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China's approach to global fisheries: power in the governance of anti-illegal, unreported and unregulated fishing

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ABSTRACT

As a significant actor in global governance, China has become increasingly active in addressing global environmental challenges. However, Chinese fishing practices do not conform with its policies. How do we understand China's apparently incoherent stance? Using the case of illegal, unreported, and unregulated (IUU) fishing governance, we explore why China shifted its approach from reluctance to engagement while still allowing the Chinese fleet's IUU fishing activities to some extent. We find that China safeguards its self-interest by shaping domestic and international rules on anti-IUU fishing while pursuing means of legitimising its actions and intangible aspects of power in the oceans. Our findings have far-reaching implications. First, China's notion of environmental responsibility is likely to remain within the scope of its interests and what China can control. Second, China's global environmental approach can be understood as the pursuit of intangible aspects of great power status in addition to its tangible interests.

KEYWORDS China; power; global fisheries governance; illegal; unreported and unregulated (IUU) fishing; legitimacy

Introduction

Until recently, China had been reluctant to align policies for its domestic fleet with international rules in global fisheries governance (Zhang and Wu 2017). As a result, criticisms of the ways in which the Chinese distant water fishing (DWF) fleet operates on the high seas have long persisted in the international community (Riddle 2006). Some have even suggested that Chinese DWF has not only depleted fish stocks but also driven geopolitical tensions (Urbina 2020). However, China's recent international norm-setting activities and strengthened domestic anti-IUU¹ fishing regulations demonstrate a policy change from the previous stance of reluctance to taking actions against IUU fishing. As the Chinese fleet's IUU fishing activities exacerbate ecological challenges and 'stain the image of its flag State as a responsible fishing

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participator' (Shen and Huang 2021, p. 29), Beijing aspires to improve fisheries policies in DWF through updating domestic fishing policies (e.g., MOA 2017, 2020a, 2020b) and engaging in international anti-IUU fishing negotiations.

Yet, the size and fishing practice of the Chinese DWF fleet still create strategic, economic, and environmental concerns. Even after announcing new domestic policies, the vast scale of the Chinese DWF fleet near the Galapagos Islands alarmed the international community in July 2020 (Reuters 2020). A similar problem also emerged in North Korean waters, where Chinese vessels engaged in intense fishing (Hanich and Seto 2020). These cases demonstrate that China is not fully embracing its anti-IUU fishing policy, as it allows IUU fishing activities by the Chinese fleet to continue. Nevertheless, China has been framing itself as 'a responsible major state in fishing' (Gu 2020). How do we understand China's apparently incoherent stance regarding anti-IUU fishing?

One may argue that China's anti-IUU fishing is merely rhetoric or a form of policy incoherence where policy and practice do not converge. China's divergence in policy and action indicates that China has acknowledged what the appropriate behaviours are (i.e., the norms) by 'expressing support for values and practices that are part of a norm, while not changing relevant behaviours' (Dixon 2017, p. 86). China, however, is going further than expressing support but is actively setting norms itself. In this sense, divergence between policy and practice does not adequately explain *why* China decided to engage in anti-IUU fishing norm-setting and activities. We argue that China's incoherent actions regarding anti-IUU fishing – shifting from avoiding limits on fishing to implementing partial restrictions on Chinese fleets and engaging in international anti-IUU fishing rule setting – can be explained as China taking up the mantle of a great power in the maritime space. This involves continuing to engage in some self-interested fishing activities while assuming the role of leader in global fisheries governance and taking enough anti-IUU fishing action to be credible in that role.

China's choice to engage with anti-IUU fishing policy is significant for the sustainability of global fisheries. First, Chinese DWF vessels conduct fishing activities in the largest area of the high seas with the highest estimated catch (Crona *et al.* 2020). In 2018, the Chinese DWF fleet caught approximately 2.26 million tonnes (FAO 2020). While the actual scale of the Chinese DWF industry is uncertain, the fleet on the high seas appears to be rapidly growing (Gutiérrez *et al.* 2020). Furthermore, in 2018, the Global Illegal Fishing Index ranked the Chinese fleet as the most likely to be engaged in illegal fishing activities. In this sense, overfishing by Chinese vessels creates challenges to various aspects of ocean governance, including marine conservation, coastal livelihoods, and maritime security (Carolin 2015, Tseng Hui-Yi 2017, Nolan 2019). Second and relatedly, the very fact that China decided to participate in

global fisheries governance has an important implication for improving fisheries sustainability because mitigating global environmental challenges is difficult without rising powers' engagement (Hopewell 2019).

