



# **The power in Cooperation**

## **– A study of Cards, Vietnam and the EU**

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Anton Möller

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Swedish University of Agricultural Sciences, SLU

Faculty of Natural Resources and Agricultural Sciences

Department of Urban and Rural Development

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# The power in Cooperation

## – A study of Cards, Vietnam and the EU

Anton Möller

<b>Supervisor:</b>	Alin Kadfak, Swedish University of Agricultural Sciences, Department of Urban and Rural Development.
<b>Examiner:</b>	Nathan Clay, Swedish University of Agricultural Sciences, Department of Urban and Rural Development
<b>Assistant examiner:</b>	Harry Fischer, Swedish University of Agricultural Sciences, Department of Urban and Rural Development
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## Abstract

Illegal, Unreported and Unregulated (IUU) fishery is a cause for concern in many areas of the globe. There have been various ways employed to prevent or deter it, among which lies the “carding” system employed internationally by the EU. The “cards” are a representation of different levels of warnings about unsustainable fishery before the EU ceases trade with the warned nation. The research question is “*What power dynamics become apparent between the EU and Vietnam in relation to the governing of IUU fishery?*” and explores the discursive relationship between them and other international actors. The thesis uses discourse analysis to find themes of normative power, power relations and cultural relativity. The discourse analysis was conducted using ten interviews and written material online articles and documents. The thesis finds that there is still much work to be done on the global scene regarding communication and cooperation. While there is a will to do what is best for our planet, and many actors share the same goals, the language and conditions are not universally applicable. The thesis concludes that there is a will to combat IUU fishery, that the EU’s carding policies do give results, but also that the international discourse regarding both have to be further developed and studied to reach more mutually beneficial developments in the future.

*Keywords: EU, Vietnam, Fishery, Resource management, Power relations, Normative power, Cultural relativity.*

# Preface

Writing this thesis to completion has been an ordeal, and it would not have been possible without the help of the many people whom I have encountered over the past year. I would especially like to thank my supervisor for introducing me to the subject, for her support and her expertise. I also wish to thank my key contact in Rome, whose aid gave me access to vital sources and interviews. Finally I wish to thank my wonderful family for their continued moral support, for helping me find the right words and for providing access to new possibilities.

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## Abbreviations

To make it easier for the reader, you can make a list with common abbreviations in alphabetical order. Here you have a table you can use to make your list.

See example below:

IUU	Illegal, Unreported and Unregulated
EU	European Union
EC	European Commission
UNCLOS	United Nations Convention on the Law of the Sea
FAO	Food and Agriculture Organization of the United Nations
EEZ	Exclusive Economic Zone
MARD	Vietnamese Ministry of Agriculture and Rural Development
VASEP	Vietnam Association of Seafood Exporters and Producers
US	United States
USD	US-Dollar
ASEAN	Association of Southeast Asian Nations
GO	Governmental Organization
NGO	Non-Governmental Organization
PSMA	Agreement on Port State Measures



# 1 Introduction

This thesis will discuss how different groups of actors with a variety of opposing and similar values interact around the question of Illegal, unreported and unregulated (IUU) fishery (European Commission 2015). Fishery is not only a source of food, but a hobby, a livelihood and an industry. It is an important asset for many nations around the world (Nationalencyclopedia n.d.; Jennings & Kaiser 1998). IUU fishery is a deep and complicated subject which has many different consequences depending on the context of each case. One of the most common effects of IUU fishery is the depletion of marine fauna due to over-fishing. While this affects the environment, it also affects livelihoods. Many low and middle income countries have populations of small-scale fishers who conduct their fishery close to the shore (European Commission n.d.). The depletion of marine life on the high seas directly influences the availability of fish in the coastal areas, and by extension the livelihoods of the small-scale fisher populations, as the shoreline and high sea ecosystems are not static, but fluid and interlinked (Jennings & Kaiser 1998; Manning 2015). The inherent values of fishery are reflected in the differences of policies and priorities held by different nations.

More nations are becoming aware in one way or another of the sustainability aspect of fishery, be it from internal or external pressures. The EU has become a forerunner in the fight against IUU fishery through strong internal regulations on the domestic fishery of its member states, and further extending those policies to its trading partners. By placing the same demands on its trade network as on its own fleets, the EU is applying its regulations on the international stage through the use of symbolic yellow and red cards, an allegory to those used in football, to warn their trading partners if the EU observes noticeable IUU fishery in their waters.

In October 2017 the nation of Vietnam was issued a yellow card for their wild capture fishery industry. The reason being a lacking traceability and illegal activities of Vietnamese fishing vessels in the Pacific and in the waters of neighbouring countries (European Commission 2017b). Some examples listed by the European Commission include; allowing foreign flagged ships and ships with known IUU history to land their goods, a lack of control over where ships flying the Vietnamese flag conduct their fishery, insufficient control over documentation

and landing of fishery products by fishery authorities, lacking legal requirements for fishing vessels to keep logs, and a failure to implement parts of the United Nations Convention on the Law of the Sea (UNCLOS) (European Commission 2017a). As of the writing of this thesis (January-October 2020), the discussion between Vietnam and the EU is still ongoing.

The use of the carding policy may be interpreted as problematic due to the EU extending its power into a sovereign nation on the other side of the globe. The EU is a large supranational union with strong economic and political power who rely on imports to supply their population with the marine products they want. Vietnam is a middle income country which depends on exports for a large part of their economy. Furthermore, this thesis argues that within the implementations of EU IUU policy, the EU has exercised its normative power through bilateral dialogue. Most notably by using its market share as leverage for promoting reforms. Normative power is a term used in social sciences to explain the influence of one actor over another by spreading their internalized views to others.

This thesis will investigate the communication between the European Union and the nation of Vietnam through how their interactions are interpreted by various international actors.

The study will be conducted using discourse analysis and applying the theories of normative power, power dynamics and cultural relativity. By assuming different actors on the international arena frame international relations differently, this thesis uses the particular case of Vietnam as the basis for discussion with representatives from multiple different organizations involved in fishery and EU IUU policy. The experienced relation and interaction between these two actors around the yellow card will be explored through discourse analysis to find any general themes that may appear. The themes will be analysed through power dynamics, cultural relativity and normative power, the implications of which will be explained further in chapter 5.

The thesis is structured into seven chapters. Chapter 1 is the introduction where the reader is given a summary of what the following chapters will explain and why the research is relevant. Chapter 2 is an explanation of the background of IUU fishery, the subject in relation to the actors involved in the Vietnamese yellow card, and previous studies about similar subjects. The third chapter explains the aim of the research, the research problem and its sub-questions. Chapter 4 explains to the reader how the material for research was gathered, how the method of “discourse analysis” was used, and the personal background of the author. The fifth chapter explains the theoretical approach of the research to the

reader. Chapter 6 is the discussion and analysis of the gathered material, divided into three sub-chapters based on the sub-questions defined in the research problem. The final chapter 7 concludes the thesis. The main text starts here. Remember that the introduction should start on an odd page number. Before you begin to write in this template, please start with reading the instructions. You will find the instructions in chapter 2.

## 2 Background

This chapter will provide a context introduction and theoretical background of the thesis. This includes the meaning, background and history regarding IUU fishery, International IUU fishery policies and relations, the Vietnamese fishing industry and the current situation Vietnam is facing with the so called “yellow card” (explained in 2.2) as well as a literature review.

### 2.1 A short Explanation of IUU Fishery

Illegal, Unreported and Unregulated fishing, or IUU fishing for short, has become a major global problem. As populations increase, the need for food grows along with it. The ocean is a major source of food for many parts of the world, and small scale fishery is a major contributor to global food security and poverty reduction. However, there are also concerns regarding over-exploitation due to the global fishing industry’s rapid expansion (FAO/FIAD 2014). The FAO defines IUU fishing as three categories (FAO 2002):

1. **Illegal fishery** refers to fisher fishing without permission from the government of the nation who owns the water, fishers who hold permission but ignore regulations or fishers who violate international laws on international waters.
2. **Unreported fishery** refers to fishery where the catch goes unreported to the local authorities and is thus unregistered.
3. **Unregulated fishery** refers to when a management organization is unable or unwilling to assert management and regulations over its area of influence and marine resources.

In 2019 the global seafood market produced approximately 177.8 million tonnes with a total trade value of roughly 160.5 billion USD (FAO/Globefish 2020). Aquaculture and capture fisheries are by no means a small market, and the products produced by the industries play important parts in the economy of multiple nations. Therefore, every coastal nation has been granted an “exclusive

economic zone” (EEZ) where only ships with their home port within the nation or with special permission may fish (UN/UNCLOS 1982). Trespassing into another nation’s EEZ to cast nets or sell your catch falls under the “I” in IUU fishery. The established boundaries enable easier regulation and documentation of both how much marine flora and fauna is available in a given nation’s territory, how much is caught and where it was fished and brought to land, preventing the “UU” parts of IUU. However, in the case of disagreements between nations regarding where to lay the borders, or in the case of islands far from the main shoreline, the overlap becomes somewhat of a grey zone, where neither nation has the international right to enforce their own law until an agreement is reached (UN/UNCLOS 1982).

## 2.2 IUU and the EU

The EU enforces strict policies on its member states regarding documentation and otherwise adhering to international laws. This includes full reports of what marine products which have been extracted, where it has been extracted and where it was brought to port (European Commission 2009). This is generally in line with the recommendations presented by the FAO previously described. It is one of the factors enabling the labelling system currently in place on marine goods, allowing consumers to track where whatever marine product they buy originated by simply looking at the packaging. The EU further holds its foreign trading partners to the same standards, expecting them to document and report how and where the marine products have been caught, and to show it was done in a sustainable manner (European Commission 2009).

The EU issues “cards” to some of its trading partners. A yellow or red card, an allegory to the warning system used in football, may be issued to a nation if the EU were to find something they oppose in their fishing industry (European Commission 2015). If preceding discussions about the concerns are not satisfactory, the EU may issue a yellow card or “notice of pre-identification”, meaning that if the points of concern are not addressed, the EU will cease trade in fisheries related products with the country in question. After issuing a yellow card, the EU will work together with the nation in question to develop their industries in a way to fulfil the demands of the European Commission, but if the efforts are deemed unfruitful, the card will instead turn red (European Commission 2015). Cooperation may continue under a red card and lead to a downgrade to a yellow again, and even to a removal of the cards altogether. There is a blacklisting only issued in a worst-case scenario where the EU deems their partner to have no interest in cooperating, which leads to a complete shutdown of trade (Leroy et al. 2016). A country may be delisted, but it requires open dialogue and a demonstrable will to change (European Commission 2015). Currently only

six nations have been blacklisted, of which three have worked to have their blacklisting revoked (European Commission n.d.).

