

AUDUBON NATURE INSTITUTE
Gulf United for Lasting Fisheries
(G.U.L.F.)

Responsible Fisheries Management
Standard



**for use by U.S. Gulf State fisheries for assessment
to a third-party certification scheme**

January 10th, 2018
Issue 1.2

**Based on the United Nations Food and Agriculture Organization's
Guidelines for the Ecolabelling of Fish and Fishery Products from
Marine Capture Fisheries and relevant articles of the 1995 UN FAO
Code of Conduct for Responsible Fisheries**

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Audubon G.U.L.F. RFM Standard				
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FOREWORD

The G.U.L.F. Responsible Fisheries Management Standard is based on the substantive criteria contained within the Food and Agriculture Organization’s Guidelines for the Ecolabelling of Fish and Fishery Products from Marine Capture Fisheries (originally published in 2005 and revised in 2009) and clauses from the relevant Articles of the 1995 United Nations FAO Code of Conduct for Responsible Fisheries. A full description of the standard-setting arrangements, normative references and processes can be obtained from Audubon Nature Institute (hereafter Audubon), owners of the Gulf United for Lasting Fisheries (G.U.L.F.) Responsible Fisheries Management (RFM) Standard and Certification Scheme.

Audubon Nature Institute (Audubon)

Audubon Nature Institute’s Gulf United for Lasting Fisheries (G.U.L.F.) was founded in 2012 from the need for a home-grown champion who understands and can advocate on behalf of Gulf State fisheries and industry. Our mission is to secure a vibrant future for Gulf of Mexico seafood through the use of science-based programs, education and outreach, to create a more stable and confident fishing industry.

For generations, our fisheries have prospered through judicious use, and the unique life cycle of our aquatic resources means that Gulf State fisheries are very resilient. G.U.L.F. is dedicated to promoting and conserving the seafood resources in the Gulf of Mexico; we work to keep our industry relevant in the changing landscape of sustainability.

The purpose of the G.U.L.F. Certification Scheme is to provide U.S. Gulf State fisheries with a “Certification of Responsible Fisheries Management” to an internationally recognized standard.

Certification to requirements under this scheme will demonstrate that fisheries are managed in accordance with internationally established practices provided by the UN FAO.

Introduction

The G.U.L.F. Responsible Fisheries Management Certification Standard is a tool for use in the evaluation U.S. fisheries in the Gulf of Mexico to a scheme developed and owned by Audubon. The Standard has principally been formulated from existing publically available documents, developed by the United Nations Food and Agriculture Organization (FAO) and agreed upon by a Technical Advisory Committee of fishery experts and stakeholders in the U.S. Gulf of Mexico.

These main normative documents are:

- the 2005 FAO Guidelines for Ecolabelling of Fish and Fishery Products from Marine Capture Fisheries (as amended in 2009)
- the relevant Articles of the 1995 FAO Code of Conduct for Responsible Fisheries (CCRF)
- FAO Fisheries Circular 917 (1996).

Collectively, these FAO documents provide the basis of the scope of fishery certification and the technical requirements that a fishery must be able to demonstrate to become certified. The FAO Committee on Fisheries (COFI) has provided a global, multi-stakeholder process for the documentation of the content of the FAO CCRF and later, the FAO Guidelines for the Ecolabelling of Fish and Fishery Products from Marine and Inland Capture Fisheries (hereafter the Ecolabelling Guidelines).

These documents have global significance in fisheries with respect to setting a standard for responsible fisheries management. The G.U.L.F. Responsible Fisheries Management Standard used in this certification scheme represents a technical translation of these normative references to facilitate effective measurement of fisheries in the U.S. Gulf of Mexico.

The FAO Ecolabelling Guidelines (and the FAO CCRF, from which the guides were derived) consist of a series of statements of principles that need to be placed in an operational context in order to allow the measurement of fishery management performance within a practical context. As a way of rendering the articles and criteria of these documents within a regional context relevant to the U.S. Gulf of Mexico, a series of pilot feasibility trials were undertaken using an existing set of FAO-Based Conformance Criteria, already in use in U.S. Alaska fisheries. The outcome of this activity undertaken over a period of 18 months has informed the development of this Standard.

The FAO Ecolabelling Guidelines provide direction to the evaluation of fisheries for certification purposes. The central scope of fishery certification is the Minimum Substantive Requirements set out in the FAO Ecolabelling Guidelines, which COFI produced in order to create consistency in the basis of certification. The G.U.L.F. Responsible Fisheries Management Certification Scheme is consistent with these provisions and Guidelines and also the relevant FAO CCRF Articles to which the Ecolabelling Guidelines refer.