In this study, we add specificity to the discussion surrounding China's approaches to global environmental governance. China's environmental policies have been perceived to 'strongly reflect well-perceived domestic interests and priorities (sovereignty and security being among the most important), and there is little evidence of an acceptance of a wider global environmental responsibility as a future global hegemon' (Carter and Mol 2006, p. 341). Building on this, we argue that China's recent position in global governance is shifting with its growing political and economic power. While an extensive literature discusses China's shifting global role and the implications for the existing international order (e.g., Foot and Walter 2013, Hameiri and Zeng 2020, Shambaugh 2020), little has been said about what this evolving role means in terms of China's stance towards global environmental challenges, and how this stance interacts with China's interests.² Our study fills this gap by drawing upon power scholarship to explain China's incoherent engagement with anti-IUU fishing norms and institutions.

China's expansion of DWF shares historical similarities with other great powers engaging in DWF, including not only improving access to marine resources but also achieving geopolitical economic objectives by building overseas maritime infrastructure and securing overseas fishing rights (Campling and Colás 2021). What is interesting is the variance of China's approach towards international norms of anti-IUU fishing as documented in existing scholarship examining China's rising power in global environmental governance (e.g., Stalley 2013, Jinnah 2017). We argue that China is expanding its influence in ocean governance by projecting itself as a legitimate leader of the international community, especially in the eyes of those challenging China's maritime actions, through norm-setting in international negotiations and its domestic anti-IUU fishing policy. China, like the other great maritime powers, pursues both tangible and intangible power, but China is establishing itself as such a power now, whereas the US, EU and Japan did this in earlier decades. This finding offers insights into the motivations underlying the patterns of China's policy.

In the next section, we describe our methods for tracing China's fisheries policy. Then, we outline a theoretical framework, focusing on concepts of intangible power operating in two-level games. Following this, we discuss the relations between the Chinese state and its DWF industry. The subsequent sections explain how China exercises institutional power in domestic and international platforms and how this

reinforces the projection of productive power. Finally, we close with a discussion of implications for understanding China's evolving role in environmental governance in general.

Methods

We employed a process-tracing method, aiming to establish a 'link between possible causes and observed outcomes', to discern China's fisheries policy development in domestic and international spheres from the mid-2000s to 2020 (George and Bennett 2005, p. 6). In doing so, we examined various primary and secondary sources, including publicly available Chinese government documents, relevant legislation, submissions to international organisations, newspaper articles, peer-reviewed academic journals, and publications from non-governmental organisations. Describing a temporal sequence of the policy development, we recontextualised how China's fisheries policy feeds back into its broader policy priorities (i.e., its pursuit of becoming a great maritime power).

To highlight the policy priorities, we focused on discourses that represent important political forces in China. Discourses provide the framework through which we perceive the world and are often reflected in statements and policies (Braham 2013, p. 58). Our attention to political discourse is an appropriate approach to study China's policy priorities because there is an increasing tendency to centralise foreign policy with a top-down design in China, especially under Xi Jinping's leadership (Zhao 2020). By examining the texts shaped by social practices (LeGreco and Tracy 2009), we identified China's policy priorities to pursue power and linked them with China's fisheries policy changes.

China's power in anti-IUU fishing policy

While the definition of power is contested (Guzzini 2000, Drezner 2021), most agree that power is 'the production, in and through social relations, of effects on actors that shape their capacity to control their fate' and that it includes tangible and intangible aspects (Barnett and Duvall 2005, p. 42). Having power in the international community is to have a simple capacity to act with quantifiable force as well as to have legitimate capacity based on consent (Hindess 1996, Baldwin 2016). Our approach offers insight into this topic by highlighting China's pursuit of intangible power, combined with tangible power, in the recent development of its anti-IUU policy. Our reference to China's intangible power in this study relates to institutional and productive powers defined by Barnett and Duvall (2005). Both types of power operate indirectly, compelling others to do what they otherwise would not. Institutional power is the capacity

to shape institutions to define permissible and non-permissible actions (Barnett and Duvall 2005, p. 51), and productive power involves generalised social processes making certain practices and policies possible, imaginable, and desirable in world politics (p. 55–57). By exercising these indirect types of power, an actor sets up the rules and discourses that become legitimised in the long term without generating conflicts (Bachrach and Baratz 1962, p. 949, Lukes 2005, p. 27).

