This is a post-print version of:

Gulbrandsen, Lars H. and Geir Hønneland
Fisheries Certification in Russia: The Emergence of Non-State Authority in a Postcommunist Economy
***Ocean Development & International Law*, Vol 45, No 4, 2014, pp. 341-359.**

The definitive version is available at http://dx.doi.org/10.1080/00908320.2014

Fisheries Certification in Russia: The Emergence of Non-State Authority in a Post-Communist Economy

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Received: 14 March 2014; accepted: 6 April 2014.

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Abstract: Market-based incentives are a new approach to direct fisheries towards greater sustainability. The Marine Stewardship Council (MSC) is the leading certification scheme for wild-capture fisheries. Four Russian fisheries were certified from 2010 to 2014. Despite a slow start, the Russian fishery assessments have gone more quickly, received less public criticism, and scored better over time. Consensus is emerging that the Russian system for fisheries management fulfills the MSC requirements.

Keywords: fisheries certification, Marine Stewardship Council (MSC), Russian fisheries

Introduction

Market-based incentives are often promoted as important tools for addressing the environmental and social problems associated with the extraction of natural resources.[1] In response to growing concerns about overfishing and the ecosystem effects of irresponsible fishing practices, various certification and labeling initiatives have emerged aimed at encouraging fishers to adopt sustainable fishing practices by rewarding them with a certified and potentially more lucrative brand.[2] The idea is that consumers will prefer environmentally friendly products, thus spurring producers to adhere to sustainable management practices.

Established in 1997, the Marine Stewardship Council (MSC) has become the world's leading certification and labeling system for wild-capture fisheries.[3] The first fisheries entered the MSC assessment process in 1998 and 1999. A milestone was achieved in 2000 when, after 15 months, Western Australia's rock lobster fishery became the first to be certified.[4] A major breakthrough in the consumer market came in January 2006, when the world's biggest retailer, Walmart, announced its commitment to source all its fresh and frozen seafood supplies in North America from MSC certified sources within five years.[5] The number of MSC-certified fisheries has soared – from 12 in 2005 to 219 by February 2014, with another 101 fisheries in some stage of full assessment and 40 to 50 more estimated to be in confidential pre-assessment.[6] These fisheries record annual catches of around 10 million tons of seafood – over 10 percent of the annual global harvest of wild-capture fisheries.[7] MSC-certified fisheries represent close to 50 percent of the whitefish market, more than 40 percent of the wild salmon market, and about 18 percent of the lobster market.[8] For other fish species, the market share of certified products is much lower – less than one percent of the tuna market is certified, for example.[9]

Despite the impressive growth of MSC certification, examination of patterns of adoption shows that the large-scale fisheries from Western industrial countries are over-represented in the program, with fisheries from other parts of the world making up only a very small share.[10] Many fisheries in the developing world have characteristics that exclude them from achieving certification.[11] Such characteristics include: shortcomings in scientific data on fish stocks and ecosystems; lack of strict management regimes; sharing of resources with other fishers; and common property aspects that lead to a lack of control. The cost of certification represents a further barrier for fisheries in developing countries.[12] Less, however, is known about the application of the principles and criteria of the MSC to states with economies in transition and post-communist economies. An important milestone was achieved when two Russian fisheries entered the full assessment process in 2008, as this marked the first adoption of the principles of the MSC in a post-communist economy. This acceptance of rules and regulations created by non-state actors, whose "authority" is granted by the market rather than the state,[13] is a new and arguably surprising development in Russia. Fisheries certification by the MSC in Russia has been little studied. The aim of this article is to address this research lacuna through a detailed investigation of the four fisheries certified or under assessment in Russia by the MSC and the impacts of the assessment on the fisheries management system and company behavior. The focus is on three questions: What kinds of challenges emerged in the encounter between the MSC approach and Russian realities? Have Russian actors, such as fisheries management authorities, scientists, and NGOs, used the opportunity to act as stakeholders in the assessments? Have the certification requirements of the MSC influenced Russian fisheries regulations or company

behavior? As regards methodology, reliance is placed on the material available from the MSC website concerning the certification of Russian fisheries, notably the public certification and surveillance audit reports, which also include all stakeholder comments.[14]

The article proceeds as follows: first, the emergence of the MSC and its governance structure is described. This is followed by an examination of the steps in the fisheries assessment process used by the MSC and how the assessment methodology has changed in response to criticism and problems identified. Third, the entry of Russian fisheries into the MSC certification program is investigated. Fourth, the fisheries assessment process is reviewed with particular attention paid to the scoring, conditions and issues of special concern. The article then turns to the key question of the consequences of certification, examining the impacts on the fisheries management system and company behavior. Finally, broader lessons from this case study are drawn about the future of fisheries certification in Russia.

The Establishment of the MSC

The global imbalance between fish resources and harvesting capacity is and has long been the most serious environmental problem in the fisheries sector. With the rapid growth of the world's fishing fleet, the harvest tonnage from capture fisheries quadrupled between 1950 and 1990, although it has since leveled off.[15] Despite important advances in intergovernmental fisheries governance, three-fourths of the world's fisheries are understood to be at or beyond "full exploitation,"[16] which indicates that overall fishing pressure has remained heavy.

In response to increasing concerns over the perceived inability of governments to resolve the challenges of fisheries management on their own – and inspired by the success of the Forest Stewardship Council (FSC) in the forestry sector[17] – the Worldwide Fund for Nature (WWF) brought the certification and labeling idea to the fisheries sector.[18] In 1997, the WWF teamed up with Unilever, one of the world's largest manufacturers of frozen fish products at the time, to establish the MSC to develop a market-based certification scheme for fish and fisheries products. To fend off assertions that the WWF and Unilever controlled the scheme, several steps were taken to establish the MSC as an independent organization, including the creation of an international board of trustees and the termination of seed-funding from the two founding partners.[19] It became an independent, non-profit organization in 1999.

The governance bodies of the MSC initially comprised a board of trustees, a standards council, and an advisory board made up of economic, environmental and social stakeholders, as well as a secretariat that ran the day-to-day activities of the organization.[20] The advisory board resembled a membership body, but eligibility for participation remained unclear.[21] A 2001 governance review advised against a membership model[22] and the MSC announced a governance reform to streamline its governance system and to enhance transparency.[23] Since the reform, the main governance bodies of the MSC have been the board of trustees, a stakeholder council (replacing the advisory board), a technical advisory board (replacing the standards council), and a London-based global headquarter headed by a chief executive.[24] The MSC has never been an open membership organization and the ultimate authority has always rested with the board of trustees.

