

**P3 addendum to include the Solomon Islands
and Taiwan in the scope of the pre-assessment,
scoping document and workplan of the Pacific
Ocean tuna – longline (Sky Vision) fishery against
the Marine Stewardship Council Fisheries Standard**

Version 1.0

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1. Addendum Executive Summary

This document presents the results of a P3 scope extension to the original pre-assessment against the Marine Stewardship Council (MSC) Fisheries Standard for sustainable fishing (Version 2.01), along with subsequent workplan updates.

The fishery being assessed is the Pacific Ocean longline tuna (Sky Vision) fishery. The fishery targets north and south Pacific albacore (*Thunnus alalunga*), western and central Pacific Ocean (WCPO) and eastern Pacific Ocean (EPO) bigeye (*T. obesus*), and WCPO yellowfin and EPO (*T. albacares*) tuna. The longline vessels are flagged to China, Fiji, Tuvalu, Cook Islands, Vanuatu and Taiwan and fish on the WCPO and EPO high seas and within the Vanuatu, Fiji, Tuvalu, Cook Islands, and with this scope extension, the Solomon Islands Exclusive Economic Zones (EEZs). The fishery is managed regionally by the Western and Central Pacific Fisheries Commission (WCPFC) in the Western and Central Pacific Ocean (WCPO) and by the Inter American Tropical Tuna Commission (IATTC) in the Eastern Pacific Ocean (EPO).

The aim of the document is to give guidance on gaps against the MSC fisheries standard that could be improved by a Fisheries Improvement Project (FIP) in relation to including Solomon Islands management.

This pre-assessment and workplan addendum only considered publicly available data and no site visits or consultations with stakeholders were carried out. Data was collected from the RFMO and FAO website and other publicly available studies. Additional information was obtained from existing MSC assessments.

For Principle 3, the addendum to the pre-assessment considered Solomon Islands which predicted a conditional pass of the MSC standard, with PIs 3.1.2 and 3.2.2 scoring SG 60-79, while all others scored >80. These medium-priority conditions are those shared with already scored Cook Islands and have been reflected in the FIP workplan.

The Principle 3 scoring element of Taiwan as a flag state is expected to score SG80 for all indicators besides 3.2.3 which is expected to score 60-79, which is the same as China and Vanuatu in the initial pre-assessment, and will thus share those workplan tasks and has also been reflected in the workplan update.

2. Report Details

2.1. The MSC Fisheries Standard

There are three principles in the MSC standard:

Principle 1 – Sustainable fish stocks, target fish stocks must be kept at a sustainable level.

Principle 2 – Minimising environmental impacts, the fishery should be managed in a way that maintains the structure, productivity, function, and diversity of the fisheries ecosystem.

Principle 3 – Effective management, the fishery must have a responsive management system in place and management must meet all local, national, and international laws.

Fisheries assessed against the MSC Fisheries Standard are evaluated against 28 Performance Indicators (PIs) within the three principles. There are six performance indicators for Principle 1, split between two components, outcome (2 PIs) and management (4 PIs). Principle 2 has 15 performance indicators split into three components (outcome, management strategy, information) for primary species, secondary species, endangered threatened and protected species, habitats and ecosystem. Principle 3 has seven performance indicators split between two components, governance, and policy (3 PIs) and fishery specific management system (4 PIs).

PIs are scored for the fishery based on the MSC specific scoring guidelines (SGs). For a fishery to be certified, the fishery must score a minimum of 60 against all 28 PIs and an average of 80 across each of the three principles. Performance indicators that score between 60 and 79 will be given a condition to achieve a score of 80 or above within a specific timeframe. After certification, the fishery will undergo annual audits and will be re-assessed every five years.

The purpose of this pre-assessment is to evaluate the status of the fishery in relation to the MSC Fisheries Standard and to identify deficiencies. A pre-assessment cannot fully duplicate a full assessment against the MSC standard. A full assessment involves expert team members and public consultation stages that are not included in a pre-assessment. A pre-assessment provides a provisional assessment of a fishery based on a limited set of information provided by the client; its conclusions as to the outcome of a full assessment are always uncertain.

The following key constraints were identified which may influence the outcome of an eventual full assessment:

- No site visit was held for this pre-assessment because of the travel involved. Stakeholders were therefore not consulted.
- No data directly relating to the fishery was collected, this means that scoring has been by extrapolation, especially in relation to bycatch and ETP species under Principle 2.
- This pre-assessment only looks at the regional and sub-regional management. This would need to be considered prior to commencing a full assessment for this fishery.

- Traceability systems in place in the fisheries were not analysed, and it is recommended this is investigated prior to full assessment to ensure compliance with fishery assessment traceability requirements and ascertain whether separate Chain of Custody (CoC) certification at the vessel level will be needed.

3. Addendum Units of Assessment

3.1. Units of Assessment

Note on MSC vocabulary: Unit of Certification (UoC) vs. Unit of Assessment (UoA)

The UoA is defined as consisting of the target stock(s), fishing method or gear type(s), vessel type(s) and/or practices, fishing fleets or groups of vessels, or individual fishing operators pursuing that stock, including any other eligible fishers that are outside the unit of certification.

The UoC is defined as consisting of the target stock(s), fishing method or gear type(s), vessel type(s) and/or practices, fishing fleets or groups of vessels, or individual fishing operators pursuing that stock including those client group members initially intended to be covered by the certificate.

