



# Feasibility of Principle 1 changes for existing requirements

Consultation Summary Report

October 2020



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## Glossary of abbreviations and technical terms

CAB – Conformity Assessment Body

HCRs – Harvest Control Rules

PI – Performance Indicator

UoA – Unit of Assessment

*This is a working paper, and hence it represents work in progress. This report is part of ongoing policy development.*

*The views and opinions expressed in parts of this report are those of stakeholders and do not necessarily reflect the official policy or position of the Marine Stewardship Council.*

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# Purpose and scope of this report

Every five years, the Marine Stewardship Council (MSC) initiates a [Fisheries Standard Review](#) to help ensure our assessment and certification system remains the leading measure of fisheries sustainability. The current review began in 2018 and will conclude in 2022.

Stakeholders from all sectors are at the heart of our review, helping identify issues, develop solutions and test proposed changes. We have completed research into the topics identified in the Terms of Reference, and will next develop potential options for revisions. One of the topics identified is *Feasibility of Principle 1 changes for existing requirements*. We are holding a series of consultations throughout 2020 and 2021 for stakeholders to take part in the development of the Fisheries Standard.

This report details the following for the 2020 consultations on the topic of Feasibility of Principle 1 changes for existing requirements:

- Background to topics discussed
- Participation data
- Next steps in the review process
- Full transcripts and feedback tables

It is the goal of MSC consultations to value authenticity, fairness and inclusiveness, secure strategic insight and build consensus and credibility. Our core principle is that consultations should be useful to the MSC in achieving its mission and useful to the participants in seeing how their views are considered. To achieve this, the MSC's processes for consultation follow the [ISEAL Standard Setting Code of Good Practice](#) and the [FAO Guidelines for the Ecolabelling of Fish and Fishery Products from Marine Capture Fisheries](#).

ISEAL requires that participation is open to all stakeholders, and that the standard setter proactively seeks contributions from disadvantaged stakeholder groups. This is to ensure that contributors represent a balance of interests in the subject matter and in the geographical scope to which the standard applies. Publishing raw consultation feedback is considered 'aspirational good practice' by ISEAL. We publish this feedback as part of our commitment to transparency in our consultation process.

# Background

Protecting fish stocks is central to the [MSC Fisheries Standard](#). As part of the current [Fisheries Standard Review](#), we are [reviewing Principle 1 of the MSC Fisheries Standard with a focus on harvest strategies](#). The aim is to establish whether our requirements need to change in response to advances in science or global best practice, or could be made simpler.

This project is split into two components:

1. Scoring anomalies that can lead to inconsistent outcomes; primarily anomalies around the harvest strategy and how the definition is applied throughout Principle 1.
2. MSC Units of Assessment (UoA) within a shared stock; cases where an MSC UoA represents only part of the fishing activity that takes place on a stock. Often, these fisheries have challenges in maintaining certification and closing conditions with respect to harvest strategies and harvest control rules (HCRs).

The MSC requires that there is a robust and precautionary harvest strategy in place. The MSC defines a harvest strategy as: *“the combination of monitoring, stock assessment, harvest control rules and management actions, which may include a management procedure (MP) or an MP (implicit) and be tested by management strategy evaluation (MSE)”*.

Part of the reason that interpretations and stakeholder concerns have been raised with respect to harvest strategies, is that they are considered in multiple areas of the requirements. For example, within Principle 1, there are two components: the ‘outcome’ component and the ‘harvest strategy’ component. Within the ‘harvest strategy’ component, there are four Performance Indicators (PIs), one of which is ‘harvest strategy’. Further, the remaining PIs in the ‘harvest strategy’ component all score separate elements of the harvest strategy definition (e.g. HCRs). This results in cross-over of terminology throughout Principle 1.

As part of the review, the MSC has consulted stakeholders through the consultation activities detailed below.

## Consultation launch conference

On 13 May 2020, the MSC held an online conference hosted on WorkCast to launch the Fisheries Standard Review. The conference was open to all and advertised via the MSC website and media channels including *Undercurrent News*, *IntraFish* and *Seafood Source*. Stakeholders who had subscribed to receive updates on the MSC program were directly informed. At the conference, the MSC provided information on all topics under review and upcoming consultation events, and participants had the opportunity to direct questions to the MSC project leads.