The principles and criteria for MSC certification were developed through an extensive consultation process between 1996 and 1999, involving a range of organizations and individuals.[25] There were two expert drafting sessions and a series of international workshops in various regions around the world, but environmental and social stakeholders were not directly involved in determining the key principles. Agreement was reached on three main principles or concerns:

- the health of the target fish stocks;
- the impact of the fishery on the ecosystem; and
- the performance of fishery management regimes.

These purposes were supplemented by several more specific operational and management criteria. While the technical advisory board periodically reviews the various standards applied by the program,[26] the principles and criteria of the MSC have not been amended since they were first issued in 1999.[27] These principles and criteria built on international fisheries agreements and guidelines, particularly the 1995 FAO Code of Conduct for Responsible Fisheries.[28] The MSC sees its role as being to complement and work alongside international fisheries regulations, not replace or supplant them.[29]

The Fisheries Assessment Process

Clients for certification may be a fishing company, a fishers' association, an industry association representing quota-holders, a processor's organization, a government management authority, or any other stakeholder.[30] While the MSC sets the standards, it is accredited certification bodies (third-party certifiers) that conduct the certification process of applicants.[31] The body seeking certification may select any accredited certifier and has the responsibility to pay the costs of the certification process. A fishery can undergo a confidential pre-assessment that provides an analysis which determines the steps the client will need to take prior to a full assessment, but this is optional. To ensure transparency, the certifier must provide notice on the MSC website when a client goes into full assessment and notify all relevant stakeholders.

In a full assessment, the certifier appoints an expert assessment team, who ascertain if applicant fisheries meet the certification requirements of the MSC. The team usually consists of three experts: a stock assessment expert; a fisheries biologist; and a fisheries management expert. The assessment procedure used to give certifiers considerable discretion in interpreting the MSC principles and criteria and critics noted significant variation in the assessment scores awarded by different certifiers across similar fisheries seeking certification.[32] Of particular concern were the overly-generous interpretations of the ecosystem criteria.[33] In 2006, the MSC undertook a review of its approach to certification, examining the reliability and consistency of assessments. The main conclusion was that the fisheries assessment procedure allowed certifiers too much leeway in their interpretation of principles and criteria and that different certifiers had developed different passing scores for similar fisheries.[34]

To address this problem, the MSC introduced a new fisheries assessment methodology in July 2008, purported to be the program's "biggest change" since the standards were drafted in the late 1990s.[35] The new methodology provides a default assessment tree, from which expert assessment

teams must build performance indicators and scoring guideposts which determine what is required to get a passing score.[36]

The metric-based performance range for certification is based on three scoring guideposts for each performance indicator. As defined by the MSC, the first guidepost is the "ideal performance" score of 100. A score of 80 denotes the minimal requirement for unconditional acceptance and a score of 60 defines the minimal requirements for conditional acceptance. The weighted average of the performance indicators must be 80 or more for each of the three core MSC principles in order for certification to be awarded. Scoring less than 60 on any criterion will result in certification not being given. Wherever a score is less than 80 (but 60 or above), it indicates that performance is deficient and a condition is invoked, which involves setting out detailed actions to be taken by the client during the five-year certification period, including milestones for each annual surveillance audit. The client, in turn, is to provide an action plan that shows how they will go about meeting the conditions. Conditional certification may be awarded if the fishery adopts the actions, allowing for improvements in fisheries management over time. Following the certifier's acceptance of a client's action plan, the entire assessment report is peer-reviewed by two scientists. Once this hurdle is passed, the fishery obtains MSC certification valid for five years. Regardless of whether conditions are attached to the certification, the fishery must undergo an annual surveillance audit, where any changes in stock, ecosystem, management system or client behavior is assessed. Particular attention is given to progress against milestones set to increase the scoring to 80 for performance indicators where the fishery scored less at the time of assessment. Scores below 80 in the original assessment are re-scored when the required actions concerning the condition in question are deemed acceptable by the assessment team. All conditions must be met – and an 80 score obtained – within the certification period. If this is achieved, the fishery may apply for re-assessment, which involves another full assessment.

The assessment process is transparent and involves significant stakeholder engagement.[37] Throughout the assessment period, stakeholder inputs are actively sought and evaluated, reports are open to stakeholder comments, and certifiers must demonstrate that consideration has been given to such comments in the final report. Stakeholders may object to the certifier's decision, in which case a complaints procedure is activated and an independent adjudicator is appointed, but a stakeholder has to cover the cost of objecting to a certification (currently around $8,000, formerly US$ 15,000).[38] By the end of 2013, conservation organizations and other stakeholders had filed and paid for 19 formal objections of MSC fisheries certifications. Only one of those appeals, that respecting the Faroese Northeast Atlantic mackerel, was upheld and the fishery's certification denied as a result,[39] although several appeals have resulted in additional conditions being placed on fisheries.

Most fisheries that have engaged in the full assessment stage have been successful in obtaining MSC certification. Despite the MSC's revised fisheries assessment methodology adopted in 2008, critics maintain that certifiers still have too much discretion in how they score applicant fisheries.[40] Some fisheries scientists have argued that MSC has been preoccupied with the expansion of its certification program at the expense of documenting and ensuring environmental benefits.[41] Clients for certification, on the other hand, have been concerned about what they regard as an expensive and time-consuming certification process. For example, the certification of the Russian Okhotsk Sea pollock fishery took over five years (see next section), although an

average full assessment takes around 18 months from announcement to completion of a full assessment.[42] The cost of certification is confidential, but media reports show that fees range from around US$10,000 to US$150,000 per fishery and fees for annual audits can be up to US$75,000.[43]

A chain-of-custody assessment must be conducted for the entire fish and fisheries product supply chain in parallel with or following the assessment of the fishery.[44] The purpose is to trace the products from "boat to plate" and thus ensure consumers that products carrying the MSC logo originate with a certified fishery. In order to use the logo on a product, the client undergoing certification must have a licensing agreement with the MSC.