In summary, the **UoA = UoC + any other eligible fishers identified at the start of assessment.**

For the purposes of this pre-assessment, **no other eligible fishers** were identified; **the UoA is therefore the same as the UoC.**

The fishery is within scope of the MSC Fisheries Standard. The addendum report considers the following updated Unit of Assessment Principle 3 scores as of August 2022:

- Solomon Islands management as a coastal state
- Taiwan as a flag state

3.2. Version Details

The report uses the MSC Fisheries Standard v2.01, the Fisheries Certification Process v2.2 and MSC pre-assessment reporting template v3.1. The default assessment tree was used without adjustments. The Risk-Based Framework (RBF) was not used.

The MSC decision rule for reaching the final recommendation is as follows:

- No PIs can score below 60.
- The aggregate score for each Principle, rounded to the nearest whole number, is 80 or above.

The aggregate score for each Principle is the sum of the weighted score of each PI within that Principle.

3.3. Fishery Description

The fishery being assessed is the Pacific Ocean longline tuna (Sky Vision) fishery. The fishery targets north and south Pacific albacore (*Thunnus alalunga*), western and central Pacific Ocean (WCPO) and eastern Pacific Ocean (EPO) bigeye (*T. obesus*), and WCPO yellowfin and EPO (*T. albacares*) tuna. The longline vessels are flagged to China, Fiji, Tuvalu, Cook Islands, Vanuatu and Taiwan and fish on the WCPO and EPO high seas and within the Vanuatu, Fiji, Tuvalu, Cook Islands and with this scope extension, the Solomon Islands Exclusive Economic Zones (EEZs). The fishery is managed regionally by the Western and Central Pacific Fisheries Commission (WCPFC) in the Western and Central Pacific Ocean (WCPO) and by the Inter American Tropical Tuna Commission (IATTC) in the Eastern Pacific Ocean (EPO).

The fishery under assessment is within the scope of the MSC Fisheries Standard (7.4 of the MSC Certification Process v2.2):

- The target species is not an amphibian, reptile, bird, or mammal.
- The fishery does not use poisons or explosives.
- The fishery is not conducted under a controversial unilateral exemption to an international agreement.
- The client or client group does not include an entity that has been convicted for a forced or child labour violation in the last two years.
- The fishery has not been convicted for a shark finning violation in the last two years.
- The fishery has in place a mechanism for resolving disputes, and disputes do not overwhelm the fishery.
- The fishery is not an enhanced fishery as per the MSC FCP 7.4.2.12; and
- The fishery is not an introduced species-based fishery as per the MSC FCP 7.4.2.13.

Pelagic longline gear is used throughout the world's oceans to capture tuna and tuna-like species. Longline gear is typically deployed from a single vessel across many miles of ocean. The vessel deploys a single mainline that is periodically buoyed with floatation devices and thinner branch lines (with baited hooks) are then attached to the mainline between the floats. Within this simple framework, a variety of configurations and operational practices can be employed to specifically target different depths and species of fish. A single set by vessels in the client fleet usually consists of a mainline around 135 - 150km in length with ca. 20 - 50 m long branch lines attached at intervals along the length of the line. The distance between floats is about 1km, with about 17 - 30 hooks between floats. The depth of main line ranges between 220 – 260 metres in the water column. The use of circle hooks is encouraged by RFMOs but not mandatory, to reduce the catch of marine turtles and other bycatch such as Atlantic sailfish, white and blue marlin.

3.4. Principle 3 Addendum

3.4.1 Solomon Islands

The main governing legislation is the Solomon Islands Fisheries Management Act (FMA) (2015). This is further supplemented by the Fisheries Management Regulations (2017), the Tuna Management and Development Plan (2015) and annual licence conditions (Morison et al., 2019). According to Morison et al. (2019), the Fisheries Management Act (2015) was introduced to address the European “yellow card” given in 2014. This led to a comprehensive Fisheries Act to address identified shortcomings. The result was a lifting of the “yellow card” in 2017, which remains the current situation.

The Solomon Islands are also a signatory or Party to the following:

- Convention on the Conservation and Management of Highly Migratory Fish Stocks in the Western and Central Pacific Ocean.
- The Nauru Agreement.
- United Nations on the Law of the Sea (UNCLOS).
- United Nations Fish Stocks Agreement (UNFSA).
- The Niue Treaty on Cooperation in Fisheries Surveillance and Law Enforcement in the South Pacific Region.
- Food and Agriculture Organization Compliance Agreement (FAO).

Table 1. Summary of Principle 3 Performance Indicator level scores – Solomon Islands