There were 11 sessions, one of which was titled *Principle 1: Sustainable fish stocks - Harvest strategy*. MSC staff gave a presentation and then conference participants were invited to submit questions in a live Q&A. The Q&A session was recorded and subsequently transcribed using a third-party transcription service operating under a confidentiality agreement with the MSC. The full transcript and all questions submitted in the chat box, with any information that could potentially identify an individual, organisation or fishery removed, can be found in [Annex II: Transcript of Q&A session](#).

## Online consultation workshops

Using Zoom, the MSC held an online consultation workshop on the topic of *Feasibility of Principle 1 changes for existing requirements*:

- 0000-0300 UTC 9 July 2020 (see [workshop agenda](#))

The workshop was advertised at the [consultation launch conference](#), on the MSC website, and to stakeholders subscribed to receive updates on the MSC program. Stakeholders were invited to register their interest through a registration portal. Some participants were recruited through targeted communications. While the workshop was open to all, it was specified that a certain level of expertise was needed to participate effectively. Places in the workshop were limited and were allocated to ensure representative participation across all sectors.

The workshop dealt with the first component of the project only (see [background](#)). The overall objective for this component is to reduce redundancy and add clarity to the existing requirements within Principle 1. The aim is to reduce double scoring<sup>1</sup> and achieve more consistent outcomes among assessments. It is not anticipated that new requirements will be needed, but minor changes to existing requirements or developing guidance will be the likely outcome. To meet this overall objective, the workshop focused on six topics:

1. To address the issue of ‘responsive’ within the harvest strategy PI 1.2.1<sup>2</sup>.
2. Whether conditions associated with the harvest strategy PI can be extended beyond the five-year certificate duration if the target stock is healthy.
  - a. Extending the condition would follow the allowance afforded in PI 1.2.2<sup>3</sup> if ‘available’ HCRs are scored and the stock remains healthy.
3. Whether changes to the rebuilding strategy PI are required
4. How to score the harvest strategy PI 1.2.1 when ‘available’ HCRs are scored in PI 1.2.2.
5. How to score the information and monitoring PI 1.2.3<sup>4</sup> when ‘available’ HCRs are scored in PI 1.2.2.
6. How to score the stock assessment PI 1.2.4<sup>5</sup> being appropriate to the HCR when ‘available’ HCRs are scored in PI 1.2.2.

Participants were provided with [background information](#) prior to the workshop.

The workshop was recorded and later transcribed using a third-party transcription service. Subsequently, a third-party service redacted individual names, organisations, countries, fisheries and species. Confidentiality agreements were signed between the MSC and the third-parties. The full transcript, with any information that could potentially identify an individual, organisation or fishery removed, can be found in [Annex III: Transcript of workshop](#). This document also contains comments submitted in the chat box during the workshops.

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<sup>1</sup> Double scoring – Where an attribute of a fishery contributes to the score of two or more scoring issues.

<sup>2</sup> PI 1.2.1 – There is a robust and precautionary harvest strategy in place.

<sup>3</sup> PI 1.2.2 – There are well defined and effective HCRs in place.

<sup>4</sup> PI 1.2.3 – Relevant information is collected to support the harvest strategy.

<sup>5</sup> PI 1.2.4 – There is an adequate assessment of the stock status of the SMU.

## Online form (follow-up survey)

The workshop was followed up by an [online form](#) that was open to all on the MSC website between 8 and 29 July 2020. The form was primarily intended as an opportunity for workshop participants to provide further feedback. Feedback was submitted both through the online form and via email during the consultation period. This feedback, with any information that could potentially identify an individual, organisation or fishery removed, can be found in [Annex IV: Online form feedback tables](#).

# Participation

This section presents participation data for the consultation activities detailed above.

## Consultation launch conference Q&A participation

The consultation launch conference session on *Principle 1: Sustainable fish stocks - Harvest strategy* had 182 external participants that attended live, nine of whom asked questions. Later, 55 more watched the recording online, and therefore could not participate in the live Q&A session.

There was broad sectoral representation ([Table 1](#)). The majority of participants were based in Europe, with high numbers also based in North America or Latin America ([Table 2](#)). The low numbers of participants from Oceania could be explained by time differences. Recordings of the conference sessions were made available online to accommodate stakeholders in other time zones.

