

## Public Comment Matrix - 2017

Comment #	Comment	Clause/Doc	Response*	
1	Is there a predetermined deadline (e.g. number of years) by which the actions in the Corrective Action Plan must be achieved? Must all items in the Corrective Action Plan be addressed before the re-certification or can Corrective Actions be carried over from one certification period to the next?	Guidance Doc, p.11	<i>still in review</i>	*Please note that all comments remain in review while the program continues the review/revision for version 2.0 in 2018.
2	<i>"In the absence of specific information on the stock(s) under consideration, generic evidence based on similar stocks can be used for fisheries with low risk. However, the greater the risk the more specific evidence is necessary to ascertain the sustainability of intensive fisheries ."</i> This appears to be an effort to provide opportunities for data poor fisheries, but it could be misinterpreted or used inappropriately. There should be further elaboration on how "fisheries with low risk" are defined/determined and there should be a requirement to obtain the lacking information within a specified timeframe.	Clause 3.7	<i>still in review</i>	
3	Page 42, 3.9. – Supporting Clause 9 <i>"(iv) If fishing mortality or its proxy is above the associated limit reference point, actions shall be taken to decrease the fishing mortality or its proxy below that limit reference point ."</i> AND Page 49 4.2. – Supporting Clause 2 <i>"In the event of overfishing, there shall be objectives for the management system and actions undertaken to reduce fishing mortality to levels that have been identified as appropriate for high productivity and long-term conservation. "</i> These clauses appear to permit overfishing to be occurring when a fishery is certified, as long as there are management measures in place that describe how overfishing will be ended in the future. We strongly believe that a fishery known to be experiencing overfishing during the certification process should not be able to obtain certification until overfishing has ended (e.g. current overfishing should trigger a Critical Non-Conformance). If this clause is intended to address actions required if overfishing occurs in the future (after the fishery is certified), further clarification is needed in the Guidance document to better explain the intention of the Clause.	Clause 3.9 and 4.2	<i>still in review</i>	
4	<i>"In the absence of specific information on the ecosystem impacts of fishing, generic evidence based on similar fishery situations can be used for fisheries with low risk of severe adverse impact using a suitable risk management approach. "</i> This appears to be an effort to provide opportunities for data poor fisheries, but it could be misinterpreted or used inappropriately. There should be further elaboration of how " low risk of severe adverse impact " are defined/determined and there should be a requirement to obtain the lacking information within a specified timeframe.	Clause 7.2	<i>still in review</i>	

5	<p>"With regard to non-target catches; including discards of fish stocks other than the stock(s) under consideration:</p> <p>(i) Non-target stocks shall be monitored to determine the impact exerted by the fishery.</p> <p>(ii) The fishery under consideration shall not threaten these non-target stocks with recruitment overfishing or other impacts that are likely to be irreversible or very slowly reversible and if such impacts arise, effective remedial action shall be taken.</p> <p>(iii) The monitoring procedures and activities shall allow for objective and scientific verification of the risks and outcomes.</p> <p>General Note: In the context of the G.U.L.F. RFM certification, relevant non-target catches refers to retained and/or discarded catches of:</p> <ul style="list-style-type: none"> <li>• Managed non-target species (species regulated for commercial, bait, or recreational use)</li> <li>• Non-managed non-target species greater than 10% of total catch</li> <li>• Other species (e.g. starfish, gastropods etc.) will generally be assessed in conjunction with benthic assemblages provided they are not endangered, threatened or protected species (ETP species). "</li> </ul> <p>What is the basis for the 10% of catch threshold? The only other certification scheme that currently sets such a threshold is Marine Stewardship Council, which sets the threshold as 5% for most species, but only 2% for less resilient species. Your threshold is substantially higher than this precedent, and a justification for the 10% threshold would be helpful.</p>	Clause 7.4 and Appendix 1	still in review
6	<p>"With regard to the habitat interaction of the fishery either through direct contact or other indirect effects:</p> <p>(i) Habitats that are vulnerable to damage by the fishing gear(s) under consideration shall be monitored to determine the risk that the fishery exerts upon their long-term viability.</p> <p>(ii) Impacts on habitats vulnerable to damage by the fishing gear or protected by legislation must be avoided or minimized through mitigation measures.</p> <p>(iii) The monitoring procedures and activities shall allow for objective and scientific verification of the risks and outcomes, including prior to introduction of new fishing gear, and in assessing fishery impacts, the full spatial range of the relevant habitat shall be considered, not just the part of the spatial range that is potentially affected by fishing. "</p> <p>The Evaluation Parameters for this clause need further explanation of how "vulnerable" is defined (or if it is subject to the decision of the Assessment Team).</p>	Clause 7.5	still in review