Performance Indicator	Draft scoring range	Data deficient?
3.1.1 – Legal and customary framework	≥80	No
Rationale or key points		
<p>The Solomon Islands manages tuna fishing in its waters through the Fisheries Management Act (2015) and the Fisheries Management Regulations (2017) and is managed through the Ministry for Fisheries and Marine Resources (MFMR). The Solomon Islands Fisheries Management Act (2015) requires that the “Solomon Islands shall cooperate effectively with other States and organisations” as one of its governing Principles. The Solomon Islands is further a party to a range of international and regional legal instruments such as the WCPF Convention, UNCLOS and UNFSA that relate to conservation, management, and development. Consequently, there is an obligation to apply the principles in those agreements, including the precautionary approach, in their EEZ. Solomon Islands is party to the Tokelau Arrangement which came into force in December 2014. The Arrangement between most South Pacific members of FFA, provides for a co-operative framework for these coastal states/territories to set management measures specifically for south Pacific albacore within their EEZs. SG80 is met for Sla as there is an effective national legal system.</p> <p>The management system incorporates or is subject by law to a transparent mechanism for the resolution of legal disputes. This is evidenced through the Solomon Islands FMA (2015), which has specific provisions for the resolution of legal disputes. The management system offers a Fisheries Appeal Committee to hear appeals on issues with licensing or any other significant decision made</p>		

by the Director of Fisheries. Additionally, the record of the outcome of legal or administrative decisions for violations of the FMA is maintained and may make publicly available. According to Morison et al., 2019 the mechanism is considered to be effective in dealing with most issues. Slb therefore meets SG80.

Slc examines the respect for the rights of subsistence fishers. The Solomon Islands FMA (2015) explicitly lists the following principles under section 5 of the Act: “customary rights shall be recognised and access for customary fishing ensured”; “the interests of artisanal and subsistence fishers shall be considered, including their participation in management of their respective fisheries”. Commitment to the legal rights of subsistence fishers is further demonstrated in other areas of the Act and seeks to ensure the protection of those rights. The High Court may even issue an order of compensation to be paid to customary rights holders who have rights abused, for example through the destruction of areas used for customary rights. SG100 is awarded for this Sl.

3.1.2 – Consultation, roles, and responsibilities

60 – 79

No

Rationale or key points

The roles and responsibilities of the national management authority is outlined in the Fisheries Management Act (2015) under Part 3. This includes the roles and responsibilities of the Minister of Fisheries, the Permanent Secretary, the Director of Fisheries, any delegations made by the aforementioned, the Fisheries Licensing Committee, the Fisheries Appeals Committee, and the Fisheries Advisory Councils. The Director of Fisheries is responsible, among other duties, for the preparation of Fisheries Management Plans, including at the national level and is explicit as to what these shall contain. These include management measures, licensing, enforcement powers and authorities and fines, penalties and sanctions. In this way the functions, roles and responsibilities of national management is explicitly defined and understood for all areas. SG100 is met for Sla.

The national legislation, for example Part 4 of the Fisheries Management Act (2015), which requires consultations in the preparation of Fishery Management Plans (FMPs). Communities are permitted to draw up their own FMPs in consultation with the Director and Provincial Executive. With specific respect to the tuna fishery, the Tuna Management and Development Plan (2015) identify that the strategy of the in the Ministry of Fisheries and Marine Resources (MFMR) to support the goal of the TMDP (Tuna fisheries are managed to ensure Solomon Islands receives maximum economic and social benefits from the sustainable use of its tuna resources) shall be completed in consultation with stakeholders. Other activities identified in the TMDP include “hold regular stakeholder consultation meetings on key decisions and welcome interactions with stakeholders.” The management system includes consultation processes that obtain relevant information from the main affected parties, including local knowledge, to inform the management system. SG60 is met for Slb. With regard to the Fisheries Advisory Council (FAC) (who serves to responsible for monitoring and reviewing all aspects of the FMP), MFMR is also meant to ensure it considers information obtained and demonstrates consideration of the information. As the FAC has not met since 2015, it is not clear how this information will be considered by the management authority, only SG60 cannot be met for Slb.

As per Slb above, there are clear provisions for consultations with stakeholders in the management process through the TMDP (2017) and the FMA (2015). Morison et al., 2019 further mention the Tuna Industry Association of the Solomon Islands (TIASI), and reference their regular meetings, which are more frequent than the FAC, who have not met since 2015. In any case, there is opportunity for all interested and affected parties to be involved in consultation processes. SG80 is met for Slc.

3.1.3 – Long-term objectives	≥80	No
Rationale or key points		
<p>The long-term objectives of the Fisheries Management Act (2015) are set out in Part 2. The overall objective is “to ensure the long-term management, conservation, development and sustainable use of Solomon Islands fisheries and marine ecosystems for the benefit of the people of Solomon Islands.” These are clear and long-term objectives which are consistent with the MSC Fisheries Standard. The precautionary approach is further explicitly stated as a Principle of the FMA (2015): “the precautionary approach shall be applied to the management and development of the fisheries at a standard that is equal or superior to the standard set out in Article 6 and Annex II of the UN Fish Stocks Agreement”. SG80 is met for this PI.</p>		
3.2.1 – Fishery specific objectives	≥80	No
Rationale or key points		
<p>The Solomon Islands Tuna Management and Development Plan (2017) is “designed to guide future management and development of tuna fisheries to achieve the overall goal of the Solomon Islands Government, tuna fisheries are managed to ensure Solomon Islands receives maximum economic and social benefits from the sustainable use of its tuna resources. The TMDP sets out a series of goals, strategies, and actions by which the overall goal will be achieved.” Specific relevant strategies of the TMDP (2017) include to “ensure fish stocks are maintained at sustainable levels that support profitable fisheries” and “manage fisheries within recognised principles of ecosystem approach to management”. These objectives are consistent with achieving outcomes expressed by MSC Principles 1 and 2 and are explicit within the fishery-specific management system. At least SG80 is met for this PI.</p>		
3.2.2 – Decision making processes	60 - 79	No
Rationale or key points		
<p>The Fisheries Management Act (2015), supported by the Tuna Management and Development Plan (2017) form the basis of the established decision-making processes at the fishery-specific management level. These result in measures and strategies to achieve the objectives set out. Sla meets SG80.</p> <p>Decision-making processes have responded to serious issues in the past. The EU yellow card issued to the Solomon Islands in the 2014 led to a re-structure of the legal and administrative frameworks which guide fisheries management. Further to this, as a member of WCPFC, the country is bound to follow CMMs issued by its RFMO. In that way decision-making processes at the national level respond to serious issues identified in research, monitoring, evaluation, and consultation in a timely and adaptive manner. The issue is that the primary mechanism for fishery-specific decisions to be made is through the Fisheries Advisory Council (FAC), who have not met since 2014. According to Morison et al. (2019) there have been bilateral meetings between MFMR and the tuna companies operating in the EEZ (they meet annually to discuss management arrangements and their annual MoUs and licence conditions) and also between MFMR and the TIASI. However, no evidence was provided that these meetings deal specifically with relevant research, monitoring, evaluation, and consultation in a transparent, timely and adaptive manner.” SG80 could not be met for Sib.</p>		

