



Fisheries Standard Review
Supporting the prevention of gear loss
and ghost fishing
Consultation document
May 2021

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How to reference this report: McLennan, S. Cappel, R. & Huntington, T. 2021. May 2021 Consultation document: Supporting the prevention of gear loss and ghost fishing. Published by the Marine Stewardship Council (www.msc.org), <https://www.msc.org/docs/default-source/default-document-library/stakeholders/consultations/survey/consultation-surveys-2021/msc-fisheries-standard-review-ghost-gear-consultation-supporting-document---may-2021.pdf>, 9 pages.

Purpose and scope of this document

This document supports the 2021 consultation on the topic of [supporting the prevention of gear loss and ghost fishing](#). This document details the following:

- Background to the topic
- Proposed revisions to the MSC Fisheries Standard
- Proposals for consultation
- Next steps in the review process

This document supports the online survey which is open from 18 May – 17 June 2021. The survey can be accessed through the [MSC website](#).

The MSC values authenticity, fairness and inclusiveness, and through our consultations, we aim to 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](#).

Consultation purpose

This consultation seeks input from stakeholders on the proposed revisions to the MSC Fisheries Standard which will require fisheries to demonstrate how they are reducing the impact of gear loss and ghost fishing on the environment.

Who can comment

This consultation is open to all stakeholders. An understanding of the MSC Fisheries Standard and knowledge of measures and strategies for managing the impact of gear loss and ghost fishing will help you effectively participate in this consultation.

Glossary

CAB – Conformity Assessment Body

ETP – Endangered, Threatened or Protected

FAO – Food and Agriculture Organisation

UoA – Unit of Assessment

1. Background

‘Ghost gear’ is fishing gear that has been abandoned, lost, or discarded in the ocean. Fisheries certified to the MSC Fisheries Standard should minimise gear loss and must know the impact that lost gear could have on marine life.

The MSC Standard includes criteria for assessing how fisheries are [preventing ghost fishing](#). These criteria assess ghost gear impacts indirectly. Concerns have been raised by both the MSC and stakeholders that the implicit way current criteria handle this issue does not encourage fisheries to adopt effective strategies to prevent gear loss and ghost fishing. It could also lead to inconsistent assessment outcomes.

The MSC want to make sure that Conformity Assessment Bodies (CABs) are assessing the impact of ghost fishing on marine life consistently and correctly. To achieve this it is necessary to clarify the requirements for ghost fishing within the [MSC Fisheries Standard](#).

In recent years there have been advances in best practice to reduce the risk of abandoned, lost, or discarded fishing gear. For instance, the release of the [Food and Agriculture Organisation \(FAO\) voluntary guidelines on marking fishing gear](#). The MSC aim to align the requirements in the Fisheries Standard with the latest in best practice management, with a focus on gear loss avoidance strategies and mitigation actions in MSC certified fisheries. We also aim to ensure that ghost gear is considered in a more direct and consistent way.

Proposals for consultation presented below have been developed through internal research, the work of an external consultancy commissioned by the MSC and a public consultation held in 2020¹. Proposals were subject to an impact assessment².

2. Proposed revisions to the Standard

Proposed revisions to the Standard were presented to the [MSC’s Technical Advisory Board and Stakeholder Advisory Council](#) in December 2020. They provided advice and made recommendations to the [MSC Board of Trustees](#). In January 2021, the Board of Trustees decided on the proposed revisions that should be taken forward to consultation. The proposed revisions are summarised below:

Implementation of a management strategy to minimise gear loss and ghost gear impact

For consultation is the proposal that fisheries are required to implement a strategy to minimise gear loss and the impact of ghost gear on the environment. The strategy should be informed by best practice. New MSC guidance would provide examples of best practice.

¹ Marine Stewardship Council, 2020. Consultation Summary Report: Supporting the prevention of gear loss and ghost fishing. Published by the Marine Stewardship Council (www.msc.org). [Consultation Summary Report - Ghost gear - August 2020 \(msc.org\)](#) 15 pages.

² McLennan, S. Cappell, R. & Huntington, T. 2021. Supporting the prevention of gear loss and ghost fishing. Fisheries Standard Review Impact Assessment Report. Published by the Marine Stewardship Council (www.msc.org), [Impact Assessment Report - Ghost gear - January 2021 \(msc.org\)](#), 28 pages.

Extending the definition of ghost gear

For consultation is the proposal that the definition of ghost gear is extended to include lost, abandoned, and discarded fish aggregating devices (FADs), resulting in a change in application of the Fisheries Standard. This will strengthen the auditability of fisheries and set clear expectations for fisheries, such as tuna fisheries, using these devices.

If implemented, the proposed revisions would require fisheries to demonstrate how they are reducing the impact of gear loss and ghost fishing. This could increase the rigour of how fisheries are assessed in terms of ghost gear, and lead to increased transparency in the assessment process. The MSC will ensure that assessors have the tools and guidance they need to effectively assess a fishery.

