | EXPORTS

Basic information requirements:	Available online?	Up to date?	Easy to find?
Total quantity of exports of fish and fish products	Yes	Yes	Yes
Disaggregated by species and fish products	Yes	Yes	Yes
Disaggregated by country of destination	Yes	Yes	Yes
	To a full extent	To a full extent	To a full extent

### Available online

The situation with export data mirrors that of import data.

<sup>64</sup> Available at: <http://stats.customs.gov.cn/indexEn>

## Up to date

Information on exports and imports of seafood products is up to date.

## Easy to find

Information on exports and imports of seafood products is easy to find.

## 7-C | EMPLOYMENT IN COMMERCIAL FISHERIES

Basic information requirements:	Available online?	Up to date?	Easy to find?
Total number of people employed in commercial fisheries sectors	Yes	Yes	Yes
Disaggregated by gender	Yes	Yes	Yes
Disaggregated by sub-sectors	Yes	Yes	Yes
	To a full extent	To a full extent	To a full extent

## Available online

The annual Statistical Yearbook for fisheries includes employment data for provinces, which includes data on fishers and fish workers, with further data on the number of women and men and part-time and full-time workers. The data presented shows changes over the past 3 years.

## Up to date

The information on employment is up to date.

## Easy to find

The information on employment is up to date.

## 7-D | EMPLOYMENT IN INFORMAL FISHERIES

Basic information requirements:	Available online?	Up to date?	Easy to find?
Total number of people employed in commercial fisheries sectors	Not produced		
Disaggregated by gender			
Disaggregated by sub-sectors			
<b>Not Produced</b>			

### Available online

This assessment was unable to find government information and reports on the fisheries sector that described levels of informal employment in the fisheries sector. Data presented in the Statistical Yearbook on fisheries provides the numbers of people employed in the fisheries sector for each province, but it is unclear how this data is collated and whether it includes those working in the informal sector. It is possible data presented for 'traditional fisheries' will include those that conform to definitions of informal workers. However, it is also possible that official data fails to capture this segment. More research is required to understand how employment data is compiled in China.

Several studies exist in China that estimate the size and growth of the informal economy, which includes those working in sectors such as fisheries without a contract.<sup>65</sup> Reports provided by the National Bureau of Statistics in China also estimate that in 2019, the informal sector accounted for approximately 290 million people.<sup>66</sup>

<sup>65</sup> Xue, J., and W. Gao (2012). 'Informal Employment in Urban China: Its Size, Features and Earning Disparity'. *Comparative Economic & Social Systems*, 16: 59-69 (in Chinese)

<sup>66</sup> National Bureau of Statistics of China (2019). 'Report on the Dynamic Monitoring Survey of Migrant Population in Urban China'. Beijing: The National Population and Family Planning Commission, cited in: Lin, Carl, Linxiang Ye, and Wei Zhang, 'Transforming informal work and livelihoods in China', in Gary S. Fields, and others (eds), *The Job Ladder: Transforming Informal Work and Livelihoods in Developing Countries* (Oxford, 2023; online edn, Oxford Academic, 20 Apr. 2023), <https://doi.org/10.1093/oso/9780192867339.003.0003>



## 8. FISHERIES LAW ENFORCEMENT



For decades, there has been growing international awareness of the scale and impacts of non-compliance with national fisheries laws, such as those associated ‘illegal, unreported and unregulated’ (IUU) fishing. Increasing attention is focusing on how public authorities in coastal states respond to this challenge, including on their ability to enforce compliance and administer adequate criminal justice. However, reporting on these efforts are often neglected, undermining informed public debates on how the challenges arising from these illicit activities can be most effectively addressed.

To understand China’s response to illegal fishing, it is necessary to distinguish between law enforcement for domestic fisheries and enforcement of laws for the fleet of distant water fishing vessels.

Multiple authorities are engaged in law enforcement at sea. Until 2013, the primary authority tasked with addressing illegal fishing was the China Fisheries Law Enforcement Command (CFLEC), which was a unit of the Bureau of Fisheries and Fisheries Administration. However, in 2013, the CFLEC was disbanded, and its functions were passed over to an expanded Chinese Coast Guard, a subsidiary of the People’s Armed Police. The Coast Guard is responsible for undertaking at-sea patrols and enforcing the ban on fishing in the summer months. The task of ensuring compliance with China’s fisheries laws and regulations also involves fisheries inspectors at the provincial and municipal levels, whose functions include detecting and confiscating prohibited fishing gear. MARA, therefore, retains joint responsibility for law enforcement in fisheries working in collaboration with the Coast Guard. In recent times, MARA has referred to its domestic campaign to address illegal fishing as operation ‘**Bright Sword**’.