The precautionary approach is specifically referred to as one of the objective and principles in the Fisheries Management Act (2015) under Part 2: “the precautionary approach shall be applied to the management and development of the fisheries at a standard that is equal or superior to the standard set out in Article 6 and Annex II of the UN Fish Stocks Agreement”. In addition, Section 5 (c) requires that: “management measures shall be based on the best scientific evidence available to maintain or restore stocks at levels capable of producing sustainable yield...”.

Slc meets SG80.

The Solomon Islands is a party to all decisions at WCPFC level and participates in the Scientific Committee and Commission meetings where final decisions are made at a regional level. More specifically the TMDP (2017) states: “Information on fishery performance and management action is available on request, and explanations are provided to the Tuna Industry Association of the Solomon Islands (TIASI) for any actions or lack of action associated with findings and relevant recommendations emerging from research, monitoring evaluation and review activity”. As a remote pre-assessment, the scoring from the full assessment report has been used here. “Evidence was not provided to the extent to which this information has either been sought by the TIASI or provided to them, although no doubt specific issues have been raised during bilateral discussions with MFMR...”

“Due to a lack of evidence, it is unclear whether the arrangements set out in the TMDP are in fact being implemented.” Only SG60 is met for Sld.

There is no evidence to suggest that the MFMR is disrespectful to, or defiant of local laws or legally binding agreements reached at the regional and international level. SG 80 is met for Sle.

3.2.3 – Compliance and enforcement

≥80

No

Rationale or key points

Following the issuance of the EU “yellow card” a lot of MCS work was completed. Part 8 of the Fisheries Management Act (2015) provides explicit instruction on the MCS in place in the Solomon Islands and covers Authority and general powers of authorised officers, powers of entry and search, powers of arrest, seizure of vessels amongst others. It also discusses observer and port sampling programmes and their relevant conditions, protection of authorised officers, vessel monitoring systems, vessel inspections and entry and use of designated ports. This provides a reasonable expectation that the MCS system in place is effective. SG60 is met. As previously mentioned, this report looks to the full assessment for further information as this is only a remotely conducted gap analysis. Morison et al. (2019) awarded SG80 for Sla as they found demonstrable evidence that the MCS system has an ability to enforce relevant management measures. The examples given include inspections of catch landed by fisheries officers, who check the vessel’s VMS, logbook, licence conditions and unloading of the catch. Additionally, if an observer is present on the trip, their report is provided upon arrival.

Sanctions to deal with non-compliance are stated in the Fisheries Management Act (2015) under Part 10: “Jurisdiction, procedure, fines and liabilities”. Penalties for contravening the Act range from monetary fines, seizure of vessels and imprisonment. The types of offenses are extensive and clearly worded. Offences against the FMA are prosecuted through the High Court, except when within the jurisdiction of the Magistrates Court. Morison et al., 2019 provide examples of offences and the penalties from the longline and purse seine fisheries between 2014 and 2018. SG80 was awarded for S1b as it was deemed that sanctions to deal with non-compliance are consistently applied and thought to provide effective deterrence.

Slc examines fishers' compliance with the management system. The extensive MCS system in place provides some assurance that non-compliance may be consistently detected. Morison et al. (2019) quote the following to demonstrate there is some evidence to demonstrate fishers comply to Solomon Islands management: "MCS arrangements, pre-fishing checks and inspections; requirements to be in good standing on regional registers – including being on the PNAO LL VDS register; the use of VMS and iFIMS to monitor and record fishing activity; the duplication in providing information of importance to the effective management of the fishery (e-logs as well as paper logs); the increasing use of electronic monitoring and the requirement to have all catch inspected and recorded, indicates that there is limited scope for non-compliance and hence confidence that fishers are complying with management arrangements. Advice from MFMR officials during the onsite visit on fleet compliance with management arrangements supports this conclusion." SG80 is awarded for Slc.

There is no evidence of systematic non-compliance. Slc meets SG80 on this basis.

3.2.4 – Management performance evaluation

≥80

No

Rationale or key points

As a WCPFC CCM the Solomon Islands must also send annual reports to the Commission on its performance with compliance of CMMs. The Tuna Management and Development Plan (2017) also lists "objectives and actions to support the overall goal and strategies", including how activity performance will be verified. This provides a mechanism to clearly evaluate key parts of the fishery-specific management system. Between this and annual reporting to WCPFC, Slc meets SG80.