## 2.3 IUU Fishery, Vietnam and the Global Market

Vietnam is a relatively small nation when viewed from a global perspective. However, its EEZ stretches more than one million square kilometres and its ports house a large fishing fleet. In 2007 it was estimated that 40% of animal protein consumed in Vietnam came from seafood (Raakjær et al. 2007). The fishery industry was recently restructured to promote growth and social security, with one of the goals being to increase the average income of a fisherman in 2010 with 250% by 2020 (Ngo 2014). The government has subsidized and promoted modernization and transition to off-shore fishery over the last few decades, which has led to a rapid increase in the size and number of ships present in the South China Sea (Boonstra & Nguyen 2010; Ngo 2014). So much in fact that the common-pool resource of marine fauna is over-exploited. Marine populations are diminishing and fishermen are unable to catch as much as they would like. It is, in short, an example of the “Tragedy of the Commons” in Vietnamese seafood production (Nguyen 2008).

Fishers have begun to encroach on neighbouring nations’ territory to cast their nets, which has led to soured relations with surrounding countries (Nguyen 2018). This is further complicated by the ongoing territorial disputes surrounding the South China Sea, as multiple nations lay claim to the same areas.

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Illustration 1: Map referenced by Interviewee 1. Disputed Territorial claims in the South China Sea. From “*Is Joint Exploration The Answer to the South China Sea dispute?*” By A. Gnanasagaran, 2018, <https://theaseanpost.com/article/joint-exploration-answer-south-china-sea-dispute>

In 2005 the estimated production of Vietnamese capture fisheries was 2 million tons per year (Raakjær et al. 2007). Eleven years later, in 2016, the number had grown to 2.6 million tons per year (World Bank). Comparing the later number to the recommended maximum sustainable extraction by the Vietnamese Ministry of Agriculture and Rural Development (MARD), 2.4 million tons per year (Ngo 2014), makes it apparent that the recommended extraction limits are not being followed. The institutions meant to regulate and uphold the laws and rules have been underfunded, under-equipped and under-manned. Thus they have been unable to fulfil their role as a regulatory mechanism (Nguyen et al. 2017). To rectify this, the Vietnamese government designed a plan of action to combat IUU fishery within their waters (Nguyen 2018).

The EU is a major importer of Vietnamese seafood. According to the Vietnam Association of Seafood Exporters and Producers (VASEP); Vietnamese seafood exports to the EU during August 2020 were valued as nearly 98 million USD and the annual value of such exports are growing yearly (VASEP 2020). After many discussions the European Commission decided to issue a “yellow card” to Vietnam, meaning that unless the IUU issues are addressed and rectified, the EU will cease imports of seafood caught by Vietnamese vessels (European

Commission 2017b; a). The union has established standards for traceability and sustainability for its own production, and holds its imported goods to the same standards they hold their own fleets (Miller et al. 2014). These standards are supposed to ensure that the marine products entering the union will have a minimal negative impact on the global environment, flora and fauna. When the EU observes that a trade partner does not fulfil their standards for IUU fishery, they will enter into negotiations to encourage the other party to develop regulations and institutions preventing issues leading to IUU fishery (European Commission 2015). Depending on the development these discussions lead to, the EU may continue trade or issue a so called “yellow card” or “notice of pre-identification”.

Vietnam is currently working with the EC to implement changes and action plans to accommodate the demands (Sê 2019). After more than two years have passed since the issuing of the card there are still some challenges left before it may be removed. According to the newspaper “Vietnam Times”, removal of the yellow card is a pressing concern, because if the card were to turn red it may set a precedent for other major importers such as the US to conduct their own investigation (Lee 2020). There are currently two main issues preventing the removal of the card according to the director of the department of fisheries. These are enabling better control over local administrative violations and controlling vessels illegally entering foreign EEZs. Vietnam hopes to remove the yellow card during 2020 (Nguyen & Minh 2020).

Fishery in Vietnam has been studied by multiple scholars. The foundational starting point of this thesis was inspired and influenced by the following studies: Boonstra & Hanh (2015) whom investigated Vietnamese aquaculture and climate change and Boonstra & Nguyen (2010) whom investigated the history and reasons surrounding Vietnamese non-compliance to fisheries regulations. The latter was complimented by Boonstra et al. (2017) who conducted a follow-up study. The studies provided baseline information about Vietnamese fishery and provided a background to expand upon, albeit through different goals and methods.

## 2.4 Literature Review

This chapter will discuss previous studies regarding top-down decisions and international normativity. The subjects have been studied by multiple scholars in many different contexts, a small selection of which will be discussed.

The top-down decision making has been a main critique to the implementation of EU nature preservation policies. As a counterpoint, it may be argued that the



inclusion of locals may lead to less than desired results. This dichotomy becomes apparent through two studies regarding the implementation of Natura 2000 nature conservation programs within the EU. While the Natura 2000-projects are focused on preserving ecosystems and natural habitats on land rather than sea, the arguments regarding nature conservation bear some similarities to IUU fishery discussion. The two scholars Björkell and van den Belt arrive at differing albeit complimentary conclusions. Björkell's (2008) study of the implementation of a nature reserve in Malax, Finland shows that a lack of communication between local actors and state actors negatively affected the project's implementation. The study shows that a top-down approach does not give much room for local adaptability, and that "what the civil servant finds legally acceptable might not be accepted at higher levels in the organization" (Björkell 2008). Thus the possibilities civil servants had to raise local trust in the project was hindered. Björkell also argues that already established local efforts and methods must be taken into account, as common pool theory stresses involvement of all affected actors as a necessity. Van den Belt (2008), however, argues that allowing local involvement in policy making often leads to less than satisfactory results in a study of French implementation of Natura 2000 nature protection areas. s

*"On the one hand, we have to recognize that a top-down policy does not work. On the other hand, the attempt to involve local stakeholders like farmers, foresters and hunters in setting the goals for nature policy through public participation tends to result in outcomes that are much less satisfactory from an ecological point of view."*  
 – (van den Belt 2008)

Citing Shapiro (1999), van den Belt argues that decisions are based on interests and power, and that locals are often more interested in preserving the status quo than committing to changes in the way they use their environment and resources. The study concludes that local agency may hamper the national or global goals of biodiversity and/or sustainability, and thus that the agency of locals should be reformed in the face of the larger picture (van den Belt 2008). The two studies show that the discussion of top-down and bottom-up decisions are two sides of the same coin, and that either may have a negative impact on the greater picture if taken too far.

Theories regarding the international normativity of the EU has been discussed in three articles which inspired this thesis. Manners (2002, 2008) discusses how the EU deliberately has- and continues to influence the norms of the international community. Manners discusses how the EU has changed the common opinions and norms surrounding capital punishment through multiple strategies, including international agreements and information campaigns (Manners 2002) as well as promoting a general acceptance for international cooperation (Manners 2008).

This thesis uses Manners' definition of normativity and is further discussed in the theory chapter 5.2.

Miller et al. (2014) expanded on the topic by discussing the EU's use of its market power to influence its trading partners' policies and norms. They found that the EU's large market share in the global marine product economy has allowed the EU to exert authority outside of its borders. The market power of the EU, Miller et al. (2014) argue, is further strengthened by the current international norms of IUU fishery policy implementation. However, the position of the EU's authority comes into question when their own fleets are observed conducting IUU fishery, which damages their relation to those they wish to influence. The study concludes that, while the EU holds a strong position on the international arena, the best results for international cooperation should come from cooperation, rather than the EU "teaching" its partners what they believe is the correct model (Miller et al. 2014).

Leroy et al. (2016) conducted a study of the EU's IUU trade policies and the effectiveness of trade measures. They note that, while the EU's policies regarding IUU fishery may be applied to members of the Union and its trade partners alike, the EU's large dependence on imports may lead to the policies being applied majorly on the global scale rather than the domestic. However, the regulations are meant to be non-discriminatory as they apply to both member states and trade partners. They conclude that while the EU's international IUU trade policies are relatively effective, and the EU creates a common normative international understanding of IUU fishery, the policies are only one part of what is necessary for the continued sustainability of marine products (Leroy et al. 2016).

Antonova (2016) discusses international power relations and the results of EU policy implementation in third countries. As with previously mentioned studies, Antonova discusses how the EU's international relations and policies have aspects of normative influence baked in. Using a case study of EU fishery relations to Senegal, Antonova compares the EU's founding principles of liberty, democracy and respect to its current actions on the global scene. The study shows that the EU's international agreements and policy implementation agreements may lack understanding of local necessities and conditions before they are presented and implemented, needing multiple or major revisions before they are successfully applied (Antonova 2016).

Rosello (2017) studied the international interplay between nations in regards to IUU fishery policy by looking at the case of Cambodia and the EU. Rosello discusses how international discussions about IUU fishery lack a clearly defined legal framework to which diplomatic discussions may relate. Cambodian marine

products were blacklisted by the EU in 2015 (European Commission n.d.). By using the case of EU and Cambodia, Rosello shows that the inherent normativity of the EU's international IUU policies may be an attempt and/or be used for a harmonized international understanding of IUU fishery. However, the study also shows the importance of consent, good faith and a will for mutual cooperation alongside formal agreements (Rosello 2017).

More recent studies on the normativity and international IUU fishery prevention activity of the EU have been conducted by Tavornmas & Cheeppensook (2020) and Kunnamas (2020).

Tavornmas & Cheeppensook (2020) discuss how the EU actively diffuses its norms outside of its own borders with the goal of promoting more environmentally and socially sustainable fisheries. The paper discusses the EU's carding of Thailand in 2015, the implementation of EU-led IUU policy reforms, and the revocation of the card in 2019. While the norms of the EU, presented and introduced through the IUU policy agreements, were diffused and implemented in Thailand, Tavornmas & Cheeppensook observe that the same norms further diffused into ASEAN after their implementation in Thailand (Tavornmas & Cheeppensook 2020).

Kunnamas (2020) shows that the EU's international policies of normative diffusion has pressured Thailand into introducing policies of freedom of expression and democracy. The study uses the theory of normativity presented by the previously mentioned Manners to show how the EU was able to change another nation, as well as parts of ASEAN by using the pressure of the yellow card and other sanctions (Kunnamas 2020).