Sanctions for illegal fishing and non-compliance with fishing regulations are established in the Fishing Law. However, provincial governments have their own regulations that set more precise penalties for specific offences.<sup>67</sup> As such, most administrative punishments and criminal proceedings are handled by provincial authorities (which include those issued to distant water fishing companies).

<sup>67</sup> Hang Zhou. (2023) Provincial variations and entrepreneurialism in the development of China’s Distant Water Fisheries (2011–2020). Marine Policy 147,

The Chinese government has increasingly recognised the challenge of illegal fishing among its distant water fisheries. Several policies and opinions have been issued over the past few years stating a commitment to ensure Chinese-flagged vessels abide by national and international laws. In an Opinion issued in February 2022 titled **Promoting the High-Quality Development of Pelagic Fishing**, MARA stated its intention to “severely crack down on IUU fishing” and “establish a responsible country image”. MARA further declared 2022 as the **“Year of Supervision and Improvement for Distant Water Fisheries”**.

Over the past few years, several new laws and regulations have been enacted aimed at strengthening law enforcement, including the **Administrative Measures for Monitoring the Position of Ocean-Going Fishing Vessels** (2019), a revised **Distant-water Fishing Management Regulations (2020)** and new rules for **High Seas Transshipment** (2020). The revised fishing management regulations introduced the requirement for compiling an IUU blacklist for companies found guilty of engaging in IUU fishing. It is somewhat unclear how the Chinese state blacklist works, and decisions on entering vessels into this list appear to be held by both MARA and provincial authorities.

In 2022, MARA instigated a new initiative known as the **“Compliance Evaluation System for Distant Water Fisheries”** (piloted in 2019). Each company authorised to engage in distant water fishing is scored for its compliance with fishing regulations, including labour laws. As described in the State Council’s notice on the development of distant-water fisheries, the score comprises three first-level indicators, ten second-level indicators, and 60 third-level indicators. A detailed list of all these indicators is published by MARA.<sup>68</sup> The annual performance score of an enterprise is determined based on self-evaluation, preliminary examination by local authorities, and examination by the national fisheries authority. Final scores are published on the MARA website.

Additionally, in 2022, MARA introduced a system for recording points against vessel crews in domestic fisheries.<sup>69</sup> Masters and other employees onboard fishing vessels can be issued with points for failing to abide by rules for legal fishing. Individuals who accumulate a certain number of points in a calendar year face sanctions, including losing their fisheries certificates.

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68 MARA. (2021). “Notice of the General Office of the Ministry of Agriculture and Rural Affairs on the Trial Implementation of the Evaluation of the Performance of Oceanic Fishery Enterprises (Revision)”. Available at: [http://www.yyj.moa.gov.cn/qzdt/202112/t20211201\\_6383475.htm](http://www.yyj.moa.gov.cn/qzdt/202112/t20211201_6383475.htm)

69 See the government circular “Measures for the Recording of Points for Illegal Violations by Marine Fishery Crew Members”, available at: [http://www.moa.gov.cn/govpublic/YYJ/202204/t20220406\\_6395531.htm](http://www.moa.gov.cn/govpublic/YYJ/202204/t20220406_6395531.htm)

## 8-A | ENFORCEMENT OF LAWS

Basic information requirements:	Available online?	Up to date?	Easy to find?
National activities and strategies used for ensuring compliance of fishing vessels and the post-harvest sector with national legislation	Yes	Yes	Yes
Financial and human resources deployed by the government to ensure compliance with national legislation	Yes	Yes	Yes
Total numbers of inspections of fishing vessels at sea and in ports	Partially	Yes	Yes
	To a full extent	To a full extent	To a full extent

### Available online

The Chinese government, predominantly through MARA, publishes numerous documents on national strategies and activities to address illegal fishing at both the domestic and international levels. This includes, for example, annual reports on the activities of the Bright Sword campaign, which includes data on the number of law enforcement personnel and inspections.<sup>70</sup> According to these reports, over 2 million law enforcement officials are involved in policing the fisheries sector. In 2022, 52,000 individual cases of rule breaking were detected and dealt with, leading to the confiscation of over 800,000 prohibited fishing nets, 7,520 sets of banned electro-fishing gears and prosecutions of 19,000 unlicensed fishing vessels.

