



Control Union (UK) Limited

Jeong Il Corp. Antarctic krill fishery

MSC Variation Request

1 Marine Stewardship Council variation request

Table 1 – Variation request

1	Date submitted to MSC
	9 th September 2020
2	CAB
	Control Union (UK) Limited
3	Fishery name and certificate number or CoC certificate number
	Jeong II Corp. Antarctic krill fishery – in assessment
4	Lead auditor or program manager
	Henry Ernst
5	Request prepared by
	Henry Ernst
6	Scheme requirement(s) for which variation requested
	FCP v2.1 or v2.2 - 7.16 / G7.16 Site Visit: Team Attendance and September 2020 Covid-19 Pandemic Derogation – Requirements and Guidance - 1.3.2 – Submit a variation Request (as per GCR 4.12) to the MSC to conduct initial assessments remotely.
7	How many times has a variation for this requirement been accepted for the same assessment of the same fishery?
	This is the first variation request submitted for this fishery.

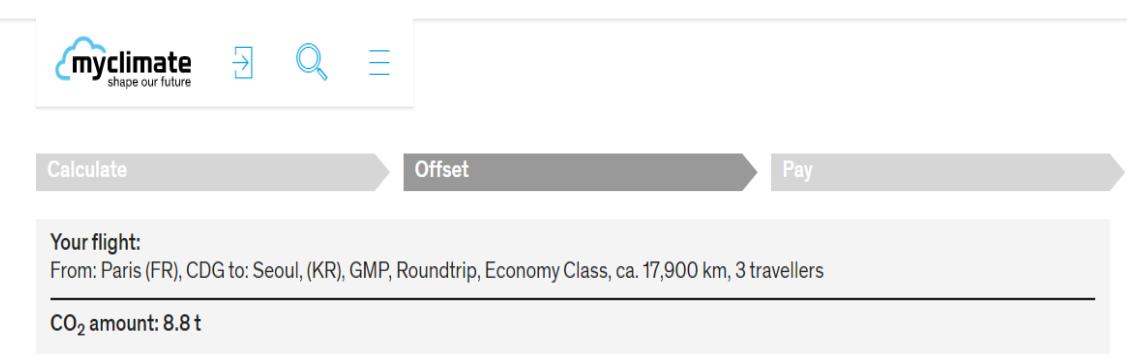
Table 1 – Variation justification

1	Proposed variation	
	The CAB proposes that the site visit for this fishery be conducted remotely, as opposed to conducting an on-site visit in the Republic of Korea.	
2	Additional time requested	
	Original deadline date	NA
	Modified deadline date requested	NA
	Length of additional time requested	NA
3	Justification	
	<p>In response to COVID-19, the MSC instated a derogation to ensure that site visits planned between the 27th March to 27th September 2020, could be held remotely.</p> <p>The updated MSC Covid-19 Pandemic Derogation (effective 28th September 2020) states that “initial assessments and audits that are to be completed without an on-site visit will require CABs to submit a variation request and risk assessment for approval” and that “If national or local Covid-19 restrictions prevent Conformity Assessment Bodies (CABs), assessors or certificate holders from carrying out on-site audits and assessments of already certified businesses, these may be undertaken remotely.”</p> <p>This fishery will be announced the same day this Variation Request is submitted to the MSC.</p> <p>Considering the above information, the justification for conducting a remote site visit as part of this assessment are as follows:</p> <p><u>Travel Restrictions:</u> The fishery takes place in CCAMLR waters, but is based in the Republic of Korea (Busan). At the time of writing, visa exemptions have been suspended for Schengen nationals and United Kingdom nationals, passengers are subject to quarantine for 14 days upon arrival and to a PCR test for COVID-19 (https://www.iatatravelcentre.com/world.php). Further, those entering from abroad are not permitted to board domestic connecting flights (from Seoul to Busan for example) until completing the government-mandated quarantine.</p> <p>Four out of five team members for this assessment are based in Europe. This specific team has been selected because CU UK believes they are the well qualified, experienced assessors in their respective disciplines, and are in the best position to conduct this full assessment. It has been made clear to the client that as a result of the team being principally Europe-based, costs would be incurred. The issue of cost of sending an assessment team to Korea is not what CU UK wishes to submit a VR for. Rather the unreasonable inconvenience lies in the uncertainty surrounding the COVID-19 pandemic over the coming months. While the Republic of Korea has responded exceedingly well to the first COVID-19 “wave” (outbreak), the second wave of August 2020 demonstrated the unpredictability of outbreaks rapidly developing and as stated above, entry requirements for foreign nationals are still extremely strict.</p>	