We note that China exercises intangible power in two-level games, advancing their preferences in international negotiations while also satisfying domestic audiences (Putnam 1988). While the Chinese central government strives for consistent policy implementation, policy outcomes vary across provinces with relative decentralisation (Ma and Liu 2021), including in environmental policy (Li and Shapiro 2020). Similarly, the Chinese state's fragmentation, decentralisation and internationalisation beginning from 1978 increased state-owned enterprises (SOEs)' capacity to engage in autonomous business activities while party-state control transformed into a regulatory mode (Jones and Zou 2017). These changing relationships imply that Chinese SOEs do not act as 'arms-of-the-state', directly serving the government's grand strategy. However, Chinese SOEs are still fundamentally linked to the government as they receive financial and non-financial support. As overseas SOEs can represent national economic power (Starrs 2013), the Chinese state attempts to assert its control while increasing global market competitiveness of SOEs through higher state ownership and overseas expansion under Xi's leadership (Leutert and Eaton 2021). In this sense, we see that Chinese SOEs have less leverage towards their government compared to private actors based in more democratic regimes despite their relative economic autonomy as business entities. This unique relation between the Chinese state and SOEs implies that the Chinese state intends to safeguard SOEs' interests as they can contribute to its policy priorities in economic and strategic goals.

In the next section, we explore the relations between the Chinese state and its DWF industry to make sense of Beijing's capacity and willingness to regulate the DWF. Then, we show how China's exercise of institutional power reinforces productive power in global fisheries governance to safeguard existing maritime interests and gain legitimacy in its role as maritime power.

Power in domestic politics: Chinese state and distant water fishing industry

This section discusses Beijing's power in relation to its DWF industry, drawing upon the framework of two-level games. While its DWF industry has an independent capacity to pursue profit-maximising fishing activities, it is inherently regulated and controlled by the Chinese state (Jones and Zou

2017, Leutert and Eaton 2021). This distinctive relation between Beijing and the DWF industry facilitates China's capacity to project intangible power to gain legitimacy in maritime space, in addition to safeguarding tangible interests (e.g., economic growth, food security).

The Chinese DWF industry started in 1985. To effectively address rising unemployment due to declining domestic fisheries resources, Beijing promoted DWF, in addition to aquaculture (Mallory 2013, Crona *et al.* 2020). Beijing's other fundamental interest in developing the DWF industry was to enhance food security (Crona *et al.* 2020). In addition to contributing to these domestic goals, Beijing indicated that the DWF is an integral part of the 'Going Out' strategy, and the subsequent Belt and Road Initiative of building maritime power (MOA 2017). These strategic ambitions for DWF are particularly relevant to fishing activities in disputed territories with weak regional fisheries governance, such as the South China Sea (SCS) (Teh *et al.* 2017, Zhang and Bateman 2017).

Over the last decade, there has been increasing attention on Chinese fishers acting as maritime militia³ and their potential impacts on maritime security. Since 2013, Beijing has prioritised empowering maritime militia, which mostly consists of fishers, to protect its maritime activities (Zhao 2016, Erickson *et al.* 2019). As distinctions between Chinese fishers and maritime militia became blurry, Chinese fishing vessels have been perceived as threats to the maritime security of other countries (US Office of the Secretary of Defense 2016). Southeast Asian countries, including the Philippines, Vietnam and Indonesia, continuously apply this view to explain the presence of a large number of Chinese fishing vessels in distant or disputed waters (Lopez and Calonzo 2019, Karmini 2020, Linh 2020, Morales and Lema 2021). This contestation suggests that Beijing's pursuit of DWF is intricately relevant to its geopolitical interests in oceans and particularly disputed territories.

