

29th Meeting of the Marine Stewardship Council's Technical Advisory Board

Public Summary

December 4th -6th, 2018

MSC Offices, London

This summary provides transparency of MSC's governance. Readers should note that recommendations made by the Technical Advisory Board (TAB) 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 TAB's recommendations, especially in instances where more policy development or research is required. Project pages on improvements.msc.org will be updated to reflect final decisions, including rationales.

MSC's Technical Advisory Board (TAB) convened for its 29th meeting to discuss proposals for improvements to the MSC's Fisheries and Chain of Custody Standards and audit requirements. Sub-groups of the TAB also held meetings for a number of projects in development.

Dr Simon Jennings (Chair)	Present
Dr Chris Zimmermann	Present
Mr Adam Swan	Sent apologies
Dr Tim Essington	Present
Ms Lucia Mayer Massaroth	Present
Dr K Sunil Mohamed	Present
Dr Keith Sainsbury	Present
Mr Alex Olsen (CoC sub-group Chair)	Present
Dr Victor Restrepo	Present
Dr Juan Carlos Seijo	Present
Ms Michele Stark	Present
Dr Florian Baumann	Present
Mr Sergey Sennikov	Present

The following observers were present for the meetings: Dr Jason Combes (day 1) and Mr Martin Gill (days 2 and 3) of Lloyd's Register, Dr Antonio Hervas of Accreditation Services International (ASI), Dr Andrew Hough representing the Association of Sustainable Fisheries (ASF) and Ms Wendy Banta (Aquaculture Stewardship Council). Mr Tor Bjorkland Larsen was representing MSC's Stakeholder Advisory Council, on behalf of the co-Chairs who were unable to observe the meeting.

MSC Fisheries Standard Review (FSR)

Fisheries scientists within the TAB reviewed a number of updates and plans for research projects that aim to evaluate the current performance of the MSC Fisheries Standard, to inform whether revisions are needed and to develop tools to support application of the current Standard. These included Principle 3, primary species, shark finning, ghost gear and habitat PI improvements.

TAB also considered the approved objectives of the FSR, whether MSC should rank these and how to assemble the package of revision options that may result from the review. TAB confirmed its view that all objectives were important but that objectives 4 and 5 (outlined in the [FSR ToR](#)) were mandatory in all cases. The trade-offs needed between these objectives should be made clear when options were presented for TAB's technical recommendation and subsequently, Board decision.

In considering **species strategies**, TAB supported an approach for addressing the specific needs of individual species groups (squid, octopus and crab) and that MSC's approach should be to develop guidance for the default Standard as opposed to developing additional assessment trees.

Assessment tools and accessibility

TAB supported revised proposals to address accessibility issues faced by **mixed fisheries** by developing guidance for the assessment of fisheries that use the indicator species approach. In addition, the Mixed Fisheries working group would consider whether any normative requirements would be needed in next version of the MSC Fisheries Standard. The working group agreed to continue work to develop approaches for assessing multispecies fisheries based on emerging science and management practice.

The project to develop a **Data Limited Assessment Methodology Tool (DLM Tool)** to help score data-limited stocks against Principle 1 runs until May 2019. TAB considered an update on DLM tool development and commended improvements made since the last meeting. TAB considered the challenges with application and the training needs associated with this tool. Advice was provided on testing plans.

TAB continued to support the development of the '**tools annex**' designed to extend the available range of risk-based assessment methods and assessment support tools, acknowledging the emergence of new methods and tool since the introduction of the RBF.

TAB noted that some implications of establishing a "tools annex" and the emergence of a wider set of tools were:

- (1) Many Principle 1 and Principle 2 assessors will need to understand risk assessment better, and training may be needed. TAB also noted the future need to develop some guidance on best practice for quality assurance of risk assessments where qualitative judgement is involved in defining risk (e.g. because groups conducting work may be unbalanced).
- (2) Defining responsibilities for hosting server, maintaining code, updates, review of emerging and evolving methods, training, revisions of guidance, costs of upkeep.

TAB reviewed a final draft procedure for preparation, entry, and verification of progress for fisheries in the non-market facing **In Transition Program (ITM)** to assess fisheries working towards MSC certification.

TAB were content that MSC should progress to the pilot phase and requested that the Executive bring details of the operation of the MSC's new Ocean Stewardship Fund to the next TAB meeting to inform future development of ITM work.

Standard Scope Criteria

TAB considered the intent and outcome of the MSC's **shark finning** requirements and whether investigation of options should be taken forward. TABs preference remained that this issue should be managed within the Standard requirements, as opposed to its scope. Consultation on options was supported while managing stakeholder expectations given the constraints of different approaches.

A review of the potential to increase the number of fisheries that fall within scope of the MSC program through revision of **enhanced fisheries** scope criteria was presented. TAB noted the potential benefits of reviewing scope criteria but suggested that this ought to be considered by the Board Program Scope and Assurance Working Group (PSAWG) in the first instance and noted the importance of alignment with other organisations.

