

ACCOUNTABILITY IN SEAFOOD SUSTAINABILITY.

SUMMARY OF FINDINGS AND RECOMMENDATIONS FOR THE AQUACULTURE STEWARDSHIP COUNCIL (ASC)

In 2004, WWF US initiated a series of Aquaculture Dialogues, multi-stakeholder roundtables, that led to the various species standards eventually adopted by the ASC. The ASC was created in 2010 by Sustainable Trade Initiative and WWF Netherlands, as an independent not-for-profit organization. The ASC currently manages 11 species-specific farm standards, as well as a joint seaweed standard with the Marine Stewardship Council (MSC). Standards entail criteria, including some metric-based requirements, for environmental and social responsibility. The ASC is due to publish its newly created feed standard, and an animal welfare standard is in progress. ASC utilizes MSC's Chain of Custody Standard. ASC is a full member of the ISEAL Alliance.



FINDINGS

① Development

Standard creation and revisions typically involve either a steering committee or technical working group (TWG). For example, the Feed Standard Steering Committee included 10 industry and four non-industry members. The TWG for the Salmon Standard's Parasiticide Treatment Index (PTI) revision included three industry, two academic and two civil society members. Public consultation occurs for standard creation, revisions, auditing guidelines (known as the Certification and Accreditation Requirements) and, as of December 2020, variances to the standards. Public comments from previous consultations are made available; however, whether responses to stakeholder comments are provided was found to be inconsistent (e.g., responses were provided to comments on the Flatfish Standard and the Aligned Standard, but not the Feed Standard or PTI revision).

Certifiers can submit variances to the ASC Variance Request Committee on behalf of their client. The Variance Request Committee consists of the ASC CEO, standards director, chair of the supervisory board and chair of the technical advisory group (TAG). Variances are made publicly available on the interpretation platform website. Until recently, variance approvals involved no public consultation and no civil society input. In November 2020, the ASC announced a revised variance process that includes consulting with local stakeholders (who have registered with ASC) for standard variances. Variances to the auditing requirements do not include stakeholder consultation.



② Governance

The Supervisory Board consists of four industry and four non-industry representatives (three of which are NGOs). The technical advisory group consists of two industry, two NGO and eight academic members. Current board and TAG members, eligibility criteria, annual reports and decision-making protocols are made public. TAG meeting notes up until 2016 are made available, but post-2016 are not (ASC states that these will be made available soon). Supervisory board meeting notes are not available, despite ASC's executive board regulations stating these are to be posted on the ASC website.

ASC states a conflict of interest policy for the TAG has been recently approved but is yet to be published. The ASC also states they intend to develop a conflict of interest policy for the SB.

③ Verification

Information on the audit process, a searchable database of certified farms, certificate and contact information for the certifying body are publicly available. Farms that are in assessment, suspended or withdrawn can also be found by searching the "certification status" within the farm database.

Stakeholders are notified by the certifying body of upcoming audits where they can provide input. Audit (initial, surveillance and recertification) announcements are also made available on the database. Stakeholders can request that the ASC automatically notify them of any audits, reports and changes to the database applicable to their interest/region. A 15-working-day public consultation is conducted for initial and recertification draft audit reports. The certifying body is required to consider and respond to stakeholder input before certification is granted. The audit template includes a section for stakeholder submissions and response. Final audit reports are made publicly available with conformance evidence.

④ Monitoring

ASC's theory of change has been in place since its inception. In 2017 it initiated its M&E program. This included a 30-day public consultation. The ASC released its M&E report in August 2020.

An outline of the auditor accreditation process is available. ASC's accreditation provider, Assurance Services International (ASI), provides a list of approved auditors and a summary of accreditation details, including suspensions. Public rules for label use are available. Farms and/or companies that have had their certificate or logo licensing agreement suspended are publicly listed on the ASC website.

⑤ Dispute settlement

Complaint procedures regarding certificate and standard holder disputes are available, along with a contact. Complaints regarding a farm certification are dealt with by the certifying body. Complaints regarding the certifying body (known as the Conformity Assessment Body or CAB) are investigated by ASC's accreditation provider, Assurance Services International. Complaint investigation summary reports are made publicly available on the ASI website and include any corrective actions taken against the certifying body.

In the case of standard-holder disputes, the complaint is investigated by a complaint panel, which consists of an investigator (who may be an ASC operational employee, an ASC governance or working group member or an external expert), the ASC ombudsman (from the ASC supervisory board) and, depending on the nature of the complaint, a member independent of the ASC. Therefore, the process does not clearly stipulate the requirement for an independent third-party dispute-resolution mechanism. However, some impartiality by way of an independent investigator or independent third member may be introduced if the ASC deems it necessary.

The ASC states that no complaint has been submitted formally through the process to date. The executive board regulations state, "disputes, their status, and resolution" would be posted on the ASC website.



RECOMMENDATIONS

- 1 Ensure stakeholders' comments are made public with a response.**

While such responses have been published by ASC for some of the public consultations, this has not always been the case. Stakeholders should be able to see how consideration was given, or not, to comments submitted. This enables a transparent decision-making process with a rationale for how input influenced the outcome.
- 2 Fulfil the executive board regulation's public reporting requirements.**

Currently, not all items listed under Article 8, Openness and Accountability Externally, are published on the ASC website. In particular, ASC should publish supervisory board meeting agendas and summaries of decisions, as well as disputes, their status and resolution.
- 3 Adopt a third-party dispute-settlement mechanism for standard-holder complaints.**

The ASC allows for the possibility, but falls short of requiring, that an independent investigator or third complaint panel member be included in its internal investigation. Internal and external stakeholders should be able to dispute and submit complaints that are investigated through a fair and independent third-party mechanism to ensure conflict of interest is removed.