Although the ownership of the DWF industry changed from SOEs to a mix of state and private entities,⁴ implying that Beijing has less control over its activities than at the beginning of the DWF industry (Mallory 2013), Beijing still retains some capacity to direct the DWF fleet. The Chinese state has more control over its DWF industry for geopolitical purposes than other DWF countries, in part because of this history of state ownership. While it is challenging for any country to implement regulations in distant waters, and vessels may shift to flags of convenience to escape heavy regulation, Beijing exercises its control through regulatory and financial means, including fuel subsidies (Mallory 2016) and local infrastructure such as port facilities (Pauly *et al.* 2014). This extensive government support indicates China's vested interests in, and some control over, the DWF industry. From 2016 to 2018, China imposed fines on 105 fishing

Table 1. China's international power through anti-IUU fishing policy in DWF.

Relations of Power	Taxonomy of Power	Goals	China's actions
Interactions between specific actors	Institutional	Protecting the DWF industry and geopolitical/strategic interests	<ul style="list-style-type: none"> • Introducing anti-IUU fishing regulations • Shaping anti-IUU fishing rules/norms in a preferred way
Social relations in a broad community	Productive	Gaining legitimacy as a maritime power	<ul style="list-style-type: none"> • Creating legitimised Chinese version of anti-IUU fishing rules • Projecting China's ambition to become a maritime power

Source: Taxonomy of power modified and adapted by authors (Barnett and Duvall 2005, p. 48)

enterprises and 131 vessels for their illegal fishing, revoked licenses of 243 captains and qualifications of 13 enterprises, and penalised enterprises engaged in illegal fishing in foreign waters (Bai 2018). Beijing's capacity and varying willingness to regulate the DWF industry, then, contributes to our argument that China's incoherence between policy and practice arises from its purposeful action rather than mere rhetoric. We expand this argument in the following sections.

Institutional and productive power

We argue that China's incoherent stance on anti-IUU fishing emerges from China's motivation to seize the role of maritime power while safeguarding its self-interest (Table 1). In this study, maritime power denotes capacity to achieve economic and geopolitical ends in the ocean realm, reaching beyond naval forces. Historically, Japan, the US, the UK and the Soviet Union have competed for maritime power (Campling and Colás 2021, Österblom and Folke 2015). Now, China aims to find its place as a maritime power in the international order, not just through its navy but also in other maritime fields, such as fisheries governance. In doing so, China's strongly worded but weakly enforced rules on anti-IUU fishing underpin its incoherent approach to exercising power while continuing to seize tangible benefits from fishing activities. First, its institutional power is demonstrated by introducing domestic anti-IUU fishing regulations and attempting to steer anti-IUU fishing rules in international negotiations. By advancing its preferences in institutional platforms, China secures domestic interests in its DWF industry. Second, China projects productive power to promote its maritime actions and aspired role as a maritime leader in the international community. That is, China generates a narrative that China is adhering to anti-IUU fishing practices, and indeed is actively building international rules against IUU

fishing, and is, therefore, a legitimate maritime power. China presumably hopes its actions and legitimacy in the maritime space will be ‘taken for granted and the ordinary of world politics’ in the long run (Barnett and Duvall 2005, p. 57).

Institutional power: China’s approach to anti-IUU fishing governance

In this section, we demonstrate how China’s approach to domestic and international fisheries platforms is an attempt to exercise institutional power, through shaping the anti-IUU fishing rules to define what fishing activities are allowed. In doing so, China safeguards its DWF activities and geopolitical interests.

Implementing distant water fishing policy and fishing moratoriums on high seas

In the domestic sphere, Beijing has been transforming its DWF policies in line with anti-IUU fishing norms. The amendment of regulations includes reducing the number of DWF vessels, strengthening regulation of the DWF industry, and implementing fishing moratoriums in certain high seas areas off South America (Southwest Atlantic Ocean and the East Pacific Ocean). The new policy represents significant efforts to tackle the Chinese fleet’s IUU fishing activities while still allowing IUU fishing to some extent.

