BLOOM's contribution to MSC's consultation on Simplification for fishery assessment

Marine Stewardship Council - March 2016 Consultation

Simplification for fishery assessment

There is recognition that the MSC program can be complex, time consuming and expensive for client fisheries, certifiers and stakeholders interested in participating in the process. Uncertainty about the outcome of certifications, particularly where there are multiple overlapping fisheries requiring harmonisation, may act as a disincentive to fisheries or the supply chain to engage in MSC certification, and create challenges to stakeholders in generating effective input to the process. These challenges are particularly acute for small scale and developing world fisheries, which often face difficulty accessing the data required for assessment and in justifying the cost of certification. Despite these issues, the number of fisheries in the program continues to grow, so maintaining the current level of complexity as the program 'scales up' in this way will be difficult for all of those engaged with the MSC.
The MSC is seeking innovative and radical solutions that are likely to significantly reduce the cost and complexity of the fishery assessment process, while maintaining or improving certification rigour and the ease of stakeholder engagement.

*** 1. How would you characterise your role in the MSC program?**

- (●) Environmental NGO stakeholder
- ( ) Client or industry stakeholder
- ( ) Conformity Assessment Body (CAB)
- ( ) Accreditation body
- ( ) Government or management agency stakeholder
- ( ) Other (please specify)

2. In your view, which issues are the most important to address in the simplification project? Please rank.

1	Reducing complexity of program
2	Reducing cost of program for clients
7	Ensuring program remains viable for CABs
4	Improving accessibility of program for small scale and/or developing world fisheries
5	Addressing uncertainty of assessment outcomes
3	Improving effectiveness of stakeholder engagement
6	Maintaining or improving credibility and robustness of program

3. If you would like to raise any other issues that you think should be addressed in this review, please identify them here.

We would like to raise two issues with the proposed solutions:

a) Objection to client-drafted assessment

We disagree with the Association of Sustainable Fisheries (ASF)'s solution for simplification that was put forward in the consultation document. They demand that the clients prepare their own self-assessment in order to shorten the

assessment process. In our minds, the current certification process lead by the CABs already turns too often in favor of the client's interests: they already benefit from a confidential pre-assessment which we believe should be transparent; they have priority to review the first draft of the assessment report; and the fact that CABs are paid by the clients makes them more accountable to them than to the environmental groups and citizens, "external" stakeholders to the process.

Leaving it to the clients to draft their own report would lead to a further loss of impartiality in the certification process, as they need the certification. Therefore, they will likely overview several aspects of their negative impacts. It is also certain that such a change in the process would lead stakeholder concerns to be even less taken into account, since it is likely that client-drafted assessments would require more substantive comments by NGOs and other public interest groups.

It would also be interesting to know who ASF is. We did not find any website for this organization, so we find it peculiar that their solution was put forward in the consultation document. Christina Burridge, chair of ASF, is also the executive director of the British Columbia Seafood Alliance, which represents nearly all production of commercially harvested seafood on Canada's Pacific Coast.

Source: www.seafoodsource.com/news/environment-sustainability/b-c-seafood-rep-to-chair-asf - sthash.UUNyFr7K.dpuf

We also found an article from 2013 in Undercurrent News stating that: *"The Association of Sustainable Fisheries (ASF) has addressed a letter of protest to MSC chief executive Rupert Howes, over a video portraying commercial fishing practices as damaging to the environment."* Therefore, it seems that ASF is an organization more likely to be willing to protect their own commercial fishing interests rather environmental ones.

Source: www.undercurrentnews.com/2013/09/18/msc-upsets-fisheries-by-backing-wwf-video/ - .UjrzA2TF2Ff

b) Improved harmonisation processes

During the evaluation of the Echebastar purse-seine fishery "*the CAB had argued that a score of 60 for PI 1.2.2 was justified due to the need to harmonize the results of the assessment with those for the Maldives skipjack pole and line fishery and the Maldives yellowfin pole and line fishery*." It should not be possible to invoke an argument of harmonization (especially when it means a leveling-up of the scores for a fishery in assessment) in order to justify the certification. Each evaluation should be made independently.
Source: www.fis.com/fis/worldnews/worldnews.asp?monthyear=&day=24&id=79478&l=e&special=&ndb=1 target=

4. What ideas do you have that could address the issues you've identified as being the most important?

a) Reduce complexity by excluding unsustainable fisheries before they enter the evaluation process

The complexity of the MSC process can deter fisheries that do not have the time and money to engage in the certification process, typically small-scale fisheries. It also deters stakeholders to get involved in the certification process (reviews, site visits, comments, objections, ...).