The definition of the G.U.L.F. Responsible Fisheries Management Certification Scheme is traceable to the FAO's own definition of Responsible Fisheries Management as follows:

- The scope of certification principally relates to management provisions and performance for the long-term utilization of fishery stock resources and the wider conservation of the marine environment.
- The G.U.L.F. Responsible Fisheries Management Certification Standard criteria are formed from a translation of the FAO's Minimum Substantive Criteria contained in the Ecolabelling Guidelines and are consistent with the related articles in the FAO CCRF.
- The document establishes auditable criteria for assessing the conformance of fisheries in the Gulf of Mexico to the G.U.L.F. Responsible Fisheries Management Certification Scheme administered and managed by recognized and accredited certification bodies to the requirements of ISO Guide 65/ISO 17065.

The FAO CCRF and FAO Ecolabelling Guidelines make reference to several other international agreements and documents important to the development of responsible fishery practices. These are cited to confirm that the G.U.L.F. Responsible Fisheries Management Certification Scheme is consistent with these agreements/regulation/guidelines:

- 1982 United Nations Convention on the Law of the Sea (UNCLOS) (referring to consistency of U.S. Gulf State fisheries with the provisions of UNCLOS).
- Implementation of the International Plan of Action to Prevent, Deter and Eliminate Illegal, Unreported and Unregulated Fishing. FAO Technical Guidelines for Responsible Fisheries No. 9.
- ISO 14024:1999 Environmental labels and declarations - Type 1 environmental labelling - Principles and Procedures.
- ISO/IEC Guide 59:1994 Code of Good Practice for Standardization.
- ISO/IEC 17065:2012 Conformity Assessment – Requirements for certifying products, processes and services
- ISO/IEC 17067 Conformity Assessment- Fundamentals of product certification and guidelines for product certification schemes
- WTO Technical Barriers to Trade (TBT) Agreement Annex 3 Code of Good Practice for the Preparation, Adoption and Application of Standards, for the Technical Barriers to Trade (TBT) Second Triennial Review Annex 4, Principles for the Development of International Standards, Guides.

G.U.L.F. RFM STANDARD DEFINITION OF RESPONSIBLE FISHERIES MANAGEMENT

Responsible fisheries management shall ensure the effective management of fishery resources for long-term use and the conservation of living aquatic resources with respect to biodiversity and ecosystem maintenance.

The remit of the G.U.L.F. RFM Certification Scheme:

Maintaining fishery resources for long-term use, including the use of enhancement practices, up to the point of landing, with the main objective being the biological sustainability of the stock(s) under consideration, with consideration for conservation, biodiversity and ecosystem integrity, and due regard to social responsibility and the economic viability of the fishery.

Structure of the G.U.L.F. RFM Standard

The G.U.L.F. RFM Standard is divided into five sections.

- A. The Fisheries Management System**
- B. Data Collection, Stock Assessment and Scientific Advice**
- C. Management Objectives for the Stock**
- D. Precautionary Approach**
- E. Serious Impacts of the Fishery on the Ecosystem**

These sections are in turn divided into Fundamental Clauses; each Fundamental Clause is further sub-divided into specific assessment criteria. Fundamental clauses are presented below.

A. The Fisheries Management System

- A1. There shall be a structured and legally mandated fishery management system, and an appropriate policy, legal and institutional framework for fisheries management based upon and respecting international, national and local fishery laws, including the requirements of any regional fisheries management organizations that manage the fisheries on the stock(s) under consideration.
- A2. Gulf States fishery management organizations shall implement monitoring and control systems to allow for effective enforcement of management measures and their associated rules and regulations.

B. Data Collection, Stock Assessment and Scientific Advice

- B3. Adequate data and/or information are collected, maintained and assessed in accordance with applicable international standards and practices for evaluation of the current state and trends of the stocks.

C. Management Objectives for the Stock(s)

- C4. The management system shall specify management objectives to achieve optimal utilization of the resource and ensure that the stock(s) is not overfished and that overfishing is not occurring.
- C5. A suitable mechanism shall exist to allow the harvest to be increased or decreased in accordance with the objectives for achieving maximum sustainable yield (or a suitable proxy) or optimal yield, depending on the nature and state of the resource(s) and taking into consideration environmental, social and economic factors.

D. Precautionary Approach

- D6. The precautionary approach shall be implemented for the conservation of the stock(s) under consideration and for avoiding long term, irreversible or slowly reversible effects on the aquatic environment.

E. Serious Impacts of the Fishery on the Ecosystem

- E7. Adverse impacts of the fishery on the ecosystem shall be appropriately assessed and effectively addressed. Assessment shall be based on best available science, local knowledge where it can be objectively verified and using a suitable risk based management approach appropriate to the data available for determining most probable adverse impacts and taking into account the relevant environmental, economic, technological, social, and cultural aspects.
- E8. Where fisheries enhancement is utilized, assessment and monitoring shall consider natural reproductive components of the stock(s) under consideration and ecosystem impacts.

