



Fisheries Certification Process Review

Consultation Summary Report

June 2021

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Glossary of abbreviations and technical terms

ACDR - Announcement Comment Draft Report
FAO – The Food and Agriculture Organisation of the United Nations
RFMO – Regional Fisheries Management Organisation
UoC – Unit of Certification

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

This report covers the consultation workshop on the [Fisheries Certification Process \(FCP\) review](#) held 11-18 May 2021. The aim of the workshop was to get feedback from Conformity Assessment Bodies (CABs), Assurance Services International (ASI) and lead assessors on a range of topics under consideration in the FCP review. The topics consulted upon were:

- Announcement Comment Draft Report (ACDR)
- Developing guidance on stakeholder consultation in fishery assessments
- Reporting on traceability and product eligibility
- Mechanisms for vessels leaving and re-joining certificates
- Splitting certificates
- Changes to UoAs during assessments
- Harmonisation process

Through the FCP review we intend to improve understanding and implementation of existing requirements and processes of the FCP. This will ensure that fishery assessments are consistent and credible.

This report details the following for the 2021 consultation workshop:

- Background to topics discussed
- Participation data
- Workshop summary
- Next steps in the review process

It is the goal of MSC consultations to value authenticity, fairness and inclusiveness, secure strategic insight and build consensus and credibility. 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](#).

We publish this feedback as part of our commitment to transparency in our consultation process.

Background

What is the Fisheries Certification Process?

The [MSC Fisheries Certification Process](#) (FCP) is the instruction manual for Conformity Assessment Bodies (CABs). It sets out the processes for assessing a fishery against the [MSC Fisheries Standard](#).

The MSC Fisheries Certification Process is reviewed approximately every three years to ensure the assessment process remains efficient, effective and credible.

The MSC released an updated version, the MSC Fisheries Certification Process v2.2, in March 2020. The changes made are detailed in the [MSC Fisheries Certification Process v2.2 Summary of Changes](#), and were the result of a review that started in 2017.

Why are we reviewing the FCP?

The **objective of the FCP review** is to clarify the MSC's intent where it is not clear and improve the understanding and implementation of existing requirements and processes. The **scope of the FCP revision** is 1) changes resulting from the Fisheries Standard Review; 2) changes resulting from a targeted review of the harmonisation process and 3) changes that will clarify and improve existing requirements and processes. A new version of the FCP (FCP 2022) will be published alongside the [Fisheries Standard Review \(FSR\)](#). The FCP review commenced in 2020.

What is included in the FCP review?

There are two projects in the FCP review: 1) harmonisation and 2) general processes. The harmonisation project focuses on the timing and coordination of harmonisation activities and approaches to support CABs that sit outside the FCP requirements. The general processes project encompasses a range of miscellaneous topics where potential changes are categorised as medium or low impact¹ which seek to clarify and improve existing requirements, rather than changing intent. Changes to the FCP resulting from the FSR will be discussed with the MSC's Technical Advisory Body and Stakeholder Advisory Council under the relevant FSR projects.

Details of the recent consultation activities undertaken are below.

Online workshops

Using Zoom, the MSC held online consultation workshops on the topic of Fisheries Certification Process Review over three days:

- 11 May 2021, 1400-1700 UTC
- 12 May 2021, 1400-1700 UTC
- 18 May 2021, 1400-1700 UTC

The overall aim of the online consultation workshop was to receive feedback from CABs, ASI and lead assessors – as the primary users of the FCP - on a range of topics under consideration in the FCP review. Aims for the different workshop topics are listed below:

- **ACDR**; clarifying intent and improving understanding and application of requirements and processes
- **Stakeholder consultation in fishery assessments**; introduction to project and preparation for one-to-one discussion
- **Reporting on traceability and product eligibility** determine if changes can be implemented without substantial time and/or cost impact
- **Vessels leaving and (re)joining certificates**; ensure there is a clear and efficient process for CABs to follow when fishery clients remove or add vessels to UoAs/UoCs/certificates
- **Splitting certificates**; clarify the process of splitting a fishery certificate into two or more separate fisheries and certificates
- **Changing the UoA during an assessment**; ensure there is a clear and efficient process for CABs to follow when fishery clients want to change UoA(s) during the assessment
- **Harmonisation process**; gauge support for annual harmonisation activities, discuss feasibility of operationalisation of annual harmonisation activities, identify the key challenges to annual harmonisation activities and come to a shared understanding on changes that would improve the harmonisation process

The agenda for each date can be found in [Table 5](#), [Table 6](#) and [Table 7](#) in [Annex II: Agenda](#).