	<p><u>Safety:</u> CU UK wishes to mitigate health risk to the assessment team . As such, this variation is requested due to the health concerns of sending certain members of the full assessment team to Korea. CU UK therefore request an off-site initial audit, with one team member (already based in the Republic of Korea) attending the meetings in person while the rest of the team attends remotely.</p> <p>CU UK believes the assessment would not be adversely affected by some team members participating remotely.</p> <p>The client has made it clear that the intention is to proceed with this assessment after having reviewed the ACDR. The main information gap identified in the ACDR pertains to Korean fisheries management, with compliance and enforcement, and management system reviews being key areas CU UK wishes to look into further.</p> <p>For Principle 1 (assessor offsite), all information on the management of the stock is available through CCAMLR, and in December, the Principle 1 expert, Dr. Julian Addison met with a Norwegian participant to the Acoustics, Survey, and Analysis Methods (ASAM) meeting which reviewed the estimation of stock biomass from the 2019 synoptic survey, the Norwegian scientist who coordinated the multinational 2019 survey, and the Norwegian Ministry representative at the CCAMLR Commission meeting. As such, the information on the stock and its management has already been collected and assessed. The Republic of Korea representative (contact details here https://www.ccamlr.org/en/organisation/members) will be contacted, and Julian's remote attendance (through a teleconference platform) will ensure the Korean delegation's input will be heard and included in the assessment.</p> <p>For Principle 2 (assessor offsite), the vast majority of the information required is available from published reports, which the team has already reviewed. Some specific questions to the client remain, though these can all be answered remotely. A detailed list of questions will be sent to the client when the fishery is announced.</p> <p>For Principle 3 (International Jurisdiction assessor offsite), all information relevant to the MSC assessment on CCAMLR-level management has been obtained remotely. Further information is required to finalise scoring on the Korean management framework for which the P3 assessor will be onsite. Specifically, documented evidence of compliance in the fishery, further clarity on the decision making processes within Korean management and the mechanisms in place to monitor distant water fisheries. This outstanding information is related to the Korean management system only and therefore a Korean site visit where the client and management authorities are based is proposed. As such, a site visit held in Korea would provide the opportunity for various stakeholders to meet in person with the National Principle 3 expert (Dr. Cho).</p> <p>Another reason that Korea has been selected as the preferred location for the site visit is to allow the team leader to visit the site where the catch is landed in the Republic of Korea (Busan) to gather further information on the traceability processes at landing and determine where the first point of sale lies for the UoA catch.</p> <p>CU UK would like to highlight that we have conducted remote full assessments without issue during the period of the first COVID-19 derogation, and there is no reason to believe that full assessments could not be carried out this way during the second derogation.</p>
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4 If a fishery assessment, implications for assessment

