

Marine Eco Label – Japan Fisheries Management Standard (Version 2.0)

Preface

Japan is rich in one of the world's highest levels of biodiversity, including approximately 3,700 marine fish species (25% of the 15,000 known in the world), of which a wide variety are targeted for fisheries¹. There are also a large number of fishers in Japan, and the proportion of small-scale fishers is particularly high. For hundreds of years, fishers in Japan have belonged to local fishing communities and/or wider-area fisheries management organization. Based on the basic philosophy of stock management by the stock users themselves, fishers have developed realistic stock management practices that comply with the local and regional needs. In coastal areas in particular, as observed in the words describing the notion of *Iso-wa jitsuki, oki-wa iriai* (Literally translated into as “Inshore areas are to be managed by local communities, while offshore areas are for communal use”), a mechanism was established to the effect that the coastal area was used by local fishers only and offshore area was used by many fishers commonly. In this way, the base of current fisheries stock management system of Japan was formed. This effectively explains why high levels of biodiversity and productivity have been simultaneously maintained through integrated co-management. This type of co-management is often referred to as “*satoumi*”, where stocks are managed not individually without regard for other factors, but rather based on consideration of the surrounding environment, people's livelihoods, ecosystems and material cycles that extend from the mountain to the sea.

The Fishery Act and the Act on the Protection of Fishery Resources provide a more structured and legally mandated fisheries management system, which limits access through systems for the allocation of fishery rights and fishery licenses. These types of access controls have been reinforced by the more recent introduction of a total allowable catch (TAC) system, which is designed to ensure the conservation and management of stock by setting upper limits on catch. It is further complemented by measures such as total allowable effort (TAE), which provides the basis for establishing upper limits on fishing effort. The TAC system was introduced in accordance with the Act on Preservation and Control of Living Marine Resources, which was enacted following Japan's ratification of the United Nations Convention on

¹ Mitsutaku Makino (2013) Analysis of Japanese Fisheries Systems: Fisheries Management and Ecosystem Conservation (In Japanese), Koseisha-Koseikaku

the Law of the Sea in 1996. As part of the measures to ensure a stable supply of marine products, the Fisheries Basic Act, which was enacted in 2001, and the Fisheries Basic Plan, which was formulated under the Act, stipulate that catch volume and fishing effort should be managed in order to appropriately conserve and manage fishery stocks, while promoting aquaculture and the enhancement of aquatic animals and plants as well as conserving and improving their habitats. To this end, science-based stock assessment has been conducted by joint collaboration between national and prefectural research institutes and laboratories. The data collected and compiled from these different types of research and surveys are approved by committees comprised of Fisheries Agency officials and other relevant stakeholders and the catch volume and fishing effort are monitored based on the results of the stock assessment. In addition, a new on-the-ground measure for the sustainable use of the fisheries stocks has been in place since FY 2011, according to which the national and prefectural governments prepare Stock Management Policies and fishers develop and implement Stock Management Plans based on these policies. This management measure encompasses a series of existing public rules and regulations, stock recovery plans as well as voluntary stock management efforts at local levels, and covers all types of Japanese fisheries ranging from coastal to offshore and pelagic. As of the end of March 2017, over 1,930 stock management plans have been developed and implemented across Japan.

With regard to fish farming that has been promoted to supplement or sustain the recruitment of fishery stocks, the Coastal Fisheries Grounds Enhancement and Development Program Act stipulates that the national and prefectural governments must work together to promote fish farming by improving and optimizing management of the surrounding environment, including fishing grounds and facilities to raise seed production, while fishers themselves should manage monitoring activities of the target stock including assessing the impact of stocking. The Fisheries Basic Act also sets forth that the national government is responsible for promoting the seed production and release of larval fish as well as other necessary measures in a systematic manner, in consideration of harmony with the environment. Furthermore, the National Biodiversity Strategy of Japan 2012-2020 formulated under the Basic Act on Biodiversity highlights that, in addition to promoting fisheries with due regard for biodiversity and the entire ecosystem, the government shall promote enhancement activities in consideration of harmony with the environment and ecosystems when formulating stocking plans, and producing seedlings and releasing larval fish, by

taking into consideration the impacts on genetic diversity and the impacts on each subpopulation.