The MSC contacted CABs and ASI through targeted communications as a certain level of expertise was needed to participate effectively in the workshop. Places were offered to as many CABs as possible, given the timing limitations of hosting the workshop virtually. Where possible, more than one place was allocated per CAB to allow broader contribution.

One-to-one interviews

The MSC consulted CABs through targeted one-to-one interviews that were conducted between 20 May 2021 and 7 June 2021. All CABs were provided the opportunity to organise a one-to-one interview, with the aim of gathering information on the approaches CABs currently take to stakeholder consultation. Six CABs took part in the interviews. The information collected will be used to refine the options for any necessary revision of these requirements and the development of associated guidance within the FCP. A list of key interview themes can be found in the [Workshop Summary](#).

Participation

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

Table 1: Organisation and country of participants with number of representatives per organisation in attendance per date

Organisation	Country	11 th May	12 th May	18 th May
ASI	Spain	1	1	1
Bio.inspecta	Australia	1	1	1
Control Union	UK	2	2	2
DNV-GL	Spain & Norway	1	2	2
Global Trust Certification	Ireland	1	1	1
Lloyds Register	UK	3	2	2
MRAG Americas	USA	2	3	3
NSF International	Ireland	1	1	1
SCS Global Services	USA	1	1	1
UCSL	Cyprus	1	1	1

Table 2: Organisation and country of individuals that participated in a one-to-one interview

Organisation	Country
Control Union	UK
UCSL	Cyprus
DNV-GL	Norway
Global Trust Certification	Ireland
MRAG Americas	USA
Lloyds Register	UK

Online consultation workshop participation

The workshops were attended by 18 participants across the three dates. The full list of workshop participants can be found in [Table 3](#) in [Annex I: Attendees](#). For participants that did not consent to their names being published, only stakeholder group is available. A breakdown of organisation that attended and the country in which they are based can be found above ([Table 1](#)) for the workshop and ([Table 2](#)) for one-to-one interviews.

Participation was limited due to the level of knowledge needed to participate in the workshop effectively. There were also limitations on representatives from certain countries due to the nature of holding the workshop online, rather than in person. This meant that participants involved in the workshops were from fishery CABs and ASI, and were located in Europe, USA or Australia. We will provide a chance for a wider audience to consult on this topic in early 2022.

Workshop Summary

Day 1 – FCP general issues topics

Announcement Comment Draft Report project

Participants were taken through background; aims and scope of the ACDR review; the MSC intent of the ACDR; key issue themes that we're looking to address; and proposed minor improvements to address these.

There were two breakout sessions to gather participants' input on:

- Where the MSC messaging on intent and purpose of the ACDR may be unclear or misunderstood (Breakout exercise A).
- Our proposed solutions to improve clarity and their suggestions for other minor improvements such as improvements to requirements and templates, additional guidance (Breakout exercise B).

For the breakout sessions, participants were placed into 2 groups. The exercise involved group discussion and placing post-it notes on the virtual boards and then voting on their top 3 comments.

All comments and discussion will be reviewed and evaluation after the workshop. They will be used to inform further development of the project, including: drafting improvements to templates, requirements and guidance and improvements to stakeholder communications which will be reviewed by the MSC Stakeholder Advisory Council's Communications and Engagement Working Group.

Breakout exercise A: to identify key areas of ACDR intent and purpose that are unclear or misunderstood.