This review shows that the subjects of international normative power, IUU fishery and EU international environmental policies are very much alive and relevant. They show that the subjects are interconnected and have been observed to be so. Furthermore, they show that there are still a lot to learn and study about these concepts.

Vietnam had held their yellow card for three years at the writing of this thesis. There was, however, little in the way of investigations or reports available which discussed the implications of the carding in the case of Vietnam. While writing, this author noticed more studies surfacing about the EU's international and normative power relations in regards to carding and other aspects. However, the subject of the effects on Vietnam and the discussions between organizations surrounding the subject were still lacking. This thesis joins the previously mentioned studies in an effort to gain a better understanding of the intricate nature

of EU and IUU fishery related international communication, collaboration and normative influence. This is done by investigating the differences and similarities in discourse between various organizations, which this author found lacking at the time of writing.

### 3 Aim and Research Problem

The aim of this thesis is to show if there are any differences or similarities in communication regarding IUU fishery in the gathered material, and to find how these differences may affect discussions.

The research problem and question of this thesis is: *“How do power dynamics become apparent between the EU and Vietnam in relation to the governing of IUU fishery?”*

This will be assisted by the following three sub-questions:

- How is communication about IUU fishery policies, and/or the lack thereof, between organizations made visible and discussed?
- How does the normative power of the European Union become apparent through the lens of IUU fishery policies?
- How does the discussion about IUU fishery policy reflect international power relations?

## 4 Methodology

This chapter contains an explanation of the methods and theories used to gather material as well as how they were applied to reach the final conclusions. First the concept and use of “discourse analysis” is explained. The section describes the basic meaning and uses of the method, as well as how it will be applied in the thesis. The section that follows explains how the material and information used in the thesis was gathered. In the final section I, the author, present a truncated personal background. This section explains my disciplinary background, my connection to the subject, how I affected the field and how I was affected in turn.

### 4.1 Discourse analysis

Discourse, according to Foucault, is divided into “the will to truth”, “the division of madness” and “the forbidden speech” (Foucault 1981). By this he means that humanity has striven throughout history to create a fathomable and correct view of the world, and use language to shape their interpretation, by which the will to truth becomes the most powerful of the three. A discourse is thus the common interpretation of the truth present within a group of people who share the same internalized values and understandings of what is right and wrong. Friedrich Nietzsche argued that truths are illusions born from the use of common metaphors and the inherent meanings and values of words, all of which contribute to paint a picture of the world commonly accepted by those speaking the language (Nietzsche 1873). As the discourse and shared opinion of what is the truth becomes the norm of the group in question this thesis assumes that discourse = norm = the socially acceptable truth.

A discourse analysis seeks to illuminate the apparent truths and trends within a discourse. This thesis assumes a post-structural and cultural-relative (see 5.1.) approach by interpreting discourse as something shaped by both internal and external factors affecting the informant. Thus one must understand the circumstances of a discourse to understand the discourse itself. As language is how we describe the world around us, the internalized values will be reflected in the way a person speaks (Nietzsche 1873). However, as different people have

different ways of interpreting their experiences, their individual interpretations will be reflected in how they speak about a subject dependent on their role, upbringing, experiences and much more (Foucault 1981). This means that even though the internal values and experiences of informants play a role in shaping their discourse, the discourses of others and their society also affect their presentation and interpretation of their reality.

Discourse analysis will be applied in this thesis by studying and interpreting ten interviews. The analysis will be presented through recurring themes and the author's interpretations of the internalized and/or embedded values and norms that appear through the choice of focus and subject matter of the informants. The purpose of analysing interviews instead of written statements is to see spontaneity between informants. While each organization may have written statements and articles about the subject matter, which may also be interesting to analyse, this author believes that individuality is partially lost in the process of official writing. Focusing on the subjects spontaneously brought up through semi-structured interviews illuminates the apparent relations and the communication between different actors, regarding theirs and others' roles, priorities and values in relation to IUU fishery.

## 4.2 Material Collection

This study is based on different actors' views and reactions to the EU's carding policy. To gain a wide range of interpretations to analyse, many multiple organizations were approached. The response provided informants who either have been or are currently involved with IUU fishing policy development and/or implementation. These include representatives from Swedish, Vietnamese and UK-based Non-Governmental organizations (NGOs) and Governmental organizations (GOs), as well as different departments within the FAO (The Food and Agriculture Organization of the United Nations). The scale of responsibilities and roles held by the institutions range all the way from presenting global goals, to international cooperation, to local policy implementation. This ensures a wide array of answers from informants who come from different contexts, and thus hold different views and interpretations. The interviews were conducted in a semi-structured manner, recorded and transcribed. It would have been interesting for the study to interview a representative from the EU fisheries sector. The attempts to do so regrettably proved unsuccessful. Finally, secondary source material was also gathered through articles, reports and papers.

The informants were asked to explain what they and their organizations do in relation to IUU fishery. The semi-structured format allowed the informants to

steer the discussion towards what they thought was important to talk about regarding IUU and the EU carding policy. The key points were then extracted, divided into three categories and combined into the analyses presented in the later chapters. The numbering of the interviews, the types of organizations they represent and the dates they were conducted are available in **Appendix 1**. The exact roles, offices and positions of the informants are withheld in the interest of confidentiality, as some of the subjects discussed may be considered sensitive. Examples of questions used during the semi-structured interviews are available in **Appendix 2**.

### 4.3 Personal Background

Being an anthropologist, I want to understand how people may have differing thoughts and ways to interpret and discuss the world around them, as well as one another. I believe that humans construct an image of the world around us that we can understand and which fits our own internal narratives of how things work, quite similar to the “constructivist” mindset presented by Creswell & Creswell (2018). When reading about and discussing the subject, I noticed that several organizations have different ways of discussing the importance of various issues inherent in IUU fishery. Some may focus on the environmental conservation, some on the economic benefits and issues and others may focus on the social complications of IUU fishery. These three examples are all under the same umbrella as they are the corner stones in what we call “sustainability”. All three issues must be taken into account for a policy or action to be sustainable, but different groups and different contexts may cause different priorities to appear. The variety of interpretations of our reality that I observed is what drove me to write this thesis. Finally; my interest in Vietnam stems from having spent two years of my youth in Hanoi. During that time I accompanied multiple delegations to various collaborative development projects involving Sweden and Vietnam. It was in part due to those trips that my interest for both rural development and cultural interaction took root.

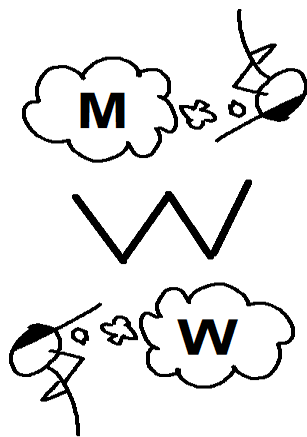
The interviews have been hampered by the worldwide pandemic COVID-19. As I was unable to travel and conduct interviews personally, my fieldwork was cut short and my interviews were conducted predominantly by telephone or through online video conferencing tools. The situation led to multiple possible interviewees dropping contact due to matters of more pressing importance.



## 5 Theoretical Approaches

This chapter will discuss and explain the three theories of cultural relativity, normative power and power relations and relate them to examples. The interpretation and analysis of the discourses which become apparent through the interviews will be based on the presented theories. However, while the three theories are different, they also tie into each other. This too will be discussed.

### 5.1 Cultural Relativism



*Illustration 2: "A matter of perspective"*  
by Anton Möller

This thesis will be using the branch and definition of normative cultural relativism presented by Spiro (1986). This means to operate on two assumptions about culture: 1) there is no universal pancultural standard with which a culture may be measured. 2) and since there is no cultural universal standard, the judgment between right or wrong, true or false, normality or abnormality is relative to the cultural standards that define them (Spiro 1986). This means that even

if the norms of one culture appear strange and unnatural to a representative of another, the former norms is as equally valid as the latter's, as the observed norm is accepted as a natural part of life for those who have internalized it.

The assumption that all cultures and values are equal and legitimate may be misused to justify anything or everything as being acceptable and good. That is not how the theory will be used in this thesis. Instead the theory will be applied using three assumptions. First, everyone holds and practices an internalized understanding of right, wrong, true and false based on their surrounding culture and norms. Second, they act on what they believe is good and beneficial. Third,

the interpretations and perceived benefits, challenges, rights, wrongs, truths, fallacies, possibilities and problems may differ between actors. What this means in the context of this thesis is that the information and opinions presented during interviews and through written sources will be assumed to be based on the internalized truth of the person making the statement. This further applies the author himself, which means that the author will reflexively have to keep his own internalized world view and biases in mind during the interpretation of data.

The informants whom were being interviewed were gathered from different nationalities, affiliations and backgrounds. This implies that they will have different internalized values, even though some may be from the same organizations. While all the interviewed parties are involved in IUU fishery, they are part of different organizations, cultures and sub-cultures. This means that they all hold different ways of framing and interpreting their reality (Foucault 1981; Hylland Eriksen 2000). The same way a single culture contains many sub-cultures, the culture within an organization varies depending on which part, sphere or team one interacts with. Depending on the organization the informants represent, and the way they interpret the questions and the interviewer's aims, they will subconsciously or deliberately assume a role for the situation. Based on the expectations placed on them by the institutional policies their organization represents, and how they personally want me to interpret them, they will be tailoring their answers to the context of the interview (Goffman 1978). In short, to understand why a person acts, speaks and interprets the world as they do, one must understand where they are coming from and what they base their understanding of reality upon (Hagberg 2013).

As explained in chapter 4.1, discourse and communication between actors is reliant on the perceptions and values internalized by those involved. By assuming the views presented are a representation of the personal truth of an informant, cultural relativism allows us to explore the diversity of perceptions and viewpoints present within the communication surrounding IUU fishery.

## **5.2 Normative power**

The following chapter will explain the theory of normative power. An exercise of normative power is when an actor uses their position of power to influence another in their common everyday values or actions. This thesis will be using the definition of normative power presented by Manners (2002, 2008). To simplify Manners' definition: "normative power" is the power to not only affect the opinions and values of a people, but more specifically what is considered "normal" within the collective consciousness of a people. Some choice examples

of these norms are the European perceptions of basic human rights, equality, sustainability and democracy (Manners 2002).