Bush *et al.* represented the complexity of the MSC process as a "devil's triangle" in which was needed to balance credibility, accessibility and continuous improvement in the MSC program. The authors argued that in order *"to avoid further undermining of the MSC the organisation should move towards an internally controlled tiered certification system based on its already existing metric-based principle indicator system"*.

Source:

- Bush S, Toonen H, Oosterveer P and Mol A (2013) The 'devils triangle' of MSC certification: Balancing credibility, accessibility and continuous improvement. Marine Policy 37: 288-293.

We would go further by advocating for a certification process that would close the door from the beginning to unsustainable fisheries.

GEARS

For example, the MSC would gain much credibility if it considered bottom trawling below 600 meters a "destructive fishing gear", on par with fisheries using explosives and poison.

Scientific literature addressing the impact of deep-sea bottom trawl gear on habitats, animal communities and community structures has demonstrated the negative impacts of this particular fishing gear on the marine environment and fauna.

Chuenpagdee *et al.* polled fishing professionals including fishermen, managers, conservationists, and scientists for their assessment of the ecological impact of ten major fishing gears used in US waters. These professionals agreed across all sectors that bottom trawling was the most damaging fishing method.

Source:

- Chuenpagdee R, Morgan L, Maxwell S, Norse E and Pauly D (2003) Shifting gears: assessing collateral impacts of fishing methods in US waters. Frontiers in Ecology and the Environment 10(1): 517-524.

In 2010, other researchers compared the footprint of several human activities on the deep-sea floor of the North Atlantic's OSPAR area, including waste disposal, telecommunication cables, the hydrocarbon industry, marine research activities, and bottom trawling. They found that the impact of bottom trawling was extremely high and was orders of magnitude greater than that of all other activities.

Source:

- Benn A, Weaver P, Billet D, van den Hove S, Murdock A, Doneghan G and Le Bas T (2010) Human activities on the deep seafloor in the North East Atlantic: an assessment of spatial extent. PLoS ONE 5(9): 15.

In 2014, another group of researchers published a study that estimated that one deep-sea bottom trawl had the same impact as 296 to 1,719 longlines.

Source:

- Pham C, Diogo H, Menezes G, Porteiro F, Braga-Henriques A, Vandeperre F and Morato T (2014) Deep-water longline fishing has reduced impact on Vulnerable Marine Ecosystems. Scientific Reports 4: 6.

The 600m depth has been identified as the limit below which potentially negative impacts increase and catch value decreases.

Source:

- Clarke J, Milligan R, Bailey D and Neat F (2015) A scientific basis for regulating deep-sea fishing by depth. Current Biology 25: 2425-2429.

We suggest to use this 600m limit for defining deep-sea bottom trawling. This would be consistent with the gillnet ban below 600m already in place in Europe and the Northeast Atlantic and amendments 135, 137 and 138 debated at the European Parliament in December 2013.

Sources:

- European Union (2005) Council Regulation (EC) No 1568/2005 of 20 September 2005 amending Regulation (EC) No 850/98 as regards the protection of deep-water coral reefs from the effects of fishing in certain areas of the Atlantic Ocean. Official Journal L 252: 2-3. Amended by: European Union (2009) Council Regulation (EC) No 43/2009 of January 2009 fixing for 2009 the fishing opportunities and associated conditions for certain fish stocks and groups of fish stocks, applicable in Community waters and, for Community vessels, in waters where catch limitations are required. Official Journal L 22: 1-205.
- The Parliament narrowly rejected (by 342 to 326) the Commission's proposal to phase-out bottom trawling for deep-sea species in favour of a weak 'compromise' negotiated in the Parliament's Fisheries Committee. This was despite the Environment Committee overwhelmingly supporting stronger measures, including a phase-out of bottom trawling below a depth of 200 metres and backing by several parliamentary groups for an amendment that would have required a phase-out of bottom trawling below 600 metres. This outcome was also contrary to the recommendations of more than 300 international scientists, who in September 2013 had formally called on EU policymakers to support the phase-out of bottom trawling. In the days immediately following the Parliament vote, 20 MEPs registered a correction to their votes. Although this does not change the official outcome, had they recorded their votes correctly, the phase-out would have been adopted.

