

## When sandals meet suits

**As it exists, the Marine Stewardship Council initiative is not sufficiently inclusive of Southern stakeholders**

I would like to express, on behalf of ICSF, our wholehearted appreciation of the painstaking efforts you have obviously made in drafting your memorandum. It is the first time that we have received a substantive response from you to some of the issues raised in SAMUDRA Report on the Marine Stewardship Council (MSC). It is an important gesture towards greater transparency, and we will do our best to respond to the arguments you have used to try and convince ICSF to participate in the MSC process.

At the outset, it is a pity that we do not have a copy of the draft Principles and Criteria of the MSC. We would appreciate if you could send us a copy. We would also like to receive copies of reports of all the seven MSC workshops that you mention in your letter so that we could have a better picture of the debates at these meetings. We would also be grateful if you could send us a list of participants at these workshops. We would further like to receive copies of the studies on subsidies, especially Gareth Porter's study on the impacts of EU fisheries agreements.

It is interesting to hear that fishworkers in several parts of the world consider the MSC to be advancing their interests. We are keen to know more about these fishers' groups. Are they from the industrial sector or from the small-scale sector? Among the groups of fishworkers we know in the North, small-scale fishers in Brittany, France and the Maritimes, Canada, harbour reservations about the Marine Stewardship Council.

The latter, in particular have strong misgivings. International union representing fishermen, like the International Transport Workers' Federation, also have strong reservations,

if we take into consideration their interventions at the 1997 FAO's Committee on Fisheries meeting in Rome.

Now, to respond to your letter more specifically, we have the following comments to offer. On Point 1, we appreciate the target to build powerful social and economic incentives for sustainable fishing but would that not be contingent upon having fisheries mainly catering to the export market, especially of those countries that are interested in sourcing the MSC-certified fish?

Even if about 50 per cent of the quantity of global exports of fish and *fish* products comes from the developing countries, one-third of it comprises fishmeal which is entirely based on industrial production. Most of the fish produced in the artisanal and small-scale sector in many developing countries is sold in the domestic market and the MSC could be of little relevance in such markets. For instance, in the case of China and India—the most populous countries in Asia—less than 10 per cent of their aggregate marine fish production enters the world market.

Further, proper management of small-scale Southern marine fisheries requires an active State, and significant financial and human resources, rather than just a market label.

### Management costs

The management costs of small-scale fisheries, which either need to be borne by governments or the producers, save in exceptional circumstances, will be significantly higher than those of industrial fisheries (this is true of both the North and the South) for the reasons that (a) numerous people are involved in the artisanal and small-scale fisheries; (b) the

fish landing centres are far too many; and (c) the diversity of species and fishing operations is far too great.

**P**oint 2 is valid. But how could the MSC initiative prevent foreign fishing vessels from operating in the waters of developing countries if the distant-water fleets are fishing in a responsible manner?

They could be using selective fishing gear and techniques, employing legally recruited workers and be complying with international minimum standards.

Because of their responsible fishing practices, they could very well be rewarded by a labelling scheme, such as the MSC, even if their fishing activities have a negative impact on the livelihood rights of the artisanal fishers of the South: Senegal is an example.

In other words, the ecolabelling programme may be in a position to be instrumental in ensuring compliance with conservation and social principles by the distant-water fleets, but it may not be in a position to remove the social inequity perpetrated by the same fleets on the artisanal fishing communities.

Perhaps the same argument would hold true for industrial and artisanal fisheries as well. As Michael Belliveau, citing the example of the herring fishery of *Canada*,

has pointed out in his article in SAMUDRA, Report No. 15, just because they have been fishing within the parameters of responsible fishing, large purse-seiners catching herring in the Atlantic would qualify for the MSC ecolabel, even though they have displaced inshore fishers from their traditional fishing grounds.

In Point 3, are you implying that industrial fleets subsidized by the Northern countries will be penalized by the MSC? If this is practicable, it is certainly welcome. It is good to hear about the WWF report on 'Subsidies and the Depletion of World Fisheries' and that the study generated a lot of interest and controversy around the world. In this context, we would like to point out that while we are opposed to all forms of subsidies to the industrial sector worldwide, certain kinds of subsidies to the artisanal and small-scale fishworkers may be essential for ensuring the livelihood of fishers in many developing countries.

As for Point 8, we are happy to note that the MSC had recognized the importance of "socially responsible" fisheries from the outset.

#### **South not consulted**

But it is unfortunate that despite this recognition, stakeholders from the South *have not*, till date, been involved in the drafting of criteria and principles to underpin the MSC.