Following the issuance of a "yellow card" from the European Commission for not being effective against IUU, the framework for fisheries management was reformed. According to Morison et al. (2019) the MFMR worked closely with the European Commission, which "led to the strengthening of their sanctioning system, and improved monitoring and control of their fleet". The MSC full assessment awarded SG80 for this Scoring Issue and this report follows suit. SG80 is met for Slc.

3.4.2 Taiwan (Chinese Taipei)

Fishing is managed by the Taiwanese Fishing Agency. In 2017, the annual marine catch of Taiwan was estimated at 0.7 million tonnes including distant water, offshore and coastal fishery. The Agency, Distant Water Fishery, actively participates in various international fisheries organizations such as the WCPFC and IATTC. The Agency has a Deep-Sea Fisheries Division and Deep-Sea Fishery Research and Development Centre directly related to distant water management. However, licensing is managed by the Fisheries Regulation Division.

Table 2. Summary of Principle 3 Performance Indicator level scores – Taiwan

Performance Indicator	Draft scoring range	Data deficient?
3.1.1 – Legal and customary framework	≥80	No
Rationale or key points		
There is an effective national legal system in Taiwan, with an organised cooperation with other parties, where necessary, delivers management outcomes consistent with MSC Principles 1 and 2.		

It is transparent and observes the legal rights created explicitly or established by custom of people dependent on fishing for food or livelihood. This means that SIa meets SG80.

The management of Taiwanese fishing vessels operated in Taiwan's EEZ and on the high seas is governed by the Taiwan Fisheries Agency under Council of Agriculture Executive Yuan. Two main Acts are applied to manage fishing vessels, namely the Fisheries Act (Laws and Regulations Database of The Republic of China and Taiwan, 2018) and the Distant Water Fisheries Act (Laws and Regulations Database of the Republic of China and Taiwan, 2016). Penalty for non-compliance to Acts are stated in Chapter 7, Fishery Act and Chapter 4, Distant Water Fishery Act to resolve disputes, therefore SIb meets SG80.

In 2015, IUU fishing was recognised as a major issue in Taiwanese fisheries, and it was granted a "Yellow Card" by the EU. In response, the Taiwanese fishing authority created The Act for Distant Water Fisheries, which regulates the high seas fisheries in Taiwan to "ensure the conservation of marine fisheries resources, strengthen distant water fisheries management, curb illegal, unregulated and unreported (IUU) fishing, and improve traceability of catches and fisheries products". The European Commission has since lifted the yellow card on the June 27, 2019, and acknowledged the progress made by Taiwan and the major upgrade of its fisheries legal and administrative systems to fight against IUU fishing (European Commission, 2019). Therefore, SIc meets SG80.

The accumulated scores from each of the SIs, means that the total score for this PI meets SG80.

3.1.2 – Consultation, roles, and responsibilities

≥80

No

Rationale or key points

In Taiwan, the fisheries management systems and policies operate under collaboration from stakeholders, external organisations, and governing bodies. Roles and responsibilities for the flag state fall under these main entities. However, it is unclear as to whether each of these bodies have been involved in previous meetings and thus able to provide input in decisions. Without further evidence, SIa meets SG60.

There are several significant organisations responsible for the Taiwanese fisheries management and developments including:

- Taiwan Tuna Association (TTA) which aims to promote public business related to members, develop and coordinate international tuna fisheries, and conduct market research on technological improvements for distant water tuna fleets.
- Fisheries agency, Council of Agriculture (FA-COA), which is the major representative to Taiwan's fisheries management, responsible for planning and implementing fishery policies and outreach. The FA-COA works on a number of conservation management policies across coastal fisheries, distant water fisheries and aquaculture. Within this organisation, the FA-COA also partners with a number of different universities in Taiwan that conduct fisheries research, for example: National Taiwan University, and National Kaohsiung Marine University.
- The Coastguard Administration, which is charged with maintaining law and order, protecting the resources of the territorial waters of Taiwan, and providing a first line of defence along coastal areas against smugglers and undocumented immigrants.

- The Overseas Fishery Development Council (OFDC), which is a local foundation assisting the government and fishing industry in their aim of fisheries cooperation and reducing the detention of fishing vessels by foreign authorities.

This participation from ranging external organisations, allows SIb and SIc to meet SG80.

Based on the SI scores, the PI score is SG80.

3.1.3 – Long-term objectives

≥80

No

Rationale or key points

The Distant Water Fisheries Act (2016) explicitly states that the FA-COA will develop and work towards national plans with the precautionary approach for the following actions:

- Conservation, management, utilisation, and maintenance of maximum sustainable yield (MSY) of marine fisheries resources.
- Measures in response to the change of marine fisheries resources and marine ecosystem.
- Goals for sustainable operation, development strategies and implementing steps for distant water fisheries.
- Measures to balance the fishing capacity and the marine fisheries resources.
- Measures to guide, assist and subsidize the distant water fisheries operators, distant water fisheries employees and the industry related to distant water fisheries in response to the structure adjustment of the distant water fisheries.
- Establishment of a system of supervision and management of distant water fisheries and training of human resources.
- Training of human resources for the distant water fisheries and development of relevant technologies and equipment.
- Cooperation with other countries and international fisheries organisations.
- Prevention, deterrence, and elimination of IUU fishing.