Overall, it would be beneficial to discuss about blocking the possibility to enter the full assessment process for fisheries using controversial gears such as deep-sea bottom-trawls, purse-seines around fishing aggregating devices, or fishing gears about which little is known or for which no independent scientific assessments exist (e.g., electric pulse fishing, danish seines).

SUBSIDIES

Heavily subsidized and economically unviable fisheries (i.e., all fisheries that would be unable to operate without subsidies) should also be excluded from the MSC certification process.
If a fishery is kept afloat thanks to public subsidies, it is clear that there is either overexploitation or overcapacity or that the fishery is simply not viable, and therefore, that is it not sustainable from an environmental and/or economic point of view.
We recommend that fisheries that rely on public subsidies and that fail to achieve long-term economic sustainability should not be able to even access the MSC assessment/certification scheme.

b) Cost and accessibility

The prohibitive cost of certification is one of the factors contributing the most to the MSC's bias towards large-scale fisheries from developed countries (see references). However, much of the costs could be reduced if the MSC standards were more restrictive (cf above the paragraph on fishing gears).

Sources:

- Christian C, Ainley D, Bailey M, Dayton P, Hocevar J, LeVine M, Nikoloyuk J, Nouvian C, Velarde E, Werner R and Jacquet J (2013) A review of formal objections to Marine Stewardship Council fisheries certifications. Biological Conservation 161: 10-17.
- Froese R and Proelss A (2012) Evaluation and legal assessment of certified seafood. Marine Policy 36: 1284-1289.
- Gulbrandsen L (2009) The emergence and effectiveness of the Marine Stewardship Council. Marine Policy 33: 654–660.
- Jacquet J and Pauly D (2008) Funding priorities: big barriers to small-scale fisheries. Conservation Biology 22(4): 832-835.
- Jacquet J and Pauly D (2010) Seafood stewardship in crisis. Nature 467(2): 28-29.

- Ponte S (2012) The MSC and the making of a market for sustainable fish. Journal of Agrarian Change 12(2-3): 300-315.
- Relot A and Caillart B (2009) L'écolabellisation dans le domaine de la pêche. Oceanic Development, Concarneau (France). 7 p.
- Ward T (2008) Barriers to biodiversity conservation in marine fishery certification. Fish and Fisheries 9: 169-177.

5. What alternative models would provide innovative and radical solutions that are likely to significantly reduce the cost and complexity of the assessment process, maintain or improve certification rigour and ease of stakeholder engagement, and allow more fisheries to successfully achieve MSC certification?

a) Better include the precautionary approach and ecosystem-based approach

Like much of the EBFM literature regarding collateral impacts of fishing, the MSC's vague definition - which requires that fishing practices "*allow for the maintenance of the structure, productivity, function and diversity of the ecosystem*" - is both subjective and difficult to implement. This subjectivity has led to inconsistent applications of certification requirements.

Sources:

- Christian C, Ainley D, Bailey M, Dayton P, Hocevar J, LeVine M, Nikoloyuk J, Nouvian C, Velarde E, Werner R and Jacquet J (2013) A review of formal objections to Marine Stewardship Council fisheries certifications. Biological Conservation 161: 10-17.
- Ward T (2008) Barriers to biodiversity conservation in marine fishery certification. Fish and Fisheries 9: 169-177.
- Selden R, Valencia S, Larsen A, Cornejo-Donoso J and Wasserman A (2016) Evaluating seafood eco-labeling as a mechanism to reduce collateral impacts of fisheries in an ecosystem-based fisheries management context. Marine Policy 64: 102-115.

b) Include a job/landings ratio as a criterion to ensure that fishing has maximal social impact

At a time of globalized overfishing and economic crisis, creating or at least maintaining jobs in the fishing sector should be a priority for all stakeholders. Certification schemes should incorporate such objectives of increased social impact, putting viable economic operations at the service of humans and not solely profit. Because fish are a public resource, it should be clear that their exploitation should lead to maximum positive impact for the society, i.e., employment and preservation of economic activities on territories while preserving the marine environment and ensuring intergenerational justice (by assuring that the resource is soundly managed and that ecosystem productivity is maintained through time).
We recommend that a criterion assessing the job creation ratio per kilo of harvested seafood should be incorporated in the MSC certification scheme.

Source:

- Jacquet J and Pauly D (2008) Funding priorities: big barriers to small-scale fisheries. Conservation Biology 22(4): 832-835.