The task of applying the MSC's general principles and criteria in a manner that is locally appropriate rests with the accredited certifiers. Because the certifiers, and the expert assessment teams they appoint, also determine the outcome of the certification process, they have significant authority. This has been a source of concern for critics who have argued that too much power provided to certifiers might undermine the role of stakeholders in the program.[45] Although the MSC tightened its fisheries assessment guidelines in 2008, critics maintain that the MSC principles are still too discretionary and lenient, and allow for overly-generous interpretations by certifiers and adjudicators.[46] Responding to such criticisms, the MSC maintains that the rigor and integrity of the assessment process has resulted in documented environmental benefits for various fisheries.[47]

Emergence of the MSC in Russia: Fisheries, Clients and Process

Russia is one of the world's leading fishery nations, but a newcomer to the MSC certification scene. The Russian fisheries sector contributes significantly to national food security, as well as to the economic and social development of coastal regions. However, certified fish and fish products are sold primarily to export markets. The two largest fishery regions in Russia are the Far East (the Far Eastern fishery basin, in Russian terminology) and the North West (the Northern fishery basin). In 2013, the Far Eastern basin accounted for approximately 70 per cent of total Russian catches, the Northern basin for 15 per cent. Principal target species are pollock and cod/haddock, respectively. Pollock catches amounted to half of the total Far Eastern catch, and cod/haddock for nearly 90 percent of the catch in the Northern basin.[48]

One of the first two Russian fisheries entering the MSC certification process came from the Far Eastern fishery basin, the other from the Northern basin. In September 2008, the start of a full MSC assessment of the Russian Sea of Okhotsk (RSOP) mid-water trawl walleye pollock fishery was announced by the Canadian certifier Tavel Certification (later renamed Intertek Moody Marine). The client seeking certification, the Vladivostok-based Russian Pollock Catchers Association, had 40 pollock-fishing organizations as eligible fishers. The client proposed certification of three different units,[49] with the same target stock and fishing gear, but geographically covering three different areas: the Sea of Okhotsk; the Navarinsky Area; and the Western Bering Sea. A few months later, the Scottish certifier Food Certification International (FCI) announced the entry into full assessment of the Russian Barents sea cod and haddock fishery (BSCH). The client was Ocean Trawlers/Three Towns Capital, a supplier group which was seeking

certification for 16 bottom trawlers with which it had long-term contracts. There were two different certifications sought involving, two different stocks of cod and haddock, with the same geographical range of fishing operations (the Barents Sea) and fishing method (bottom trawl).

The two fisheries seeking certification were different in many respects: one located in the Far East, the other in the North West; one involving mid-trawl fishery for pollock, the other bottom-trawl for cod and haddock. Moreover, the two clients differed sharply. The Russian Pollock Catchers Association is a typical Soviet-style association including a number of ship-owners, while Ocean Trawlers is a similarly typical post-Soviet actor, a highly specialized supplier established and co-owned by a Norwegian and a Russian businessman, with offices in several countries and headquartered in Hong Kong. Finally, the Sea of Okhotsk pollock fishery is managed by Russia alone (although involving consultations with the United States), while the Barents Sea cod and haddock fishery is subject to joint management by Norway and Russia.

Both assessments proceeded slowly. (See Table 1) The timeline of the RSOP fishery was revised six times, the site visit postponed twice, and the assessment team changed once. The public comment draft report was published in August 2012, nearly four years after the full assessment was announced. Several stakeholder comments were received, including seven formal submissions after the publication of the draft report. The final report was published in January 2013. Formal objections were submitted by the WWF and the At-sea Processors Association (APA) representing Alaskan pollock fishers. The WWF withdrew its objection in April 2013. After several rounds of consultations with the client, the certifier and the objectors, including formal hearings reminiscent of a court case, the independent adjudicator made his final decision in September 2013 (see below). Later in September the certification report was published[50] and the Russian Okhotsk Sea pollock fishery was certified, over five years after the announcement of the assessment.

The two other fisheries,[51] the Navarinsky Area and Western Bering Sea pollock, have not yet been certified. Draft reports have not been published, thus there is little information about the considerations or work of the assessment team, and significant doubts exist as to whether the fisheries will ever be certified.

Although the BSCH fishery assessment took less time than the RSOP assessment, it still proceeded relatively slowly. Following several postponements and one formal revision of the assessment timeline, the site visit took place a year after the assessment was announced. The draft report was issued in August 2010 and the public certification report in November 2010,[52] awarding the fishery certification nearly two years after the initial announcement. WWF Russia submitted comments and questions to the assessment team after the draft report was published, but no formal objections were filed.

The certification of the BSCH fishery spurred two subsequent assessments of Russian Barents Sea fisheries. As part of the site visit of the BSCH fishery in Murmansk in December 2009, a stakeholder meeting was held with the management and several member shipowners of the Fishing Industry Union of the North (FIUN). This is an umbrella organization for 90 small and medium-sized fishing enterprises in the Russian Northern basin, more than 60 of which are involved in catch and transport of fish, mainly in the Northeast Atlantic. These vessels account

for nearly 40 percent of the Russian Northern basin catch. The initial 2009 meeting led to discussions about an assessment of FIUN vessels. Slightly more than two years later, in March 2012, the Scottish certifier FCI announced the commencement of a full assessment of the FIUN. A total of 42 vessels from 39 companies were identified as eligible fishers. There were four units of certification, as trawlers as well as longliners (only three vessels) were included, both categories fish in the Barents and Norwegian Seas for cod and haddock. This Russian MSC assessment proceeded far more rapidly than the first two, with just one revision of the initial timeline, a site visit less than six months after the announcement of the assessment, and publication of the draft report one year after announcement. There were no stakeholder submissions and a certificate was awarded in June 2013,[53] 15 months after the announcement of the assessment.

When the FIUN fishery was certified, a fourth Russian Barents Sea fishery was already under assessment. In March 2013, the Norwegian certifier DNV announced the commencement of a full assessment of the Russian Federation Barents Sea Cod and Haddock (RFCH) fishery. The client was two small companies, ZAO Strelets and ZAO Eridan, with one and two vessels, respectively, as eligible fishers. The two shipowners had been, until 2012, members of Murmansk Trawl Fleet (MTF), which during Soviet times was the largest shipowner in Murmansk, but subsequently had split into several smaller companies. As members of the MTF, the vessels were suppliers to Ocean Trawlers and hence had been covered by the BSCH certificate. As they were no longer part of the MTF, the two shipowners had to undergo a full assessment. This assessment proceeded even more rapidly than the FIUN assessment, with a site visit just two months after the announcement and publication of the draft report slightly more than nine months after, with no revisions of the timeline and no stakeholder submissions. Certificationwas awarded in May 2014.[54]

Table 1 Overview of Russian fisheries certified according to the Marine Stewardship Council standard as of March 2014