Marine Eco-Label Japan (MEL) has its main objective to evaluate the active effort made by fishers toward sustainable use and ecosystem-based fisheries stock management and the management of MEL is conducted taking into account the natural conditions and social and historical background of Japanese fisheries as well as the trend of policies of relevant laws and regulations. At the same time, MEL aims to become a pioneer with regard to fisheries certification schemes in Asia, as well as in developing countries located in the lower to mid latitudes, where – as in Japan – the livelihoods of large number of small-scale subsistence fishers are based on diverse fishery stocks.

MEL is a fisheries certification scheme operated by the Marine Eco-Label Japan Council (MEL Council). The scheme consists of a set of two complementary standards, namely the MEL Fisheries Certification Standard (hereafter, “the Standard”) and MEL Chain of Custody (CoC) Standard. These standards describe a desirable form as a requirement to practice appropriate fisheries management. Specific requirements for the assessment of fisheries shall be described in separate assessment guidelines and requirements for certification bodies. The certification assessment of MEL is done by the third party accredited by ISO/IEC 17065:2012, and the accreditation body should be a member of the International Accreditation Forum (IAF) in order to enhance its international credibility in terms of auditor competence and transparency. MEL, in conducting evaluation and assessment of fishers’ effort, shall be based *inter alia* on the Code of Conduct for Responsible Fisheries adopted by General Meeting of FAO in 1995, the FAO Guidelines for the Eco-labelling of Fish and Fishery Products from Marine Capture Fisheries adopted in 2005 and amended/extended in 2009, as well as the FAO Guidelines for the Eco-labelling of Fish and Fishery Products from Inland Fisheries adopted in 2011, and sets requirements classified within the following three key areas:

1. Requirements regarding fisheries management system (Fisheries should be operated under an established and effective management system),
2. Requirements regarding target stock (Stock under consideration should be maintained at a level that allows its sustainable utilization), and
3. Requirements regarding consideration for ecosystem (Appropriate measures

should be taken for the conservation of the ecosystem).

MEL applies following principles and philosophy in the FAO Guidelines for the Eco-labelling of Fish and Fishery Products from Marine and Inland Capture Fisheries adopted in 2009 and 2011, respectively,

- Be based on the best scientific evidence available, also considering traditional knowledge of the stocks on the side of fishers as part of the evidence, provided that the validity of such knowledge can be objectively verified².
- Be applicable to small-scale fisheries. Management systems can differ substantially for different types and scales of fisheries (e.g. small scale through to large scale commercial fisheries). Taking due account of the availability of data in small-scale fisheries, a past record of good management performance could be considered as supporting evidence of the adequacy of the management measures and the management system. However, it should be noted that, to the extent that the application of less elaborate methods for stock assessment results in greater uncertainty about the state of the “stock under consideration”, more precautionary approaches to managing fisheries on such stocks should be required.
- In the absence of specific information on the “stock under consideration”, generic evidence based on similar stocks can be used for fisheries with low risk to that “stock under consideration”. However, the greater the risk the more specific evidence is necessary.

The Japanese and English versions of the Standard are equally authentic. The Standard shall be reviewed at least once every five years to ensure its continued relevance and effectiveness. The Standard can be reviewed in a timely manner, as needed, when revisions are made to the FAO Guidelines, the national government’s Fisheries Basic Plan or other relevant legal mandates.

Normative Reference

The normative documents of this Standard makes reference to the latest versions of the following:

² GSSI Benchmark Tool (Version 1), page 289

- FAO Code of Conduct for Responsible Fisheries
- FAO Guidelines for the Ecolabelling of Fish and Fishery Products from Marine Capture Fisheries (Revision 1)
- FAO Guidelines for the Ecolabelling of Fish and Fishery Products from Inland Capture Fisheries
- GSSI Global Benchmark Tool (Version 1)
- 1982 United Nations Convention on the Law of the Sea
- World Trade Organization (WTO) Technical Barriers to Trade (TBT)
- Agreement Annex 3 Code of Good Practice for the Preparation, Adoption and Application of Standards
- ISO/IEC Guide 59:1994 Code of good practice for standardization
- ISO/IEC 17065:2012 Conformity assessment - Requirements for bodies certifying products, processes and services
- ISO/IEC 17067:2013 Conformity assessment - Fundamentals of product certification and guidelines for product certification schemes

Scope and Unit of Certification

The “scope for certification” based on this Standard is defined as fisheries operated legally in accordance with such applicable Japanese laws and regulations as fishery license or permission issued by national or prefectural governments.