In 2017, China announced that it would limit the growth of the DWF fleet to a cap of 3,000 vessels by 2020 and halt the growth rate of the number of DWF companies entirely from a 2016 baseline (MOA 2017). Following this, China revised the DWF Management Regulation in 2020 for the first time since its introduction in 2003, highlighting the protection and sustainability of fisheries resources captured by DWF (MOA 2020a). To this end, the Regulation included a series of requirements for owners and fishers of vessels to obtain DWF licences. For instance, DWF vessels need to install vessel monitoring systems to improve transparency of their fishing activities. If they were found to engage in IUU fishing, the vessels and captains would be prohibited from DWF and from automatically applying for new fishing licenses (MOA 2020a). Additionally, in June 2020 China banned squid fishing on the high seas of the Southwest Atlantic Ocean and the East Pacific Ocean for two seasons, in order to rebuild squid populations (MOA 2020b).

Despite the relatively strong regulatory capacity over its fleet, how China has set up the policy aims to create the notion of China adhering to anti-IUU fishing practices, rather than attempting to eliminate IUU activities entirely. These policies nominally align with international efforts to tackle IUU fishing; however, in practical terms, the outcomes are not aligned. While Beijing appears to improve fisheries practices in its DWF, this did not lead to a reduction in DWF catch. The 2017 Plan highlighted a reduction in

domestic coastal fishing by proposing the goal of domestic catch to be less than 1 million tonnes by 2020, which is lower than the 2015 catch of 1.315 million tonnes. However, the distant water catch goal by 2020 (2.3 million tonnes) is higher than in 2015 (2.19 million tonnes). Furthermore, the 2020 DWF Management Regulation does not apply to individuals or organisations fishing in disputed territories of the Western Pacific Ocean, including the East China Sea, the Yellow Sea, and the SCS. These exclusions suggest that China is continuing to allow IUU fishing in disputed territories, where histories of fishing practice can be used to claim sovereignty. While not all Chinese vessels engage in IUU fishing activities, it is highly likely that some of their activities are unregulated or unreported fishing. For instance, Chinese fishing activities in the SCS involved confrontations between Chinese fishing vessels and other countries with accusations of illegal fishing (Beech and Suhartono 2020).

Likewise, the fishing moratoriums on certain high seas areas off South America introduced in June 2020 do not seem to fundamentally resolve the Chinese DWF fleets' IUU fishing (MOA 2020b). While the moratorium was in place, there were still concerns that Chinese fishing vessels were engaged in aggressive squid fishing off the coast of Peru (Aquino 2020), and were suspected of illegal fishing near the Galapagos Islands (Garcia 2020). The Chinese government argued that its fishing vessels were legal as per relevant Chinese authorities and registered with the South Pacific Regional Fisheries Management Organisation (RFMO), and that their activities were outside of the EEZ of the Galapagos (Chen and Cao 2020). By defending Chinese DWF vessels' action in oceans as legal, China seeks to safeguard the DWF industry's maritime actions.

Advancing interests in international negotiations

In recent decades, international treaties, such as the United Nations Convention on the Law of the Sea (UNCLOS), and organisations, such as RFMOs, refined policy tools and measures to tackle IUU fishing. Recently, China has been participating in ongoing negotiations on Biodiversity Beyond National Jurisdiction (BBNJ) and fisheries subsidies in the World Trade Organization (WTO). This section focuses on the evolving role of China in RFMOs, and BBNJ and WTO negotiations to demonstrate how China advances its interests in fisheries governance.

RFMOs are international fisheries arrangements with the authority to govern fisheries on the high seas (Lodge *et al.* 2007). RFMOs provide mechanisms for intergovernmental cooperation with a capacity to apply binding legal measures to their members (Webster 2013, Haas *et al.* 2020). While their significance in fisheries management extends to negotiations in emerging fisheries management regimes, such as the WTO fisheries subsidies rules and an implementation agreement under UNCLOS, RFMOs are

international bodies sharing ‘practical and/or financial interest[s] in managing and conserving fish stocks in a particular region’ (PEW *n.d.*). Membership in RFMOs became particularly important for DWF countries because trade sanctions could be applied to non-member states for their noncompliance, including IUU fishing activities (Webster 2015). Becoming a member of RFMOs implies that the member can actively participate in rulemaking whereas cooperating non-members must follow the rules shaped by members. For this reason, China became active in some RFMOs, particularly in tuna fisheries, while being less active in other RFMOs managing fisheries in which China has less commercial interest (Blomeyer *et al.* 2012). This behaviour is similar to historically dominant DWF countries, including Japan, the US, and the EU member countries (Webster 2015, p. 178), which as founding members shaped the procedures and principles guiding RFMOs. What is different is that China did not have the capacity and political will to shape the rules of most RFMOs in their early days, with the exception of the newer WCPFC. However, China’s recent approach⁵ shows its ambition to play an active role in international negotiations with growing economic and political capacity.

