

## Principle 3 information request report for the Ministry of Fisheries, Guinea

### Atlantic Ocean purse seine tuna FIP (Capsen and Grand Bleu S.A.)

#### Introduction

This report is to supplement the Principle 3 information request questionnaire to provide more information about each of the actions required for the Capsen and Grand Bleu FIPs.

The Guinea Ministry of Fisheries will have a fisheries management plan for all fisheries operating within the coastal waters (exclusive economic zone) of Guinea. Within this management plan, there should be information and reference to each of the following requirements of a fishery.

The aim of this report is to provide clarity on the type of information needed for this particular FIP and an example of the information in case the language used in the fisheries management plan is different than that recommended by the MSC.

#### Information needs

##### 3.1.1 – Legal and Customary Framework

“The fishery is subject to an effective management system that respects local, national and international laws and standards and incorporates institutional and operational frameworks that require the use of the resource to be responsible and sustainable” – **Marine Stewardship Council**

##### b. Dispute resolution mechanisms for national and international fishing

The Fisheries management system should have a robust dispute resolution mechanism to ensure that any issues are dealt with in an appropriate manner, and through the relevant services, like judicial systems.

If there are dispute resolution mechanisms enshrined within the Guinean fisheries, these may be found in legislation, fisheries agreements, or the fishery management plan itself.

**E.g.,** SG80 Sian Ka’an and Banco Chinchorro Biosphere Reserves Spiny Lobster (Certified 2012): An appropriate dispute resolution framework is provided through a **full-scale judicial system**. **Sanctions by authorities** for failures to comply with the law and its subsidiaries have to meet the requirements of the Federal Law of Administrative Procedure. The mechanism for the resolution of legal disputes is appropriate to the context of the fishery, and the assessment team was **not aware of any legal disputes**. Nevertheless the assessment team did not find evidence that the system has been tested and proven to be effective.

##### 3.1.2 – Consultation, Roles, and Responsibilities

“Fisheries management has shown to be more successful where the management system identifies and actively engages with all parties with an interest in the fishery (AKA Stakeholders). Stakeholders can include people and organisations not directly related to fishery activities, but with an interest in the fishery” – **Marine Stewardship Council**

### b. Consultation process

The consultation process should consider the needs of all stakeholders (fisheries and other organisations) within the Guinean coastal waters (EEZ). These processes should be regular, and the information received from these consultations should be considered and accepted by management.

Evidence to show that the Guinea fisheries management plan considers the needs of local, key stakeholders could be transcripts of meetings, or correspondence between the two parties. Annual stakeholder meetings between the Ministry of Fisheries and these local stakeholders would also suffice as evidence.

**E.g., SG80 Ashtamudi Estuary short-necked clam (Certified 2014):** Evidence has been presented to show that the formal management system has sought and accepted information about the management of the stock and also the structure of the management regime. In response to this the State Government has established the Village Clam Fisheries Council (VCFC) to create a mechanism for integrating local knowledge into the management system; the VCFC also provides an opportunity for environmental NGO input (WWF-India are members of the Council) as well as the local village council. The VCFC has, in turn, held stakeholder consultation meetings. This activity demonstrates that the management system is actively seeking and accepting relevant information. The creation of the VCFC and changes to the HCRs for the clam fishery demonstrate that the management system considers and responds to the information obtained. This meets the SG80 requirements; the SG100 requirements are not met because there is no evidence that explanations are provided of how information has been used or not used.

### c. Participation from all interested parties

The fisheries management system should be able to evidence that the consultations mentioned above (3.1.2b) are available to all parties, including from small-scale, local fisheries. These consultations should be widely available and representative of the different stakeholders.

**E.g., SG80 Suriname Atlantic seabob shrimp (Certified 2011):** Any individual fisherman or fishing business is in theory represented by a member of their sector sitting on the fisheries advisory council. In short, the opportunity and mechanism for consultation exists. If there are shortcomings in this system it appears to be more associated with the effectiveness of sector representation and the flow of information both from sector representatives to members of their sector and vice versa.

## 3.2.1 – Fishery-specific objectives

“Fishery-specific objectives provide direction for management measures or regulations and are designed around the overarching national, international or regional goals and/or policies set by governments for their fishery sector.” – **Marine Stewardship Council**

### a. Objectives

This is to outline that the management system has a clear direction for management measures within the fishery that support the long-term objectives. This includes anything that directly relates to the

Atlantic Ocean purse seine tuna FIP, including specific harvest control rules for bigeye, skipjack and yellowfin tuna, including Total Allowable Catch (TAC) limits, fishery closures, or stock assessments. These objectives should also cover Principle 2 requirements to ensure that non-target species, habitats and ecosystems are as protected as possible from fisheries, including the use of Marine Protected Areas or no fishing zones.