MARA has also released several reports on actions taken against distant water fishing vessels, which are summarised in the State Council's 2023 report on the development of the distant water fishery. This further describes, although in general terms, that there has been an increase in the number of inspections conducted by Chinese authorities of Chinese-owned vessels in third-country waters. **Further detailed information on the resources deployed for monitoring Chinese-owned vessels in third-country waters would improve transparency.**

### Up to date

The information available is up to date.

<sup>70</sup> [http://www.yyj.moa.gov.cn/yzgl/202303/t20230302\\_6421978.htm](http://www.yyj.moa.gov.cn/yzgl/202303/t20230302_6421978.htm)

## Easy to find

Reports consulted for this assessment on law enforcement activities are considered easy to find on the MARA website.

## 8-B | SANCTIONS FOR MAJOR OFFENCES

Basic information requirements:	Available online?	Up to date?	Easy to find?
Record of convictions for major offences in the fisheries sector	Partially	No	No
Name of the company or vessel owner, the nature of the offence and the penalty imposed	Yes	No	No
Nature of the offence	Yes	No	No
Penalty imposed	Yes	No	No
	<b>To a large extent</b>	<b>No</b>	<b>No</b>

## Available online

In theory, all prosecutions for serious fisheries offences can be accessed online through the open-access database of the Supreme People's Court.<sup>71</sup> This assessment has not attempted a comprehensive search for fisheries-related cases in this database. However, it should be noted that most sanctions imposed on fishing companies are not criminal. Rather, they are administrative sanctions such as fines, revoking fishing authorisations and the withholding of state subsidies.

Information on major cases of illegal fishing is periodically published by national and provincial authorities. This information is usually published in circulars or notices and also appears in the media. Published information includes the name of the vessel and a succinct description of the offences and penalties, which include fines and other sanctions, such as the suspension of subsidies.

It is beyond the scope of this assessment to verify whether the published information on illegal

<sup>71</sup> Official Open-access Database of the Supreme People's Court (最高人民法院中国裁判文书网). <https://wenshu.court.gov.cn>



fishing offences is complete. The NGO Environmental Justice Foundation (EJF) has conducted an in-depth assessment of government IUU notices in China for the years from 2017 to 2019. This included over 280 cases.<sup>72</sup> There is, however, no single publication issued by the government that lists resolved cases. **This assessment found the last notice on IUU fishing cases issued by MARA to have been for 2019.**<sup>73</sup> No further records could be found.

**This assessment was unable to locate the blacklist of IUU fishing vessels in China, and it is assumed that this list is confidential/not published.**

### Up to date

The most recent government notice issued by MARA was in 2019, covering incidents that were reported in 2018. Government information is therefore not up to date.

### Easy to find

Public notices on IUU fishing are provided in ad hoc publications by MARA and Provincial authorities. This information is therefore considered difficult to find. It would be more accessible if national authorities published a central database.

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72 The data assessed by the EJF is provided as a supplement to its 2022 publication entitled 'Murky Waters', available at: <https://drive.google.com/file/d/1SyEAFxzdqWFWLwwzIDKXT0gZ0chMF3d/view>

73 [http://www.yyj.moa.gov.cn/gzdt/201909/t20190923\\_6328680.htm](http://www.yyj.moa.gov.cn/gzdt/201909/t20190923_6328680.htm)



## 9. LABOUR STANDARDS



\_\_\_\_\_ Fisheries provide jobs and income for large numbers of people, both in the harvest and post-harvest sector. However, it is widely recognised that employment in the sector is among the most arduous and dangerous in the world. Public authorities have a duty to ensure they apply high labour standards to all parts of their fisheries sector and that their efforts to enforcing these standards are well documented. This is critical information for ensuring the rights of people working in the sector are respected. \_\_\_\_\_