In summary, key areas of intent that participants commented were unclear and received the highest number of votes were:

- Intent of the ACDR is unclear and should be clearly specified on the front page of the ACDR report

- Lack of clarity on how comprehensive the ACDR needs to be and how much effort CABs and clients should put in prior to the site visit.
 - There was some polarisation in views here – some CABs generally approaching the ACDR as an extensive pre-assessment exercises, and others expressing a preference for it to be a more of a quick draft exercise.
- ACDR creates the impression that the assessment is a ‘done deal’ and stakeholders are unclear that it includes draft scoring ranges that may change as further information is gathered – this discourages stakeholder engagement.
- Fishery clients are often confused on how the scoring works for an ACDR and therefore have trouble in deciding whether to proceed or go through the improvement process.
- Extent of harmonisation required at the ACDR stage PB1.3.2
- 60 day comment period is too long
- Lack of clarity on whether scoring ranges should be left in further drafts
- For re-assessments, timings were noted as the biggest issue. If the scoring is based on Year 3 information, then by the time of running the site visit the scoring needs to be redone as more up to date information becomes available.

Breakout exercise B: Identifying solutions to clarify MSC intent and application of processes, such as minor improvements to requirements and templates, and additional guidance

In summary, the key potential solutions identified were:

Fishery Announcement template

- Include an overview of the stakeholder engagement process
- Make the draft status of the ACDR clear

ACDR template:

- Make draft status of the ACDR clearer
- Intent of the ACDR clearly stated, particularly that scoring is based on limited information and can change after the site visit
- A minority of participants commented that the ACDR could be shortened and scoring and scoring rationales excluded to improve stakeholder engagement

Client Document Checklist:

- Improve the format and flow of the template
- Comments that it is repetitive. Some participants felt that it may not be required at Reassessment particularly if the CAB and fishery is the same
- At reassessment, advise clients to use this as minimally as possible.

Stakeholder Consultation

During the workshop, only limited feedback was received and was focused on ensuring the process does not become more complicated or difficult for stakeholders to engage with. CABs were offered the opportunity to provide more detailed feedback in the form of one-to-one interviews.

Traceability and product eligibility

Participants were reminded of ongoing work to improve the FCP processes to reflect best practice in relation to reporting on *FCP 7.9 Determination of the traceability systems and point(s)* at which fish and fish products enter further certified Chains of Custody. It was noted that improvement has been seen in reporting to these requirements in many fishery assessments and there is an opportunity for best practice to be reflected in requirements, guidance and templates. The objective of the session was to see whether improvements relating to describing product identification, recording client group members CoC codes and detailing product flow could be implemented without significant impact of cost/ time of audit.

Mentimeter feedback on Traceability and product eligibility reporting

The mentimeter asked about the changes in 3 different ways: firstly on a scale of 1-10 how often have you implemented the change, secondly on a scale of 1-10 what do you consider the impact of implementing the change and thirdly specific comments you have on challenges or opportunities of the changes. The outcomes were as follows:

Describe product identification at the point it enters CoC: Over a third of the participants include this already and most considered it would not be a major impact to do this. MSC will therefore seek to proceed with this recommendation into the draft for public consultation.

CoC codes listed for the fishery client: About a third do this already and most considered it was not a major impact. However, it was noted that this could not be done by PCR stage at the CoC would not always be in place. Therefore the requirement would need to be clarified to confirm this.

Describe product flow (including data transfer and visuals where possible): Most CABs are doing this and it was noted as medium effort. There was feedback that adding this to the client document checklist could create confusion. It was questioned how much detail is needed after the start of CoC but before sale and it is noted that when it comes to specifics of data transfers and visuals this might not be necessary.

Other general process issues

CABs' feedback to vessels leaving/joining was that additional requirements are not necessarily needed as gap analysis can be used as well, and if new requirements are added to not make it too burdensome.

The participants were asked to identify scenarios and risks when certificates are being split into separate certificates, and what the current gaps are in the requirements. Splitting of certificates happens, for example, when a client group with multiple members wants to split up into separate fisheries with their own certificates. The participants' feedback to splitting of certificates was that this was not a major problem, it rarely happens, but the challenge might be in who owns the information and the certificate and if they are willing to share it with the leaving client group members. Based on the feedback, the MSC will consider if and which changes are necessary to the FCP requirements.

CABs' feedback to changing the UoA during assessment was that when this happens there is a gap in the requirements or confusion about the current intent of MSC how a UoA can be changed during assessment.