The “normativity” of these subjects in this context is how they are presented as universally applicable rather than a social construct (Manners 2008). The EU generally spreads its influence as a normative power through example rather than coercion. This is described as the concept of “transference” by Manners (2002), by which the EU promotes its norms by using their integration as terms and conditions for joint development- or trade agreements with non-union states and actors. Multiple scholars have studied the EU as a normative power using various approaches. For example, Manners (2002) presents an example of the international normative power of the EU by explaining changes in the global norm of acceptance towards capital punishment. The EU has, through a gradual increase in international discussion, media attention and diplomatic demands over the course of two decades, created a change in the juridical systems of multiple nations. The changes were made through incentives and lobbying rather than coercion, and the end result was a public acceptance of the new policies. According to Manners (2002), the promotion of one’s own ideals and values is common in international politics, but the EU is successful through this method of exercising normative power. Manners concludes that “the ability to define what passes for ‘normal’ in world politics is, ultimately, the greatest power of all” (Manners 2002).

The study of gender and normality in transitional Poland by Lindelöf (2006) provides another example of the EU’s exercise of normative power within itself. Lindelöf’s study illustrates how the social construction of Polish femininity is changing after the nation’s entry into the EU. The aspect of appearing “European” becomes a growing part of the social norm in Poland, and the will for “Europeanness” affects the dominant socially accepted images of the gender roles which are reproduced within their society. “Europeanness” in this sense is an amalgamation of what is considered good examples and ideals of different systems from the EU member states. While Lindelöf’s informants may not have experienced the examples “Europeanness” first hand, they still try to emulate them, because doing so is what it means to be “European” (Lindelöf 2006). In short, the entry into the EU has and is changing the social norms of Poland through displays of positive examples.

The IUU regulations of the EU become a normative influence when they are applied internationally. In studying the EU’s IUU regulation policies and their success in the Pacific Islands area, Miller et al. (2014) illustrate how the EU’s market power works alongside their normative power in an attempt to create international changes well beyond the borders of the EU. Miller et al. explain that

the EU, being a large market, is able to use its market power to influence how a nation or people manage their resources. While the changes requested by the EU through their carding policies are voluntary, the alternative is to lose them as a trading partner. According to their study, the EU has been attempting to implement its own IUU regulations as the basis from which others should write theirs.

The examples above illustrate how the EU has a normative effect both within itself and internationally. The largely successful campaign to abolish capital punishment internationally by presenting the EU and its values as a positive example to follow and the push for EU standards in international fishery have parallels with the introduction of “Europeanness” to the Polish population. Though the contexts are vastly different, each case shows how the norms and values of the EU are presented and experienced to be the “correct” norms, which further influences how other actors perceive certain questions and how they will act in the future.

### **5.3 Power dynamics**

Power dynamics are a widely discussed subject and this chapter will explain how the theory will be interpreted and applied in this thesis. The definition of power used in this thesis is based on a combination of Foucault (1978) and how gender dynamics were described by Hirdman (1988). The main points taken from Foucault are: 1) power is practiced rather than inherent, 2) power is given by those who believe they are lower in a hierarchy to those believed to hold power, 3) power is always exercised with an aim or objective (Foucault 1978). In the case of Hirdman, the dichotomous categories of power and subordination will illustrate how different actors are able to dictate what is “good” or “bad” practice, define who is right and wrong, and how the powerful define what is normal (Hirdman 1988).

To explain power based on this dichotomy let us make a theoretical example. Two persons meet every day and work together. When one of them assumes the right to dictate how the other may act, the power dynamic becomes apparent. If the other conforms, it implies that the former holds power. If the opposite occurs, the power rests with the latter. This interplay is simplified for the sake of explanation, and the continued interaction may continue to spiral into conflict, but this can be applied to anything from two individuals, to a state and its people, to international geopolitics.

Foucault (1978) explains that power is given from the bottom and the power dynamics presented by Hirdman (1988) further show that the powerful party is regarded as the example of norms. This is made apparent by how attention and/or consequences are brought to the weaker party whenever they may divert from the acceptable conditions or actions decided by those with power (Hirdman 1988). This ties the power dynamics into the topic of normative power. The European Union holds a powerful seat in the global marine product marketplace (Leroy et al. 2016) and Vietnam is one of many smaller nations they trade with. Furthermore, the cards are actively issued with a clear intent, which ties into the definitions of power borrowed from Foucault (1978).

## 5.4 Summary of the application of theories

These theories and mindsets have guided my views and my conceptualization of the research problem in various ways. A culturally relative mindset lets the author assume all actors are acting in good faith and for what they believe is a good solution based on their own values. Power dynamics will make visible the inherent hegemonic relations between Vietnam and the EU, as well as other actors involved in the question. Finally, normative power shows how the “good” norms of a powerful actor are spread through discourse and other means to less powerful actors.

## 6 Data, Analysis and Discussion

This chapter presents and discusses the findings of the study. The findings were predominantly the result of interviews and to a lesser degree reviews of literature. The interviews were transcribed, anonymized and their statements divided and sorted into different visible themes relating to the sub-questions in chapter 3. Each of the following chapters was written using the aforementioned material and relates to one of the three formerly mentioned sub-questions.

### 6.1 How is communication about IUU fishery policies, and/or the lack thereof, between organizations made visible and discussed?

This chapter focuses on the way in which different actors communicate. The section has been divided into three themes based on reoccurring themes during the interviews. Understanding the common opinions and views surrounding the issue of the Vietnamese yellow card opens the door to understanding the dynamics behind current discussions. Thus this chapter will discuss what the interviews showed is generally agreed upon, what is different and how the present views reflect on their associations.

#### 6.1.1 Common understandings

Three themes reoccur throughout all interviews. These themes include: 1) IUU fishery is a problem, 2) IUU fishery must be prevented, 3) the sustainability of marine life in the oceans is important and must be protected.

“Maybe on one day you don’t have any fish to eat, so we have to work together.”  
– Interview 5 (Vietnamese NGO)

These sentiments also become apparent when reading material released by the EU. The further details and methods often diverge depending on the informant, however a majority agreed that the methods to combat IUU fishery all over the world are similar, but must be adapted and implemented based on local contexts.

### 6.1.2 Views on the roles of different organizations

The material presented multiple differences in how different actors interpreted the situation. The main observed differences within each informant's viewpoints were based on the roles they and the organization they represented held. Each informant presented the role of domestic and international organizations in different ways. Even the perspectives presented by informants within the FAO differed from each other. One of them stressed the importance of the FAO as an international neutral and unbiased mediator (interview 4, FAO) in discussions like the one between the EU and Vietnam, this aspect was never brought up by non-FAO informants. The European and Vietnamese NGO and GO representatives instead discussed such things as the role of the European Union's delegations or the influence of the global marketplace. This may be due to the interviewer's questions not leading the non-FAO informants to the subject, but it presents an interesting picture. While one organization does hold an important international position in the question of IUU fishery, and they do play a large role in the work surrounding the issue, it does not necessarily mean it is part of the common associative pattern of outsiders. Furthermore, it illustrates how an organizational culture affects the scale of how IUU fishery is presented. While other informants came from NGOs and GOs working on the local and regional scale, the FAO works on a global scale. Many informants discussed the implications and issues regarding local and regional fisheries, but only a few brought up the global scale of IUU fishery issues.

Interview 5 (Vietnamese NGO) explained that sometimes it is easy to forget that this is a global problem, and that Vietnam is only one nation of many working with it, but the issue of IUU fishery is not only the responsibility of Vietnam.

*"We are working on the IUU, we want to make that the fishermen in Vietnam respect the law, we want to make sure that our fishery is improved. But on the other hand, that (IUU) is not only the responsibility of Vietnam, it is in the whole global context."*

– Interview 5 (Vietnamese NGO)

Interview 2 (FAO) also explained that IUU fishery deals with resources that move fluidly between borders, thus no one nation can be responsible. However, rather than cooperative policies being created and enacted because of this fact, many times the actual policies may show the complete opposite.

*"When you talk about wild capture fisheries from the high seas, or the sea in general, what happens is that before the fish is caught it usually does not belong to any country, and that creates a very different way, a different behavior, in how companies and countries act towards this product (compared to agriculture). If the product is not associated to anyone, no one should take care of the product. [...] We (humans) are not very used to think about a product that can be influenced by the actions of other participating countries before it*

*becomes national. Because if country-A starts fishing a lot of Fishy-X it's going to reduce the availability of Fishy-X for countries B, C and D. [...] I think it's a lot of a prisoner's dilemma exercise."*

– Interview 2 (FAO)

Another subject brought up during Interview 2 and Interview 8 regarding how IUU is about resources that move freely between borders and the vessels which follow them. The matter of international cooperation becomes complex when different nations' laws are at ends with each other. Gear and methods allowed in one nation may be banned in another. Even if a vessel has a certificate and permit to cross the border into another nation's waters to fish, they may become illegal due to their methods.

*"The 'illegal' part of IUU is a national concept. So, from times, you have an operation that can be illegal in country A but can be permitted in country B."*

– Interview 2 (FAO)

*(When discussing cooperative fishery agreements) "Pair trawling is legal in Vietnam, but that is illegal in Cambodia. [...] So technically while the Vietnamese are not doing anything illegal by Vietnamese law, their methods become illegal anyway."*

– Interview 8 (Swedish NGO)

### 6.1.3 Organizational preferences made visible

This section will discuss how the differences become apparent and how they are linked. Throughout the interviews there were many different angles, stories and responsibilities which were conveyed. While not necessarily conflicting with each other, the interviews each pointed to different issues and possibilities based on their individual priorities. Interviews 8 and 9 (Swedish NGO) discussed that the Vietnamese government and the local committees have the power to end IUU fishery very quickly if they were to use the constitutional powers of the government, something that will be discussed in a later chapter. For example, interview 6 (Vietnamese GO) rather said that "it is hard because we are a developing country" in regards to policy reform and fast results. The informant meant that Vietnam as a medium-income nation does not have the sufficient economy, technological assets or know-how to give quick and satisfactory results. However, along with interview 5 (Vietnamese NGO), they stressed that Vietnam is working as hard as possible to live up to the EU's requests, even though it takes time to reach every fisherman.

*"The first time when they (EU) do the warning they require about 9 different recommendations that they want Vietnam and its fisheries to improve. And from other non-state actors we see that government work very seriously on all the recommendations."*



*“Some of the fishermen maybe find it (IUU policy implementation) too difficult to cope with. [...] The cooperation motivation from the fishermen is not high because they don’t see the motivation in the big picture yet. The government sees the big picture that if the yellow card is released the fishery of Vietnam can grow, but the single individual fisherman needs time to understand that.”*

– Interview 5 (Vietnamese NGO)

They further explained that the issues of IUU fishing had been a daily subject of the news and conversations for a long time, placing the issue in the collective consciousness of the people. This being due to the information campaigns running to raise public awareness about the problems of IUU fishery. The information campaign only recently stopped due to COVID-19. The Vietnamese informants brought up the information campaign as a reason for the lack of protests against the new regulations, something which happened in the nearby nation of Thailand whom recently had their yellow card revoked.