7	<p>"With regard to the role of the stock(s) under consideration in the food-web and other ecosystem interactions:  (i) The role of the stock(s) under consideration in the food web shall be considered, and if it is a key prey species in the ecosystem, management measures shall be in place to avoid severe adverse impacts on dependent predators.  (ii) As appropriate, the environmental factors that may influence stock abundance shall be considered when determining stock status and determination of exploitation rates. "</p> <p>What are the "other ecosystem interactions" as noted in the first phrase? It may make more sense just to limit this clause to food web interactions, as appears to be the case in the scoring guidance provided in the Evaluation Parameters. It is also unclear why the second point is included in this section (impact of fishery on the environment) when the subject of that point is the reverse (the environment's impact on the fishery). Consider moving this point to Fundamental Clause 3 or clarify its relevance in this Supporting Clause.</p>	Clause 7.7	<i>still in review</i>
8	Audubon Nautre Institute should clearly state that it will conform with and demonstrate its own conformity to the elements of the FAO Guidelines that apply to certification scheme owners	Operations Manual, G.U.L.F. website, accreditation, Certification Requirements	<i>still in review</i>
9	ANI should fully document and make public its policies and procedures that apply to the revision of the G.U.L.F. Conformance Criteria (the Standard). These policies and procedures should conform to the full FAO Guidelines paragraphs 40-63.	Operations Manual, G.U.L.F. website	<i>still in review</i>
10	<p>In addition to the full FAO Guidelines, Audubon should clearly state which internationally recognized codes of practice it conforms with. WWF proposes conformance with the following list:</p> <ul style="list-style-type: none"> <li>- WTO, Technical barrier to Trade Agreement, Annex 3- code of Good Practice for the preparation, Adoption and Application of Standards</li> <li>- ISO Guide 59: 1994 Code fo Good Practice for Standardization</li> <li>- ISO 17067: 2013 Conformity Assessment- Fundamentals of product certification and guidelines for product certification schemes</li> <li>- ISEAL Code of Good Practice for Setting Social and Environmental Standards v 5.0, 2010</li> <li>- ISEAL Code of Good Practice for Assuring Conformance with Social and Environmental Standards, 2012</li> <li>- ISEAL Code of Good Practice for Assessing the Impacts of Social and Environmental Standards, 2013</li> </ul>	Standards, Guidance to Assessment, Operations Manual, G.U.L.F. website	<i>still in review</i>