The UN Sustainable Development Goals recently rekindled urgency in advancing the WTO negotiations on eliminating fisheries subsidies that contribute to overfishing and overcapacity by prohibiting certain fisheries subsidies. In this process, the WTO negotiations shape the definitions of IUU fishing that would not receive fisheries subsidies. It is important for China to engage in this negotiation process because these definitions directly affect the operation of its DWF activities. In a proposal submitted in 2017, Beijing suggested that IUU fishing activities ‘shall be determined by the flag Member in accordance with its domestic laws and regulations’ or ‘the relevant RFMOs’ (WTO 2017, p. 2). This preference for domestic or RFMO definitions over a single internationally agreed-upon definition of IUU fishing can create leeway for domestic vessels to escape from a stricter categorisation of IUU fishing and therefore allow China to continue subsidising them.

In addition to defining the scope of IUU fishing, China attempts to shape WTO rules in its preferred ways. First, China’s definition highlighted that ‘any alleged IUU fishing activity involving disputes concerning territoriality, sovereignty or maritime jurisdiction shall be excluded from the scope of this Agreement and shall not constitute IUU fishing under this Agreement’ (WTO 2017, p. 2). This definition evidently excludes IUU fishing in disputed seas, including the SCS. Second, China proposed to insert the clause of special and differential treatment for developing and least-developing countries on the procedures of eliminating fisheries subsidies, as a self-claimed developing country. This approach departs from other major DWF countries. Australia and the US suggested categorising WTO members into three groups based on their fisheries capture (rather than developing country

status) to decide their own caps and schedules of phasing out subsidies (WTO 2019a). In contrast, China proposed to use a cap-based approach to reduce fisheries subsidies to balance sustainable fishing and the need for social and economic development (WTO 2019b). These conditions may allow maintaining some types of subsidies in China. In this sense, they highlight China's endeavour to set the rules in favour of its industry while taking a leading role in international decision-making processes (Farge 2020).

China seeks to advance its interests in recent negotiations to regulate the high seas, having missed this opportunity in earlier decades when RFMOs and UNCLOS were established (Campling and Colás 2021). In June 2015, the United Nations (UN) decided to develop a legally binding international instrument under UNCLOS in order to promote 'the conservation and sustainable use of marine biological diversity of areas beyond national jurisdiction' (UN n.d.). This new treaty intends to fill the gaps in the existing international legal framework by addressing challenges for marine biodiversity (De Santo *et al.* 2020). While the UN adopted the resolution to develop a new internationally binding agreement (i.e., BBNJ), the resolution highlighted that the process 'should not undermine' existing legal instruments and relevant global, regional and sectoral organisations (Scanlon and Serdy 2018). This specificity challenges how parties to BBNJ can address the current problems without upsetting existing ocean governance (Clark 2020).

The concern is that fishing activities could theoretically be restricted through implementing the new treaty, BBNJ, and marine protected areas (MPAs) created through the BBNJ processes.⁶ China supports this 'should not undermine' clause as it opposes the potential effect of BBNJ on fisheries governance. In the BBNJ negotiations, countries discuss legitimate activities of using and taking fish and other marine resources on high seas. China, along with other major DWF countries, including Japan, South Korea, the US and Chile, shares a concern about the potential impacts of this new agreement on using fisheries resources and prefers to exclude fish and other biological resources that are used as commodities (IISD 2016, p. 4, 2017, p. 3, 2019, p. 3). China has resisted including fisheries resources as subject to new instruments that may potentially restrict the future exploration of fisheries species as 'commodities' (p. 5). This proposal reflects China's preference to ensure the continuous use of fisheries as resources under existing governance rather than introducing BBNJ for fisheries management. In this way, the provisions regulating access to marine genetic resources would not affect fishing, which is part of protecting status quo fishing in BBNJ. Similarly, implementing MPAs is of interest to China. China has insisted that MPAs should be 'tools rather than objectives' and designated with different levels of

protection depending on the nature of waters and marine life (Chinese government 2017, p. 8). China's position came from its concern about the possibility of new MPAs affecting its current fishing activities on the high seas because those existing activities could become designated IUU fishing.