Keeping most of the team off-site will not have any implications for the timeline of the assessment. In terms of information collection and stakeholder facilitation, CU UK believes the solution outlined above allows for a high level of stakeholder interaction without jeopardising the ability of the team to collect the

	information needed. A potential issue could be the language barrier between the stakeholders and the team, a resolution for this is provided below.
5	If a fishery assessment, mitigation of the implication for assessment
	<p>Dr. Cho, responsible for the assessment of the Republic of Korea's management system speaks both English and Korean, and will facilitate communication between stakeholders, the client, and the team throughout the site visit. In addition in order to allow Dr. Cho to focus on the assessment of the fishery rather than translation, an additional translator (selected by CU UK – most likely a member of Control Union Korea) will participate in meetings during the site visit.</p> <p>To ensure that the site visit runs smoothly, all required attendees can attend and provide the adequate data, the Team Leader has already begun planning for the site visit agenda by contacting multiple stakeholders to ensure that they will be able to attend. Some discussions have begun to form an agenda for the meetings to fulfil the information gaps. The team will ensure that a wide range of well-informed and very relevant stakeholders at the site visit will ensure that the data gaps and potential issues in the fishery have been fully assessed.</p>
6	If a fishery assessment, how many conditions does the fishery have and will their progress be affected (positive or negative)?
	This is the initial full assessment for this fishery, no conditions have been raised at this stage.
7	What is the status of the current assessment?
	The Announcement Comment Draft Report will be published on the same day this VR is submitted. As such, the site visit will likely be held in early or mid- November 2020.
8	Further comments
	<p>The carbon footprint of sending a full assessment team should be mentioned (https://co2.myclimate.org/en/portfolios?calculation_id=3396646). Flights for the entire assessment team to and from Korea (Paris was chosen because two of the assessors live in France – the figure below does not include the carbon cost of the team's travel to and from Paris) exceed the average amount generated by a single person in the EU over a year. The figure below should be multiplied by four in the case of a full team being sent out.</p>  <p>The screenshot shows the myclimate website interface. At the top, there is a navigation bar with icons for user profile, search, and menu. Below the navigation, there is a progress bar with three steps: 'Calculate', 'Offset', and 'Pay'. Underneath the progress bar, a section titled 'Your flight:' displays the following information: 'From: Paris (FR), CDG to: Seoul, (KR), GMP, Roundtrip, Economy Class, ca. 17,900 km, 3 travellers'. Below this, it shows 'CO₂ amount: 8.8 t'.</p>

	<p>My carbon footprint</p> <p>My flight</p>  <p>8.8 t CO₂</p> <p>In order to stop climate change, this is the maximum amount of CO₂ that can be generated by a single person in a year</p>  <p>0.600 t CO₂</p> <p>This is the average annual amount of CO₂ generated by a single person in the EU.</p>  <p>8.4 t CO₂</p> <p>The MSC require a risk assessment to be attached to this VR – it has been provided as an appendix.</p>
9	If applicable, additional information added after MSC's request

2 Appendix 1 – Risk assessment

Table 1 Key risks and mitigation explained. Key risks are identified by using the MSC's September 2020 Covid-19 Pandemic Derogation – Requirements and guidance (Table 1).

Key Risks	Risks and mitigation explained
Ability to verify information remotely	<p>As per Table G1:</p> <ul style="list-style-type: none"> - Client and stakeholder input: the ability to verify information remotely is low risks as there will be multiple opportunities to engage with the client and stakeholders and videoconferencing, phone conferencing, email and phone. This has been successfully conducted for several CU UK assessments in the past. - Fishery reports, government documents, stock assessment reports and/or other relevant reports: The majority of the data required has been publicly available e.g. via websites. Remote access is available to documents. Whilst there has been difficulty in accessing some documents e.g. compliance reports for the fishery, latest logbooks, and these data are not publicly available, therefore, the ‘owners’ of these information gaps have been invited to the site visit and the assessment team acknowledge that these are priority information gaps to be fulfilled. Therefore, this is low risk. - All information related to determine P1 and P2 (including VMS data, observer data, logbooks, fisher interviews, dockside monitoring) can be transferred electronically and easily interpreted. The exception to this at the moment is specific gear descriptions from the client, this is being dealt with leading up to and at the site visit. Therefore, this is low risk. - 3.1.1 in the ACDR considers there to be a good level of transparency in management, whereby information on the fishery is widely and publicly available or known to the wider group of stakeholders. There are some information gaps related to management, especially regarding Korea-specific management, details of compliance and evidence of controls, and therefore, the Fisheries Monitoring Center (FMC), responsible for Monitoring, Control and Surveillance activities are identified as a key stakeholder in the site visit to gather data on these issues. Low risk. - While assessing the physical aspects of the fishery would be worthwhile, these vessels operate in the Southern Ocean, and tranship their catch and it is likely that vessel inspection would be difficult to conduct under the current circumstances. The team will rely on the client to provide gear descriptions and a description of the processes that take place on the vessels during fishing operations. The Association for Professional Observer (APO) has been identified as a key stakeholder group to involve in order to validate client information and to provide a full picture of processes on board. Medium risk.
Ability to engage with stakeholders, deliver a robust stakeholder consultation process and conduct interviews with stakeholders. Please refer to FCP 4.2, GFCP 4.2, and 7.16.	Our local expert, Dr. Cho, provided significant input to the stakeholder list. Where the original stakeholder list had any email addresses that were invalid, with the help of Dr. Cho, the assessment team sought more up-to-date email. As per FCP, the assessment will provide multiple opportunities in the assessment process. The site visit offers opportunities for stakeholders to speak with the assessment team independently and confidentially.
Ability to gather information and carry out stakeholder consultations if the Risk Based Framework (annex	N/A – RBF is not necessary based on findings in the ACDR.