G.U.L.F. RFM STANDARD

A. The Fisheries Management System

- A1. There shall be a structured and legally mandated fishery management system, and an appropriate policy, legal and institutional framework” for fisheries management based upon and respecting international, national and local fishery laws, including the requirements of any regional fisheries management organizations that manage the fisheries on the stock(s) under consideration.**

(FAO CCRF (1995) 7.1, 7.3, 7.6, 7.7, 8.4, 12; FAO Eco (2009) 28, 29)

- 1.1 The fishery management system shall have a legal basis defining the powers of the authorities and laws that identify by objectives or otherwise allowing for responsible fisheries management as defined by this Standard.

(FAO CCRF (1995) 7.1.1, 7.7.1; FAO Eco (2009) 28, 29.5)

- 1.2 The fishery management system shall have an identified framework or documented procedure, publicly accessible (to national and international government agencies, fisheries participants, and other stakeholders) that allows it to create, amend and abolish laws, regulations and other legal instruments or measures that are used to implement and improve upon responsible fisheries management for the applicant fishery.

(FAO CCRF (1995) 7.1.1, 7.1.2, 7.1.6)

- 1.3 Procedures and mechanisms shall be established both within the management system to avoid conflict and through an appropriate external judiciary appointed at the State level to settle conflicts, which arise both within the fisheries sector and with other coastal users.

(FAO CCRF (1995) 7.6.5, 10.1.4, 10.1.5)

- 1.4 (i) Institutions that make up the management system shall consult with other U.S. State, Federal, relevant regional/international fisheries management organizations, relevant to the stock(s) under consideration and;

(ii) Where the applicant fishery is based on a shared, straddling, high seas or highly migratory stock(s), its management shall be compatible with any requirements set out by applicable regional fisheries management organization(s).

(FAO Eco (2009) 28)

- 1.5 The management system, its institutional arrangements and their legal basis, regulations and other instruments, and management measures and outputs shall be subject to periodic review through identifiable review procedures and mechanisms.

(FAO CCRF (1995) 7.6.8)

- 1.6 The review process shall be clearly linked to improvement of the management system under clause 1.2 for the applicant fishery, and based on the use of best available scientific evidence, advice and/or objectively verified information by the management system from recognized institutions and other sources, including fisheries and external bodies and shall respond in a timely manner.
- (FAO CCRF (1995) 7.4.1, 7.6.8; FAO Eco (2009) 29.2)
- 1.7 The management system shall forbid, prohibit or otherwise outlaw the use of destructive fishing practices including dynamiting, poisoning and other comparable destructive fishing practices.
- (FAO CCRF (1995) 8.4.2)
- 1.8 The management system shall be resourced through structured, identifiable and consistent means.
- (FAO CCRF (1995) 7.7.4)
- 1.9 The management system shall identify and document research priorities for the fishery and stock(s) under consideration and allocate resources to execute these.
- (FAO CCRF (1995) 7.4.2, 12.1, 12.2, 12.3; FAO Eco (2009) 29.1)
- 1.10 Gulf-wide and international research relevant to the species and research priorities shall be promoted including, fostering relationships and information exchange with external scientific bodies and other national and international fishery organizations.
- (FAO CCRF (1995) 7.3.4, 7.4.6, 12.16, 12.17)
- 1.11 The economic, social and institutional dimensions under which fisheries operate shall be monitored.
- (FAO CCRF (1995) 7.4.2, 7.4.5, 12.9)
- 1.12 Fishing capacity shall be managed such that it does not undermine the effective management of the fishery and conservation objectives of the stock(s). These measures can include, among other tools, the reduction of capacity and/or effort to levels commensurate with sustainable stock(s).
- (FAO CCRF (1995) 6.3, 7.1.8, 7.2.2a, 7.6.3)
- A2. Gulf States fishery management organizations shall implement monitoring and control systems to allow for effective enforcement of management measures and their associated rules and regulations.**
- (FAO CCRF (1995) 6.1, 6.10, 7.1, 7.7, 8.1, 8.2; FAO Eco (2009) 29.5)

- 2.1. Effective mechanisms shall be established for fisheries monitoring, surveillance, control and enforcement measures including, where appropriate, observer programs, inspection schemes and vessel monitoring systems, to ensure compliance with the conservation and management measures for the fishery in question.

(FAO CCRF (1995) 6.10, 7.1.7, 8.2.7; FAO Eco (2009) 29.5)

- 2.2 Non-compliance with conservation and management measures will result in sanctions, including, but not limited to, removal of authorization to fish and/or to serve as masters or officers of a fishing vessel. Sanctions shall be enforceable through local, state and national law, applicable in respect of violations and illegal activities shall be adequate in severity to be effective in securing compliance and discouraging violations wherever they occur.