**Table 1: Number of external participants that attended the live Q&A session representing each stakeholder group.**

Stakeholder group	Number
Academic/scientific	21
Commercial wild harvest fisheries/aquaculture	38
Comms/media	3
Conformity assessment/accreditation	26
Governance/management	7
Non-governmental organisation	42
Other	22
Seafood supply chain	23
Total	182



**Table 2: Number of external participants that attended the live Q&A session representing each geographical region.**

Geographical region	Number
Africa	3
Asia	10
Europe	84
Latin America	35
Middle East/North Africa	1
North America	35
Oceania	4
Russia	0
South Asia	9
Unknown	1
<b>Total</b>	<b>182</b>

## Online consultation workshops participation

The workshop attracted 18 participants. The full list of participant organisations, their stakeholder groups and country of work can be found in [Table 5](#) in [Annex I: Participation](#).

**Table 3: Number of individual participants/respondents representing each stakeholder group. Note that the total represents the number of participations, not the number of individual participants, as several people participated twice; by attending a workshop and completing the online form.**

Stakeholder group	Workshop	Online form	Total
Academic/scientific	3	1	4
Commercial wild harvest fisheries	5	6	11
Conformity assessment/accreditation	5	6	11
Non-governmental organisation	2	4	6
Governance/management	0	2	2
Seafood supply chain	0	8	8
Standard setting	1	1	2
Other	2	0	2
Unknown	0	3	3
<b>Total</b>	<b>18</b>	<b>31</b>	<b>49</b>

**Table 4: Number of individual participants/respondents representing each geographical region. Note that the total represents the number of participations, not the number of individual participants, as several people participated twice; by attending a workshop and completing the online form.**

Geographical region	Workshop	Online form	Total
Africa	1	0	1
Asia	1	0	1
Europe	1	14	15
Latin America	0	1	1
Middle East/North Africa	0	0	0
North America	6	6	12
Oceania	8	6	14
Russia	0	0	0
South Asia	0	0	0
Unknown	1	4	5
<b>Total</b>	<b>18</b>	<b>31</b>	<b>49</b>

Most workshop participants represented commercial wild harvest fisheries and conformity assessment/accreditation, but there were also participants representing academic/scientific, non-governmental organisations and standard setting ([Table 3](#)). The majority of participants were based in Oceania and North America, with some participation from Africa, Asia and Europe ([Table 4](#)).

The low workshop participation from certain regions can be explained by the workshop being held at a time of day suited to Oceania and Pacific North America time zones. The [online form \(follow-up survey\)](#) served as a means for stakeholders outside these regions to provide their input. The MSC also offered interviews in stakeholders' own language as an alternative to participating in the workshop, and translated versions of the online form were available on request.

## Online form (follow-up survey) participation

There were 31 respondents to the online form. The full list of respondents, their organisations, stakeholder groups and country of work can be found in [Table 6](#) in [Annex I: Participation](#). For respondents that did not consent to their names being published, only stakeholder group and country is available.

A breakdown of stakeholder groups ([Table 3](#)) and geographical regions ([Table 4](#)) can be found above. There was relatively even sectoral representation across commercial wild harvest fisheries, conformity assessment/accreditation, non-governmental organisations and seafood supply chain. There were also some respondents from standard setting and academic/scientific. The highest number of respondents were based in Europe, with many respondents also based in North America or Oceania, as well as one in Latin America.



## Next steps

We are currently reviewing all feedback received from the consultation workshop and online form as well as independent research and our own internal data analysis. This will inform our decisions on proposed changes to the MSC Fisheries Standard. We will carry out an impact assessment on the proposed changes. We will also seek the advice of our governance bodies on the proposed changes.

In making changes to the MSC Fisheries Standard, we need to consider the following:

- a) Do proposed changes meet [strategic objectives](#)?
- b) Do proposed changes affect the ability to deliver on the [MSC's Theory of Change](#)?
- c) Do proposed changes to the Standard align with the [MSC's three Principles](#)?

We will engage with stakeholders in early 2021 to share any potential changes to the Standard and explain how we developed these changes. We will hold further consultations in 2021 and the revised Standard will be publicly reviewed in early 2022 to ensure changes are clear and that the new Standard delivers the intentions of our program.

To be notified of future activities and developments, [sign up to our Fisheries Standard Review update](#).

# Annex I: Participation

Table 5: List of participants in the online consultation workshop on 9 July 2020, including organisation, stakeholder group and country of work.