IUU and association with illegal fishing practices was considered and TAB approved a work plan to develop mechanisms for MSC to better address these risks for delivery in 2020.

TAB discussed impact assessments of the two options identified by the Board in June 2018 to address compartmentalisation (through definition of the **Unit of Assessment**) in the MSC program and the resulting revised proposals.

TAB assigned a group to work with the executive to refine proposals.

Assurance and the Fisheries Certification Process

A summary of activities proposed to improve the effectiveness of **MSC's Assurance System**, addressing stakeholder concerns were presented. TAB approved of the identified workstreams (Conflict of Interest- CAB to Client; Assessor Training Program; Peer Review College; Conditions; Objections Procedure; Conflict of Interest- MSC to Certification System; Communications and Assurance System Oversight Framework) and encouraged the Executive to return to TAB should further technical recommendations for change to the assurance program documents be developed. TAB reviewed initial outputs from investigations into alternative certification decision making models as part of investigation into ways to mitigate the potential for conflict of interest between CAB and Client. TAB suggested further communications was needed around the existing safeguards and that a deeper evaluation into the drivers of stakeholder concerns may be warranted.

TAB considered a second analysis of the **closure of conditions**. TAB commended these further analyses of instances where conditions were carried over and re-opened and their value in supporting evidence-based policy development. TAB supported public consultation on options to improve requirements and guidance to ensure the MSC intent is met in delivering improvements needed to assure sustainable practices.

The scope of review needed for the **Objections Procedure** was discussed and TAB suggested that addressing issues with respect to 'accountability and independence' and 'formality and complexity' should be the short-term focus.

Consultation should proceed for conditions, right to reply and the objections procedure, with outcomes reported back to TAB in June.

Chain of Custody Program Review

TAB considered the outcomes of the Chain of Custody Program review. Changes to the **Default, Group and Consumer Facing Operators (CFO) Standards** were presented. **Standard** changes proposed to address the risk of **antibiotics** in certified aquaculture products were reviewed. TAB supported delaying changes relating to requirements for **certificate holders that source direct from fisheries**. Public consultation feedback suggested proposals needed further review to ensure requirements were appropriate. TAB supported extended requirements to address **mislabelling of product by species or origin**. Further work was recommended on the definition of non-conforming product before TAB could support change.

CFO Standard changes to were proposed by the Executive and reviewed by TAB. Changes to address areas of inconsistency and ambiguity, and to improve credibility by increasing oversight on certificate scope changes and strengthening sampling for consumer-facing sites were supported. These related to effectiveness of CFO risk determination, audit sample size and risk-based auditing; consistency in traceability requirements between sites and central office; CFO Standard's eligibility criteria and requirements on 'common management' and 'central purchasing control' for companies with multiple sites. TAB approved the revisions to the CFO Standard and associated audit requirements for release and implementation in 2019.

On major changes to the **CoC Group Standard** and group-specific sections of the audit requirements, the TAB reviewed Executive proposals to clarify inconsistencies and the intent of certain requirements. The major changes to the group-specific section of the CoC CR focused on simplifying Section 9.4 (Audit findings at Group CoC audits and mitigating the risks of group suspension). All changes were intended to support the objective of making the Group Standard equally accessible for groups of non-independents (one legal entity with a common management) and groups of independents (different legal entities). TAB approved the proposed changes to the CoC Group Standard and relevant CoC CR section for release in February 2019.

The **onshore labour practices** working group discussed the final proposals to introduce risk based social audits for MSC CoC applicants and certificate holders. MSC presented the outcomes of public consultation to better understand preferences for risk indicators for use in the tool and other elements of the proposed requirements. Following discussion, a simplified and more elegant approach was

recommended by the Executive which was supported by the TAB. This revised approach reduced reliance on country-based indicators for reducing risk level. Other elements of the proposal and revised audit requirements were supported.

Associated low impact changes were also made to the **General Certification Requirements, the CoC Certification Requirements (CoCCR)** and the **Seaweed Supplementary Requirements**. Changes to the **MSC-MSCI Vocabulary** will be further considered by TAB before finalisation.

Other work

The development of 'Best-practice guidelines for tropical tuna purse-seine fisheries' was proposed by the Executive as the first in a series of 'Best-practice guidelines' that will address priority issues raised by stakeholders, the TAB and STAC. TAB supported this development.

Research to inform a review of the **pace of change** in the MSC Program and suitable implementation periods was supported by TAB.

What happens next?

CoC Standards - Subject to Board approval in January 2019, the revised documents will be prepared for publication at the end of February 2019. The new requirements will be used for audit processes that begin from August 2019.

The TAB will next meet in June 2019 where the outcomes from public consultation will be considered and inform decisions on final proposals for consultation on revisions to the **Fisheries Certification Process** including those associated with the **Assurance Review**.

Targeted consultation on **Fisheries Standard Review** topics will also begin in February 2019 and further opportunities for stakeholders to engage in the FSR will be announced in early 2019.

Requests to observe TAB meetings should be sent to Standards@msc.org.