China has a dense and evolving legal framework for promoting labour rights, including for nationals and foreigners. According to some analysts, China's labour laws are relatively robust and are rated as among the most progressive in the world. A negative aspect is that China prohibits workers from forming independent trade unions, with the only legally recognised worker's representative body being the All-China Federation of Trade Unions, which is run by the Chinese state. There are, however, widespread reports that labour laws are not upheld by authorities, and therefore, labour standards in practice can be weak, which is particularly so for the poorer immigrant labour force.<sup>74</sup> Recent research on labour standards in fish processing factories in China has raised multiple serious concerns, including the use of forced labour.<sup>75</sup>

China has also enacted several pieces of legislation that are aimed at improving the working conditions of employees on board fishing vessels. The most detailed piece of legislation is the Measures for the Management of Fishing Crews, which were revised in 2022.<sup>76</sup> In 2023, MARA in collaboration with the Ministry of Foreign Affairs and the National Immigration Administration further issued a draft circular on Strengthening the management and service of foreign crews in distant water fisheries.<sup>77</sup> Again, many reports indicate that labour standards on board Chinese fishing vessels, including those involved in distant water fisheries, are poor, which includes allegations of widespread forced labour.<sup>78</sup>

74 See the article by the China Labour Bulletin on worker's rights and labour relations in China, available at <https://clb.org.hk/en/content/workers-rights-and-labour-relations-china>

75 For example, Urbina, Ian. "How Uyghur Forced Labor Makes Seafood That Ends Up in School Lunches", Politico, 21st November, 2023, available at: <https://www.politico.com/news/magazine/2023/11/21/chinese-forced-labor-seafood-00126642>

76 These are available at: [http://www.moa.gov.cn/govpublic/CYZCFGS/202201/t20220127\\_6387842.htm](http://www.moa.gov.cn/govpublic/CYZCFGS/202201/t20220127_6387842.htm)

77 [http://www.yyj.moa.gov.cn/gzdt/202312/t20231215\\_6442873.htm](http://www.yyj.moa.gov.cn/gzdt/202312/t20231215_6442873.htm)

78 A recent study is provided by the Financial Transparency Coalition (2021), entitled "Dark webs: Uncovering those behind forced labour on commercial fishing fleets", available at: [https://financialtransparency.org/wp-content/uploads/2023/11/FTC\\_2023-Report\\_Dark-webs\\_EN.pdf](https://financialtransparency.org/wp-content/uploads/2023/11/FTC_2023-Report_Dark-webs_EN.pdf)

Although MARA has issued a points-scoring system for illegal activities by domestic fishing vessels (as described above), the list of offences for vessel crews does not include those related to non-compliance with labour standards. However, the Compliance Evaluation Tool for Distant Water Fisheries does include labour-related issues, and companies are scored on aspects such as providing crews with contracts, welfare benefits and adhering to safety at sea.

The introduction of a **fisheries stewardship subsidy** may also be relevant for understanding how China’s fishing authorities are working to enhance labour rights. Payments of this subsidy are partly determined by ‘responsible’ fishing practices. However, it is not clear whether this includes aspects related to labour laws.

## 9-A | ENFORCEMENT OF LABOUR STANDARDS

Basic information requirements:	Available online?	Up to date?	Easy to find?
National strategies and activities for ensuring compliance with labour standards in the fisheries sector	Partially	Yes	Yes
Financial and human resources deployed by the government to ensure compliance with labour standards	No		
	To a limited extent	To a full extent	To a full extent

### Available online

It is difficult to assess this transparency requirement. This assessment found no government reports that **consider compliance with labour laws among those employed in the post-harvest sector**. This assessment could not find any relevant reports or documents on this theme in the archives of documents published by MARA. It is also a subject that appears neglected among Chinese fisheries academics.

This assessment has considered the various reports issued by the Chinese authorities in relation to domestic law enforcement, which includes the Bright Sword initiative. Issues related to the enforcement of labour rights are absent from these reports, and statistics on the number of offences detected and dealt with by authorities do not include those related to non-compliance with labour laws. It does not appear that the state officials engaged with monitoring fisheries and enforcing consider enforcing labour laws as part of their mandate. No reports relating specifically to the fisheries sector could be found on the **Ministry of Labour and Social**

**Security's** website.

The assessment could not locate information on how labour laws are being implemented for crews on board fishing vessels in domestic fisheries. However, the Compliance Evaluation System for Distant Water Fisheries appears to be a national strategy for improving labour standards for crews on board distant water fishing vessels. For this reason, this assessment considers information on national strategies to be *partially available*.