**E.g.,** SG80 Ashtamudi Estuary short-necked clam (Certified 2014): The explicit **long-term objective** that guides decision-making is to **maintain a yield from the stock** that is consistent with estimates of its **maximum sustainable yield**. This is estimated to be approximately 50% of the standing stock and is currently set at 12,000t of clams per annum. This objective is transposed into the fishery’s management system as a **TAC** based upon the most recent stock survey and implemented by the Village Clam Fishery Council. The objective of sustainable management of the fishery also sets the context for the established management policy for the fishery (the **30mm mesh size**; ban on **mechanical harvesting**; maximum of 1,400 clams meats per kg; **seasonal closure of the fishery**). These HCRs serve to ensure that exploitation is limited and that a breeding stock of clams is maintained in the fishery.

### 3.2.2 – Decision-making processes

“The process by which decisions are informed and made, and against what criteria is therefore critical to the success of fisheries management in meeting its stated objectives.” – **Marine Stewardship Council**

#### b. Serious and important issues

The fishery management plan should outline how the serious and important issues that arise as a result of research, monitoring, or evaluations of the system are dealt with and if they are done so in a timely manner. This could be found in fisheries legislation, evidence of transcripts, impact assessments, or the fisheries management plan itself.

**E.g.,** SG80 U.S. Atlantic spiny dogfish (Certified 2012): **Issues identified** are **considered in the decision-making process** and where needed, actions can be taken **quickly**, while in-season monitoring allows for changes in approach and related regulations. The **process takes account of the consequences** of decisions on management objectives for spiny dogfish on the ecosystem, **and of the impacts on those who depend on the fishery for their livelihoods**.

#### e. Approach to disputes

The fisheries management system should approach and deal with all disputes in a timely manner.

This action is linked to both the one above (3.2.2b) and the dispute resolution mechanism action (3.1.1b). Evidence for those two actions would suffice a pass for this action.

### 3.2.3 – Compliance and enforcement

“Assess whether the monitoring, control and surveillance (MCS) mechanisms are adequate to ensure the management and conservation measures in a fishery are enforced and complied with, and that illegal, unreported or unregulated (IUU) fishing is avoided/minimised.” – **Marine Stewardship Council**

#### b. Sanctions

The fishery management system should be able to provide evidence that in the case of an offence, or non-compliance to the fishery management policy, sanctions should be enforced and upheld. These sanctions should also be consistently applied to ensure that they provide an effective deterrence against future offences.

Evidence for these sanctions and requirements could be in actual court cases where the sanctions were applied, past records of offenders being sanctioned, and reviews (internal and external) about the monitoring, control, and surveillance mechanisms in place which enforce these sanctions.

E.g., SG80 Mexico Baja California pole and line yellowfin and skipjack tuna (Certified 2012): There are strong sanctions for non-compliance and it is considered that these provide effective deterrence; however given the status of the sector with low levels of activity it is not possible to conclude that these demonstrably provide effective deterrence.

#### c. Compliance

The fishery management system should be able to provide some evidence that fishers comply with the management policies, regarding TACs, and other harvest control rules.

Evidence for this action could be found in skipper logbooks, regional licenses, observer reports, evaluations (internal and external) of the monitoring, control, and surveillance systems, and records of past infringements.

E.g., SG80 Lake Hjälmaren pikeperch fish-trap and gillnet (Recertified 2013): Fishermen’s organisations, including most fishers, are fully informed of regulatory requirements. Any other changes in the management system are discussed with the fishermen through established procedures. Information and training is provided in the aims of the system and key factors such as care of undersize individuals to maximise survivorship. Fishermen are actively engaged in data collection and support the aims of management bodies, showing both knowledge and support of the aims of the management system. Awareness of management measures, and compliance with these, appears very good and provides sufficient information.

### 3.2.4 – Monitoring and management performance

“Transparent and accountable fisheries institutions and decision-making processes allow for ongoing internal and external evaluation that ensure effective and improving management performance.” – **Marine Stewardship Council**

- a. Evaluation coverage
- b. Internal and/or external reviews

Both of these actions require that the fisheries management system undergoes regular internal and external review. The external review is essential in scoring the FIP an unconditional pass at MSC certification so is needed for this FIP.

**E.g., SG80 Maldives pole & line skipjack tuna (Certified 2012):** At the national level, **internal review** is permanent while **external review** by consultants is **occasional** although IOTC review is permanent. At the regional level there is permanent internal review. The recently conducted external review of IOTC allows the finding that this takes place occasionally therefore the external review at the national and regional level cannot be regarded as regular.