Please note that the scope of the project is on the impact of ghost gear, including ghost fishing and/or its physical impact on habitats. Other potential impacts of ghost gear, such as its contribution to marine litter and plastics pollution, are outside the scope of this project.

3. Proposals for consultation

3.1. New scoring issues in Principle 2: Minimising environmental impact

It is proposed that a new scoring issue, to explicitly consider how the impacts of ghost gear are being managed in the fishery, be added to assessments under Principle 2. This would be scored in relation to four Principle 2 components: the primary species, secondary species, endangered, threatened or protected (ETP) species and habitats.

The new scoring issues will be drafted as follows:

Principle 2 component	Performance indicator	Scoring issue	Scoring guideposts (SG)		
			SG 60 Minimum acceptable	SG 80 Best practice	SG 100 State of the art
Primary species	2.1.2	Ghost gear management strategy	There are measures in place, if necessary, for the Unit of Assessment (UoA) that are expected to minimise ghost gear	There is a partial strategy in place for the UoA, if necessary, that is expected to minimise ghost gear and its	There is a strategy in place for the UoA that is expected to minimise ghost gear and its impact on [insert
Secondary species	2.2.2				
ETP species	2.3.2				
Habitats	2.4.2				

			and its impact on [insert scoring component].	impact on [insert scoring component].	scoring component].
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The definitions of measures, partial strategy and strategy comply with the existing definitions provided in Table SA8: Principle 2 Phrases.

***“Measures”** are actions or tools in place that either explicitly manage impacts on the component or indirectly contribute to management of the component under assessment having been designed to manage impacts elsewhere.*

*A **“partial strategy”** represents a cohesive arrangement which may comprise one or more measures, an understanding of how it/they work to achieve an outcome and an awareness of the need to change the measures should they cease to be effective. It may not have been designed to manage the impact on that component specifically.*

*A **“strategy”** represents a cohesive and strategic arrangement which may comprise one or more measures, an understanding of how it/they work to achieve an outcome, and which should be designed to manage impact on that component specifically. A strategy needs to be appropriate to the scale, intensity and cultural context of the fishery and should contain mechanisms for the modification fishing practices in the light of the identification of unacceptable impacts.*

A number of changes are proposed to existing requirement language to clarify application of the new scoring issue, including further new definitions. The main changes are as follows (highlighted):

- The definition for the phrase “If necessary” in Table SA8 (FSR v2.01) would be changed to: *The term “if necessary” is used in the management strategy PIs at SG60 and SG80 for the primary species, secondary species, habitats and ecosystems components. This is to exclude the assessment of UoAs that do not impact the relevant component at these SG levels. In the case of ghost gear, this refers whether or not the risk of ghost fishing or ghost gear impacts are either demonstrably absent or negligible.*
- New guidance introduced to clarify the meaning of term “minimise” as follows: *Coherent with the “if necessary” clause in the SIs, “minimise ghost gear and its impact on...” should mean there is a management response intended to reach the point where the risk of ghost fishing or ghost gear impacts are either demonstrably absent or negligible. The term “negligible” should be interpreted as per guidance GSA 3.5.3.*
- Revision is proposed to Principle 2 General Requirements SA3.1.8 as follows: *The consideration of the impact of the UoA on all components in P2, including unwanted catch, shall include mortality that is observed and mortality that is unobserved (including mortality from ghost fishing).*

3.2. Revise requirements in Principle 1: sustainable fish stocks

It is proposed to more explicitly include mortality linked to ghost fishing in the Principle 1 requirement clauses that relate to the assessment and documentation of observed and unobserved mortality.

It is also proposed to consider the impact more explicitly from ghost fishing in clauses that relate to the assessment and documentation of the use of alternative measures to minimise the mortality of unwanted catch.

In this context the following proposals are made:

- SA2.2.17 *The consideration of the status of the stock in P1 shall include mortality that is observed and mortality that is unobserved, including mortality from ghost fishing.*
- SA2.4.8 *Scoring issue (f) requires that UoAs review whether the use of alternative measures could reduce the mortality arising from unwanted catches from the target stocks, including mortality from ghost fishing.*

3.3. New definitions supporting the application of proposed changes to Principle 1 and Principle 2, including extending the definition of ghost gear

The MSC propose a number of new terms and definitions to clarify how the requirements should be applied. These would be included in the Guidance to the Fisheries Standard and may replace existing terms and definitions.

It is proposed that the definition of ghost gear will be extended to include lost, abandoned, and discarded fish aggregating devices (FADs). This will strengthen the auditability of fisheries and set clear expectations for fisheries, such as tuna fisheries, using these devices.

The following definitions (adapted from FAO Voluntary Guidelines on the Marking of Fishing Gear³) are to be used when considering ghost gear and its impacts:

Ghost gear: fishing gear or parts thereof that are abandoned, lost, or discarded at sea. This is more formally referred to as 'Abandoned, Lost or Discarded Fishing Gear' (ALDFG).

Ghost fishing: the capture and/or entanglement of target, non-target and ETP species by ghost gear.

