



PUBLIC SUMMARY OF A MEETING OF THE MSC STAKEHOLDER ADVISORY COUNCIL

30 November – 3 December 2020, Virtual Meeting

Attendance (*alphabetical order*)

Co-Chairs: Ms Stefanie Moreland (Trident Seafoods), Ms Amanda Nickson (The Pew Charitable Trusts)

Members in attendance: Dr Johann Augustyn (SADSTIA), Ms Heather Brayford (Government of Western Australia), Mr Rory Crawford (Birdlife International), Ms Yumie Kawashima (Aeon) (part), Mr Tor Larsen (Norwegian Fishermen's Association), Dr Ghislaine Llewellyn (World Wildlife Fund), Mr Ivan Lopez (Pesquera Ancora), Ms Christine Penney (Clearwater Seafoods), Mr Marco Quesada (Conservation International), Ms Carmen Revenga (The Nature Conservancy), Ms María José Espinosa Romero (COBI)

Apologies: Ms Agathe Grossmith

MSC Governance: Dr Werner Kiene (Chair of MSC Board of Trustees), Dr Simon Jennings (Chair of MSC Technical Advisory Board)

Observers: Ms Gabriella Anhelzer, SCS Global Services (days 1-3, Fisheries Standard Review sessions); Dr Antonio Hervas, Accreditation Services International (days 1-4, Fisheries Standard Review sessions)

MSC Staff: Dr Rohan Currey (Chief Science and Standards Officer), Mr Camiel Derichs (Program Development Director), Mr Nicolas Guichoux (Chief Program Officer), Mr Rupert Howes (Chief Executive), Mr Jay Lugar (Head of Fisheries Outreach), Dr Ernesto Jardim (Fisheries Standard Director), Ms Ishbel Matheson (Chief Communications Officer), Mr Toby Middleton (Head of Market Operations), Mr David Parker (Head of NGO and Government Relations), Ms Tanya van Niekerk (Governance Secretary), Dr Alene Wilton (Chief Operating Officer), Ms Nikki Wood (Head of Stakeholder Engagement)

The Council was also joined by a number of relevant MSC staff on a project-by-project basis.

This summary contributes to the transparency of MSC's governance. Readers should note that recommendations made by the MSC Stakeholder Advisory Council are reviewed by the MSC Board of Trustees and only those recommendations that are formally endorsed by the MSC Board of Trustees will result in changes to the program. The Board may not always immediately consider the Council's recommendations, especially in instances where more research or consultation is required. Project pages on [msc.org](https://www.msc.org) will be updated to reflect final decisions, including rationales.

A. Welcome and Opening Remarks

The Co-Chairs, Ms Stefanie Moreland and Ms Amanda Nickson, welcomed Council members, the Chairman of the MSC, the Chair of the Technical Advisory Board (TAB) and MSC staff to the meeting.

In view of the ongoing challenges and widespread travel restrictions in place due to the Coronavirus pandemic, the Council meeting was again being held as a virtual meeting, focusing on time-critical topics where the Council's engagement and input to MSC's policy development and provision of advice to the MSC Board was required. The format of the meeting provided some limitations to discussion of the topics, with the Council's advice to the Board provided in that context.

During the session the Council received updates from the MSC Chairman and Chief Executive, and held broad discussions on MSC work undertaken since the Council's last meeting in May 2020, including intersessional Council activities and forward planning of Council activities.

STAC Working Group Updates

The Chairs of the Council's four active Working Groups - Communications and Engagement, Principle 2, Principle 3, Assurance - provided an overview of the work of the groups and intended work plans going forward.

C. Fisheries Standard Review Overview

The Council was provided with **an overview of, and progress update for, the Fisheries Standard Review (FSR)** including the issues under review and the policy proposals identified to address these issues. In September 2020, the MSC Board approved a six-month extension to the FSR timeline to allow additional input from stakeholders to resolve issues currently under review.

The Council's advice was sought on **proposed policy options for five FSR projects**, including where possible, which policy options to take forward for each project. Between June and August 2020, a series of consultations had taken place on the projects. All policy options had been subject to impact assessment, the aim of which was provide clear information on the impacts of the options as a basis for comparing them against one another and against a business-as-usual scenario to identify a preferred option. These assessments were designed to help the decision-making process, increasing transparency, making trade-offs visible and reducing bias. Further consultation and impact assessment would be completed in 2021 and 2022.