### Up to date

The partial information that is published is up to date. The rules for the Compliance Evaluation System are current.

### Easy to find

The rules for the Compliance Evaluation System are easy to find.

## 9-B | SANCTIONS FOR LABOUR STANDARD OFFENCES

Basic information requirements:	Available online?	Up to date?	Easy to find?
Total number of labour standard offences in the fisheries sector that have been resolved by national authorities	Not produced		
Not produced			

### Available online

This assessment could not locate any government reports on labour standard offences that have been resolved by national authorities. The information that MARA has produced on cases of IUU fishing does not include examples where fishing vessels were sanctioned for labour-related issues.



## 10. FISHERIES SUBSIDIES



\_\_\_\_\_ The extent and purpose of government subsidies offered to a country's fisheries sector has long been one of the most controversial themes in international debates on responsible fisheries management. Perhaps more than any other single factor, subsidies are seen as the source of a range of problems, such as overfishing, illegal fishing and unfair benefit-sharing. \_\_\_\_\_

The development of commercial marine fisheries in China has been dependent on government subsidies. These have been subject to considerable international attention, given their role in the expansion and maintenance of distant water fishing.

Subsidies to the fishing sector in China include both direct and indirect financial transfers. The bulk of direct financial subsidies provided by the central state fall into two general programmes, referred to in some reports as **General Transfer Payments** and **Special Transfer Payments**.<sup>79</sup> In notifications made by the Chinese government to the World Trade Organisation (WTO), fisheries subsidies are divided between the "subsidy fund for the development of fishery industry" and "other general purpose transfer payment of fishery".<sup>80</sup> Academic reports describe that the General Transfer Payments account of the majority of the value of direct subsidies. This money is transferred to provincial governments, and historically most has been used to finance fuel subsidies.

In 2015, the Ministry of Finance and the Ministry of Agriculture issued the "Notice about Adjusting Domestic Fisheries and Aquaculture Fuel Subsidy Policy in order to Promote Sustainable and Healthy Fisheries Development".<sup>81</sup> This reflected a shift in favour of zero growth in wild capture fisheries. As explained in this notice, capacity-enhancing subsidies, including fuel subsidies, would be reduced by 2019 to at least 40% of the 2014 value. In 2021, changes to national policy on fisheries subsidies included the announcement of a '**fisheries stewardship subsidy**', which

79 MALLORY T., CHEN H., and LENG D., (2021) "China's Financing and Subsidization of Capture Fisheries at Home and Abroad", China Ocean Institute and the University of Washington.

80 The most recent notification can be access here (not fisheries subsidies appear under chapters 68 & 69):

<https://docs.wto.org/dol2fe/Pages/SS/directdoc.aspx?filename=q:/G/SCM/N401CHN.pdf&Open=True>

81 Ministry of Finance, Ministry of finance and ministry of agriculture jointly deploy fisheries fuel subsidies policy adjustment work (2015).

[http://www.gov.cn/xinwen/2015-07/09/content\\_2894870.htm](http://www.gov.cn/xinwen/2015-07/09/content_2894870.htm), in Chinese.

will replace all fuel subsidies. This provides conditional grants to fishing vessel owners based on proof of adhering to fisheries management rules. However, this new programme does not seem to be applied to Chinese-owned vessels operating outside of China.<sup>82</sup> Nevertheless, the State Council reports that since 2021, fuel subsidies are no longer provided to distant water fishing fleets.<sup>83</sup>

Direct transfers for the fisheries sector cover multiple objectives. While a large proportion of direct transfers have been used for fuel subsidies—and may now pass over to the stewardship subsidy—another prominent use of subsidies has been the Chinese government’s programme for decommissioning vessels. This subsidy has provided owners of fishing vessels with grants for voluntarily exiting fisheries. It is widely acknowledged that the effectiveness of the vessel decommissioning subsidies has been undermined by fuel subsidies, as these have acted as a disincentive for voluntary exit from fishing.<sup>84</sup>

Other uses of subsidies include:

- Compensation to fisheries for closures of fishing areas
- Upgrading fishing ports
- Modernisation of fishing vessels
- Payments to assist with the expansion of distant water fishing in third countries
- Support for the marketing of seafood products
- Stock assessments and other fisheries management services
- State contributions to fisheries social security/insurance schemes

Indirect subsidies provided to the fisheries sector include lower taxes on fishery products and a reduction in corporate taxes for fishing companies. Imports of fish made by distant water fishing companies are exempt from taxes.