Day 2 – Harmonisation

The purpose of the workshop days about harmonisation were to 1) gauge support for annual harmonisation activities, and 2) discuss feasibility of operationalisation of annual harmonisation activities.

The MSC presented the harmonisation project that has been initiated as part of the FCP review. Participants were shown the key issues that the project aims to solve and, in a plenary session, the participants were asked if there are more challenges than the ones described. The MSC then presented the option of annual harmonisation activities. This option proposes changes to the harmonisation process and requirements so that harmonisation activities can be conducted within a defined time period once a year, where CABs coordinate the harmonisation activities per overlapping stock and/or management area. During the annual harmonisation activities, the scoring, conditions and/or progress of conditions are discussed and agreed. The results of these activities are valid until the next annual harmonisation activities, and are published online so that the outcome is clear for all stakeholders. Any assessment or surveillance audit that is held during the year uses the results of the annual harmonisation activities. The current expedited audit requirements are a safeguard for when new information is published at another time than the activities or when the annual harmonisation activities result in lowering scores that changes the certification status of a Unit of Assessment (UoA).

On the basis of this option, the workshop was divided into three topics that each discussed an element of annual harmonisation activities. The first topic looked at the process framework with respect to what criteria would be needed to determine the timing of harmonisation activities. The second topic focused on the coordination that would be necessary by CABs and how MSC could support that. The third topic looked at how the harmonisation process would sit and interact with the full assessment process.

For every topic, participants were divided into two break-out groups to discuss the topic and add post-its notes on a virtual board. The key conclusions of this harmonisation workshop day were:

- The participants were hesitant whether annual harmonisation activities could work for all the Principles and fisheries together. It was noted that it could work for Principle 1 and Principle 3, especially for RFMOs and North Sea stocks, but there was clear agreement that it would not work for Principle 2 harmonisation as this is complicated to finalise without a site visit.
- MSC should prioritise creating a database as lack of oversight especially creates problems with P2 harmonisation.
- The participants raised concerns that a new framework will be more restrictive and remove current flexibility in harmonisation process
- The participants raised that annual harmonisation activities might complicate how costs are transferred to clients as harmonisation would be done before the surveillance audit or full assessment.
- There was a general feel that peer review and stakeholder input are important aspects to consider and how it would fit within the process.

Day 3 – Harmonisation

At the start of the third day of the CAB workshop, the key points of the previous day were presented back to the participants. The rest of the workshop consisted of a plenary discussion around different questions with respect to the current harmonisation process and the annual harmonisation activities.

Mentimeter was used to first gather feedback from all on a question, after which a plenary discussion followed on the results. The questions looked into the challenges, costs and frequency of current harmonisation, and into the framework (e.g. criteria and elements of annual harmonisation activities), effects and timing of possible annual harmonisation activities.

The key conclusions of this harmonisation workshop day were:

- In reviewing the current process, the majority of the participants found that coordinating harmonisation between different CABs and having assessors available are most challenging, and that these aspects are not helped by the problem of continuous harmonisation. Continuous harmonisation leads to delays in assessments, increased costs for the fishery client and not being able to give certainty about the assessment outcome.
- The participants requested more logistical support from MSC in the form of coordinating availability of assessors, setting-up meetings and providing a platform for information gathering and discussions.
- The participants supported the intent of annual harmonisation activities, but prefer to have it only apply to a set list of stocks and RFMOs or when a threshold is met (e.g. >3 fisheries and >1 CAB).
- Initially, support for including stakeholder comments and peer review as part of annual harmonisation was high, but during discussion several supporters realised the complication of including these moments and preferred to have them dealt with in assessments/surveillance audits.
- The participants did not necessarily think that costs will reduce with annual harmonisation activities, or that number of expedited audits would reduce.
- Overall, the understanding of the project has improved by the workshop; it created a common understanding of the problem and the potential benefit of annual harmonisation activities.

The MSC will use the information and knowledge gained through consultations to refine the options for revisions to the harmonisation process. The proposed revisions will be reviewed by the MSC governance bodies in late 2021. We will provide a chance for a wider audience to consult on this topic in early 2022.