The “unit of certification” is a fishery that specifies its target stocks and fishing methods under a single set of management rules. (Note: Seafood produced by fisheries certified by this Standard is subject to the MEL CoC Standard separately provided.)

1. Requirements on fisheries management system

(The unit of certification shall be operated under an established and effective management system)

1.1 Acquisition of Fishery Rights and Licenses

1.1.1 The unit of certification should be operated legally in accordance with national legislation, such as acquiring fishery license and permission necessary for operating the fisheries from the competent authority (i.e. national or prefectural governments).

1.1.2 There should be an established management organization and system in order to manage the the unit of certification.

1.1.3 There should be knowledge and documentation of the current state of the unit of certification; this includes the following:

- (i) Outline of the unit of certification
- (ii) Fishing gear and fishing methods
- (iii) Catch volume and fishing effort
- (iv) Type of business and its business condition

1.2 Compliance with regulations and arrangements regarding the unit of certifiocatiion and the stock

1.2.1 The unit of certification should be conducted in compliance with regulations and arrangements set by national and local governments following effective and suitable monitoring, surveillance, control and enforcement activities.

1.2.2 A Resource Management Plan for the unit of certification and the stock under consideration shall be developed by fishers in accordance with a Resource Management Policy developed by national and local governments that includes management objectives and measures based on the best scientific evidence available. Alternatively, an equally effective management system that enables compliance with stock management measures shall be established. The state of implementation of the Resource Management Plan (or equivalent) shall be monitored and verified.

1.2.3 Decision-making process for the management of the unit of certifiocation shall be transparent and ensuring participation of relevant stakeholders including related fishers, scientists and the government.

1.2.4 There shall be a cooperative stock management system (organization) in the regions where the stock under consideration is utilized or in more extensive areas. If the stock under consideration is managed at the international level, for instance in the case of transboundary fish stock, straddling fish stock, highly migratory fish stock or high seas fish stock, there shall be in

compliance with stock management measures set by the competent management authorities.

- 1.2.5 For cases in which releasing of the seedlings of stock under consideration is undertaken, plans for releasing of the seedlings shall be developed and implemented based on consultation between the national or local government and fishers and other relevant stakeholders.
- 1.2.6 Taking due account of various uncertainty inherent in fisheries stocks, ecosystem and stock management, precautional fisheries management is undertaken. There shall be a mechanism to change and improve management measures in an adaptive manner depending on the status of the stock under consideration and of the ecosystem.
- 1.2.7 When there are other activities than the fisheries in the same waters where the unit of certification operates, there shall be continuous dialogue among stakeholders about the effectiveness of management measures and a corresponding record of this dialogue shall be maintained.
- 1.2.8 Information including things such as management systems (organization) and fishers' initiatives shall be made available to all, including non-fishers.

2. Requirements on the stock under consideration

(Stock under consideration is maintained at a level that allows its sustainable utilization)

- 2.1 Biological data and information about the stock under consideration covering the following factors shall be collected and maintained:
 - (i) Distribution and migration
 - (ii) Age, growth and life expectancy
 - (iii) Maturity and spawning
- 2.2 Data and information based on the best scientific evidence available shall be collected and maintained in order to assess the current status and trends of the stock under consideration.

- 2.3 The assessment of the current status and trends of the stock under consideration shall take into account the total fishing mortality caused by other activities than fisheries utilizing the stock within the distribution area of the stock under consideration, as well as resilience of the stock.
- 2.4 The assessment of the current status and trends of the stock under consideration shall be conducted based on the data and information collected, and management decisions shall be made accordingly taking into account the assessment results. The methodology and results of the assessment shall be made publicly available in a timely manner.
- 2.5 There shall be publicly-defined target³ and limit⁴ reference points, or proxies for the stock under consideration set on the basis of the best scientific evidence available, in order to maintain or recover the stock at levels consistent with achieving Maximum Sustainable Yields (MSY) or a suitable proxy.
- 2.6 In applicable cases, the total allowable catch (TAC) system shall be complied by the unit of certification..
- 2.7 The stock under consideration is not overfished. In the event that the status of the stock drops below levels at which remedial actions should be undertaken, necessary measures shall be implemented in a timely manner in order to avoid recruitment overfishing (or other impacts that are likely to be irreversible or very slowly reversible).