Understanding fisheries subsidies in China is hampered by the fact that both the central and provincial governments provide direct and indirect transfers to the fishing industry. For example, it is reported that in Guangdong Province, vessel owners who accept payments to exit fisheries receive money from the central government’s subsidy programme and a top-up fee from the provincial government.<sup>85</sup> Furthermore, the fishers social security scheme is predominantly financed through contributions by provincial governments. These subsidies from the budgets of provincial governments are described as substantial and, therefore, are important contributions to the fishing industry.

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82 See reporting by Godfrey, M. ‘China’s new subsidy reforms do not include distant water fishing’, Seafood source, 17th May, 2022: <https://www.seafoodsource.com/news/environment-sustainability/chinas-new-subsidy-reforms-dont-include-distant-water-fleet>

83 State Council Information Office of the People’s Republic of China, (2023) “Development of China’s Distant Water Fisheries”, available at: [http://www.scio.gov.cn/zfbps/zfbps\\_2279/202310/t20231024\\_775875.html](http://www.scio.gov.cn/zfbps/zfbps_2279/202310/t20231024_775875.html)

84 Wang, et al., (2023) “Fisheries subsidy reform in China”, PNAS, available at: <https://www.pnas.org/doi/10.1073/pnas.2300688120#supplementary-materials>

85 Ibid.

In June 2023, China officially accepted the WTO's Agreement on Fisheries Subsidies, although at the time of this assessment, the final text of this agreement had not been produced.

## 10-A | GOVERNMENT FINANCIAL TRANSFERS OR SUBSIDIES

Basic information requirements:	Available online?	Up to date?	Easy to find?
Total value of financial transfers or subsidies to the fisheries sector	Partially	Yes	Yes
Disaggregated by type/purpose	Partially	Yes	Yes
Disaggregated by recipient	No		
Average annual value of any fuel subsidies per unit of fuel in nominal terms	No		
	To a limited extent	To a full extent	To a full extent

### Available online

The Chinese government provides information on subsidies to the fisheries sector primarily through the Annual statistical yearbook. General information on the allocation of funds to fishery subsidy programmes is also provided by the Ministry of Finance.

The level of information published by the government is insufficient to understand the total values of either direct or indirect subsidies given to the fishery sector and the total amounts given to different programmes. In 2023 Statistical Yearbook, information on subsidies is provided in a table entitled "Survey on Household Income and Expenditure of Fishermen in Different Regions". A column in this table captures data on 'transfer incomes', which is understood to represent government direct transfers to fishers. This is further separated into income derived from social assistance programmes and production subsidies. The resulting data is provided for provinces of China, and it combines subsidies for aquaculture with those for marine capture fisheries (meaning it is not possible to separate either). This assessment does not consider this information to reflect all subsidies provided by the government at both the central and provincial levels, and it does not include the value of indirect subsidies, such as tax exemptions. It is not possible to isolate information on subsidies provided to distant water fishing companies. Furthermore, it is not clear whether the central government's data includes subsidies provided by provincial governments.

According to academic research, the detail of information on subsidies presented in the Statistical Yearbooks was reduced from 2015, following the change in national policy to reduce fuel subsidies.<sup>86</sup> Prior to this, published information in the fisheries statistical yearbook provided more granular data on different subsidy programs and their recipients. Over the past eight years, the level of information in the statistical yearbooks has, therefore, decreased.

This assessment was not able to locate government information on how the stewardship subsidy programme has been implemented. Experts in China consulted for this report describe that provincial governments have shared information on this new programme with fishers, however it is generally recognised that the stewardship subsidy is in its early stages, and more information is likely to emerge.

It should be noted, however, that academic researchers conducting analysis of fisheries subsidies in China have successfully obtained information on the value of subsidies provided by provincial governments and the central state, including accessing data held by provincial authorities.<sup>87</sup> **This suggests disaggregated data is compiled by authorities and is shared with non-governmental actors in some cases.**

Information provided to the WTO is very general, and only a total sum is provided for the “other general purpose transfer payment of fishery”. There is no value declared for the “subsidy fund for the development of the fishery industry”.

