

Mr. Michiel Fransen
Head of Standards and Science
Aquaculture Stewardship Council

CC: Mr. Chris Ninnnes, CEO, ASC
Van Roetert, Head of Programme Assurance
Javier Unibazo, Standard Coordinator
Petter Arnesen, Technical Advisory Group, Chair
Scott Nichols, ASC Supervisory Board, Chair

30 March 2020

Dear Mr. Fransen,

We understand the ASC is currently revising the Variance Request (VR) procedure. We welcome the revision for its potential to rectify stakeholder concerns with the procedure, in particular, the exclusion of local stakeholders from the current VR approval process. Given that variances can represent significant departures from or changes to standard criteria, we strongly urge the ASC to incorporate stakeholder consultation in the VR procedure.

The ASC certification scheme's social licence was built through its inclusive Aquaculture Dialogues. The ASC standards were established, and criteria agreed upon, through exhaustive multi-stakeholder roundtables and vetted through public consultations.

In contrast to this inclusive and consultative approach, we recognize that the ASC has been using the variance procedure to allow for the adaptation of its criteria to local conditions. We disagree with this approach as we believe such fundamental and significant changes, including the regionalization of standard criteria, belong in a standard operational review process which would be subjected to stakeholder review. However, given ASC's apparent intentions to allow regionalization of criteria via the variance procedure, we argue that any changes to the standard criteria by the way of variances should be subjected to the same inclusivity, deliberation, scrutiny and diverse input as were the original standards and criteria.

The requirement for stakeholder input in the VR procedure is supported by provisions in ISEAL. While adapting a global standard to local context as a concept is allowed under the ISEAL Assurance Code, ASC as an ISEAL member is also obliged to meet ISEAL's Standard Setting Code, 6.4 Local Applicability, which states:

Desired Outcome: The standard is relevant in the local contexts where it is applied, based in part on input from local stakeholders

Requirement: 6.4.2. Alternatively, where national or regional standards are prepared by the standard-setting organisation as interpretations of international standards, these shall be developed through multi-stakeholder processes.

Guidance: These multi-stakeholder processes do not need to be as extensive as the processes for developing international standards since this is a matter of interpreting an existing standard. However, appropriate opportunities for stakeholders to provide input to the process are necessary.

The lack of opportunity for stakeholder input to the VR procedure to date has resulted in several problematic variances being approved (e.g. B.C. sea lice and ABM, Macquarie Harbour benthic monitoring). These variances are examples of how the current VR process can lead to varied criteria that fail to meet the intent of the standard. We contend that, had local stakeholder input been sought, a better informed and more appropriate decision would have been made regarding whether these variances were appropriate, scientifically justifiable and in line with the intent of ASC's standard.

We also point out that ASC's own assurance partner, Assurance Services International (ASI), stated that ASC-approved variances which substantially changed a standard requirement are "probably putting at risk the program integrity" and recommended where "a VR changes the original intent of the Standard it is recommended that this should not be possible without public consultation and stakeholders review" ([COMP201612207](#) ASI 2018).

An inclusive VR procedure would give affected stakeholders the opportunity to raise any points of disagreement and to submit counter evidence, add references to relevant material not included in the VR and/or challenge a pending or approved VR. Doing so would help to ensure that the ASC is fulfilling its ISEAL obligations, following ASI's recommendation and addressing the longstanding concern of stakeholders that the exclusive VR procedure is threatening the credibility of the ASC label and undermining 'on the water' improvements.

We strongly urge the ASC to amend its proposed revision to the VR procedure to include local stakeholder consultation as an essential element.

Sincerely,

Karen Wristen
Executive Director
Living Oceans Society

Scott Wallace
Senior Research Scientist
David Suzuki Foundation

Shannon Arnold
Senior Marine Program Coordinator
Ecology Action Centre

Liane Veitch
National Manager
SeaChoice

Jonathan Carr
Vice President, Research and Environment
Atlantic Salmon Foundation

Adrian Meder
Sustainable Seafood Program Manager
Australian Marine Conservation Society

Juan Carlos Cardenas N
Veterinary/Executive Director
Centro Ecológico-Chile

Dan Lewis
Executive Director
Clayoquot Action

Laura Kelly
Strategy Director
Environment Tasmania

Christianne Wilhelmson
Executive Director
Georgia Strait Alliance

Sarah King
Head of Oceans and Plastics Campaign
Greenpeace Canada

Alexandra Morton
Director/Researcher
Pacific Coast Wild Salmon Society

Peter McGlone
Director
Tasmanian Conservation Trust

Christine Coughanowr
Independent scientist and Churchill Fellow
Tasmanian Independent Science Council

Stan Proboszcz
Science and Campaign Advisor
Watershed Watch Salmon Society

Tony Allard
Chair
Wild Salmon Forever