Interview 2 (FAO) discussed that civil society and trends are able to affect IUU fishery through various kinds of incentivization.

*“It is a lot about incentives. At the end of the day, if you have the right incentives, things will probably happen. [...] How can you just ask someone to stop their livelihood if you don’t offer anything better? Because at the end of the day they have to feed their families, and if you interview a lot of artisanal fishers who practice illegal fishing, one answer is ‘I have to feed my family.’ The other is that in some cases fishers are banned without having the proper assessments etc. without involving them in the process. So, if there is a rule that they don’t agree to they will not follow it. If there is a rule that does not offer an incentive they will not follow it either, so that itself becomes an incentive to enter into IUU.”*

– Interview 3 (FAO)

*“In many countries nowadays in the world, regardless of being developed or developing countries, we are starting to see a lot of trends particularly in restaurants of chefs only serving sustainable fish.”*

– Interview 2 (FAO)

If there is an incentive to supply non-IUU fish products due to a paying market, they argued, more IUU-certified fish will enter the market. Another example was how women clam-fishers in Indonesia were able to multiply their income after learning that the major demand was in large specimens, and that leaving smaller specimens in the sea will secure their livelihoods in the future. By providing information and an economical incentive, the life cycle of clams and information about the market demands and supply chains, a more sustainable mode of clam fishing was achieved alongside the fishers becoming more likely to follow the rules. The transmission of ideas and definitions is an, if not the most, important part of combating IUU. In a similar manner, Interview 3 (FAO) further discussed that if a system is introduced to a group of people, there must be a level of

understanding and mutual trust between all the groups involved. They continued that such a thing may be achieved by allowing a distribution of power between institutions and local civil society.

As the locals often hold innate knowledge of their area and their resources, they may know details that higher administrative levels do not. Just the same may be said of the opposite, the higher institutions may not know the details but have a more overarching view of the subject. Purely top-down decisions may not have the desired effects, as the people expected to conform to the new rules or programs may ignore them if they do not see the reason for following the demands. A close cooperation would lead to higher trust and make the project more likely to succeed. Finally, interviewee 4 (FAO) explained that IUU fishing will not go away completely.

*My opinion is it (IUU fishery) will never end. [...] Even if you put a faraway target in terms of time, say 2050, I think we can try to look forward to reducing drastically this happening, and controlling and making sure we're having a culture of compliance so that fishermen understand that it is for their well-being and for future generations that they reduce it as much as possible. But, stealing will always exist. It has existed in the past and will exist in the future. [...] We can reduce, we can control and make things much better, but it will never end.*

– Interview 4 (FAO)

The argument is that we may reduce it drastically, but there will always be opportunists or those who must commit IUU or stealing to support themselves. However, the amount of such things happening can be mitigated if the surrounding culture becomes one of compliance to rules, where noncompliance is commonly unacceptable. Thus the amount of institutionalized and normalized IUU fishery would be reduced.

#### 6.1.4 Discussion

The questions, issues and solutions presented and proposed by representatives from different areas of expertise and different backgrounds are demonstrably varied. While they may be similar in some areas, they are still distinct enough to show how possible failures in communication may appear. This makes the inherent relativism of the issues of IUU visible, as the different priorities and talking points reflect the values internalized by different people from different backgrounds. Furthermore, the internalized values that shape the discussion are affected by the roles and experiences of the informants themselves, as well as the organizations they associate with.

As discussed in section 2.4, the EU is actively expanding certain norms regarding the use and government of resources. This means that the European norms are being spread with the goal of being assimilated into other cultures which may hold vastly different interpretations or values related to the subjects in question. By using the theory of cultural relativity we are able to see how the relativity of interpretation of different subjects becomes apparent. In this case, the norms of the EU are to be accepted by a counterpart who may or may not hold certain values or interpretations that the EU takes for granted. This begs the question: is the EU interested in knowing if the transferred norms will be accepted by the receiving actor in a positive or negative manner?

According to the material published by the EU, the carding policy is ultimately based on good intentions. This goal of sustainability of the oceans ties into the United Nations Sustainable Development Goal number 14, which means to conserve marine ecosystems and resources in a sustainable manner. What we can see from the interviews and material is that the cards are generally seen as a good idea, but not altruistic. The positives on a national and overall level are not necessarily as positive for the local or small scale level, at least not immediately or in the short term. From a relativistic standpoint, this means that policy makers must be aware of whether they and the people they affect are seeing and discussing a 6 or 9 (see illustration 2). It is easy to discuss the same subjects and words while being unaware that the other holds a different interpretation of the situation and discussion. Therefore it may be more effective to be prepared for misinterpretations, but also take precautions so that the risk of misunderstandings and/or miscommunication may be as small as possible.

In the case of the EU's carding policy, the final decision in revoking or escalating a card falls to the EU. This means that it is important that the EU and the other nation, in this case Vietnam, have a common understanding of the subject and all of its implications. If the EU were to lead by example with methods inapplicable to Vietnam's situation, such an example would fall flat. We can see the acknowledgment of this from the Vietnamese side by how the informants described follow-up meetings with the EU as well as information campaigns meant to further develop the card revocation requirements and spread the desired common interpretations of IUU fishery and its implications. However, as following chapters will discuss, there is still much work to be done on the international scene to coordinate terminology and actions before actors may come to agreement.

## 6.2 How does the normative power of the European Union become apparent through the lens of IUU fishery policies?

This chapter will discuss how the normative power of the EU is made apparent through the interviews. The EU has since its conception employed normative power on its own member states, meant to normalize a state of peace and adherence to the supranational laws enacted by the union parliament in Brussels. Looking at trade negotiations and the carding policies of the EU it is possible to see that the EU is attempting to expand its own norms to its trading partners through the market. By requesting certain regulations, the EU injects its ideals into another nation's consciousness with the goal of turning these ideas into the internalized universal norms of the subjected nation (Manners 2002).

### 6.2.1 Cards: carrots and sticks

This chapter will discuss how the carding policy may be interpreted based on the interviews. As mentioned in the previous chapter: the commonly agreed themes brought up, discussed and illustrated in a majority of the interviews were 1) IUU has to be prevented, and 2) IUU is everyone's problem. If one looks at the carding policy as if they were a carrot or stick one may notice they are a bit of both. Successful changes and reforms promise rewards through continued cooperation, trade and sustainability while sanctions lurk on the horizon if the work was to fail.

The use of economic repercussions or inconveniences in regards to IUU fishery is not exclusive to the EU's carding policies. The Port State Measures Agreement (PSMA) which is the only binding and regulated policy by the FAO is another example.

*“The idea of the PSMA is to create a financial burden for IUU fishing. The idea is that the product which is originated from IUU fishing is going to be very difficult to be unloaded in any port of any significant party.”*

– Interview 2 (FAO)

One fact about the cards and the system that is important to bring up is: *“They (EU cards) create movement”* (interview 10, UK NGO). The informant argued that by applying pressure to the market, the card creates incentives for governments to change their policies, and it is quite effective at doing so. Even after a card has been revoked, the continued threat of a new card theoretically means that regulations are kept. The cards being applied as a “carrot and stick” is effective, explained the informant, as it provides both an incentive to cooperate and possible punishment for declining. As such it is a very effective way of

changing the methods and behavior of another actor. This indicates that the carding in itself does not change the norms. The implications are rather that the EU sees itself as a normative power through being powerful and -knowing- that their advice is good.

### 6.2.2 What one says, what one does and what one says one does

In the following section, I will discuss how the EU's own fishery is interpreted and reflected in the way the informants discuss the international policies. Three interviewees (1 & 2 from the FAO and 10 from the UK NGO) discussed how the policies and standards of the European Union's cards were in some ways hypocritical. During interview 1 it was discussed that the carding policies request a carded nation patrol their waters to prevent IUU fishery. However, EU member states themselves do not patrol their waters in a way that completely prevents IUU fishery, as the cost of oil they would have to spend would overshadow the income of their fishing industry. Thus, while the economic implications of such a system are unsustainable within the European Union, the EU asks its trading partners to do so.

*“The capacity to patrol a 200-mile limit is zero in most of these countries in Southeast Asia. I mean, even in Europe the ability to patrol effectively a 200 mile economic zone is almost impossible. [...] The global expectation that is placed on countries that are developing countries with very very limited resources, that they would commit their whole navy to just patrolling and protecting perhaps a few tons or a couple hundred or thousand tons of fish, which is worth maybe a million dollars, but you spend maybe five, ten, twenty, thirty million dollars in fuel and vessels, why would you do that?”*

– Interview 1 (FAO)

Interview 2 (FAO) explained that the development of modern fisheries in the EU was made possible through what is now considered unsustainable methods. The fishery within the EU was supported by the state through subsidies and fixed prices, which led to strong growth and powerful markets. It was after allowing the fishery industries to establish themselves economically that the global north moved to more sustainable methods. However, the interviewee also explained, there are controversies regarding the sustainability of EU fishery. They again brought up the example about how the EU pays to conduct fishery off the coast of northern Africa.

*“If you think of the fishery access agreements that the EU has with, basically, African countries. That they pay a fixed sum of money to the country to allow them to fish off the coast of the country is also very criticized.”*

– Interview 2 (FAO)

This fishery is controversial as it can be argued it pays into corruption and builds on unsustainable quotas, as well as possibly using unsustainable fishing gear. The case of EU fishery off the coast of Africa was also brought up during the tenth interview.

*“Our (EU) own fleets: Spain, France, Italy, the UK have huge problems. We fish off the coast of Africa, we conduct IUU fishing, we deplete resources, we use unsustainable gears. [...] We haven’t sorted out our own fisheries.”*

– Interview 10 (UK NGO)

Interviewee 10 (UK NGO) further discussed the method with which the recommendations and requests were relayed from the European Union to the carded nation. According to the interviewee, who had observed EU delegations visiting Thailand, the delegations consisted of older European men who often were not invested in the local conditions of the nation they were visiting. The informant described that the delegations’ propositions were often “whimsical” and “ad-hoc” in nature, sometimes completely unrelated to local conditions or possibilities. Finally interviews 1, 5, 6 and 7 (FAO, Vietnamese and Swedish NGO and GOs) all brought up that the fishing fleets of the EU are quite different from many other nations’, including those carded, yet the original requested changes following the carding would not take those differences into consideration.