(FAO CCRF (1995) 7.7.2, 8.1.9, 8.2.7)

- 2.3 U.S. Gulf States shall enhance, through education and training programs, the education and skills of fishers and, where appropriate, their professional qualifications. Such programs shall take into account agreed international standards and guidelines.

(FAO CCRF (1995) 6.16, 8.1.7, 8.1.10)

B. Data Collection, Stock Assessment and Scientific Advice

- B3. Adequate data and/or information are collected, maintained and assessed in accordance with applicable international standards and practices for evaluation of the current state and trends of the stocks.**

(FAO CCRF (1995) 6.4, 7.3, 7.4, 8.4, 12; FAO Eco (2009) 29, 31)

- 3.1 Data shall be collected from both fishery dependent and independent sources, as relevant, in a routine and consistent manner to allow for scientifically robust assessment of:
- 1) The state of the stock(s) relative to the management-elected reference points or suitable substitutes or other performance indicators.
 - 2) The performance of the fishery with respect to the utilization of the resource.
 - 3) The performance of management measures, harvest controls and associated rules that support the strategy and the defined objectives of the fishery.

(FAO CCRF (1995) 7.4.2, 7.4.4, 7.4.6, 8.4.3, 12.4; FAO Eco (2009) 29.1, 29.3, 31.1)

- 3.2 Data review and analysis shall consider all fishery removals of the target stock(s) including retained catch and discards in target and non-target fisheries.

(FAO CCRF (1995) 7.3.1; FAO Eco (2009) 29.2b)

- 3.3 Data review and analysis shall consider catches and discards of other commercial and non-commercial species associated with fishing activity to the extent that impacts on these species can be understood.

(FAO CCRF (1995) 6.2, 7.5.2; FAO Eco (2009) 29.3, 31.1)

- 3.4 Data shall be collected and research advanced to improve the understanding of the biology, life-cycle and reproductive cycle of the stock under consideration, its geographic range, its habitat, the environmental factors that may influence stock abundance, and its role in the ecosystem, to improve management of the fishery.

(FAO CCRF (1995) 7.3.1, 12.4; FAO Eco (2009) 31.2, 31.3)

- 3.5 Data can include relevant traditional, fisher or community knowledge, provided their validity can be objectively verified.

(FAO CCRF (1995) 6.4, 12.12; FAO Eco (2009) 29.1, 29.3, 31)

- 3.6 Where appropriate, scientific observer schemes and surveys or alternative objective methods shall be used to both generate data and verify understanding.

(FAO CCRF (1995) 8.4.3)

3.7 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.

(FAO CCRF (1995) 7.5.2; FAO Eco (2009) 30.4)

3.8 The assessment shall include an appraisal of the stock status and harvest rate relative to target and limit reference points, substitutes or proxies that can demonstrably act in a similar way.

(FAO CCRF (1995) 7.5.3; FAO Eco (2009) 29.2)

3.9 The nominated scientific institutions shall use best available scientific evidence, advice, and/or objectively verified information as a basis to inform stock assessment and provide advice on the objectives of fisheries management including:

- i. Management targets consistent with achieving maximum sustainable yield (MSY) (or a suitable proxy) on average, or a lesser fishing mortality if that is optimal in the circumstances of the fishery (e.g. multispecies fisheries) or to avoid severe adverse impacts on dependent predators, taking into consideration relevant economic, social, or ecological factors.
- ii. The application of specific limits or directions in key performance indicators, consistent with avoiding recruitment overfishing or other impacts that are likely to be irreversible or very slowly reversible, and specification of the actions to be taken if the limits are approached or the desired directions are not achieved.
- iii. Accordingly: the stock(s) under consideration shall not be overfished if above the associated limit reference point (or its proxy).
- 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.
- v. In the event that evidence shows biomass falling well below target levels, management measures shall allow for restoration within reasonable time frames, relevant to the life history characteristics of the species under consideration.
- vi. The structure and composition of the stock(s) under consideration, which contribute to its resilience shall be taken into account.

(FAO CCRF (1995) 7.5.3, 7.2.2e, 12.13; FAO Eco (2009) 29.2b, 30)

C. Management Objectives for the Stock(s)

- C4. The management system shall specify management objectives to achieve optimal utilization of the resource and ensure that the stock(s) is (are) not overfished and that overfishing is not occurring.

(FAO CCRF (1995) 6, 7.2, 7.3; FAO Eco (2009) 28, 29)

- 4.1 For the stock(s) under consideration, documented management approaches and objectives shall be available, with the intent that management will be successful at delivering objectives for the long-term conservation of the stock(s).

(FAO CCRF (1995) 7.2.1, 7.3.3; FAO Eco (2009) 28.1)

- 4.2 In the event of overfishing, there shall be objectives for the management system and actions taken to reduce fishing mortality to levels that have been identified as appropriate for high productivity and long term conservation and implemented in a timely manner.