### Up to date

The partial information that is published is up to date (the latest Statistical Yearbook was for the year 2022).

### Easy to find

The statistical yearbook is easy to find.

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86 MALLORY T., CHEN H., and LENG D., (2021) “China’s Financing and Subsidization of Capture Fisheries at Home and Abroad”, China Ocean Institute and the University of Washington [note that Songlin thinks this was not reliable].

87 See for example, Wang, et al., (2023) “Fisheries subsidy reform in China”, PNAS, available at: <https://www.pnas.org/doi/10.1073/pnas.2300688120#supplementary-materials>





## 11. OFFICIAL DEVELOPMENT ASSISTANCE



Official development assistance (ODA) can represent an important source of funds and support for a country's fisheries sector. However, it is common knowledge that ODA is not always delivered in the most effective manner. This is exacerbated in situations where public information on the value, purpose and outcomes of public sector development projects remains unpublished. This can also lead to a lack of public participation in decision-making over how ODA should be used.

China is both a recipient of development aid for its fisheries sector and a provider of overseas aid for third countries. As a recipient of aid, China has received grants and loans from multilateral organisations, most notably the World Bank and the United Nations, including through projects financed by the Global Environment Facility.

China's overseas aid comprises mostly loans and some grants, and is handled predominantly by the Chinese Development Bank and the China Exim Bank. For the past decade, China has been the largest provider of ODA to developing countries, primarily through projects linked to its Belt and Road initiative.<sup>88</sup>

### 11-A | ASSISTANCE FOR NATIONAL FISHERIES DEVELOPMENT

Basic information requirements:	Available online?	Up to date?	Easy to find?
List of public sector projects related to fisheries and marine conservation, funded by bilateral, multilateral and private donors	No		
Project value			
Project purpose and outputs			

<sup>88</sup> Parks, B. C., Malik, A. A., Escobar, B., Zhang, S., Fedorochko, R., Solomon, K., Wang, F., Vlasto, L., Walsh, K. & Goodman, S. (2023). "Belt and Road Reboot: Beijing's Bid to De-Risk Its Global Infrastructure Initiative". Williamsburg, VA: AidData at William & Mary

Project purpose and outputs			
Project evaluations			
<b>No</b>			

### Available online

Although China is a recipient of ODA for its fisheries sector, this assessment found no government publication that provided a list of related projects. The central government of China does not publish a database of foreign-financed ODA projects in the country.

Some reports on specific projects are published by Chinese authorities. This assessment did not attempt a comprehensive review of all projects. However, it looked at two examples. One of these is the Yangtze River Protection and Ecological Restoration Programme, which was part-financed by a 400 million USD World Bank loan and commenced in 2022.<sup>89</sup> A second project was the Yellow Sea Large Marine Ecosystem Strategic Action Plan in China, financed by the Global Environment Facility in collaboration with United Nations Development Programme (UNDP).<sup>90</sup> In both cases, government reports are available on the value of the project and its objectives, but no corresponding evaluation reports could be located.

## 11-B | ASSISTANCE FOR FOREIGN FISHERIES DEVELOPMENT

Basic information requirements:	Available online?	Up to date?	Easy to find?
List of overseas projects financed through development aid assistance related to fisheries and marine conservation projects	No		
Project value			
Project purpose and outputs			
Project evaluations			
<b>No</b>			

89 <https://projects.worldbank.org/en/projects-operations/project-detail/P171644?lang=en&tab=overview>

90 <https://www.thegef.org/projects-operations/projects/4343>

## Available online

Information on fisheries-related projects financed by China in other developing countries is not published by the Chinese government. A lack of transparency on Chinese loans and grants is well-established in international literature. However, a project implemented by Aiddata has compiled a substantial searchable database of ODA projects financed by the China Development Bank and the China Exim Bank.<sup>91</sup> Entering the keyword 'fish' reveals over 60 projects financed since 2008.

As this information is not provided by national authorities in China, it is assessed as not being available.