Fishery	Client	Date of announcement	Stakeholder submissions (after publication of the public comment draft report)	Objections (after publication of final report)	Date of certification
Russian Sea of Okhotsk mid-water trawl walleye pollock (RSOP) fishery	Russian Pollock Catchers Association, Vladivostok	4 September 2008	7	2 (1 withdrawn)	24 September 2013
Barents Sea cod and haddock trawler (BSCH) fishery	Ocean Trawlers/Three Towns Capital, Hong Kong	24 December 2008	1	0	22 November 2010
FIUN Barents and Norwegian Seas trawl and longliner cod and haddock fishery	Fishing Industry Union of the North (FIUN), Murmansk	22 March 2012	0	0	25 June 2013
Russian Federation Barents Sea trawl cod and haddock (RFCH) fishery	ZAO Strelets and ZAO Eridan, Murmansk	21 March 2013	0	0	Pending (expected March/April 2014)

Scoring, Conditions and Issues of Special Concern

As they proceeded through the full assessment, all the four certified Russian fisheries scored at least 60 on each performance indicator and obtained no less than 80 as weighted average score for each of the prescribed MSC principles. As seen in Table 2, the Sea of Okhotsk fishery barely passed on principle one (hereafter P1) concerning stock status and principle two (hereafter P2)

concerning ecosystem effects of the fishery. As the score was below 80, conditions were applied covering eight performance indicators: three under P1, three under P2 and two under principle three (P3) concerning performance of the fishery management system. Stakeholder submissions following from the draft report were voluminous, as were the certifier's responses. The formal objections following the publication of the final report concerned the scoring rationale for several P1 and P2 indicators, as well as an alleged serious procedural irregularity in scoring one of the P1 indicators. The independent adjudicator accepted the certifier's justification for all indicators, deciding that none of them were arbitrary, unreasonable and were well within the margin of appreciation allowed to any certifier. The adjudicator also rejected the claim of a procedural error.

Among the three Barents Sea fisheries, there is a sharp increase in P1 scoring for the trawl fishery (by far the most important among the gears defined in the fisheries), and for cod (the main species of these fisheries). The reason for the increase is twofold. First, the North East Arctic cod stock, already in good shape when the assessment commenced in 2008, increased to an all-time high during the period covered by the three assessments. Second, at the time when the BSCH was scored (March 2010), the main management authority at the international level, the Joint Norwegian–Russian Fisheries Commission, had set a total allowable catch higher than allowed for by its own harvest control rule, following an ad hoc revision of the rule. [55] The justification given by the Joint Commission was that the stock had grown beyond what had been anticipated when its harvest control rule was established in 2002.[56] This was not accepted by the assessment team as a reasonable justification for setting a higher total allowable catch than that dictated by the Joint Commission's harvest control rule and a condition on the certification was applied. When the FIUN fishery was scored two and a half years later, the International Council for the Exploration of the Sea (ICES) had accepted the revised harvest control rule of the Joint Norwegian–Russian Fisheries Commission as being precautionary,[57] and thus a higher score in the assessment was obtained. As for P2, the first two Russian Barents Sea fisheries barely passed mainly due to the potential of irreversible harm to the sea-bottom habitat caused by bottom trawl fisheries, as well as the imperfect information available on the habitat structure in the fishing areas. Two conditions were applied for both the BSCH and the FIUN fisheries. The later DVN assessment team did not score any performance indicator less than 80 and did not agree with the judgments of the FCI teams responsible for the first two assessments that ecosystem effects were unacceptable despite meeting the minimum requirement of 60.

Table 2 Principle-level scores and conditions for Marine Stewardship Council-certified Russian fisheries

	Russian Sea of Okhotsk mid-water trawl walleye pollock (RSOP) fishery	Barents Sea cod and haddock trawler (BSCH) fishery	Fishing Industry Union of the North (FIUN) Barents and Norwegian Seas trawl and longliner cod and haddock fishery	Russian Federation Barents Sea trawl cod and haddock (RFCH) fishery
Principle 1 (fish stocks)	80	85	88.1 (cod/85.6 (haddock)	98.1
Principle 2 (ecosystem)	80.3	80	80.7 (trawl)/85 (longliner)	86.7
Principle 3 (management system)	85.1	83	82.3	89.9
Number of conditions as per date of certification	8	6	3	0
Number of conditions remaining at the time of this writing (March 2014)	8	2	3	0

The only principle where it is reasonable to compare the scoring of the Sea of Okhotsk fishery with the Barents Sea fisheries is P3 (especially 3.1: see below), as the stocks and ecosystems are obviously different. On P3, the RSOP fishery scored slightly higher than the two first Barents Sea fisheries, but less than the most recent one. The scoring table for P3 is divided into two sections, covering the "governance and policy" aspect of the management system (3.1), and the "fishery specific management system" (3.2). The general Russian system for fisheries management was evaluated under 3.1, while the management of the specific stocks, gears and fishing areas was assessed under 3.2. Table 3 indicates that all the assessment teams judged the legal framework of Russian fisheries management to have scores of 90 or 95. Briefly put: there is the Federal Fisheries Act, with detailed supplementary regulations, that were assessed as being generally consistent with local, national, and international standards for fisheries management (3.1.1 a). The management system incorporates mechanisms for the resolution of legal disputes arising within the system (3.1.1 b). There is no indication of disrespect or defiance of management authorities by repeated violations or court challenges (3.1.1 c). The legal rights created explicitly or by custom for those people who depend on fishing for food or livelihood were reflected in the management system (3.1.1 d).

The most conspicuous differences in scoring, also among the three Barents Sea fisheries, are found under 3.1.2 on consultation rights, roles and responsibilities within the management system, and 3.1.3 on the fishery's long-term objectives. While 3.1.2 was scored at 95 in the RSOP fishery, both the BSCH and the FIUN fisheries scored below 80. The RFCH achieved 90 on this performance indicator. All the assessment teams agreed that the Russian fisheries management system has in place effective consultation processes that are open to affected parties (like scientists and fisher representatives), and that the roles and responsibilities of the various organizations and individuals within the system are clear and well understood. The difference in scores across the four assessments reflects varying views on the extent to which actors outside the established management system, notably NGOs, are provided with adequate opportunities for engagement. In the assessment of the RSOP fishery, this issue is not addressed; while it is discussed in the three Barents Sea assessments. In the first of these assessments, the teams concluded that a score as high as 80 score was not warranted, since NGOs were not given any formal consultation rights in the management process. In the third Barents Sea assessment, however, the team gave a score of 90 on this performance indicator, arguing that the meetings of the public chambers set up at federal, fishery basin and regional levels were publicly announced and open to attendance by all interested parties, including NGOs (3.1.2 c). The team concluded, however, that the requirement for scoring 100 was not met. Here the criterion was that the authorities actively encouraged the participation of all interested parties. In other words, the DVN team interpreted the requirements of consultations rights more loosely than the two preceding FCI assessment teams, which had noted that NGOs "are only included [in the management process] to a very limited extent", without "any serious opportunity […] to contribute as an active stakeholder in the management process."[58] As the MSC certification requirements say nothing about the role of NGOs, it is up to the assessment teams to judge on the appropriateness of assessing the role of NGOs in the management process, and whether it is or is not a consideration. One of the peer reviewers of the FIUN report commented that the team's interpretation was too strict, noting that outside Russia, NGOs are seldom given formal consultation rights in fisheries management.[59] Further, the condition applied to the BSCH fishery