**T**he concept of socially responsible fisheries—as the MSC Newsletter No. 2 mentions on the first page—seems to refer to fisheries that respect local law and that are undertaken by legally employed crew who enjoy international minimum standards. If this is the definition, perhaps it is applicable to industrial fisheries rather than to small-scale or artisanal fisheries. In the latter case, there is often no legal contract of employment and the recruitment of fishers is from the informal labour market, and often based on kinship. Moreover, the ILO conventions and recommendations do not apply to the artisanal and small-scale sector (a situation long overdue for change!).

If, by promoting socially responsible fisheries, the MSC would help advance the interests of small-scale fishers, it is most welcome. But isn't it too early to say if that is going to happen? ICSF believes that market-based mechanisms, such as ecolabelling, could be useful, but we would like to have a better understanding of how these mechanisms can work for the interests of small-scale fishers, especially in the developing world. We would like to see how local specificities are taken into consideration while developing an ecolabel. We would also like to see *more* examples of small-scale and local fishers benefiting from market-based mechanisms, before endorsing an ecolabelling initiative such as the MSC.

On Point 10, you are right that products from fisheries in the South are increasingly being exported to Northern markets. We do not, however, quite agree with your observation that “certification under the auspices of the MSC could actually result in a market advantage for Southern fisheries over their Northern counterparts.”

The higher prices that consumers pay for the MSC ecolabel may not translate into higher incomes for the fishers, as John Kurien observes in his article in SAMUDRA Report No. 15. As he further observes, small-scale fishers in developing countries are likely to lose their autonomy with respect to the patterns of harvesting and disposal of their catch in the foreign market, as decisions pertaining to terms of harvesting and levels of prices will be

dictated by purchasers abroad. In some developing countries, this may be seen as new forms of colonialism and may even have unpleasant consequences.

We also have problems with the reference to collapsed fisheries. Once a fishery has collapsed, there is little fish around to be either caught or sold. The Newfoundland cod fishery is a good example of how the MSC could have failed because, on the basis of scientific assessments at that time, the cod might have obtained the label until shortly before its collapse, when it would have, in any case, been too late for the fishery to benefit from the MSC label! This point is made by Michael Belliveau in SAMUDRA Report No. 15. As he further mentions in his piece, if ecolabelling is to be based on the current state of scientific knowledge, it is no guarantee for a sustainable fishery.

The first sentence of Point ii is an interesting objective, but we feel that the stated “equal basis” is very ambitious. “Global equivalency” could very well remain a theoretical possibility. Also, the costs of ecolabels could be prohibitively high in the South, if you take into consideration the points that we have mentioned above, namely, diversity of species and fishing operations, dispersed landing centres, and the involvement of numerous fishworkers. Moreover, our understanding of WTO rules is that they are not very clear on private ecolabelling initiatives. It may take some time before some clarity emerges on this issue. We would, however, like to know your understanding of WTO rules in relation to this.

The reference to the Forest Stewardship Council would be welcome if you can take it as a basis to analyze the difficulties associated with applying the same concept to marine fisheries. In comparison with forests, the costs of defining and enforcing property rights in capture fisheries, if that ever becomes a criterion in the MSC certifying programme, will be very high and this could significantly influence the outcome of the labelling scheme.

#### **Expertise needed**

With regard to Point 13, we feel that there is danger if there is no expertise on the MSC

board to monitor the economic and social impacts of the labelling programme and to oversee the scientific aspects of certification. Would it not be difficult to remain credible without expertise?

**I**f the idea is to hire such expertise, how could the MSC guarantee that independent expertise is available to monitor and evaluate the process? Perhaps both ethical and professional considerations should be reflected in the composition of the board.

Would it be possible for us to know the stakeholder organizations who have registered their support with the MSC initiative? Although “influencing the behaviour of the industry is obviously key to any market-led initiative,” would certification not be much more difficult in most marine fisheries than in forestry? Moreover, the MSC certification programme is mainly targeting fish meant for export to the US and European markets. Would it be possible to have islands of well-managed fisheries catering to the export market in the midst of overfished or optimally fished stocks catering to the domestic market?