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<sup>91</sup> <https://china.aiddata.org>



## 12. BENEFICIAL OWNERSHIP<sup>92</sup>



Beneficial ownership – that is, the natural person who ultimately owns or controls a business or transaction – is a topic grabbing global attention. This interest also extends to the fisheries sector. A lack of transparency around ownership of fishing companies, vessels or licenses is linked to several important policy debates, including non-compliance with tax laws, evasion of criminal prosecutions for illegal fishing, corruption and conflicts of interests, and also the excessive concentration of ownership in segments of the fisheries sector.

### 12-A | LEGAL BASIS FOR BENEFICIAL OWNERSHIP TRANSPARENCY

Basic information requirements:	Available online?	Up to date?	Easy to find?
Legal basis for beneficial ownership transparency in China	Yes	Yes	Yes
China's legal definition of beneficial ownership	Yes	Yes	Yes
Thresholds used to determine when ownership and control is disclosed	Yes	Yes	Yes
Disclosure exceptions	Yes	Yes	Yes
	To a full extent	To a full extent	To a full extent

#### Available online

On July 27, 2021, the State Council passed the **Administrative Regulation of the People's Republic of China on the Registration of Market Entities**, which became enforceable on on **March 1, 2022**.<sup>93</sup> This provides information on China's legal definition of BO, thresholds for reporting and exceptions. Private companies with registered capital of under RBM 10 million are

<sup>92</sup> More information about the importance of beneficial ownership transparency in fisheries can be found in our 3rd transparency briefing (or 'tbrief', for short) here: <https://fiti.global/tbrief-series>

<sup>93</sup> [https://www.gov.cn/zhengce/content/2021-08/24/content\\_5632964.htm](https://www.gov.cn/zhengce/content/2021-08/24/content_5632964.htm)

exempt from filling in this information, although they must provide proof of their exempt status. The new regulations mean China is now largely in compliance with the international standards on BO transparency as set out by the FATF. However, their most recent country assessment on China, concluded in late 2022, draws attention to some limitations in the interpretation of BO, including that it does not require filing information with authorities on bearer shares and nominee shareholders.<sup>94</sup>

It should be noted that on December 29th, 2023, China enacted a new company law. This is an extensive piece of legislation that impacts the rules of corporate governance in the country.<sup>95</sup>

This assessment has not verified if this new law changes any of the rules for reporting on beneficial ownership.

### Up to date

The regulation on beneficial ownership is up to date.

### Easy to find

The regulation on beneficial ownership is easy to find.

## 12-B | BENEFICIAL OWNERSHIP REGISTRY

Basic information requirements:	Available online?	Up to date?	Easy to find?
Beneficial ownership register	No		
Beneficial owner(s) and their interests			
Declarations of shares or interest held indirectly			
Reasons for not specifying any beneficial owners			
Declaring entity			
<b>No</b>			

<sup>94</sup> <https://www.fatf-gafi.org/content/dam/fatf-gafi/fur/Follow-Up-Report-China-2022.pdf.coredownload.inline.pdf>

<sup>95</sup> <https://www.freshfields.com/en-gb/our-thinking/knowledge/briefing/2024/01/new-company-law-in-china-10-key-changes-you-should-know-about/>

## Available online

The registry of beneficial ownership of market entities in China is maintained by the People's Bank of China and the State Administration for Market Regulation. The regulation explicitly defines this registry as being private, and information will only be shared with Chinese state authorities and cooperating foreign law enforcement agencies.

It should be noted that China's publishes detailed information on every private company registered in China through the National Enterprise Credit Information Publicity System.<sup>96</sup> This system provides information on the company's name, location, the nature of its business, registered capital and the names and addresses of the legal representatives. However, this registry does not provide information on businesses' ultimate beneficial owners.

## 12-C | BENEFICIAL OWNERSHIP DISCLOSURE IN FISHERIES

Basic information requirements:	Available online?	Up to date?	Easy to find?
Rules and procedures for incorporating beneficial ownership in filings by organisations to agencies regulating access to fisheries	Not produced		
Not produced			

## Available online

China's regulation on registering beneficial ownership information with national authorities is cross-sectoral and, therefore, applies to the fisheries sector if companies meet the reporting threshold. This assessment did not locate any evidence that MARA has developed any further guidelines or rules for beneficial ownership reporting for fishing companies.

96 <https://www.gsxt.gov.cn/index.html>



# **TAKING STOCK**

## Online Transparency of Fisheries Management information

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