Other matters necessary for effective control and management of distant water fisheries.

This comprehensive list of management actions using the precautionary approach permits SIa, and therefore the whole PI, to meet SG80.

3.2.1 – Fishery specific objectives

≥80

No

Rationale or key points

Article 5 of the Distant Water Fisheries Act requires that the Taiwanese Fisheries Act develop arrangements which have regard to the precautionary principle, ecosystem-based approach and the use of the best available scientific advice, all of which are consistent with outcomes expressed by MSC Principles 1 and 2.

The Taiwan Fisheries Act (1929, amended in 2018) has a chapter dedicated to the conservation and management policies in place for the flagged fisheries (chapter 5). Within this chapter, regulations on fish catch, sale, fishing gears, fishing areas, habitat disruption, and pollution are explicitly mentioned and disputes following these policies will be mediated by an appointed judicial body. Conservation zones monitored and managed by appointed judicial bodies are also mentioned here

as well as the prohibition of destructive fishing methods, including toxins, explosives, and/or electricity. Sia and the entire PI meets SG80.

3.2.2 – Decision making processes

≥80

No

Rationale or key points

This Scoring Issue relates primarily to the role and operations of the relevant Tuna RFMO's, as the organisations responsible for developing and implementing management frameworks. Decision-making processes are in place, which are established, responsive and largely transparent. Information used for decision-making is published. Decisions are made by consensus and there is no objection or opting out procedure. Resolutions are binding, but recommendations are non-binding. All management measures apply equally inside EEZ and on high seas. Parties enforce management measures within their own EEZ. Sia meets SG80

Key decision making for this fishery occurs at the regional level, via the T-RFMO processes. Flag States also have an important role, and a requirement to respond to serious and other important issues within their fleets.

The situation for Chinese Taipei in relation to transparent, timely, and adaptive domestic management response and decision-making arrangements for more serious management and/or compliance issues has been less clear (Morgan et al., 2018), however a more recent surveillance audit suggests Chinese Taipei has improved its performance in this regard.

The Chinese Taipei fisheries agency response to more serious and important issues can be initiated at any time, rather than just in the lead up to the WCPFC annual meeting. For example, correspondence relating to a request by the Tuna Purse Seine Association to TFA to open two additional transshipment ports for purse seine transshipment activities, and subsequent approval by TFA to include Tarawa and Kiritimati following TFA's internal approval process was provided to a recent SCS Global MSC assessment surveillance team.

In addition, Chinese Taipei's E-platform for public participation¹⁹ provides an online mechanism for the public and civil society organisations to raise serious and important policy issues that must be responded to by the relevant authority. Agencies are required to respond to issues raised that meet statutory requirements. No fisheries specific examples were available, though TFA (supported by documentation) assured the surveillance team that fisheries related proposals would be addressed under national policy and regulatory requirements.

The domestic fishery management systems of Chinese Taipei have mechanisms to respond to serious and other important issues that are raised by domestic stakeholders outside of the annual WCPFC pre-meeting and that apply to domestic policymaking relevant to the fishery specific management system. Chinese Taipei arrangements are responsive (transparent, timely, adaptive) and apply to serious and other important domestic (flag State) issues considering the wider implications of decisions. SG80 is met for Chinese Taipei for Sib.

Assessment of this Scoring Issue is primarily related to the processes and management decisions taken at the fishery specific management level – therefore the focus is again on the relevant T-RFMO's. Flag States are required to ensure agreed management measures and arrangements are implemented. Decision-making processes for the IATTC and WCPFC are based on precautionary approach, and use the best available information, meeting SG80 for Sic.

For the UoA fishery, the IATTC is responsible for maintaining an effective regional management framework; also acting as the primary fisheries management "decision making" entity on behalf of members and co-operating non-members. In this context it is recognized that it may be difficult for

members to give full explanations for all decisions, as this may compromise or complicate matters of national interest, and/or multi-lateral co-operation. This has already been scored within WCPFC and IATTC scoring and reached SG80 for SId.

The primary management systems in relation to this Scoring Issue are those of the relevant T-RFMO's. For this UoA, IATTC and WCPFC act as the overarching management authorities, setting management arrangements and assessing compliance by Members with the arrangements. There are also specific dispute resolution and review arrangements for both RFMO's. Given that there are no current outstanding judicial disputes and that members have avoided resorting to using international law to settle disputes, SG80 is met. SG100 is not yet met as there is no evidence, due to a lack of legal challenge, that judicial decisions would be rapidly implemented.

3.2.3 – Compliance and enforcement

60-79

No

Rationale or key points

For Chinese Taipei, the recently revised national fisheries laws appear comprehensive and contemporary, however some aspects are less clearly described or there is incomplete evidence to determine their effectiveness in the context of the UoA. Chinese Taipei has a Distant Water Fisheries Sanction Issued List which is available on their Fishery Agency website, but not in English (as the main language used for official WCPFC documentation), compromising accessibility. Chinese Taipei is also a WCPFC CCM that has authorised inspection vessels listed on the WCPFC High Seas Boarding and Inspection Register, thus enabling high seas inspections under the relevant CMM. TFA has an active port monitoring program with inspection officers present in authorised transshipment ports/hubs. There are no at-sea transshipments for WCPFC based purse seine vessels. Longline vessels within the UoA may tranship in accordance with IATTC and WCPFC requirements.