11	The revisions to the Audubon Nature Institute G.U.L.F. Conformance Criteria should be based on the most recent international agreements and guidelines for the management of wild fisheries, including: <ul style="list-style-type: none"> <li>- FAO Guidelines for Ecolabelling of Fish and Fishery Products from Inland Capture Fisheries (2011)</li> <li>- FAO Guidelines on Bycatch Management and Reduction of Discards (2011)</li> <li>- Where applicable, further consideration should be the guidance in the FAO Voluntary Guidelines for Securing Sustainable Small Scale Fisheries in the Context of Food Security and Poverty Eradication (2014) (consideration with regard to social impacts and traceability)</li> </ul>	Standards, Guidance to Assessment, Operations Manual, G.U.L.F. website	<i>still in review</i>
12	Audubon should no longer base its scheme on the 1995 FAO Guidelines and the 1996 FAO John Caddy Checklist	RFM Standard, Guidance to Assessment, Operations Manual, G.U.L.F. website	<i>still in review</i>
13	We recommend that ANI use the most recent revision of the FAO Guidelines (2009) as the main source for the text of the G.U.L.F. Conformance Criteria	RFM Standard, Guidance to Assessment, G.U.L.F. website	<i>still in review</i>
14	While Section E largely uses the 2009 FAO Guidelines, there is more specific guidance in FAO Guidelines on Bycatch Management (2011), FAO Guidelines for Inland Fisheries (2011) and FAO Guidelines for Small-scale Fisheries (2014) that represent more recent advice on best practices for protecting ecosystems from the impacts of fishing and enhancement activities.	RFM Standard, Guidance to Assessment, G.U.L.F. website	<i>still in review</i>
15	Unit of Certification: the unit of certification/unit under assessment is not defined. This must be clearly set out for all applicant fisheries.	RFM Standard, Guidance to Assessment	<i>still in review</i>
16	The documentation refers to both "responsible" fishing and "sustainable" fishing. Please define clearly the objectives of the scheme and keep language consistent.	RFM Standard, Guidance to Assessment, Operations Manual, G.U.L.F. website	<i>still in review</i>
17	The definition of responsible fisheries management (p. 5) is unclear: <ul style="list-style-type: none"> <li>-What is "long-term" use?</li> <li>-What is "effective"?</li> <li>-Where is the bar set?</li> <li>-How is "biological sustainability" defined?</li> <li>-What are "consideration" and "due regard"?</li> </ul> These terms must be clearly defined.	RFM Standard, Guidance to Assessment, Operations Manual, G.U.L.F. website	<i>still in review</i>

18	In addition, evidence required to show compliance with the G.U.L.F. Standard is generally not defined. A large number of terms in the G.U.L.F. Standard need explicit definition and scoring guidance in order to ensure consistent application by assessment teams. As written, the standard is wide open to interpretation and is not set out for consistent and accurate application.	G.U.L.F. RFM Standard, Guidance to Assessment, Certification Requirements	<i>still in review</i>
19	Scoring Guidance: Very little information is publically available about how fishery certifiers are expected to operationalize the conformance criteria and how scores are assigned for the different requirements. The broad and generalized language used in the standard technically fulfills many criteria, but it is difficult to see the requirements being usefully applied in practice. Explicit scoring criteria are required to ensure appropriate and consistent scoring, along with full understanding of the scheme and its requirements. For example: What score is needed to pass? Are criteria given equal weights?	G.U.L.F. RFM Standard, Guidance to Assessment, Certification Requirements	<i>still in review</i>
20	Outcome-Oriented Indicators: None of the indicators in the G.U.L.F. conformance criteria appear to ensure that the target stock and other impacted species are above biologically based limits and that the fishery does not disrupt the structure and function of encountered habitats or the ecosystem. While the standard requires that management measures and appropriate monitoring be in place, actual implementation, effectiveness and outcomes are not included. This is a big oversight as oftentimes great management measures can fall down in implementation. The criteria must be modified and strengthened to ensure that no fishery that encounters an unhealthy target stock/bycatch/discarded/ETP species, habitat or ecosystems can be deemed responsible or sustainable.	G.U.L.F. RFM Standard, Guidance to Assessment, Certification Requirements	<i>still in review</i>
21	Environmental Impacts: The requirements regarding the effect of the fishery on non-target catches, ETP species, habitats, and ecosystems are very weak as they largely focus on management systems and monitoring, not actual status/outcomes or effective implementation.	G.U.L.F. RFM Standard, Guidance to Assessment, Certification Requirements	<i>still in review</i>
22	In addition, the conformance criteria do not explicitly address cumulative impacts of certified species on bycatch, discards, ETP species, or habitats. As in the FAO international Guidelines on Bycatch Management and Reduction of Discards (2011), fishery management must address all significant sources of fishing mortality using an ecosystem approach to fisheries and quotas for the target and bycatch species must be accounted for within an overall limit. Otherwise, multiple certified fisheries could be sustainable in the absence of other actors, but together negatively impact the environment.	G.U.L.F. RFM Standard, Guidance to Assessment	<i>still in review</i>