Fish aggregating device (FAD): refers to a permanent, semi-permanent or temporary object, structure, or device of any material, man-made or natural, which is deployed, and/or tracked, and used to aggregate fish for subsequent capture. A FAD can be either an anchored FAD (aFAD) or a drifting FAD (dFAD). For the purpose of MSC assessment, FADs are not considered a gear type as such because they do not capture fish, but merely facilitate subsequent capture. FADs therefore maybe included as

³ FAO (2019). *Voluntary Guidelines on the Marking of Fishing Gear. Directives volontaires sur le marquage des engins de pêche. Directrices voluntarias sobre el marcado de las artes de pesca. Rome/Roma. 88 pp. Licence/Licencia: CC BY-NC-SA 3.0 IGO.*

a functional part of certain fishing gear types (e.g., purse seine, handline) as they are sometimes used to facilitate the capture efficiency of these gears.

Fishing gear: fishing gear is a tool with which living aquatic resources are captured. This refers to any physical device, or part thereof, or combination of items, that may be placed on or in the water or on the seabed with the intended purpose of capturing or facilitating the capture, or harvesting of marine organisms, in accordance with MARPOL Annex V.

Abandoned fishing gear: fishing gear over which that operator/owner has control and that could be retrieved by owner/operator, but that is deliberately left at sea due to force majeure or other unforeseen reasons.

Discarded fishing gear: fishing gear that is deliberately released at sea without any attempt for further control or recovery by the owner/operator.

Lost fishing gear: fishing gear over which the owner/operator has accidentally lost control and that cannot be located and/or retrieved by the owner/operator.

Ghost fishing mortality: the mortality of organisms arising from the entrapment, entanglement, or other physical interactions with ghost gear.

Ghost gear impact: environmental impacts resulting from ghost gear, including ghost fishing and/or its physical impact on habitats.

3.4. New guidance, including best practice examples

We propose to include examples of best practice as guidance to help CABs to identify and score the types of mitigation measures which best contribute towards effective strategies for managing ghost gear impacts. This would replace the current guidance in Box GSA7.

Proposed guidance text:

The assessment of the impacts of ghost fishing and gear loss are operationalised in the management components of both Principle 1 and Principle 2, where the degree of management is considered i.e., whether measures, a partial strategy and a strategy are in place at SG60, SG80 and SG100 respectively.

Various approaches can be taken to manage ghost gear and its impacts. As proposed by McFadyen et al. (2009¹), interventions can be broadly divided between measures that prevent (avoiding the occurrence of ghost gear in the environment); mitigate (reducing the impact of ghost gear in the environment) and remediate (removing ghost gear from the environment). These include but are not limited to:

Type of intervention	Example of measures
Prevention	<ul style="list-style-type: none">• Marking and identification of fishing gear• Spatial and/or temporal measures to reduce gear conflict

	<ul style="list-style-type: none"> • Fishing input controls to limit gear use (e.g. limits on soak time for passive gear types) • Gear design to reduce whole or partial loss of the fishing gear • Vessel design to reduce gear and other aquatic litter discarding • Use of end-of-life fishing gear disposal facilities • Fisher education and awareness on preventing gear loss
Mitigation	<ul style="list-style-type: none"> • Gear design to reduce the incidence and duration of ghost fishing
Remediation	<ul style="list-style-type: none"> • Lost gear reporting, location and recovery initiatives

When considering approaches to managing ghost gear and its impacts, the assessment team should consider current best practice, referring to FAO (2009) for basic principles¹, the FAO (2009) Voluntary Guidelines on the Marking of Fishing Gear², the revised 2020 Global Ghost Gear Initiative (GGGI) ‘Best Practice Framework for the Management of Fishing Gear’³.

It is widely accepted that prevention is better than mitigation or remediation of ghost gear impacts. It is the intent of the MSC to promote effective gear loss avoidance strategies and therefore it is expected that measures should include one or more preventative measures at SG60. It is expected that a partial strategy should include more than one measure that work together to prevent ghost fishing by the UoA whilst a strategy may also include mitigation and remedial measures to address ghost fishing by the UoA.

References:

- 1 McFadyen, G., T. Huntington, and R. Cappell (2009). Abandoned, lost, or otherwise discarded fishing gear. UNEP Regional Seas Reports and Studies, No. 185; FAO Fisheries and Aquaculture Technical Paper, No. 523. Rome, UNEP/FAO. 2009. 115p
- 2 FAO (2019). Voluntary Guidelines on the Marking of Fishing Gear. Directives volontaires sur le marquage des engins de pêche. Directrices voluntarias sobre el marcado de las artes de pesca. Rome/Roma. 88 pp. Licence/Licencia: CC BY-NC-SA 3.0 IGO
- 3 Revised 2020 GGGI ‘Best Practice Framework for the Management of Fishing Gear. Under final preparation for the Global Ghost Gear Initiative (GGGI) – expected to be published by mid 2021.

Next steps

The MSC will use the information and knowledge gained through consultations to refine the options for revisions to the Standard. The proposed revisions will be reviewed by the MSC governance bodies 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 Standard in early 2022.

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