Chinese Taipei prohibits shark finning, as well as the retention of oceanic whitetip, silky shark, whale shark, and other TEP species. For dead sharks that are retained, fins must be naturally attached, and full utilization of sharks is required. In relation to a reported 2017 shark finning incident, TFA is waiting on observer reports and concrete evidence associated with the vessel from the ROP Observer Program to support the investigation; noting that the information provided from the observer database was very brief and not sufficient to enable a credible investigation. The most recent WCPFC Compliance Monitoring Report (covering 2019 activities) also records one instance each for Chinese Taipei of non-compliance and priority non-compliance in relation to provision of prior notice to WCPFC of Transshipment events (CMM 2009-06).

For Chinese Taipei, despite the challenges and delays inherent in obtaining follow up information on the 2017 shark finning incident from the WCPFC ROP, the assessment team considers, at this stage, that the MCS system and measures implemented in the fishery result in a reasonable expectation that they are effective, with the ability to enforce relevant management measures, strategies and/or rules. Therefore SG 60 and Sg 80 are met for 3.2.3 a. SG100 is not met because a comprehensive monitoring, control and surveillance system has not been implemented in the fishery and has not demonstrated a consistent ability to enforce relevant management measures, strategies and/or rules.

For Chinese Taipei, Chapter IV of the Distant Water Fisheries Act provides extensive Penal Provisions in Articles 35 to 45. These provisions provide for escalating fines and/or suspension and cancellation of concessions where there are multiple and repeat offenses over a period of time. Morgan et al (2018) note fines in 109 cases of illegal fishing involving Chinese Taipei deep-sea fishing vessels from January to July 2017, also noting that this may reflect efforts by Chinese Taipei to improve its performance with respect to non-compliance in light of earlier EU (Yellow Card)

action placing Chinese Taipei on a watch list of countries that have not taken sufficient action to curb IUU fishing. Twenty-four of the fines detailed were based on the new Distant Water Fisheries Act, which came into force on 20 January 2017.

TFA have also advised that they are developing an English language version of their DWFV sanctions list, previously available via their website (in mandarin). Sanctions available to Chinese Taipei via Articles 35 to 45 of their DWFA, and evidence of these sanctions being applied, suggest it is likely that they will provide an effective deterrence. SG80 is met for Sib.

For Chinese Taipei, although outside the UoA for this report, a separate MSC assessment report for Purse Seine vessels flagged to Chinese Taipei by SCS Global identified a reported 2017 shark finning incident. TFA have since advised the assessment team that the agency is waiting on observer reports and concrete evidence associated with the vessel from the ROP Observer Program to support the investigation; noting that the information provided from the observer database was very brief and not sufficient to enable a credible investigation. More than 4 years later this issue appears to be unresolved. The most recent WCPFC Compliance Monitoring Report (covering 2019 activities) also records one instance each for Chinese Taipei of non-compliance and priority non-compliance in relation to provision of prior notice to WCPFC of Transshipment events (CMM 2009-06). This should be seen in the context of the overwhelmingly positive performance against WCPFC CMM reporting requirements illustrated by the aggregate summary tables of cases in WCPFC's online compliance case file system. Only SG60 is met for Sic.

The 2017 report on Scientific Data Available to the WCPFC indicated that Chinese Taipei was ranked Tier I for not having provided operational catch and effort data for purse seine vessels to WCPFC, although other forms of data were provided (Williams, 2017). The WCPFC Compliance Committee also noted (in its 2020 final compliance monitoring report – adopted at WCPFC 17) that it had experienced ongoing difficulty assessing some obligations due to differing interpretations of those obligations by members, and also differing views on how implementation of the obligations should be assessed.

However, for Chinese Taipei there does not appear to be evidence of systematic non-compliance, and as such SG 80 is met.

3.2.4 – Management performance evaluation

≥80

No

Rationale or key points

Across the Taiwanese fisheries, FA-COA regularly reviews the management progress and produces annual reports to reflect on these findings. Sla meets SG80.

The focus of this Scoring Issue B is the Tuna RFMO's that have overall responsibility for developing and implementing a fishery specific management system, Members are bound by the arrangements in these management systems and required to implement these in domestic legislation and policy. As is noticed in the scoring for IATTC and WCPFC, they have both been subject to regular internal, and less regular external review in recent years. However, these reviews have not extended to regularly cover all aspects of the management system. Hence SG60 and SG80 are met, however SG 100 is not because the fishery-specific management system is not yet subject to regular internal and external review.

4. Recommendations and Scoping

This section highlights to the client fishery what may be necessary prior to, or during the full assessment, which has not been covered by this pre-assessment. It seeks to prepare the client for further information requests and full assessment site visit activities and relates only to Solomon Island and Taiwan P3 PIs. It is of note these conditions are already shared with the Cook Islands, China and Vanuatu scoring in the initial pre-assessment, and thus the workplan update required is minimal.