To summarise, China's engagement with anti-IUU fishing norms represents institutional power, steering IUU fishing rules to incorporate China's fishing interests into domestic and international institutions. The generation of institutional power subsequently feeds into productive power, through the opportunity to increase the legitimacy of its actions and role in the maritime sphere. In this sense, China's deliberate manoeuvrings in domestic and international institutions pave the way for wielding and magnifying productive power. We expand on this argument in the below section.

Productive power: China's growing power in global fisheries governance

Through the process of shaping domestic and international institutions on anti-IUU fishing, China seeks to render its maritime actions and aspired role of maritime power as legitimate and normal in the international community. As China's maritime actions align with the rules, which are fused with China's self-interest, they would be seen as legitimate and normal actions. Relatedly, these 'normal' actions produce an opportunity to wield intangible (i.e., moral) aspects of maritime power as part of its ambition for becoming a great power.

As the domestic policy highlights sustainable practices in distant waters, China refers back to the policy to claim itself as a legitimate fishing country and deflect accusations about Chinese vessels' illegal maritime actions (Gu 2020). Similarly, China's preferences in the international negotiations over anti-IUU fishing rules underline its impetus to protect maritime interests – maintaining fishing activities in distant waters. Thus, the fishing activities following the rules, which reflect China's perspective and interest, would be seen as legitimate and acceptable maritime actions, contributing to empowering productive power and making the notion of China practising sustainable fishing an unchallenged norm in the long run. Relatedly, legitimate and sustainable fishing actions also feed into tangible interests by enhancing the potential to access new markets for eco-labelled seafood products, including the EU (Campling and Havice 2018).

China's desire to increase the legitimacy of its maritime power through engagement with anti-IUU fishing norms comes from China's 'ambition to play a leadership role in global governance' (Morton 2020, p. 164), which extends to building maritime power. The 2019 annual policy report on the work of the government indicated Beijing's focus to

‘develop the blue economy, protect the marine environment, and strengthen China’s maritime development’ (Chinese government 2019). China’s aspiration for maritime power is further incorporated into its foreign policy visions. In 2019, Xi introduced a policy paradigm referred to as ‘Maritime Community with a Shared Future (MCSF)’ that aimed to foster maritime peace and stability with ‘Chinese wisdom and characteristics’ (Qian 2019). MCSF is the maritime version of Xi’s long-term foreign policy vision, the Community of Shared Future for Mankind, with the goals of establishing peace, prosperity, and stability and providing answers to the international community for global challenges as a global leader. Accordingly, China strives to be seen as a power that acts in a responsible way by ‘contribut[ing] more Chinese ideas to the reform of the global governance system’ and ‘play[ing] a constructive role in addressing international and regional hotspot issues, thus making significant new contributions to peace and development’ (Chinese government 2018).

This policy idea aims not only to ensure maritime security and peace but also to improve sustainable development in the maritime sector. Beijing highlights the desire to actively collaborate with coastal countries and the international community in protecting marine ecosystems and resources as part of fulfilling its ‘responsibility as a power’ (MOA 2020b). Especially, Xi emphasises China’s compliance with and implementation of ‘the maritime governance mechanism and 2030 Sustainable Development Goals’, including efforts to protect marine ecology.

This aspiration plays a significant role in shaping China’s approaches to anti-IUU fishing norms. As a rising power, China seeks to find ways to shape and reshape international norms and rules within global governance in its preferred direction (Larson and Shevchenko 2010, Terhalle 2011). While pursuing its interests, China also realises the need to ‘pursue justice’ to become a great power (Zhao 2020, p. 90). In other words, China’s diplomacy incorporates ‘idealistic and moralistic’ dimensions in addition to pure interests (Zhao 2020, p. 90). In doing so, China expects that its power may be accepted internationally as legitimate while persisting with the pursuit of existing maritime interests such as alleged IUU fishing and the advancement of its geopolitical position through fishing. Other great powers, such as Japan and the US, have taken a similar approach of asserting legitimacy while maintaining domestic interests (Barkin *et al.* 2018, Wirth 2020). They were able to build international fishing power during the 20th century and developed international fisheries institutions with their influence to fit their DWF interests. China now strives to gain legitimacy to shape IUU fishing rules in alignment with its interests and overcome criticisms of IUU fishing practices by showing anti-IUU commitments.⁷ In this sense, we are not arguing that China’s action towards anti-IUU fishing reflects a ‘genuine’ moral shift on environmental

responsibility – as our empirical materials do not enable us to determine this either way. Instead, what we can say is that seemingly incoherent actions reveal an ambition to seize the intangible dimension of its (aspired) power.