(FAO CCRF (1995) 7.5.3; FAO Eco (2009) 29.2b, 30.2)

- 4.3 In the event that evidence shows biomass falling to levels where recruitment is impaired, there shall be objectives for the management system to allow for restoration of the stock(s) within reasonable timeframes, relevant to the life history characteristics of the species under consideration to levels that allow for high productivity.

(FAO Eco (2009) 29.2b)

- 4.4 Short-term considerations shall not compromise the long-term management objectives for conservation and sustainable use of the fisheries resources.

(FAO CCRF (1995) 7.1.1; FAO Eco (2009) 29.4)

- 4.5 Accordingly, for the stock under consideration, there shall be defined objectives or goals for the fishery and its long-term sustainable use. Stock management objectives may vary and include additional economic and social aspects but must include the following:

- i. Maintenance of the stock at or above the levels necessary to ensure their continued biological productivity and;
- ii. Minimize the negative impacts of fishing on the physical environment and on non-target species (bycatch) and associated dependent species.

(FAO CCRF (1995) 7.1.1, 7.2.1, 7.2.2, 7.3.3; FAO Eco (2009) 28.2, 29.2b)

4.6 The determination of suitable conservation and management measures shall take account of:

- 1) Total fishing mortality from all sources, including discards, unobserved mortality, incidental mortality, unreported catches and catches in other fisheries either within or outside of the jurisdiction of the management system of the stock(s) under consideration.
- 2) The size and health (structure and resilience to fishing pressure) of the stock(s) under consideration.
- 3) Relevant environmental, biological, technological, economic, cultural, social, and commercial aspects.

(FAO CCRF (1995) 6.3, 6.4, 7.1.1, 7.3.1, 7.6.7; FAO Eco (2009) 29.2b)

4.7 Management measures shall generally be consistent with achieving Maximum Sustainable Yield (MSY) (or a suitable proxy) on average, or a yield based on a lesser fishing mortality if that is optimal in the circumstances of the fishery.

This should take account of (where relevant to the fishery):

- i. Insufficient data and greater uncertainty of the state of the stock(s) under consideration such that a higher level of precaution is required when defining harvest rates.
- ii. Should take into account the structure and composition of the stock(s) under consideration, which contribute to its resilience.

(FAO CCRF (1995) 7.2.1, 7.2.2, 7.6.9; FAO Eco (2009) 29.2b, 30.3, 32)

C5. A suitable mechanism shall exist to allow the harvest to be increased or decreased in accordance with the objectives for achieving maximum sustainable yield (or a suitable proxy) or optimal yield, depending on the nature and state of the resource (s) and taking into consideration environmental, social and economic factors.

(FAO CCRF (1995) 7.5, 7.6)

5.1 The mechanism for controlling harvest shall be identifiable, formally established and implemented in accordance with the best available scientific information.

(FAO CCRF (1995) 7.6.1, 7.6.2, 7.6.3)

5.2 Measures, harvest control mechanisms and associated actions shall be designed for when overfished¹ conditions are approached and these shall be sufficiently formalized so that management can effectively respond and take action to situations of impaired recruitment, overfishing² or increasing risk of exceeding these or other negative outcomes, in a timely manner.

¹ See Definitions section

² See Definitions section

(FAO CCRF (1995) 7.5.3; FAO Eco (2009) 30, 30.1, 30.2)

D. Precautionary Approach

- D6. The precautionary approach shall be implemented for the conservation of the stock(s) under consideration and for avoiding long term, irreversible or slowly reversible effects on the aquatic environment.**

(FAO CCRF (1995) 6.5, 7.5; FAO Eco 2009 29.6, 30.4, 31.4, 32)

- 6.1 Where there is greater uncertainty about the state of the stock(s) under consideration, including new or exploratory stocks, management shall demonstrate more precautionary approaches to managing the resource appropriate to the available data, including a more conservative fishing mortality.

(FAO CCRF (1995) 7.5.1, 7.5.2, 7.5.4; FAO Eco (2009) 30.4, 31.4, 32)

- 6.2 Uncertainty shall be taken into account through suitable statistical analysis and/or other objective risk based methods.

(FAO Eco (2009) 29.6)

- 6.3 Where substitutes or proxies are implemented, they shall be verifiable through objective methods.

(FAO CCRF (1995) 6.4, 7.1.1, 12.3)

- 6.4 Where proxies and substitutes are chosen they shall be actively implemented within the provisions and management measures and monitored for their effectiveness and reviewed regularly.

(FAO CCRF (1995) 6.4, 7.1.1, 12.3)

- 6.5 The absence of adequate scientific information shall not be used to postpone or fail to take conservation and management actions for the stock(s) under consideration and the environment where there is objective evidence of impaired stock recruitment ability and/or long term ecosystem impacts.