Organisation	Stakeholder group	Country
Did not specify	Academic/scientific	New Zealand
Independent	Academic/scientific	UK
University of Cape Town	Academic/scientific	South Africa
Atlantic Groundfish Council	Commercial wild harvest fisheries	Canada
At-sea Processors Association	Commercial wild harvest fisheries	USA
Did not specify	Commercial wild harvest fisheries	Unknown
Southern Fishermen's Association	Commercial wild harvest fisheries	Australia
US Pacific Tuna Group FIP	Commercial wild harvest fisheries	USA
Consulting	Conformity assessment/accreditation	Japan
Did not specify	Conformity assessment/accreditation	Australia
Did not specify	Conformity assessment/accreditation	Canada
MRAG Asia Pacific	Conformity assessment/accreditation	Australia
SCS Global	Conformity assessment/accreditation	USA
Ocean Wise Conservation Association	Non-governmental organisation	Canada
The Pew Charitable Trusts	Non-governmental organisation	Australia
FishListic Pty Ltd	Other: Across a lot of the above - tech consultant	Australia
Independent	Other: Consultant working with Academia/Science and NGOs	Australia
Did not specify	Standard setting	New Zealand

**Table 6: List of respondents to the online form. For those respondents who consented to this, and where it was available, their names and organisations are included. A total of three respondents did not provide any personal information, and are not included in this table.**

<b>Name</b>	<b>Organisation</b>	<b>Stakeholder group</b>	<b>Country</b>
<b>Paul Medley</b>	Did not specify	Academic/scientific	UK
<b>Christina Burridge &amp; Andrew Hough</b>	Association of Sustainable Fisheries (ASF)	Commercial wild harvest fisheries	UK
<b>Redacted at request of individual</b>	Redacted at request of individual	Commercial wild harvest fisheries	Canada
<b>Redacted at request of individual</b>	Redacted at request of individual	Commercial wild harvest fisheries	Canada
<b>Redacted at request of individual</b>	Redacted at request of individual	Commercial wild harvest fisheries	USA
<b>Redacted at request of individual</b>	Redacted at request of individual	Commercial wild harvest fisheries	Argentina
<b>Neil MacDonald</b>	Southern Fishermens Association	Commercial wild harvest fisheries	Australia
<b>Jo Gascoinge</b>	Did not specify	Conformity assessment/accreditation	UK
<b>Sandy Morison</b>	Did not specify	Conformity assessment/accreditation	Australia
<b>Redacted at request of individual</b>	Redacted at request of individual	Conformity assessment/accreditation	Unknown
<b>Redacted at request of individual</b>	Redacted at request of individual	Conformity assessment/accreditation	UK
<b>Redacted at request of individual</b>	Redacted at request of individual	Conformity assessment/accreditation	Canada
<b>Samuel Dignan</b>	SAI Global (MSC CAB)	Conformity assessment/accreditation	Ireland
<b>Maurice Brownjohn</b>	Parties to the Nauru Agreement (PNA)	Governance/management	Marshall Islands
<b>Redacted at request of individual</b>	Redacted at request of individual	Governance/management	Australia
<b>Glen Holmes</b>	Did not specify	Non-governmental organisation	Australia
<b>Shannon Arnold</b>	Ecology Action Centre	Non-governmental organisation	Canada
<b>Susan Jackson</b>	International Seafood Sustainability Foundation (ISSF)	Non-governmental organisation	USA



<b>Karin Bilo</b>	WWF	Non-governmental organisation	Germany
<b>Luciano Pirovano</b>	Bolton Food	Seafood supply chain	Italy
<b>Christopher Rohrer</b>	Denner AG	Seafood supply chain	Switzerland
<b>Florian Rohner</b>	Migros	Seafood supply chain	Switzerland
<b>Sandra Hinni</b>	Migros Genossenschafts Bund	Seafood supply chain	Switzerland
<b>Redacted at request of individual</b>	Redacted at request of individual	Seafood supply chain	UK
<b>Redacted at request of individual</b>	Redacted at request of individual	Seafood supply chain	Germany
<b>Redacted at request of individual</b>	Redacted at request of individual	Seafood supply chain	Netherlands
<b>Christina Weisbeck</b>	tegut... gute Lebensmittel GmbH & Co. KG	Seafood supply chain	Germany
<b>Kevin Stokes</b>	Did not specify	Standard setting	New Zealand