*One of the requirements of the EU was that all catch had to be documented and certified as being not-from-IUU fishing. The issue is that the way that fishing occurs in Southeast Asia is that you have very, very large fleets of small vessels. Something that the EU does not have. [...] When you have a hundred small-scale vessels bringing stuff into port, what you have is a huge combination of catches and grading. Because, the quality stuff that you want to export maybe comes from 50 of the boats, and is only maybe 5% or 10% or 20% of the overall catch. [...] You’ve got a hundred vessels and you’re splitting your catch certificate into three, suddenly you have 300 catch certificates. That then goes into the catch from four other ports that goes to a processing factory, suddenly they have 1000 catch certificates. All of that has to accompany any product that is then delivered out in a container to the EU, and may go through 3 or 4 different channels, those catch certificates have to then follow that and be split again. [...] The EU brought out this regulation and straight away the countries said ‘this is absolute madness.’”*

– Interview 1 (FAO)

Anthropologist Margret Mead has been ascribed with saying “What people say, what people do and what people say they do are entirely different things.”<sup>1</sup> In the case of the cards, one may argue that the requested norms are set by an ideal rather than by example. The norm is based on the powerful definition of the norm though they are not an example of it. The disregard of local conditions and the assumption that one’s own conditions are the standard adds to the theory of the

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<sup>1</sup>There is no written source for this citation, however it is most often ascribed to her.

norm being established, defined and enforced by the powerful. Furthermore, the power to dictate the norm is a show of general power as it was defined by Foucault.

Something that may be of interest to note is that the experience of hypocrisy came entirely from the western interviewees. Locals instead spoke about the demands and their implication on the Vietnamese context, rather than reflecting on the EU's own practices.

### 6.2.3 The nature of demands

*“It’s interesting to think that, since the regulatory environment of fisheries in the world is a little bit soft and voluntary in nature, many countries that have a strategic interest in fishery try to impose their values and principles that they apply to fisheries to other countries.”*

– Interview 2 (FAO)

This section discusses the experienced relations between the EU and third nations in regards to the power dynamics between them. When discussing the case of Vietnam's carding, some interviews brought up the issue of uneven discussions regarding IUU policy changes. The carding policy is presented by the EU as a cooperation towards a sustainable future, better practices and the better health for marine ecosystems. As it is presented in an easily available info-graphic “Thanks to this cooperation, more than 30 third countries have improved their systems to fight IUU” (European Commission 2015). The cards are, in short, presented as a method to enable global cooperation. However, interviewee 5 (Vietnamese NGO) explained that, as the EU initiated the conversation and investigation about Vietnamese IUU fishery, the European Union has the power to continue it until they are satisfied. This implies that the EU not only has control of the conversation, they also have the power to define when and if the demands are met. Furthermore, Interviewee 6 (Vietnamese GO) explained that the original policy and regulatory changes proposed by the EU were not adapted to the case of Vietnam. The original requested changes were very large and difficult to implement as the policies used within the EU were built around a different system of fishing fleets and a different diversity and multitude of catches.

Interviewee 5 (Vietnamese NGO) further explained that the terminology used by Vietnam and the EU were not coordinated. For example: the phrase “community” and “local people” have a different meaning in Vietnam compared to the EU.

*“We focus on the life and livelihoods of the local peoples. But when I’m talking about the community, the local people, it may be different perspectives. In Sweden, in Europe, when you’re talking about the communities it may include the people in the urban- or in the areas of advantage, but here we are talking about the poor, the poorest and the most vulnerable as*

*communities.”*

– Interview 5 (Vietnamese NGO)

This makes discussions between Vietnam and the EU delegations become complicated because the differences are significant enough to cause misunderstandings. Further complications arise in how the Vietnamese are more open with information about the issue than the EU. These issues may be interpreted as the European Union not fully involving or explaining themselves to the nation involved. The use of words and definitions are not adapted to the nation they enter into discussions with but are rather universally applied out of their own definitions, which are assumed to be the norm. This once again ties into both the transference of normative power and the norms being defined by the powerful, as the implied norms of the EU are expected to be universal. Relating back to normative relativism, interview 7 (Swedish GO) discussed how the terminology and policies of the EU are adapted to the premise of European fishery. The EU's fleets consist of fewer and larger boats than Vietnam, but even the small vessels are better equipped and more knowledgeable about rules and regulations than many other areas of the globe. The rules and regulations within the EU are adapted to this specific scenario, however even here they are not foolproof. Due to the legislation being so well understood by fishers within the union, there are those who will thread the needle and do exactly as much as they can get away with, even modifying their boats if needed to fit into less regulated classes.

The quote “It's hard because we are a developing country” was mentioned in a previous section. As this phrase was repeated multiple times throughout interview 6, it may be interpreted as signalling an implied hierarchy, where Vietnam is in a much lower position than the EU. Based on the short duration of the interview there is no way of knowing if it was the internalized world-view of the informant. Assuming it were, however, it would mean that the inherent inferiority embedded into the title of being a “developing” country as opposed to “developed” countries has become normalized. What this means is that a “developing country” cannot be expected to do the same things or uphold the same standards as a “developed nation”.

#### 6.2.4 Discussion

The normative power of the EU is, based on the interpretation of the material provided, to present what they define as the “normal” way of interpreting a sustainable fishery industry to another nation, even if they themselves do not fulfill all their own criteria. In this case the norm is not presented by example, but rather an image of an ideal model presented by a powerful actor. While many aspects in the ideal are apparent in reality, there are also claims that bring the



EU's ideal into question. However, due to the power held by the EU on the international scale, it is possible for the European Union to deliberately apply, present and spread the ideal norm, as has been shown previously by Manners (2002). This is strengthened by how multiple informants described differences in terminology and consideration for local conditions. Finally, the norms of the EU and their international diffusion come to light in the discussion about "developing" and "developed" nations. This differentiation between perceiving oneself as a "developing" compared to a "developed country in the discussion about the former reaching the standards of the latter may be interpreted as a way of diffusing the normative power of the EU, by fitting oneself into a place in the hierarchy.

Based on both previous studies and the interviews conducted during this study I, the author, interpret that the threat of economic and trade repercussions may- and has led to normalization of new policies. While not exclusive to the EU, the message and policies brought forward by them, and the inherent values contained in the conditions for continued trade, are based on the norms of the European Union. The spreading of norms appears to be conducted in good faith as the motivation is based on cooperation towards a more sustainable future ocean life and us humans as a species. The promotion of one's norms for the purpose of correcting what one believes is wrong in the world is inherently a good idea, as the goal is a more positive future. There is however a proverb that says "the road to hell is paved with good intentions". This could mean one must explore the possibilities and hardships that may arise during implementation before one even begins. From this and previous studies, we may see that the use of market power has the side effect of reinforcing international hierarchies based on economic differences and the definition of being "developed" and "developing" as a nation. The norms of the powerful are what dictates an acceptable implementation of the requested policy changes, and thus the same norms become assimilated into the other's mode of thought. Whether the norms stay after implementation is another question entirely, but they are introduced to a new population through the changes in policy.

IUU fishery being reduced through building a "culture of compliance" was mentioned in a quote from Interview 4 in a previous chapter. This becomes more relevant in the discussion of normativity as the ideals and norms of a culture are what controls how the people who have internalized the norms interpret their world. One may argue that the EU's carding policies are in a way building an international culture of compliance to a standardized set of rules meant to become a general set of international norms. As seen in the literature review there are multiple studies on the EU's international normative policies being spread internationally, but there is also one interesting study relating to Vietnam on the

nature of legal compliance written by Boonstra & Nguyen (2010). In their study they discuss how non-compliance to the Vietnamese laws of fishery is a historical and cultural fact, and at times a necessity to prevent someone else from taking their share. This provides a background to the issues of IUU fishery and also provides an interesting point of view relating to a quote from interview 3: “... *If you interview a lot of artisanal fishers who practice illegal fishing, one answer (to why) is ‘I have to feed my family.’*” This quote and the previously mentioned study shows that the culture surrounding IUU fishery is complicated, and that there is a lot at stake from ending the practice. That is not to say that IUU fishery is something positive, but rather that for some it has become a necessity due to the tragedy of the commons.

## 6.3 How does the discussion about IUU fishery policy reflect international power relations?

This section will discuss which power relations became the most apparent through the conducted discourse analysis. Exercise of power comes in many shapes and is practiced over a broad spectrum of scales. When a major international actor like the EU interacts with a smaller actor their power scales are seldom even. This sub-chapter presents the discursive power relations gathered from the interviews by relating to Hirdman’s and Foucault’s power relations, Spiro’s normative relativity and partially to the concept of conflict.

### 6.3.1 The power to dictate the norm

This chapter discusses how the normative power of the EU is legitimized and therefore implementable. There are many ways to exert power, but as previously quoted: “the ability to define what passes for ‘normal’ in world politics is, ultimately, the greatest power of all” (Manners 2002). In the case of the cards, the power lies in market and economical demands. Hirdman writes that the powerful dictate the norms, and the norms set by the powerful are seen as good while others are inferior (Hirdman 1988). Furthermore, according to Foucault (1978): the exercise of power is always conscious. In the case of the EU, this applies not least to the selection of which countries they may issue a card to. The application of the EU’s market power is an active choice. According to a pair of interviewees there are nations that should be issued cards, but the EU does not. Informant 10 (UK NGO) explained that there are nations who deserve cards but for some reason are never spoken about, and rather that the issuing of cards is unpredictable. Informant 1 went deeper and said that the nations whom have been carded so far

are mostly minor actors on the global scale, and even though China and India conduct unsustainable fishery they will never get a yellow or red card.

*Two countries that would be interesting targets for carding have never had a card and in fact the EU will never go near it. One of those is China and the other one's India. [...] They (EU) have only really issued red cards to countries that have such minimal amounts of trade with the EU that it's not an issue.*

– Interview 1 (FAO)

These points are reinforced by the EU's own list of carded nations, where only five of the twenty six carded nations are classified as high-income. Furthermore, only two of which have relatively substantial international representation, namely Taiwan and South Korea (European Commission n.d.). Finally, the only nations to have been blacklisted are low and medium income countries.