(FAO CCRF (1995) 7.5.1; FAO Eco (2009) 29.6)

E. Serious Impacts of the Fishery on the Ecosystem

- E7. Adverse impacts of the fishery on the ecosystem shall be appropriately assessed and effectively addressed. Assessment shall be based on best available science, local knowledge where it can be objectively verified and using a suitable risk based management approach appropriate to the data available for determining most probable adverse impacts and taking into account the relevant environmental, economic, technological, social, and cultural aspects.

(FAO CCRF (1995) 6, 7.2, 7.6, 8.4, 8.5, 12; FAO Eco (2009) 31)

- 7.1 The most probable adverse impacts of the fishery on the ecosystem shall be considered, evaluated and effectively addressed. Evaluation shall be based on best available scientific evidence, advice and/or objectively verified information; including traditional, fisher and community knowledge.

(FAO CCRF (1995) 6.2, 6.4, 7.2.2(d), 7.2.3; FAO Eco (2009) 31)

- 7.2 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.

(FAO CCRF (1995) 7.5.2; FAO Eco (2009) 31.4)

- 7.3 Where risk is considered greater, more specific evidence of the impacts of the fishery on the ecosystem and its components is required.

(FAO CCRF (1995) 7.5.1, 7.5.2; FAO Eco (2009) 31.4)

- 7.4 With regard to non-target catches; including discards of fish stocks other than the stock(s) under consideration:

- i. Non target stocks shall be monitored to determine the impact exerted by the fishery.
- 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.
- iii. The monitoring procedures and activities shall allow for objective and scientific verification of the risks and outcomes.

(FAO CCRF (1995) 6.2, 8.5.1, 12.4, 12.10; FAO Eco (2009) 31.1)

7.5 With regard to the habitat interaction of the fishery either through direct contact or other indirect effects:

- 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.
- ii. Impacts on habitats vulnerable to damage by the fishing gear or are protected by legislation must be avoided or minimized through mitigation measures.
- 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.

(FAO CCRF (1995) 6.8, 7.2.2(d), 7.6.10, 8.4.7; FAO Eco (2009) 31.3)

7.6 With regard to species that have been recognized as endangered, threatened or protected:

- i. Consistent with A1, fishery management systems shall give formal recognition of populations of species identified as endangered, threatened and/or protected (ETP) in the geographic location of the fishery by international, national or state authorities within the context of the likely risk posed by the fishery under consideration.
- ii. The fishery management system shall act to avoid adverse impact on the populations of ETP species.
- iii. Evaluation and monitoring procedures and activities shall be implemented to determine both the current status of the impact on ETP's caused by the fishery and to monitor the effectiveness of avoidance and mitigation measures that are implemented to minimize further impact on the mortality of those populations of ETP species.
- iv. Monitoring procedures and activities shall be robust enough to allow for objective and scientific verification of the risks and outcomes.

(FAO CCRF (1995) 7.2.2(d), 7.6.9; FAO Eco (2009) 31.1)

7.7 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.

(FAO CCRF (1995) 6.2, 6.4, 7.2.2(d), 7.2.3; FAO Eco (2009) 30, 31)

7.8 Where Gulf States undertake habitat enhancement opportunities through the use of artificially introduced structures, procedures shall be developed, appropriate for the control on the geographic location and navigation safety, material selection and compliance with international conventions.

(FAO CCRF (1995) 8.11)

7.9 In so far as introduction of artificial structures promotes fisheries enhancement, the management system must consider the environmental consequences such as habitat modification and serious or irreversible harm to the natural ecosystem's structure and function.

(FAO CCRF (1995) 8.11.1)

E8. Where fisheries enhancement is utilized, assessment and monitoring shall consider natural reproductive components of the stock(s) under consideration and ecosystem impacts.

(FAO CCRF (1995) 9.1. 9.3)

8.1 Stock introductions and transfers of juveniles from enhancement activities shall be from species that are native to the fishery's geographic area.

(FAO CCRF (1995) 9.3.1, 9.3.4)

8.2 Stock assessment shall consider the separate contributions from both natural and enhanced components. Furthermore, the natural reproductive components of the stock(s) under consideration shall be maintained.

(FAO CCRF (1995) 9.3.1, 9.3.4)

8.3 As appropriate, the most probable adverse impacts, from enhancement activities, such as disease transfer, genetic diversity of local populations and effects on other ecosystem components in the receiving waters shall be considered.