A few components of FSR topics had not yet resolved to the point where policy options had been identified. To provide more time for research and help to manage the burden on MSC advisory bodies, remaining FSR projects requiring Council discussion of policy options and impacts would be brought to the Council's next meeting in March 2021.

The Council welcomed the opportunity to provide advice to the MSC Board on the MSC Executive's policy options and discuss stakeholder perspectives, and to provide advice on how the Council would like to engage in planning the consultation and communication activities for all FSR topics in 2021.

D. Ghost Gear

The Council provided its views and advice on the policy options to address the issue of **MSC fisheries not consistently or effectively considering abandoned, lost or discarded gear ('ghost gear') impacts**. The Council considered the way in which it would like to engage in planning for the consultation and communications activities and recommended that the MSC Executive mine the richness provided from existing consultations on ghost gear in planning further consultation.

E. Monitoring, Control & Surveillance (MCS)

The Council welcomed the work on policy options to **strengthen how enforcement and compliance were considered in the Fisheries Standard** and considered this discussion timely. The objectives of this project were to ensure that best practice was considered clearly and systematically in the scoring of enforcement systems, and that the compliance requirements were clear in their intent and proper application.

F. Reviewing Principle 1 with a focus on Harvest Strategy

The Council provided its views and advice on the **policy options that addressed six topics for improving consistency and reducing redundancy within Principle 1 of the Fisheries Standard**. Due to the complexity of the scope of this project, it was split into two components, the first (Component 1) dealt with scoring anomalies and inconsistencies in the requirements, and the second (Component 2) addressed the issue of closing conditions for harvest strategies and harvest control rules when the MSC Unit of Assessment represented only part of the fishing activity that took place on a stock. The options to address Component 2 would be brought to the Council's next meeting in March 2021.

G. Scope Issues in the FSR

The Council explored the proposed policy options to **resolve issues related to the scope of the Fisheries Standard under review in the FSR**. Decisions on the Fisheries Standard scope criteria involved wide policy decisions about fisheries eligible to participate in the MSC program. These decisions often include some element of ethical judgement in addition to scientific and technical considerations and the Council welcomed the opportunity to provide advice to the MSC Board on the scope issues presented to it.

H. Preventing Shark Finning

The Council provided its views and advice on the policy options for three topics to **address the concerns associated with preventing shark finning in the Fisheries Standard**: 1) should the MSC define which species are covered under the term 'shark'; 2) how can MSC incentivise fisheries improvements aligned with the MSC Theory of Change and simultaneously deliver a zero tolerance policy on shark finning; and 3) how can the shark finning requirements deliver the needed confidence and transparency that shark finning is not occurring in MSC certified fisheries aligned with advances in best practice. The Council welcomed the opportunity to consider the policy options.

I. Dispute Resolution Mechanism

As part of MSC's Assurance Review, the Council was asked by the MSC Board to provide comprehensive advice to guide the **development of a new Dispute Resolution Mechanism**, through the Council's Assurance Working Group. Over the course of a number of meetings the Working Group had developed proposals with two objectives in mind; 1) to identify concrete and practical ways to reduce the overall number of objections being lodged and/or instances of disputes; and 2) to identify how the dispute resolution process could be improved to better serve the needs of the MSC process going forward.

Through its consideration of this topic, the Council supported the recommendations of the Working Group. The Council supported the Working Group's position that where not procedural, conflicts often related to ambiguity in the MSC Standard and associated expert judgement and therefore emphasised the importance of resolving ambiguity in the Standard as central to reducing disputes and addressing issues that led to objections.

The Council **supported the recommendation** to develop a new Dispute Resolution Mechanism to be presented to the MSC Board for its consideration.

G. Meeting Close

The Council would present its range of views on the FSR topics it had considered to the MSC Board in January 2021 to inform the latter's decision making. At the late 2021 Council meeting, the MSC

Executive would present the proposed draft Standard prior to Final Review consultation in 2022. The MSC's Technical Advisory Board would be requested to endorse the draft Standard for consultation, as per MSC Standard Setting Procedure clause 7.2, and the Council would be requested to provide recommendation to the MSC Board on the suitability of the draft Standard for consultation.

Closing remarks were shared.

ENDS