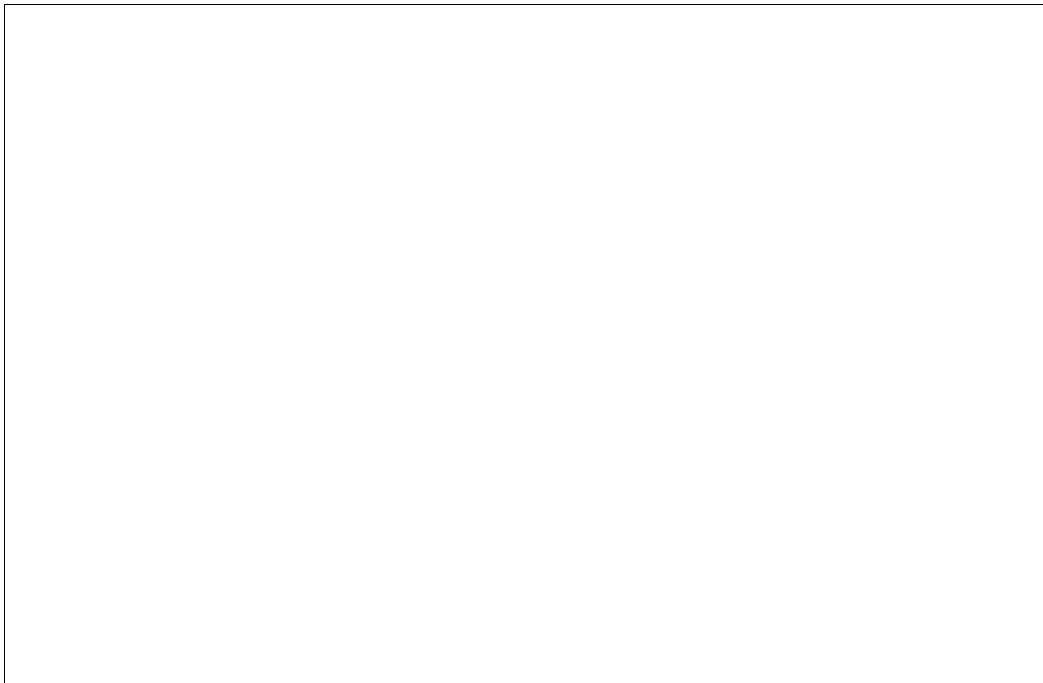
We have indeed, as you have pointed out at the beginning of your letter, got reservations about Unilever’s involvement in the whole process. As we have said before, we would have appreciated the MSC initiative much more

if WWF had avoided the involvement of Unilever in the formulating stages of the initiative. In fact, one of the credibility gaps of the initiative, as far as we are concerned, is in this collaboration of “the sandals and the suits,” as described by a columnist in *The Times*.

We still have reservations about the credibility of a multinational like Unilever which is perhaps interested more in controlling access to fish markets than in sustainable fishing practices. As Alain Le Sann points out in his article in SAMUDRA Report No. 15, fishers could be disenfranchised by the MSC initiative, since multinationals like Unilever are likely to have a decisive impact not only on prices, but also on conditions that determine access to the markets. John Kurien also makes a similar point in his article in SAMUDRA Report (mentioned above). Moreover, since an elegant and universal definition of ‘sustainability’ is almost impossible, the certification programme could impose its criteria for sustainability, which could be in contradiction with the understanding of fishers.

**Apprehensions remain**

We are not yet convinced that the MSC is going to offer a fundamental reform of the fishing industry and we still have apprehensions about the initiative as such. We are also more or less sure that in the ultimate power game there are no



'level playing fields' and that Southern fishworkers are more likely to lose than to benefit from joining the MSC initiative as it is currently being developed. But we would like to be proved wrong in holding this view.

**W**e are sorry to hear that you consider the articles in SAMUDRA Report "full of rhetoric and misconceptions." You might have already noticed that I have used relevant arguments mainly from those articles. We do not think that we are doing us or MSC a disservice by showing reluctance to actively engage in the development of the organization. On the contrary, I think we have spent a considerable amount of our time to reflect on the initiative and to see how it would actually translate into practice, especially in relation to Southern fishworkers.

Given all the problems with MSC as it is envisaged now, perhaps there is no point in organizing a briefing consultation at a meeting where only ICSF members are going to be present. ICSF members are, in any case, not representing the stakeholders in fisheries; they are members of ICSF in their individual capacities.

Unless a workshop on MSC is organized at a more inclusive level with Southern stakeholders, it may not serve its intended purpose. This could be a three-day workshop organized by MSC involving all important stakeholders. You could, as you suggest, have such a meeting in Asia, Africa and Latin America to reform the principles and criteria also from a Southern grass-roots perspective. This would also enable the MSC to get the perspective on sustainability from fishers and their communities.

Alternatively, a meeting with analytical inputs and fair reporting procedures will be welcome with participants from the above continents. This would also meaningfully complement the consultation process that you had with the Northern scientists and other interested parties. In such a meeting, it may also be worthwhile to consider how labelling standards could be applied to brackish water aquaculture and mariculture.

I would like to add that law would like to continue this dialogue with you in good faith and in a spirit of co-operation. Our exchanges, I think, can contribute to a better understanding of ecolabelling issues in marine fisheries in relation to artisanal and small-scale fisheries in the North and the South.

This letter to Michael Sutton, Director, Endangered Seas Campaign, WWF International, dated 7 August 1997, was written by Sebastian Mathew, Executive Secretary, ICSF