(FAO CCRF (1995) 9.1.2, 9.1.5, 9.3.3, 9.3.5)

References

1. FAO. Code of Conduct for Responsible Fisheries Rome, FAO. 1995. ISBN 92-5-103834-1
2. FAO. Guidelines for the Ecolabelling of Fish and Fishery Products from Marine Capture Fisheries. Rome/Roma, FAO. 2005 (original release 2005, and Revisions 2009).
3. FAO. Guidelines for the Ecolabelling of Fish and Fishery Products from Inland Capture Fisheries. Rome/Roma, FAO. 2011.
4. FAO. Caddy, J.F. A checklist for fisheries resource management issues seen from the perspective of the FAO Code of Conduct for Responsible Fisheries. *FAO Fisheries Circular*. No. 917. Rome, FAO. 1996. 22p.
5. FAO. Implementation of the International Plan of Action to Prevent, Deter and Eliminate Illegal, Unreported and Unregulated Fishing. *FAO Technical Guidelines for Responsible Fisheries* No. 9.
6. ISO 14024:1999 Environmental labels and declarations - Type 1 environmental labelling - Principles and Procedures.
7. ISO/IEC Guide 59:1994 Code of Good Practice for Standardization.
8. ISO/IEC 17065:2012 Conformity Assessment – Requirements for certifying products, processes and services
9. ISO/IEC 17067 Conformity Assessment- Fundamentals of product certification and guidelines for product certification schemes
10. WTO Technical Barriers to Trade (TBT) Agreement Annex 3 Code of Good Practice for the Preparation, Adoption and Application of Standards, for the Technical Barriers to Trade (TBT) Second Triennial Review Annex 4, Principles for the Development of International Standards, Guides.
11. 1982 United Nations Convention on the Law of the Sea (UNCLOS) (referring to consistency of U.S. Gulf State fisheries with the provisions of UNCLOS).

Definitions

Overfishing (FAO Glossary of Terms)

A generic term used to refer to the state of a stock subject to a level of fishing effort or fishing mortality such that a reduction of effort would, in the medium term, lead to an increase in the total catch. Often referred to as overexploitation and equated to biological overfishing, it results from a combination of growth overfishing and recruitment overfishing and occurs often together with ecosystem overfishing and economic overfishing.

Original Definition source

Garcia, S.M. (Comp.). 2009. Glossary. In Cochrane, K. and S.M. Garcia. (Eds). A fishery managers' handbook. FAO and Wiley-Blackwell: 473-505.

(Related terms: growth overfishing (also used by GSSI) Definition

Occurs when too many small fish are being harvested too early, through excessive fishing effort and poor selectivity (e.g. too small mesh sizes) and the fish are not given enough time to grow to the size at which the maximum yield-per-recruit from the stock would be obtained. A reduction of fishing mortality on juveniles, or their outright protection, would lead to an increase in yield from the fishery.

Definition source

FAO Fisheries and Aquaculture Department, FAO, 2014.

Overfished (from FAO Glossary of Terms)

A stock is considered overfished when exploited beyond an explicit limit beyond which its abundance is considered "too low" to ensure safe reproduction. In many fisheries fora the term is used when biomass has been estimated to be below a limit biological reference point that is used as the signpost defining an "overfished condition". This sign post is often taken as being FMSY but the usage of the term may not always be consistent.

Definition source

Mace, P.M. 1998. The status of ICCAT species relative to optimum yield and overfishing criteria recently proposed in the United States, also with consideration of the precautionary approach. ICCAT SCRS/97/074.

Appendix 1

Background to the development of the FAO Code of Conduct for Responsible Fisheries (CCRF)

The International Conference on Responsible Fishing, held in 1992 in Cancún (Mexico) requested the Food and Agriculture Organization of the United Nations (FAO) to prepare an international Code of Conduct which would lead to responsible, sustained fisheries worldwide. The outcome of this Conference, particularly the Declaration of Cancún, was an important contribution to the 1992 United Nations Conference on Environment and Development (UNCED), in particular its Agenda 21. Subsequently, the United Nations Conference on Straddling Fish Stocks and Highly Migratory Fish Stocks was convened, to which FAO provided important technical back-up. In November 1993, the Agreement to Promote Compliance with International Conservation and Management Measures by Fishing Vessels on the High Seas was adopted at the Twenty-seventh Session of the FAO Conference. Noting these and other important developments in world fisheries, the FAO Governing Bodies recommended the formulation of a global Code of Conduct for Responsible Fisheries which would be consistent with these instruments and, in a non-mandatory manner, establish principles and standards applicable to conservation, management and development of all fisheries.

The Code, which was unanimously adopted on 31 October 1995 by the FAO Conference, provides a necessary framework for national and international efforts to ensure sustainable exploitation of aquatic living resources in harmony with the environment. The FAO CCRF is voluntary. However, certain parts of it are based on relevant rules of international law, including those reflected in the United Nations Convention on the Law of the Sea of 10 December 1982. The FAO CCRF is global in scope, and is directed toward members and non-members of FAO, fishing entities, sub regional, regional and global organizations, whether governmental or non-governmental, and all persons concerned with the conservation of fishery resources and management and development of fisheries, such as fishers, those engaged in processing and marketing of fish and fishery products and other users of the aquatic environment in relation to fisheries. The FAO CCRF provides principles and standards applicable to the conservation, management and development of all fisheries. It also covers the capture, processing and trade of fish and fishery products, fishing operations, aquaculture, fisheries research and the integration of fisheries into coastal area management. Finally, the reference to U.S. Gulf States includes the European Community in matters within its competence, and the term “fisheries” applies equally to capture fisheries and aquaculture.