There were no high priority issues (those that scored SG<60) in this addendum. Medium priority issues (those that passed with conditions, SG60-79) include the following:

3.1.2	Consultation, Roles, and Responsibilities – Solomon Islands		
Scoring guidepost	SG 60	SG 80	SG 100
Scoring rationale	<p><u>Solomon Islands</u>: The national legislation, for example Part 4 of the Fisheries Management Act (2015), which requires consultations in the preparation of Fishery Management Plans (FMPs). Communities are permitted to draw up their own FMPs in consultation with the Director and Provincial Executive. With specific respect to the tuna fishery, the Tuna Management and Development Plan (2015) identify that the strategy of the in the Ministry of Fisheries and Marine Resources (MFMR) to support the goal of the TMDP (Tuna fisheries are managed to ensure Solomon Islands receives maximum economic and social benefits from the sustainable use of its tuna resources) shall be completed in consultation with stakeholders. Other activities identified in the TMDP include “hold regular stakeholder consultation meetings on key decisions and welcome interactions with stakeholders.”</p> <p>The management system includes consultation processes that obtain relevant information from the main affected parties, including local knowledge, to inform the management system. SG60 is met for Sib. With regard to the Fisheries Advisory Council (FAC) (who serves to responsible for monitoring and reviewing all aspects of the FMP), MFMR is also meant to ensure it takes into account information obtained and demonstrates consideration of the information. As the FAC has not met since 2015, it is not clear how this information will be considered by the management authority, only SG60 cannot be met for Sib.</p>		
Improvement recommendations	No evidence could be found on consultation, Roles, and Responsibilities so an initial fact finding is required to understand this, if not, advocacy must take place.		
Priority	Medium		

3.2.2	Decision-making processes – Solomon Islands		
Scoring guidepost	SG 60	SG 80	SG 100

Scoring rationale	<u>Solomon Islands</u> : Decision-making processes have responded to serious issues in the past. The EU yellow card issued to the Solomon Islands in the 2014 led to a re-structure of the legal and administrative frameworks which guide fisheries management. Further to this, as a member of WCPFC, the country is bound to follow CMMs issued by its RFMO. In that way decision-making processes at the national level respond to serious issues identified in research, monitoring, evaluation, and consultation in a timely and adaptive manner. The issue is that the primary mechanism for fishery-specific decisions to be made is through the Fisheries Advisory Council (FAC), who have not met since 2014. According to Morison et al. (2019) there have been bilateral meetings between MFMR and the tuna companies operating in the EEZ (they meet annually to discuss management arrangements and their annual MoUs and licence conditions) and between MFMR and the TIASI. However, no evidence was provided that these meetings deal specifically with relevant research, monitoring, evaluation, and consultation in a transparent, timely and adaptive manner.” SG80 could not be met for SIb.
Improvement recommendations	This is a condition for the WPSTA full assessment. The assessment could not gather evidence to warrant a higher score. More information must be gathered during the opening stages of the FIP to further provide potential recommendations.
Priority	Medium

3.2.3	Compliance and enforcement – Taiwan		
Scoring guidepost	SG 60	SG 80	SG 100
Scoring rationale	<p><u>Taiwan/Chinese Taipei</u>: For Chinese Taipei, although outside the UoA for this report, a separate MSC assessment report for Purse Seine vessels flagged to Chinese Taipei by SCS Global identified a reported 2017 shark finning incident. TFA have since advised the assessment team that the agency is waiting on observer reports and concrete evidence associated with the vessel from the ROP Observer Program to support the investigation; noting that the information provided from the observer database was very brief and not sufficient to enable a credible investigation. More than 4 years later this issue appears to be unresolved. The most recent WCPFC Compliance Monitoring Report (covering 2019 activities) also records one instance each for Chinese Taipei of non-compliance and priority non-compliance in relation to provision of prior notice to WCPFC of Transshipment events (CMM 2009-06). This should be seen in the context of the overwhelmingly positive performance against WCPFC CMM reporting requirements illustrated by the aggregate summary tables of cases in WCPFC’s online compliance case file system. Only SG60 is met for SIc.</p>		

Improvement recommendations	The assessment could not gather evidence to warrant a higher score. More information must be gathered during the opening stages of the FIP find additional evidence to demonstrate fishers comply with the management system under assessment
Priority	Medium

5. References

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Appendices

Assessment information

Small-scale fisheries

No small-scale fisheries were identified for any of the UoAs listed in this pre-assessment.

Evaluation processes and techniques

Site visits

A site visit was not conducted for this pre-assessment.

Recommendations for stakeholder participation in full assessment

Stakeholders were not conducted for this site visit. However, for the full assessment it will be important to engage with the following groups of stakeholders:

- Overlapping fisheries (certified and in assessment).
- Overlapping Fishery Improvement Projects (FIPs).
- NGOs with an interest in the fishery.
- Regional Fisheries Management Organisations.
- National management authorities for which the fisheries may operate.

Table of scores for Principle 3 MSC PI addendum

Table2 – Solomon Islands Principle 3 scoring for the Pacific Ocean tuna – longline (Sky Vision) fishery

Component	PI	Performance Indicator		
			Solomon Islands	Taiwan
Governance and Policy	3.1.1	Legal and customary framework	Green	Green
	3.1.2	Consultation, roles, and responsibilities	Yellow	Green
	3.1.3	Long term objectives	Green	Green
Fishery specific management system	3.2.1	Fishery specific objectives	Green	Green
	3.2.2	Decision making process	Yellow	Green
	3.2.3	Compliance and enforcement	Green	Yellow
	3.2.4	Management performance evaluation	Green	Green

Key

Pass without conditions	Green
Pass with conditions	Yellow
Fail	Red

N/A – Not Applicable