respecting this performance indicator was removed at the third surveillance audit, implying that the requirements set by the team were fulfilled. The condition had obliged the client to "[w]ork with the authorities to ensure that all relevant consultation processes are open", and "actively seek and facilitate the participation of all interested parties – including those which may not traditionally have had a role in the consultation process."[60] In the report from the third surveillance audit, it was noted that the client and its suppliers had established good relations with WWF Russia's marine programs at both the federal and regional levels and had supported several of these initiatives, including seminars on sustainable management practices. In the opinion of the assessment team, this was an adequate way of meeting this condition as it might help increase the general legitimacy of the WWF and other environmental NGOs in Russia's fishery management regime.[61] During the second surveillance audit, representatives of WWF Murmansk stated that they felt they were perceived more positively by the region's fisheries management authorities.[62] In sum, the third surveillance audit team concluded that this was about as much as an individual company could do to encourage authorities to take the advice of NGOs more seriously, so the score for this performance indicator was raised to 85.

Table 3 Marine Stewardship Council Principle 3 scores for certified Russian fisheries

	Russian Sea of Okhotsk mid-water trawl walleye pollock (RSOP) fishery	**Barents Sea cod and haddock trawler (BSCH) fishery**	**Fishing Industry Union of the North (FIUN) Barents and Norwegian Seas trawl and longliner cod and haddock fishery**	**Russian Federation Barents Sea trawl cod and haddock (RFCH) fishery**
Governance and policy				
3.1.1 Legal & customary framework	90	95	95	95
3.1.2 Consultations, roles & responsibilities	95	75 (raised to 85 at the third surveillance audit)	75 (no surveillance audits yet)	90
3.1.3 Long-term objectives	100	75 (raised to 100 at the third surveillance audit)	80	100
3.1.4 Incentives for sustainable fishing	85	90	90	90
Fishery-specific management system				
3.2.1 Fishery specific objectives	85	90	90	90
3.2.2 Decision-making processes	75 (no surveillance audits yet)	80	80	80
3.2.3 Compliance and enforcement	85	80	80	100
3.2.4 Research plan	80	90	80	80
3.2.5 Management performance evaluation	70 (no surveillance audits yet)	80	80	80

Note: Scores below 80 are in red.

Another point of disagreement among the assessment teams concerned the interpretation of the long-term objectives of the management system (performance indicator 3.1.3) – in short, whether the overarching goals of Russian fisheries management are consistent with the precautionary approach. A 100 score was awarded for the RSOP fishery, but the justification provided is not

specific. Reference is made to various laws and strategy documents, with their main objectives summed up in general terms, although with specific examples. Among other things, it is stated that the 2004 Federal Fisheries Act "defines key principles for Russian fisheries including priority provisions to conserve aquatic biological resources for human use and to maintain ecosystem health and functioning," and that the "Marine [usually translated as Maritime] Doctrine to 2020" "provides long-term objectives to conserve and manage aquatic biological resources."[63] The BSCH assessment notes that Russia is party to several international agreements that prescribe the use of the precautionary approach and that international agreements entered into by Russia have precedence over formal law. The team questioned, however, whether this was followed in practice and, most importantly, whether the overarching goal set in the Federal Fisheries Act, and other relevant legal acts and strategies, namely the old Soviet formulation "protection and rational use of aquatic biological resources," is in line with the precautionary approach. This approach has often prioritized rational use over protection. The team also refers to the 2009 strategy for the development of the Russian fisheries sector until 2020,[64] which favors economic development above sustainable use. The 2009 Strategy defines as its main objective ensuring social and economic development of the Russian Federation and elevating the country into one of the world's leading fishery nations. A specific goal is to reduce the export of unprocessed fish and to rebuild an economically sustainable fish-processing industry. As the MSC performance indicator includes only a single scoring issue,[65] partial scoring is allowed. (For indicators with several scoring issues, each scoring issue must be awarded a 60, 80 or 100 score, and the average of these becomes the indicator score.) In the judgment of the BSCH assessment team, a score of 75 was justified. The FIUN assessment team raised the score to 80, arguing that "the requirement to protect aquatic biological resources and take the best scientific knowledge into account approaches the requirements of the precautionary approach, although it might arguably lack the extra margin of precaution prescribed by the approach."[66] This formulation was repeated by the RFCH assessment team, although unlike the FIUN team, it concluded that the required objectives were not only explicit in the management system, but also required by it, thus warranting a 100 score. Finally, it should be mentioned that the BSCH fishery was re-scored to 100 on the third surveillance audit. The condition attached to the original 75 score had required that the client "[w]ork with the authorities to clarify how questions of risk and uncertainty are approached in management decision-making" and "[s]trive for such considerations to be given more explicit prominence in future drafts of federal acts or northern basin rules".[67] As with the situation concerning the 3.1.2 condition on consultation rights, the client opted to participate in and provide input to seminars and conferences organized by the Russian fishery authorities, arguing for the explicit introduction of the precautionary approach in Russian legislation. The team again concluded that the client had done what could reasonably be expected from a single company and the condition was removed. In brief, agreement amongst the assessments seems to be settling on a 100 score on this performance indicator, although the FIUN fishery was scored at 80. The indicator will not be re-scored during surveillance audits, since no condition was attached, and "non-condition indicators" are re-scored only if changes occur in stock status, ecosystem effects or the management system in ways that the certifier considers might significantly affect certification. In this case, no changes took place between scoring of the different fisheries; the assessment teams simply ended up on different sides of a very fine line.