Background to the FAO Guidelines for the Ecolabelling of Fish and Fishery Products from Marine Capture Fisheries

In October 1998, FAO convened a Technical Consultation on the Feasibility of Developing Non-discriminatory Technical Guidelines for Ecolabelling of Products from Marine Capture Fisheries. This consultation identified a number of principles to be observed by Ecolabelling schemes:

- be consistent with the FAO Code of Conduct for Responsible Fisheries;
- be voluntary and market-driven;
- be transparent;
- be non-discriminatory, by not creating obstacles to trade and allowing for fair competition;
- establish clear accountability for the promoters of schemes and for the certifying bodies, in conformity with international standards;
- include a reliable auditing and verification process;
- recognize the sovereign rights of U.S. Gulf States and comply with all relevant laws and regulations;
- ensure equivalence of standards among countries;
- be based on the best scientific evidence;
- be practical, viable and verifiable;
- ensure that labels communicate truthful information and provide for clarity.

The guidelines draw upon various sources including relevant guides of the International Organization for Standardization (ISO), the WTO Agreement on Technical Barriers to Trade (TBT), in particular, Annex 3 Code of Good Practice for the Preparation, Adoption and Application of Standards, and the work of the International Social and Environmental Accreditation and Labelling (ISEAL) Alliance.

At the recommendation of the Sub-Committee FAO organized a Technical Consultation in October 2004 to finalize the draft guidelines for their consideration by the 26th Session of COFI in March 2005. The COFI Sub-Committee noted the benefits to fisheries managers, producers, consumers and other stakeholders of internationally agreed and widely accepted and applied guidelines that ensure the credibility and trustworthiness of voluntary ecolabelling schemes for fish and fishery products.

The FAO Guidelines for the Ecolabelling of Fish and Fishery Products from Marine Capture Fisheries, as updated in revision 1 of 2009, are applicable to ecolabelling schemes that are designed to certify and promote labels for products from well-managed marine capture fisheries and focus on issues related to the sustainable use of fisheries resources. This in turn was up-dated in the 2011 revision to expand the previous guidelines by including enhanced fishery specific minimum substantive criteria and adopted at the 29th session of the Committee on Fisheries (COFI), Rome 31 Jan-4th Feb 2011.

The Ecolabelling Guidelines sets forth the minimum substantive requirements and criteria for assessing whether a fishery can be certified and an ecolabel awarded to a fishery. Ecolabelling schemes may apply additional or more stringent requirements and criteria related to sustainable

use of the resources. The requirements and criteria presented in Ecolabelling Guidelines are to be based on and interpreted in accordance with the current suite of agreed international instruments addressing fisheries, in particular the 1982 UN Convention on the Law of the Sea, the 1995 UN Fish Stocks Agreement and the 1995 Code of Conduct for Responsible Fisheries, as well as related documentation including the 2001 Reykjavik Declaration on Responsible Fisheries in the Marine Ecosystem.

Appendix 2

Changes to the conformance criteria from version 1.1 to version 1.2

SECTION/CLAUSE	CHANGES
1.6	ADDED: “and based on the use of best”; “evidence”; “by the management system”; “and shall respond in a timely manner.”
3.4	ADDED: “, the environmental factors that may influence stock abundance,”; “its”
3.9	ADDED: “best available scientific evidence, advice, and/or objectively verified information”; DELETE: “scientific data and provide the best”; ADDED: “as a basis to inform”; DELETED: “information and related advice for the”; ADDED: and provide advice on the”
4.2	ADDED: “and implemented in a timely manner.”
5.2	ADDED; “in a timely manner.”
7.1	ADDED: , evaluated and effectively addressed. Evaluation shall be based on best available scientific evidence, advice and/or objectively verified information, including traditional, fisher, and community knowledge.” DELETED: “by collecting and taking into account available scientific data and traditional, fisher and community knowledge provided it can be objectively verified.”
7.6(i)	DELETED “Gulf State”; ADD: “Fishery”
7.6(ii)	DELETED: “such that it does not undermine the ability for these ETP populations to recover.”
7.6(iii)	ADDED: “Evaluation and”
7.7	DELETED: “With regard to the role of the stock(s) under consideration in the food web and other ecosystem interactions:”; DELETED: “i”; DELETED: ii. As appropriate, the environmental factors that may influence stock abundance shall be considered when determining stock status and determination of exploitation rates.