23	<p>In the GULF standard there are numerous requirements instances where GULF criteria explicitly refer to actions of states or regional management systems (see A1.3, A2, A2.3, E7.6, E7.8). While the intent of these criteria is worthy, the language used is problematic. These criteria are not auditable as a certificate holder cannot be held accountable for regulations set by government or a regional fishery management organization. If this is audited by the certification body, then the auditor would have to audit government regulations and how they are enforced by governments. If the government is found not in conformity with the requirement, then a non-conformity would have to be raised and could only be closed if the government changed its regulation and enforcement. This is clearly outside the authority of a fishery to change.</p> <p>Requirements that do not apply to applicant or certified fisheries, such as to states, fisheries management organizations, research bodies, funding bodies, or other parties, should be rewritten so that they are applicable to fisheries seeking or holding certification. All criteria in the GULF standard should contain requirements that apply to the organization seeking certification (i.e., using phrases such as "The management system includes..." or "There is a strategy in place that..."). Placing obligations on other parties means that the certification is contingent on the actions of other parties that are not subject to the contractual agreement that governs the audit and maintenance of the certificate. If auditors were to fully audit the requirements at every point that the standard states "States shall," the auditor should be auditing the performance of the State, not the fishery. In addition, if an audit did seek to evaluate government performance (or that of any organization outside of the client group), government staff are under no obligation to cooperate by providing information or allowing auditors access to case files. It is possible to rely on regulation as evidence of conformity, but if the regulation and enforcement are not adequate then it is the responsibility of the fishery client to demonstrate that its performance meets the level specified in the standard.</p>	G.U.L.F. RFM Standard, Guidance to Assessment, Certification Requirements	<i>still in review</i>
24	<p>Non-Conformances: What are the threshold levels for non-conformances to the Standard? At what point does the fishery fail an assessment? Is a certified fishery able to address non-conformances after certification, within the certification period? If the threshold pass/fail level is appropriate and certified fisheries are able to address any weaknesses after certification, then this is positive, as it provides incentive for further improvement. If a fishery can be certified with nonconformances without being required to address them, then the G.U.L.F. scheme is not aligned with the FAO Guidelines</p>	G.U.L.F. RFM Guidance to Assessment	<i>still in review</i>
25	<p>Stakeholder Involvement: No information is available on when and how stakeholders can submit information concerning a fishery under assessment, whether or not this information must be considered and incorporated during the assessment, and how CABs are to respond to stakeholder feedback. In addition, there is no information available on the mechanisms for stakeholder objection to a certification determination. In order to be in compliance with FAO Guidelines, opportunities for stakeholder participation are necessary, and mechanisms to hear and address complaints are required.</p>	G.U.L.F. Operations Manual, Managing Stakeholder Input Policy, G.U.L.F. website	<i>still in review</i>

26	TAC: More information from Audubon is needed about the "Technical Advisory Committee" and the criteria review process. Drafting/revision of the conformance criteria must rely heavily on the knowledge of expert fisheries scientists and not that of industry members to ensure the standard is rooted in science and management expertise. Notably, nobody on the Technical Advisory Committee appears to have any experience with fisheries standards or certification. In addition, committee members must not have conflicts of interest related to success of the GULF program (e.g. strong industry ties). How will standards will be updated or revised over time?		<i>Still in review</i>
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