Two P3 conditions were invoked for the RSOP fishery on performance indicators where all three Barents Sea fisheries scored above 80 – on 3.2.2 (the decision-making process) and 3.2.5 (review of the management system). These are both in the second part of P3, relating to the fishery-specific management system and not the country's overarching system. On the whole, the Barents Sea fisheries scored better than the RPSO fishery, due to the accomplishments of the Joint Norwegian–Russian Fisheries Commission at the international level. The RPSO fishery is not covered by international management mechanisms to the same extent and the assessment team noted in its justification of the 75 score of performance indicator 3.2.2 that the management system was not sufficiently pro-active and transparent. The following is found in the justification:

> *The team was concerned […] that, although the management system "seemed" to be transparent, at least that the team was told it was by all those questioned, we were not that convinced that the culture of the system in Russia promoted the form of transparency to which one is accustomed in the western, developed (by definition) world.*[68]

The rationale for the 70 score on performance indicator 3.2.5 for the RSOP fishery was the lack of an external review of the management system. All three Barents Sea fisheries obtained an 80 score, justified by the presence of an external review, but not one done on a regular basis, which would have given a 100 score. Although no conditions were applied, there was a considerable discrepancy between the scores on 3.2.3 on compliance and enforcement. The RSOP, BSCH, and FIUN fisheries obtained scores of 85, 80, and 80, respectively, while the RFCH fishery scored 100. The reason for the high score for the latter is that its units of certification operate exclusively within the Norwegian exclusive economic zone (EEZ) and, therefore, are subject to inspection by the Norwegian authorities at sea and in port, rather than the Russian authorities.

Impacts on Management System and Company Behavior

While it is still too early to evaluate whether the MSC certification of the four Russian fisheries will have any effect on fisher behavior or of possible effects on fish stocks and ecosystem, the certification process in general and the post-certification annual surveillance audits in particular provide opportunities for change in client behavior and the management system. The mechanism here is the action plan that the client is to produce following finalization of the draft report before the peer review draft report is drafted. This client action plan is to address all the conditions set by the assessment team relating to performance indicators that scored less than 80, as well as their respective milestones. The client must explain in detail how the concerns raised by the assessment team will be addressed in order to bring the score in question up to at least 80 by the end of the five-year certification period. If action from external actors, such as scientific institutions or government bodies is required, written confirmation from these actors must be attached to the client action plan.

As noted above, eight conditions were raised for the RSOP fishery involving all of the MSC principles. Under P1, the client committed to providing evidence by the fourth year of certification that the fishery's harvest strategy achieve its objectives through an independent evaluation (1.2.1). Written monitoring reports are to be submitted at each annual surveillance audit in order to demonstrate coverage, consistency and accuracy of the records of landings and

of survey activities and document that these are consistent with the harvest strategy and monitored with sufficient frequency to support the harvest control rule (1.2.3). By the first surveillance audit, the client is to commission a review by scientific institutions, both within and external to the Sea of Okhotsk fishery, of the assessment model and its effectiveness in addressing all major sources of uncertainty (1.2.4). Under P2, the client is at each surveillance audit to provide detailed reports and analyses of the date collected on by-catch species, comparing estimates obtained through the recording and reporting of by-catches by independent onboard observers. The report is to also contain an evaluation of discard monitoring (2.2.3). A compilation of all existing data on the diet and foraging behavior of endangered, threatened or protected species is to be completed by the first surveillance audit. If discrepancies are found, the client is to work to raise funding for additional research (2.3.3). A written summary of all ecosystem effects of the fishery is to be provided by the first surveillance audit, with a more detailed summary by the second audit, warranting a re-scoring to 80. As for P3, the client is to commit to compiling the results of all relevant research projects related to the fishery, both past and ongoing, and making them publicly available, including to non-Russian stakeholders, to demonstrate how research has contributed to the basic understanding and sound management of the fishery as regards its long-term conservation and ecosystem impact (3.2.2). Finally, by the second surveillance audit, the client is to have identified and notified the assessment team of potential external reviewers of the management system at large. The external review is to be commissioned by the third surveillance audit and finalized by the fourth audit (3.2.5). The first surveillance audit for this fishery will take place in autumn 2014.

Six conditions were attached to the BSCH fishery. As noted above, four of these had been met by the fourth surveillance audit (forthcoming autumn 2014), indicating that the client complied with its commitments according to the client action plan. The two P1 conditions, related to the harvest control rule and information regarding fishery removals from the stock, were met at the time of the first surveillance audit; whereas the two P3 conditions concerning stakeholder participation and precautionary objectives of the fishery were met at the time of the third surveillance audit. The two remaining conditions, both under P2, require the client to mitigate the risk of increased by-catch (2.1.1 and 2.1.2) and implement a strategy to replace bottom trawls by lighter gear in order to minimize impact on the seabed (2.4.1 and 2.4.2).

At the time of the original assessment, the BSCH client had implemented a code of conduct for its suppliers, requiring vessels delivering fish to the company to commit to compliant behavior. There has already been one instance in which the client cancelled contracts with a vessel that had been arrested by the Norwegian Coast Guard for violating Norwegian fishing regulations. Moreover, the client has taken extra steps, beyond the requirements of the Russian fisheries management authorities, to avoid the discard of “destroyed” fish altogether.

One of the three conditions applied to the FIUN fishery echoes the BSCH condition on stakeholder participation (3.1.2). Provided the client continues along the lines of the BSCH client, involving NGOs in seminars together with fishery authorities, this condition is likely to be met within two or three years. The two other conditions are both under P2, and similar to those of the BSCH fishery. The first surveillance audit for the FIUN fishery is scheduled for autumn 2014.

Conclusions

Certification by the MSC in Russia has been applied to four large-scale fisheries in the Barents Sea (bottom-trawl and longliner cod and haddock fishery) and the Sea of Okhotsk (mid-water trawling for pollock). The clients have varied: two large Soviet-types fisheries associations; one small break-away group of the traditionally largest fishing company in Murmansk; and one trading and sales company based in Hong Kong. The Sea of Okhotsk fishery assessment dragged on for an exceptionally long time, received a large number of stakeholder comments as well as a formal objection and barely met the requirements of certification, with eight conditions attached. The first Barents Sea fishery assessment process was also protracted; received one stakeholder comment and a relatively poor score for a certified fishery, with six attached conditions. The two subsequent fisheries proceeded through the assessment process far more quickly, receiving higher scores, no stakeholder comments and the first of them with three conditions and the last with no conditions.The MSC does not use aggregate scores for an entire assessment – only for the principle level score – but to illustrate the development over time, the RSOP fishery received a total average score of 81.8, the BSCH 82.7, the FIUN 83.7 and the RFCH 91.6.