The selectivity of the EU's carding practices may be tied to how Foucault describes power as being given from the bottom up, where those who perceive themselves as lower in a hierarchy legitimize those they believe to have power over them. Since power is also consciously practiced with aims and goals, and the EU's IUU regulation policies have the clear aim to influence international IUU issues, one may question why this is. An explanation could be that the EU's assertion of power is being legitimized by less economically developed or less internationally represented nations, which ultimately may accept and allow the EU to present their norms as an example to follow. Using the same logic, one may argue that the EU is *not* being given power by India and China, and is therefore *not* able to assert power over the two nations. If the power is not given to the EU, the power cannot be applied.

### 6.3.2 The power in cooperation

This chapter will discuss the positive possibilities and points regarding the carding policies. When looking at material published by the EU regarding IUU fishery one may find that the reasoning behind the carding policies is not one of malice. Documents published by the EU rather show that the carding policies were created to preserve marine ecosystems and promote global partnership. As is stated in one of the info-graphics available on the European Commission's website: *"Thanks to this cooperation, more than 30 third countries have improved their systems to fight IUU"* (European Commission 2015). Similar to how number 17 of the United Nations' sustainable development goals aims to promote international partnership and cooperation (United Nations n.d.) and number 14 aims to promote a sustainable use of the oceans (United Nations n.d.), the material presented by the EU aims to show that the carding policy is a positive way to promote international sustainability and partnership. Many of the conducted

interviews touched on themes of sustainable development and its use in discussions.

The communication between the EU and the state of Vietnam paints a picture of international cooperation and mutual benefit, but at the same time the EU holds a significant part of Vietnamese fishery's profits in its hand, and if their demands are not met they are able to financially damage Vietnam as a repercussion. This begs the question: if the EU is asking Vietnam to cooperate or face a figurative embargo, is it really a partnership?

The power dynamics of IUU policy cooperation are an intricate matter, but the interviews provide a certain picture. According to informant 1 (FAO), the EU does indeed wish to have more sustainable imports, but at the same time does not want to lose its trading partners.

*“The EU itself has to balance the problem of: if they block the entry of products they are disadvantaging those companies that rely on that product within the EU.”*

– Interview 1 (FAO)

Thus, as quoted in the previous section, the cards are only applied to nations by which the EU's market would be minimally affected by a blacklisting or red card. This does, however, conflict with the case of Thailand's carding. Interviews 10, 9, 8 and 7 (UK and Swedish NGOs and GO) all showed that Thailand is a major processor in preserved marine products, and thus the EU would lose a large portion of fishery products from Southeast Asia and Oceania if a red card or a blacklisting had been issued. This being the case, there must be something more to the selectivity of carding rather than a calculated power play. Interview 2 (FAO) brought up that “The fish is only a national product after you catch the fish and bring it onto a fishing vessel.” Furthermore they argued that, as fish and other marine life move effortlessly between national borders, it is not possible for a single nation to hold full responsibility for the sustainability of its marine flora and fauna. Cooperation between nations thus becomes key, as the only way to secure one's own assets, which are fluid, are to make sure ones neighbours' assets are healthy and sustainable as well.

One may ask how the previous section relates to power dynamics, but it is quite simply about incentives. Interview 3 (FAO) stated that top-down decisions without a cooperative mindset regarding regulations or policy changes will never be as effective as when those affected by the proposed change are involved and allowed to understand or influence the decisions. If a person is allowed to interpret and understand their situation and the reasoning behind proposed changes, and how they may be positively affected by the changes, they will be

more inclined to cooperate. If, using an example presented in interview 7 (Swedish GO),

*“If you have an area where there is a traditional fishery community in Vietnam, they are often affected (by IUU fishery) by how large ships don’t follow the rules and fish by the coast. Then when Vietnam uses their patrol boats to find these ships, it’s often because the locals have called because they have been given a task to do so, and they make sure the large ships respect the boundaries.”*

– Interview 7 (Swedish GO)

Multiple interviewees mentioned that Vietnam is very open to international cooperation and do wish to work towards a more sustainable fishery industry. This is further enforced by the fact that Vietnam had already implemented policy changes regarding IUU fishery before the yellow card was issued (Ngo 2014). This situation, applied to an international level rather than local, was described by one informant when expressing hope that the Vietnamese government had managed to establish such a relation to the European Commission. However, who decides what “cooperation” is? Interviewee 5 (Vietnamese NGO) said:

*It looks like that the European Commission is in the position of the one who comes to investigate and Vietnam is in the position of people who have to respond to that investigation. [...] EU is the one to initiate the conversation, right? And Vietnam has no way but to respond to that because we need the EU as a partner in trade. I hope that our government is strong enough, that our fishermen are strong enough, so that we also have our point to make and a more equal position to discuss.*

– Interview 5 (Vietnamese NGO)

By initiating the discussion and issuing the card, the EU has actively practiced power. Furthermore, by holding the right to decide the dichotomy of the cooperation’s success or failure, the union further enforces its position of power. While assuming a role of an international actor working towards a sustainable future, the EU is perceived as being well aware of the power it holds through its market.

### 6.3.3 The power of power

Finally, this section will discuss the significance of power itself in relation to policy implementation. A recurring theme throughout the discussions and literature is change, and power is made visible in different ways in the discussions about the changes necessary for IUU policy implementation.

As power is given from the bottom up, those who hold power are dependent on those they assert it over for legitimacy. The power of the European Union’s market is dependent on the dependency of the trade partner’s market. In the case

of Vietnam, interview 6 explained that the European Union purchases one third of Vietnamese marine products yearly. That alone is an incentive for Vietnam to uphold their relations and trade partnership with the EU, which empowers the latter. It is not the first time change through market pressure have been employed by the EU. The neighbouring country of Thailand is a recent example presented by multiple interviewees. Interviews 8, 9 and 10 presented different angles of the Thai process of losing their yellow card, the former two being more general and the latter more in depth.

*“Thailand is in itself a success story. And it’s like they jokingly say some times, that it’s thanks to the military regime, because otherwise they wouldn’t be able to make all the changes.”*

– Interview 9 (Swedish NGO)

Interview 10 gave the impression that the Thai negotiations with the EU were lopsided and the power was unbalanced, where the representatives from the European Union were less knowledgeable about local possibilities and challenges while still holding power over the Thai representatives. Quoting interview 10: *“Basically the EU would say ‘jump’, and Thailand would be like ‘how high?’”*. Based on interviews 5 and 6, the situation in Vietnam may be similar. Interviewee 5 had been involved in the issue and explained that the original demands from the EU were not adapted to the Vietnamese situation. The shape of the fishing fleet, the infrastructure, the terminology or the wide range of marine fauna caught in Vietnam but not present in the EU market had to be explained for the new policies to be shaped in a viable manner. Further, Interviewee 5 expressed hope that the Vietnamese government had managed to establish a more equal platform for negotiations than it was when the yellow card was originally issued. This may be interpreted as not wishing to give up as much power to the EU as the image of Thailand gives.

There is also the discussion of practising the power one holds locally. Interview 8 presented a pair of anecdote regarding the power of the Thai and Vietnamese government in regards to changing policies. Thailand, explained the interviewee, had policies that prevented any rapid changes and caused such issues that the Thai carding situation nearly escalated into a red card. However, a military coup allowed the then provisional government to completely reform the bureaucracy surrounding fishery issues, and while unpopular, allowed the Thais to actively work towards the EU demands. In the case of Vietnam the interviewee explained that for a very long time nobody would wear a helmet when riding a bike or motorcycle. Even though the law stated one must wear a helmet, the law was neither respected nor enforced. However, once the government decided the law should be enforced by the police it only took a matter of days before all bikers wore helmets. Interviewee 8 explained that the same situation has happened

multiple times and that the Vietnamese government has such an absolute control that they may be able to end IUU fishery fairly quickly should they wish. However, it was also mentioned that it takes a long time to reach that point. These anecdotes illustrate that extreme power, when exerted in force, may create the change one wants in a relatively short time frame.

#### 6.3.4 Discussion

Manners (2002) argues that the EU does not use coercion towards its partners when spreading its norms. However, multiple interviewees brought up the power of the international market, and its use as a bargaining point. While the EU does not threaten or coerce its partners, the pressure of lost income may work in its place. Furthermore, sustainable development is currently a powerful argument. The power of the EU and Vietnam is influenced not only by the market, but also how one's image may appear internationally if one were to argue against the EU's definition of sustainability. The power of the market thus ties into the normative power of the EU. While definitions, methods and priorities may vary globally, they must be synchronized when two actors cooperate. As the material shows, the resulting norm of the cooperation is heavily influenced by the actor holding more power.

Returning to the definition of power in section 5.3 the Foucauldian part states that: power is always given from the bottom upwards, power is practiced and the practice of power is always deliberate. This begs the questions: 1) "what motivates Vietnam to give power to the EU?" and 2) "what motivates the EU to practice power on Vietnam?" A simple answer to the former, which is strengthened by several informants, is that the EU is such a large market for Vietnamese marine products that the economic incentive of keeping them as a trade partner and that Vietnam has more to lose from conflict rather than appeasement. Informant 6 (Vietnamese GO) said that the EU's imports amount to one third of Vietnamese yearly exports of marine products. Losing such a partner may mean a large economic loss for a nation's economy, and thus it would be in one's own best interest to do what one can to keep it. To put it simply: by legitimizing and following the requests of their trade partner, and thus giving them power, Vietnam is more likely to retain economic stability. A similar argument was shown in interview 5 (Vietnamese NGO). However, the EU is also actively taking advantage of their given power by issuing the cards and making their requests. In fact, issuing a card to a nation which does not give power to the EU would be a wasted effort. As Informants 1 (FAO) and 10 (UK NGO) discussed, India and China are both nations with large fleets conducting IUU fishery, yet the EU does not issue them any cards as they are not given the power to do so. In the case of China it may be argued that the EU is in the same seat as

Vietnam as the dependent party. However, the two nations India and China are not as dependent on marine exports to the EU as Vietnam is. This means that the EU's practice of power focuses on those partners they know they have the power to influence. In an info-graphic provided on the European Commission's IUU website (European Commission 2015) they state that the goal of the carding policy is to promote international cooperation for more sustainable fishery and marine management. Thus, to answer the second question: the EU practices their power on Vietnam because they have both been given the power to do so and have interest in spreading their policies of sustainability.