Conclusion

In this study, we explore the motivations behind China's apparent divergent approach toward anti-IUU fishing. Drawing upon ideas of power operating in two-level games, and institutional and productive exercises of power, we argue that China's incoherent approach to anti-IUU fishing can be explained by its aspiration to become a legitimate power in the maritime space. China's claim for international legitimacy in its fishing activities is pertinent to the Chinese DWF industry, which engages in profit-maximising activities and also acts on behalf of Beijing to some extent. First, China's engagement in domestic and international norm-setting vis-à-vis anti-IUU fishing is an example of exercising institutional power. By shaping the rules for what constitutes IUU fishing activities, China pushes its preferences in a way that would protect its maritime interests. Second, China's domestic and international rule-making efforts contribute to building and wielding productive power in the international community. China's actions in the maritime sphere are expected to be unchallenged and considered normal activities in the long run because they would be aligned with domestic and international anti-IUU fishing rules reflecting China's self-interest. Legitimising China's DWF builds the intangible aspects of China's maritime power. Here, institutional power reinforces productive power. The workings of institutional power in domestic and international platforms tie back to China's ambition for obtaining intangible aspects of a maritime power, as part of being a great power in a broad sense, in addition to safeguarding its maritime actions as legitimate activities.

Our argument highlights that China's policy reaches beyond its tangible maritime interests alone, to attempt to attain legitimacy for its aspired great power role while protecting its maritime interests. It means the Chinese political discourse on leadership, like that of other great powers, has a moral dimension without necessarily having a measurable shift towards greater environmental protection. In this regard, China's aspiration to become a great power in maritime space can offer a viable explanation of its inconsistent approach towards IUU fishing in recent years.

This finding implies that first, China's environmental responsibility is not likely to exceed China's self-interest and is likely to remain within the limit of what China can control. While China strives to grasp moral aspects of power, such an aspiration does not push China's policy so far as to damage its maritime interests. It is likely, then, that China's response to global environmental challenges may stay within the boundary of safeguarding existing maritime interests – whether they may be economic or strategic interests.

While we note that the Chinese DWF activities take place outside of China's sovereign territory, this implication may also apply to China's approach to other areas of global environmental governance, such as climate change and overseas investments of the Belt and Road Initiative.

Second, our study contributes to making sense of China's evolving, sometimes confusing, approach to environmental governance at large. In addition to IUU fishing, China has become increasingly visible in addressing global environmental challenges. In doing so, it appears that China attempts to wield power in a normative way to push forward its interests and values. Our finding highlights that it is important to examine factors beyond immediate, material economic and strategic gains in order to explain China's behaviour towards international environmental rules. Our study suggests that understanding intangible aspects of China's interests (i.e., aspiration for great power status) is important in order to make sense of China's behaviour. As China becomes more visible and present in global governance, this understanding will illuminate insights on China's motivation to engage with international environmental rules in the future.

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Notes

1. Anti-IUU means opposing IUU, promoting legal, reported and regulated fishing.
2. A study explored these implications in climate change governance (Christoff 2010).
3. We define maritime militia as a group of vessels engaging in commercial fishing and operating in line with China's military and strategic purposes (<https://www.csis.org/analysis/pulling-back-curtain-chinas-maritime-militia>).
4. As of 1999, 556 of a total of 1652 boats were owned by SOEs and Chinese National Fisheries Corporation and its subsidiaries while the remainder were owned by private entities (Mallory 2013, p. 102).
5. For instance, China joined the Southern Indian Ocean Fisheries Agreement in 2019, North Pacific Fisheries Commission in 2015, and South Pacific Regional Fisheries Management Organization in 2013.
6. We thank an anonymous reviewer for clarifying this point.
7. We thank an anonymous reviewer for making this point.

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