As to the future, it has been noted that cod and haddock account for around 90 percent of the total catches in the Russian Northern basin. The MSC-certified companies take nearly 60 percent of this catch which is destined primarily for the export market.[69] Thus, there is a significant potential for expanded MSC certification in the Russian Northern basin, although mainly for the remaining catches of cod and haddock. Other species (like saithe, wolfish, and halibut) are taken mainly as by-catch and, unlike cod and haddock, are delivered to the domestic market. The fact that assessment time and scores have improved for each successive assessment in this region, and the costs associated with the assessment presumably reduced, might help to make companies (and other potential clients) more willing to invest in MSC certification. Their decision is likely to depend on the comparative disadvantages they experience in the export market by not being certified. The first certified company, Ocean Trawlers, is at the time of writing (May 2014) in its fourth year of certification. An indication of their perceived market advantage will come when they, in the course of the next year, have to decide whether to seek re-certification.

In the Far East, pollock accounts for far less of the total catch than cod and haddock do in the Northern basin, around one half, and the Sea of Okhotsk fishery accounts for slightly more than half of Russian Far Eastern pollock catches. This leaves a significant proportion of the Russian pollock fishery not certified. However, the hurdles of Sea of Okhotsk assessments and the failure of the two other units of certification lead to a conclusion that further applications for certification will not be immediately forthcoming. Moreover, it is unclear whether the Sea of Okhotsk fishery will manage to fulfill the numerous conditions attached to its certification.

The emergent consensus that the Russian national system for fisheries management fulfills the MSC requirements might encourage more Russian fishing companies to apply for certification. Whether MSC certification will become a transformative force in Russian fisheries management remains to be seen, but it is clear that the MSC process has already had some impact on the procedures and behavior of the certified companies. The emergence of a non-state fisheries management authority in a post-communist economy is in itself a noteworthy development that should be followed closely by researchers and practitioners alike.

[1] See, for example: D. Vogel, *The Market for Virtue: The Potential and Limits of Corporate Social Responsibility* (Washington, DC: Brookings Institution, 2005) and M. Micheletti, A. Føllesdal, and D. Stolle, *Politics, Products, and Markets: Exploring Political Consumerism Past and Present* (New Brunswick: Transaction Publishers, 2004).

[2] See: L.H. Gulbrandsen, *Transnational Environmental Governance: The Emergence and Effects of the Certification of Forests and Fisheries* (Cheltenham: Edward Elgar, 2010).

[3] See the website of the Marine Stewardship Council (MSC) at <www.msc.org>.

[4] Marine Stewardship Council, "World's first sustainable seafood products launched," *MSC News*, 3 March 2000.

[5] Marine Stewardship Council, "Wal-Mart sets 100 percent sustainable fish targets for North America," *MSC News*, 27 January 2006.

[6] Marine Stewardship Council, "MSC in Numbers" (last updated 10 February 2014), on the MSC website, supra note 3.

[7] *Ibid*.

[8] L.H. Gulbrandsen, "Impacts of Nonstate Governance: Lessons from the Certification of Marine Fisheries," in P. Dauvergne, ed., *Handbook of Global Environmental Politics*, (Cheltenham: Edward Elgar, 2nd ed., 2012): 333.

Ibid.

[10] J. Jaquet, D. Pauly, D. Ainly, S. Holt, P. Dayton, and J. Jackson, "Seafood Stewardship in Crisis," *Nature* 467, September 2 (2010): 28-29; S. Ponte, "The Marine Stewardship Council (MSC) and the Making of a Market for 'Sustainable Fish'," *Journal of Agrarian Change* 12, no. 2-3 (2012): 300-315; and Gulbrandsen, supra note 2, at 141-143.

[11] See: M.J. Kaiser and G. Edward-Jones, "The Role of Eco-labelling in Fisheries Management and Conservation," *Conservation Biology* 20, no.2 (2006): 392-398 and L.H. Gulbrandsen, "The Emergence and Effectiveness of the Marine Stewardship Council," *Marine Policy* 33 (2009): 654-660.

[12] Jaquet, *et al*., supra note 10, at 28-29 and Gulbrandsen, supra note 2, at 139-143.

[13] B. Cashore, "Legitimacy and the Privatization of Environmental Governance: How Non-State Market-Driven (NSMD) Governance Systems Gain Rule-Making Authority," *Governance* 15 (2002): 503-529.

[14] One of the authors of this article, Geir Hønneland, has been involved in all Russian assessments to date. All information presented in this article is publicly available in reports on the MSC website, supra note 3.

[15] Food and Agriculture Organization of the United Nations (FAO), *The State of World Fisheries and Aquaculture 2006* (Rome: FAO, 2007).

[16] Food and Agriculture Organization of the United Nations (FAO), *The State of World Fisheries and Aquaculture 2009* (Rome: FAO, 2010).

[17] See the website of the Forest Stewardship Council (FSC) at <ic.fsc.org>.

[18] L.H. Gulbrandsen, "Mark of Sustainability? Challenges for Fishery and Forestry Eco-labeling," *Environment* 47, no. 5 (2005): 8-23.

[19] P. Fowler, and S. Heap, "Bridging Troubled Waters: The Marine Stewardship Council," in *Terms for Endearment: Business, NGOs and Sustainable Development*, J. Bendell, ed., (Sheffield: Greenleaf, 2000): 135–148.

[20] Marine Stewardship Council, "MSC Structures: The Marine Stewardship Council Structure and Governance," 10 June 2000, archived <web.archive.org/web/19990125101405/http://www.msc.org>.

[21] Gulbrandsen, supra note 2, at 120.

[22] Marine Stewardship Council, "Governance Review Commission," 18 January 2001, archived, <web.archive.org/> (on file with authors).

[23] Marine Stewardship Council, "MSC Announces New Governance Structure," *MSC News*, 27 July 2001.

[24] Marine Stewardship Council, "Articles of Association" (London: MSC, 2012), on the MSC website, supra note 3.

[25] See: Fowler and Heap, supra note 19, at 140.

[26] Standards are reviewed using the MSC Standard Setting Procedure, which was adopted in May 2007 and reviewed in 2013. Marine Stewardship Council, "MSC Standard Setting Procedure 3.0" (London: MSC, 2013), on the MSC website, supra note 3.

[27] See: Marine Stewardship Council, "MSC Fishery Certification Requirements, Version 1.3," 14 January 2013 (London: MSC, 2013), on the MSC website, supra note 3.

[28] Food and Agriculture Organization of the United Nations (FAO), "Code of Conduct for Responsible Fisheries" (Rome: FAO, 2005).

[29] Marine Stewardship Council, "How We Meet Best Practice," on the MSC website, supra note 3.