Through the previous arguments I see how the EU carding policy is in part motivated by power itself. Continuing to the second part of the definition of power. By assuming the culturally relative view that actions are primarily practiced in the interest of doing morally good in the context of one's own world view, and the assumption that the actor with power interprets themselves and are interpreted by others as the example of norms which are good and right, the EU gains a further motivation for their carding policies. Informant 2 (FAO) mentioned that many nations with an interest in fisheries try to spread their norms to others due to demands from civil society or political interest. In the case of the EU one may argue both. As the EU holds internal norms, both through legislation and through demands from civil society, which specify how fishery should be conducted, and through the assumption that these norms are good, they have an interest in making sure their imports follow their norms so that the products are also good. If we add that the EU's cards are also an action justified by the concept of sustainability, which is a hot topic in the current international discourse, the legitimacy of the goodness of the norms are further strengthened. In short, through this theoretical combination we see that the power given to the EU legitimizes their position as a normative example, which further legitimizes their goal of spreading their norms of sustainable fishery management.

## 6.4 On discourse

In this last section of chapter 6 the discourse surrounding the previous questions and points is discussed. Power, normativity and cultural relativity are three separate themes that are also interconnected and in some ways dependent on each other. This becomes apparent when applied in the context of IUU fishery and the yellow card issued to Vietnam. By analysing the interviews through the lenses of Hirdman's and Foucault's power dynamics, Spiro's definition of cultural normative relativity and Manners' definition of normative power, one may find three connections: 1) power relations dictate the acceptance of norms and the



subjects of discussions, 2) the norms dictate power relations and the discussions, 3) the discussions make the power and norms become visible.

The power distribution and norms become visible through the language used by informants during interviews in multiple ways. One is by analysing the opinions and explanations presented by the interviewees. Much of the discussion of power was obtained in this way. However, in the context of this paper and through the application of discourse analysis, the subjects and stories brought up by informants become contextually important and show significant information by themselves. Due to the semi-structured nature of the interviews, the informants were given some leeway in which part of IUU fishery they wished to discuss and where they wanted to take the subject. This means that the subjects discussed during the interviews were partly due to the informants' own associations and world-views (Foucault 1981), which in turn becomes representative of their internalized discourses. This is how one finds the norms and normative powers at play within the discussion. Finding the common themes between informants working in similar fields but in different departments, associations, companies or nations provides an insight into the norms commonly accepted in a certain subject. In short: through analysis of both the said and the unsaid, the underlying discourses surrounding the yellow card have become apparent.

Throughout this study, discourse analysis has made it possible to uncover differences and similarities in the way yellow cards, the EU, Vietnam and IUU fishery are discussed. Assuming that what people say, what they do and what they say they do are different things, the discourse analysis allows us to see what people say and what they say they do. This allows the researcher to gain insight into a situation and the narratives and norms that surround it. In this case the Vietnamese yellow card is shown to be a part of a global issue, and an example of how power dynamics and normativity is shaped on the international and global scale. By studying the interviewees' points of interest, which subjects they spontaneously bring up and what they leave unsaid, has enabled the application of the theories used in this thesis.

Discourse analysis, however, limits the information available in a study as it is dependent on written and spoken language. As previously mentioned, words have different values and meanings for different people, and the inherent message of a written or spoken statement may be interpreted differently by different people. Thus, to understand what a person really means one must understand the person themselves, and preferably their native language. The lack of complementary observation, which would show what people do compared to what they say and what they say they do, and quantitative data complicates the reproducibility of the study. A discourse analysis is ultimately dependent on the interpretations of the

author. While using a reflexive stance and discussing to oneself why and how one has reached the conclusions and interpretations one has made, it is inevitable that one's own internalized views, norms and interpretations will show.

## 6.5 A personal reflection on cards, policies and ethics

In this section I, the author, will be discussing my own opinions and thoughts on the matter of carding as a policy and its implications. Throughout the work on my thesis I have learned that the world of fisheries, geopolitics and international trade are deeply intertwined in ways I previously had no idea about. I have throughout my studies found things within the carding policies and international communication which I find positive or questionable. This section will discuss a few points relating to my views on ethics and practicality of the EU's carding system.

As stated in a previous chapter, the cards may be interpreted as strong-arming a nation on the other side of the globe in an ethically questionable manner. Furthermore, Manners' writings on the EU's effort to abolish capital punishment (2002) shows that this isn't the first time the EU has made a conscious effort to spread its norms outside its borders. I interpret this as the EU being well aware of its position of power and normative power, and applying it in ways that will prove beneficial to the EU's wants and/or needs. However, this description may make the EU appear more sinister than I personally think it should. Assuming that the carding policy was born out of a will to preserve life in the oceans, protect livelihoods and ensure that the supply of marine products will not run out due to over-fishing, the ethics behind the cards become muddled. While it may be unethical to pressure an independent nation into adopting your norms, it may also be argued that not using the powers available to you for "the greater good" would also be unethical. It comes down to scales and how the policies affect the local, national, international and global scene.

I personally am not entirely sure how one may improve the carding system. It is effective as it is now, albeit only when applied to actors over whom the EU holds power. It is a given that one may bring up more open communication and equality between actors in the discussions surrounding the cards, but as power dynamics are heavily embedded in the subject that is easier said than done. Instead, one point which was brought up by multiple informants, and with which I agree, is leading by example. While the EU does promote sustainability in its fisheries, there have been multiple controversies where the EU itself has committed IUU fishery, within and outside of its borders. My informants brought up the case of EU boats fishing off the coast of northern Africa. If the EU were to address these

concerns, and make a big deal about it, I believe more nations may be inclined to follow their example and/or make discussions easier on the international scene. That is: leading by example by showing action against what their detractors point to. I believe this could be a stepping stone towards a more open discussion and promote an atmosphere of good will between nations.

To conclude my thoughts: the EU's carding system is flawed and laden with displays of power, but it may also be one of the best methods we currently have to curb IUU fishery.

## 7 Conclusion

This thesis set out to investigate the power dynamics between Vietnam and the EU, their power relations and the use of normativity through the use of discourse analysis. The results were achieved by interviewing representatives from a variety of organizations and applying the theories of power relations, normative power and cultural relativity.

As stated in the introduction: fishery is not only a source of food, but much more. Marine products are an important asset for many nations around the world. The fight against IUU fishery is important for that reason. However, there are many opinions and methods surrounding *how* IUU fishery should be combated. Different viewpoints and values have become apparent throughout this thesis, regarding both local and international methods for regulations. Based on the interviews it may be surmised that the EU, holding a significant amount of normative power through their market, is able to inject their normative values regarding what is sustainable fishery into another nation.

The issues surrounding IUU fishery span many industries and interests. This makes it all the more important to look at all parts and interpretations of a story. While one may object to the EU's policies, one must admit that they do get results. Reality is relative and the definition of what is right and wrong, good or bad, is based on the interpretation of reality of those who try to define it. It is regrettable that the author was unable to discuss the issues of IUU fishery and the carding policy with a representative from the EU. Because, at the end of the day, the viewpoints of the EU regarding their carding policy will add another dimension to the findings of this thesis.

As, Manners (2002) argued that "the ability to define what passes for 'normal' in world politics is, ultimately, the greatest power of all.", the author is inclined to agree with his viewpoint based on the material found and presented in previous chapters. The EU's transferral and dissemination of norms, with the current use of market pressure to transfer their norms and ideals to other nations, has proven successful in both the past and present. Furthermore, their position as a supranational union of high-income nations requesting a middle-income nation reform their policies to what the EU deems acceptable makes the power

distribution between them apparent. We see two actors where the one holds the power to critically damage the other's economy by ceasing trade in marine products, should their demands not be met. Such an imbalance of power reinforces the norms of a status quo hierarchy of "developing" and "developed" nations. These norms in turn are further enabled by how the "developing" nation Vietnam has more to lose by not conforming to the established norms of power distribution than the "developed" EU has by cutting trade relations.

To answer the original research question in short, I see how presents their inherent values and norms throughout the discussion during IUU fishery dialogue. While each interview provided one or multiple methods to combat IUU fishery, they all were distinct from one another. The answers to the issue are coloured and adapted by the culture, knowledge and experiences the interviewee holds, and it becomes apparent through the subjects they bring up when discussing the issue.

This study has shown how power dynamics and normative power are interconnected in the global stage. That alone does not make this study unique. This these shows that by combining elements of Foucauldian and Hirdmann's theories of power, and assuming the culturally relative view that actions are based on the internalized norms of what is considered good and right, we gain a new lens to interpret the interaction and application of power between two actors. The interconnection between power dynamics and normativity becomes a motivation for the powerful to spread their norms in the interest of promoting what they believe is good. While the powerful themselves, in this case the EU, may not live up to their own norms and ideals, they still appear as the example of the ideal to themselves and their others, while the power is given to them by another actor who may have more to lose by withholding the power. This shows just how intricate and complex the situation is with Vietnam and the EU's yellow card, and presumably many other similar situations worldwide.

This thesis has provided insight in the present diversity of discourse, priorities and opinions surrounding IUU fishery and Vietnam's yellow card. These differences show that there are still many hurdles to overcome on the scene of global cooperation and communication. Supplementing the results of this study with a follow-up study on how global issues are discussed and understood on a local level in Vietnam would be very helpful. Furthermore, applying the theories and method of this thesis to studies of moral and ethical discussions regarding sustainability and development may also yield interesting results. The philosophical aspects of ethics and morality are affected by the values internalized by a person, and cultural relativity means that it will differ between people. Therefore the application of this combination of theories will allow us to see the will of those with power to spread "good" methods by example, as motivated by

the giving of power which enables the practice of power, which in turn enables the spreading of one's norms.

In the globalized world of today it is more important than ever for us to go the extra mile to understand each other. Further studies so that we may lead the way to better understanding and cooperation between different parties in the future.

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## Appendix 1: Interviewees and dates.

1. FAO (March 04 2020)
2. FAO (March 12 2020)
3. FAO (March 24 2020)
4. FAO (March 12 2020)
5. Vietnamese NGO (March 25 2020)
6. Vietnamese GO (March 9 2020)
7. Swedish GO (March 26 2020)
8. Swedish NGO (February 04 2020)
9. Swedish NGO (March 12 2020)
10. UK NGO (May 12 2020)

## Appendix 2.

### Examples of interview questions.

The following questions were used to start conversations. The discussions they brought forward continued through the use of follow-up questions made up using the context of what was said.

- Can you explain to me how (organization name) works with IUU fishery?
- Can you explain to me which part of the I, U and U you believe is the most important?
- What is the best way to prevent IUU fishery?
- Apart from trade and sustainability, are there any other sectors IUU fishery may affect?
- What are your thoughts about the carding policy of the EU?
- How would/does/may a red card affect a nation/Vietnam?
- What is the role of locals/governments/NGOs in the context of IUU fishery?