**3. Requirements related to consideration for the ecosystem
(Appropriate measures are implemented for the conservation of the ecosystem)**

3.1 Establishment of stock management system that takes the ecosystem into consideration

³ a desired level of the stock to be maintained

⁴ a level below which the stock should not fall / a level beyond which the state of the stock is not considered desirable

3.1.1 Data and/or other information based on the best scientific evidence available covering the following factors shall be collected and maintained in order to assess the impacts of the unit of certification on non-target stocks and ecosystem:

- (i) Catches and discards of non-target stocks
- (ii) Impacts of the unit of certification on endangered species, and efforts to conserve and protect those species as well as to avoid by-catch of those species.
- (iii) Information on essential habitats for the stock under consideration (e.g. spawning areas and nursery)
- (iv) Impacts of fishing gear used by the unit of certification on ecosystem (including the seabed)
- (v) Prey-predator relationship of the stock under consideration in the food-web
- (vi) Balance of whole ecosystem (i.e. whether there is any severe disturbance by the unit of certification on ecosystem)

3.1.2 The fishery of which the unit of certification is a part shall be operated in ways to minimize adverse impacts on non-target stocks and ecosystem, taking into account the assessment results of above 3.1.1 (i) to (vi).

3.1.3 Applicants shall contribute to conserving environment which covers fishing ground and habitat of the stock under consideration.

3.2 Consideration of ecosystem in fish farming and propagation

3.2.1 Production and release of artificial seedlings shall be conducted with due regard for the maintenance of the species characteristics and genetic diversity.

3.2.2 Management objectives shall be developed to maintain the natural reproductive stock components of the stock under consideration at a sustainable level, and management measures shall be implemented that are consistent with achieving these management objectives.

3.2.3 There shall be continuous monitoring of the state of the stock under consideration and its habitat, and measures shall be implemented in order to avoid significant adverse impacts of enhancement activities on the natural reproductive stock components of the stock under consideration and ecosystem.

Annex I Definition of Terms

Fishing Effort

The volume of effort employed for fishing activity, such as the number of fishing vessels, the duration (days) of fishing operation, the number of fishing gears and duration (hours) of net-towing, etc.

Stocks under International Management

- **Transboundary stock**

Fish stocks distributing and migrating over the exclusive economic zones of two or more countries

- **Straddling stock**

Fish stocks distributing and migrating over the high seas and the exclusive economic zone

- **Highly migratory fish stock**

Fish stocks with high swimming capacity migrating not only within or outside of the exclusive economic zone and the high seas, but also throughout the whole ocean

Maximum Sustainable Yield (MSY)

The largest catch or yield that can be allowed continuous yield from the stock under existing biological or non-biological environmental conditions

Reference Point

- **Target reference point**

The benchmark that is set as a level of stock for fishery to be maintained over the long term, corresponding to the state of stocks and fishery

- **Limit reference point**

The benchmark that enforces the management to take some measure to promote recovery of the stock, in cases where the stock falls below the biological limits or there are risks to fall below the biological limits

Total Allowable Catch (TAC)

In order to manage the target stock, the annual upper limit of harvest level shall be set and distributed to the related fishers.

Recruitment Overfishing

The situation in which the stock for next generation is neither nor used sustainably due to strong pressure of capture fisheries before coming to maturity. The capture fisheries causing recruitment overfishing is called “overfishing”.

Disturbance of Ecosystem

The extensive and long-term change of structure of biotic community caused by the change of surrounding environment stemming out of natural and/or artificial phenomenon.

Bibliography:

- Fisheries Handbook: Completely Revised (2012)
- Fisheries Stock Assessment in the neighboring waters of Japan FY 2016 (2016)
- SH”U”N Glossary of Project (<http://sh-u-n.fra.go.jp/dictionary/>)
- Fisheries Stock Management-Sustainable use of fisheries stocks and its Management- by Eiji Tanaka (2016)