[30] See: B. May, D. Leadbitter, M. Sutton, and M. Weber, "The Marine Stewardship Council (MSC): Background, Rational and Challenges," in B. Phillips, T. Ward, and C. Chaffee, eds., *Eco-labelling in Fisheries: What Is It All About?*, (Oxford: Blackwell, 2003): 19.

[31] The steps that accredited certifiers must take in assessing a fishery against the MSC standard are described in Marine Stewardship Council, "Marine Stewardship Fisheries Certification Methodology Version 6.1," 1 May 2010 (London: MSC, 2010), on the MSC website, supra note 3.

[32] T.J. Ward, "Barriers to Biodiversity Conservation in Marine Fishery Certification," *Fish and Fisheries* 9 (2008): 167-177.

[33] *Ibid*.

[34] Marine Stewardship Council, "Simpler, Faster and More Consistent: MSC Launches New Fisheries Assessment Methodology," *MSC News*, 20 July 2008.

[35] *Ibid*.

[36] Marine Stewardship Council, "Marine Stewardship Council Fisheries Assessment Methodology and Guidance to Certification Bodies" (London: MSC, 2008), on the MSC website, supra note 3.

[37] For an analysis of transparency in the MSC assessment process, see: G. Auld and L.H. Gulbrandsen, "Transparency in Nonstate Certification: Consequences for Accountability and Legitimacy," *Global Environmental Politics* 10, no. 3 (2010): 97-119.

[38] Marine Stewardship Council, "MSC Complaints Procedure," 1 March 2011 (London: MSC, 2011), on the MSC website, supra note 3.

[39] See: C. Christian, D. Ainley, M. Bailey, P. Dayton, J. Hocevar, M. LeVine, J. Nikoloyuk, E. Velarde, R. Werner, and J. Jacquet, "A Review of Formal Objections to Marine Stewardship Council Fisheries Certifications," *Biological Conservation* 161 (2013): 10-17.

[40] *Ibid*.

[41] Jacquet, *et al*., supra note 10. See also: E. Stokstad, "Seafood Eco-Label Grapples With Challenge of Proving Its Impact," *Science* 334, 11 November (2011): 746.

[42] Marine Stewardship Council, "Track a Fishery," on the MSC website, supra note 3.

[43] Jacquet, *et al*., supra note 10, at 28.

[44] Marine Stewardship Council, "MSC Chain of Custody Standard Version 3.0," 15 August 2011 (London: MSC, 2011), on the MSC website, supra note 3.

[45] On the role of stakeholders in the MSC certification process, see: Gulbrandsen, supra note 2, at 129-131.

[46] Jacquet, *et al*., supra note 10 and Christian, *et al*., supra note 39.

[47] See: R. Howes, "Marine Stewardship: Catalysing Change," *Nature* 467, 28 October (2010): 1047. See also: Marine Stewardship Council, "Global Impacts Report 2013: Monitoring and Evaluation" (London: MSC, 2013), on the MSC website, supra note 3.

[48] Federal Fisheries Agency of the Russian Federation, "O vylove vodnykh vioresursov rossiyskimi rybokhozyaystvennymi kompaniyami" ("On the Catch of Aquatic Bio-resources by Russian Fishing Companies"), at <www.fish.gov.ru/presscentre/news/Pages/025884.aspx>.

[49] A unit of certification is determined for every fishery entering the MSC certification assessment process. It consists of three elements: the target stock(s); the fishing method (gear); and the fishing practice pursuing that stock. The third element often indicates the geographical area where the fishery takes place. A client will often seek certification of fishery for different stocks and/or different fishing gears, so one fishery may include several

units of certification, which have to be assessed separately. Three of the four certified Russian fisheries contain more than one unit of certification.

[50] "Russian Sea of Okhotsk Mid-water Trawl Walleye Pollock (Theragra chalcogramma) Fishery: Public Certification Report" (Derby: Intertek Moody Marine, 2013). All the information on the RSOP fishery is taken from this Report. Stakeholder comments and decisions from the independent adjudicators are also included in the Report. References are provided only for direct quotations.

[51] To enhance readability, the MSC terminology is not used on all occasions, for example, the more precise term would be "unit of certification."

[52] "MSC Sustainable Fisheries Certification: The Barents Sea Cod & Haddock Fisheries" (Inverness: Food Certification International, 2010). All the information on the BSCH fishery is taken from this Report, as well, stakeholder comments are in the Report. References are provided only for direct quotations.

[53] "MSC Sustainable Fisheries Certification: FIUN Barents & Norwegian Seas Cod and Haddock Fishery" (Inverness: Food Certification International, 2013). All the information on the FIUN fishery is taken from this Report. Stakeholder comments are also included in the Report. References are provided only for direct quotations.

[54] "MSC Fishery Assessment Report: Russian Federation Barents Sea Cod and Haddock" (Høvik: DVN, 2014). All the information on the RFCH fishery is taken from this Report, Stakeholder comments are also included in the Report. References are provided only for direct quotations.

[55] *Protokoll for den 38. sesjon i Den blandete norsk–russiske fiskerikommisjon* [Protocol for the 38th Session of the Joint Norwegian–Russian Fisheries Commission] (Oslo: Ministry of Fisheries, 2009).

[56] *Ibid.*

[57] *ICES Advice 2010, Book 3: The Barents and the Norwegian Sea* (Copenhagen: International Council for the Exploration of the Sea, 2010).

[58] "FIUN Public Certification Report," supra note 53, at 182.

[59] See *ibid.*, at 212.

[60] "BSCH Public Certification Report," supra note 52, at 66.

[61] "MSC Sustainable Fisheries Certification: Off-Site Surveillance Visit – Report for Barents Sea Cod and Haddock Barents Sea Fishery" (Inverness: Food Certification International, 2013).

[62] "MSC Sustainable Fisheries Certification: On-Site Surveillance Visit – Report for Barents Sea Cod and Haddock Barents Sea Fishery" (Inverness: Food Certification International, 2012).

[63] "RSOP Public Certification Report," supra note 50, at 218.

[64] *Kontseptsiya razvitiya rybolovstva v Rossiyskoy Federatsii do 2020 goda* [Concept for the Development of Fisheries in the Russian Federation until 2020 (Moscow: Federal Fisheries Agency, 2009).

[65] "Scoring issues" are the elements of the individual performance indicator, all of which are scored towards the scoring guideposts 60, 80 and 100.

[66] FIUN Public Certification Report, supra note 53, at 185.

[67] BSCH Public Certification Report, supra note 52, at 66.

[68] RSOP Public Certification Report, supra note 50, at 225.

[69] This figure is proximate, based on information provided in the assessment reports for 2011-2012.