



PUBLIC SUMMARY OF A MEETING OF THE MSC STAKEHOLDER ADVISORY COUNCIL

19-21 May 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 Agathe Grossmith (Carrefour), Ms Yumie Kawashima (Aeon), 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), Mr Peter Trott (Fishlistic)

MSC Governance: Dr Simon Jennings (Chair of MSC Technical Advisory Board) (days 1 and 3), Dr Werner Kiene (Chair of MSC Board of Trustees), Dr Victor Restrepo (Member of MSC Technical Advisory Board) (day 2)

MSC Staff: Dr Rohan Currey (Chief Science and Standards Officer), Mr Nicolas Guichoux (Chief Program Officer), Mr Rupert Howes (Chief Executive), 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), Mr Jay Lugar (Head of Fisheries Outreach)

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

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 current challenges and widespread travel restrictions in place due to the Coronavirus pandemic, the Council meeting was being held as a virtual meeting, focusing on a small number of 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 Chief Executive and held broad discussions on MSC work undertaken since the Council's last meeting in October 2019, including intersessional Council activities and forward planning of Council activities.

B. STAC Working Group Updates

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

C. Scope of the Fisheries Standard issues in the Fisheries Standard Review

The Council reviewed a set of proposals to recommend to the MSC Board on whether to proceed with **impact testing in relation to possible revisions to the scope of the Fisheries Standard** to address the scope issues under review in the Fisheries Standard Review (“FSR”). Scope considerations involved wide policy decisions about what fisheries the MSC wants to include in its program and what issues of performance should be considered. These decisions almost always included some element of judgement that was not scientific or technical and the Council was therefore well placed to review these issues.

The Council was provided with a proposed method for formally considering these issues, which provided an approach the Executive and MSC’s governance bodies could apply consistently and transparently when considering how threats to overall program reputation, wider ocean agenda and conservation concerns inform program design.

The Council provided its views and advice on the scope issues, all of which were considered to have both ethical and technical aspects and would therefore require review and input from the MSC Technical Advisory Board. The Council considered the threats and opportunities for taking action to resolve the issues and **endorsed several recommendations** to the MSC Board regarding the issues, including supporting further investigation for some issues. The next stage of the review process (following Board approval to proceed) would be to undertake impact assessments on each of the issues to allow the MSC, and particularly the Board, to agree whether an element of scope should be changed, what that change should be, and when it should be introduced. The Council would continue to be involved in the further development of this work.

D. Harvest Strategy

The Council explored potential options to overcome the issue of **best-practice harvest strategies not being adopted for numerous stocks that MSC Units of Assessment (“UoAs”) target**. These options were potentially intent level changes for Principle 1 of the MSC Standard. The Council welcomed the opportunity to consider this issue and to provide input on the initial options proposed for consultation.

The Council expressed concern over the proposal as it could incentivise or enable behavior counter to the theory of change, and provided advice on several areas for consideration, including when to proceed to consultation on potential changes to the Standard; the challenges of complex political processes associated with achieving harvest strategy requirements for fisheries under RFMO and the need for further exploration of how engagement with, and/or greater understanding of, RFMO processes relate to harvest strategies; and the increase in issues relating to harvest strategies over the past several years as more multi-jurisdictional fisheries entered certification, which was expected to be a persistent challenge.

The Council **registered support** for MSC undertaking further work to articulate clearly the problem(s) statement this work was seeking to address, as well as further exploration of potential options/responses to these challenges, including analysis of positive examples where the MSC harvest strategy requirements had led to improvements in fishery practice.

E. Managing the impact of Coronavirus on the MSC program – assurance and compliance

The Council was presented with an update on MSC’s response to **managing the impacts of the Coronavirus on the MSC and its partners**.

The Council undertook a discussion of the potential significant longer-term implications of Coronavirus, and similar health pandemics, on running of the MSC program, as well as some of the long-term impacts regarding safety measures in fisheries and the assessment process, agreeing this should be considered as current FSR topics advance. The Council supported MSC continuing to review potential flexibility and short-term adaptations in its program that would mitigate Coronavirus restrictions, whilst not compromising the integrity of the program. The Council encouraged thought be given to innovative solutions that were responsive to urgent program needs but also could be sustaining improvements or create efficiencies in the program.

The Council would continue to be kept informed as MSC's program response and the impacts of the Coronavirus evolved.

F. Conditions Review

The Council undertook a discussion of MSC's response to **addressing issues raised by stakeholders regarding the way conditions are set, monitored and closed**. The issues had been identified from multiple sources including via informal conversations with Council members, a review of the report commissioned by Assurance Services International to review and analyse how conditions are closed by Conformity Assessment Bodies, and a review of previous consultation feedback. To aid the Council's deliberations, the issues had been categorised with respect to the part of the MSC system the issue related to.

Through its consideration of this topic, the Council sought to resolve what were the critical areas associated with the nature and intent of conditions. The Council identified that the issues related to condition setting may largely be related to ambiguity in the MSC Standard, rather than a problem with conditions per se. The Council considered that any revisions to improve the conditions setting process should meet four principles: clarity, certainty, transparency and consistency and that before looking at implementation of conditions, the issue of ambiguity and these four principles be prioritised for review and action.

The Council was encouraged by the recent changes to the **Fisheries Certification Process**, including the publication of the Conditions Log which would help support fisheries clients who did not have experience in developing responses to conditions, but recognised that it was too early to determine the impact of these changes in helping to address the issues.

G. Meeting Close

The Council would present its range of views on the Scope of the Fisheries Standard issues in the FSR, Harvest Strategy, and MSC's response to managing the impact of Coronavirus on the MSC program to the MSC Board in June 2020 to inform the latter's decision making.

Closing remarks were shared, with particular thanks to departing Council member Mr Peter Trott, whose current (and last) term of service would come to an end in July 2020.

ENDS