Stakeholder consultation: one-to-one interviews

Representatives from six CABs attended 60 minute one-to-one interviews following the workshop. The input these representatives provided focussed on stakeholder engagement, with key themes such as:

- The CABs current approaches to stakeholder identification.
- The CABs current approaches to managing stakeholder engagement, including how and which stakeholders are contacted throughout fishery assessments and surveillance audits.
- The MSC Templates for Stakeholder Input into Fishery Assessments and Surveillance Audits.

- The importance of minimising barriers to stakeholder engagement in fishery assessments and surveillance audits.
- FCP requirements on stakeholder consultation that are unclear and/or could benefit from additional guidance.

The MSC will use the information collected to refine the options for any necessary revisions of these requirements and the development of associated guidance within the FCP.

Next steps

The MSC will review all feedback received from the consultation workshops and one-to-one interviews as well as independent research and our own internal data analysis. This will inform our decisions on proposed changes to the MSC Fisheries Certification Process. We will carry out impact assessments and pilot testing as part of the review. We will also seek the advice of our governance bodies on the proposed changes in late 2021.

Following this consultation, the next opportunity to comment on proposed changes will be during the 60-day public consultation on the draft FCP in early 2022.

The new FCP will be released in 2022 subject to approval from the MSC governance bodies.

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

Annex I: Attendees

Table 3: Name and organisation of individual participants and workshop date attended. Y = attended, N = did not attend.

Name	Organisation	11 th May	12 th May	18 th May
Antonio Hervas	ASI	Y	Y	N
Erin Wilson	MRAG Americas	Y	Y	Y
Gabriela Anhalzer	SCS Global Services	Y	Y	Y
Gillian Irvine	Lloyds Register	Y	Y	Y
Hugh Jones	Control Union	Y	Y	Y
Lucia Revenga	DNV-GL	Y	Y	Y
Michealene Corlett	MRAG Americas	Y	Y	Y
Sabine Daume	Bio.inspecta	Y	N	N
Sam Dignan	NSF International	Y	Y	Y
Sandhya Chaudhury	DNV-GL	N	Y	Y
Sascha Brand-Gardner	Bio.inspecta	N	Y	Y
Tatiana Pitieva	UCSL	Y	Y	Y
Prefer not to be named	MRAG Americas	N	Y	Y
Prefer not to be named	Control Union	N	Y	N
Prefer not to be named	Global Trust Certification	Y	Y	Y
Prefer not to be named	Lloyds Register	Y	N	N
Prefer not to be named	Lloyds Register	Y	Y	Y
Prefer not to be named	Control Union	Y	N	Y

Table 4: Organisations that participated in a one-to-one interview

Organisation
Control Union
UCSL
DNV-GL
Global Trust Certification
MRAG Americas
Lloyds Register (Assessor)

Annex II: Agenda

Table 5: Agenda for day 1 of workshop focused on FCP Review project updates and discussion, held Tuesday 11 May 2021

Time (UTC)	Session/Topic
14:00-14:10	Into to FCP review & workshop
14:10-14:45	Announcement Comment Draft Report (ACDR)
14:45-15:00	Developing guidance on stakeholder consultation in fishery assessments
15:00-15:30	Reporting on traceability and product eligibility
15:30-15:45	Break
15:45-16:10	Mechanisms for vessels leaving and re-joining certificates
16:10-16:30	Splitting certificates
16:30-16:55	Changes to UoAs during assessments

Table 6: Agenda for day 2 of workshop focused on harmonisation process, held Wednesday 12 May 2021

Time (UTC)	Session/Topic
14:00-14:10	Introduction
14:10-14:50	Issue identification and proposed option
14:50-15:20	Topic 1: Process framework
15:20-15:30	Break
15:30-16:00	Topic 2: Coordination by CABs
16:00-16:30	Topic 3: Interaction with full assessment process
16:30-16:45	Wrap-up

Table 7: Agenda for day 3 of workshop focused on harmonisation process, held Tuesday 18 May 2021

Time (UTC)	Session/Topic
14:00-14:05	Introduction
14:05-14:20	Recap harmonisation workshop day 1
14:20-15:15	Plenary session on current issues with the harmonisation process
15:15-15:30	Break
15:30-16:30	Plenary session on options around annual harmonisation activities
16:30-16:45	Wrap-up