PF) is being used to assess data-deficient PIs.	
Availability of information - FCP 7.10.2.h requires CABs to indicate the availability of information used to score each PI and to highlight potential information gaps. If the CAB identifies a large number of information gaps in the ACDR the CAB should consider if a remote site visit will be sufficient to obtain the necessary information.	<p>The nature of the assessment and scoring – there are multiple areas within the ACDR that identify where further information is required to be sought in the site visit. These largely relate to the fishing methods and gear, historical catch profiles of the Korean fleet, catches by UoA in the latest years, logbook data, observer protocols, compliance records, information on the Korean fisheries management system (regarding stakeholder engagement processes and use of information by the management framework). No PI has scored under 60 in the ACDR. This is due to the ease of access to data for all Principles (through documents published online by CCAMLR, and through data and observer reports provided to the team by the client). Scores of 60-79 have been awarded out of precaution for certain Principle 3 PIs, as the guideposts appear to be met based on literature available online, but confirmation through interviews is required to provide certainty to the team. As such, the team member in charge of collecting most outstanding information (Dr. Cho – on the Korean management framework) will already be in Korea, and will attend meetings in person when possible (inter-region travel restrictions are difficult to predict as they arise as needed). Dr. Cho has in the past worked with the key stakeholders to be consulted for the remaining pieces of information, and a member of Control Union Korea (the local CU office) has provided assistance to the team with client liaison and translation. As such, CU UK feels that the communication channels between the assessment team and the stakeholders and clients are strong enough to ensure the outstanding information is collected.</p> <p>Further explanation and mitigation for stakeholder processes is provided in this Table. The exception to this is the traceability aspect, discussed below.</p> <p>Regarding traceability (discussed fully in the ACDR), there are lower risk levels associated using the incorrect gears because the 100% observer coverage ensures the gear specifications are in line with CCAMLR requirements. The vessels do operate outside of the CCAMLR conservation area, but only to target other species. Only krill is targeted within the CCAMLR conservation area, as such it is impossible to use the certificate for catches outside the CCAMLR conservation area.</p> <p>The client company Jeong II, only operate two vessels registered to CCAMLR (and so allowed to fish in the UoA area), so there is no possibility for another vessel to benefit from the certificate (should it be awarded). Transshipment does occur, and the boxes are sealed on the fishing vessels with bands, significantly mitigating the risk of substitution. Once landed, checks are conducted to confirm weights against CCAMLR records.</p> <p>The first point of sale has been identified – it is at the port where the catch is landed (Busan, Korea or Fukuoka, Japan), when the product ownership is transferred to an exclusive sale distributor. The team will seek further details on how this takes place during the calls with the client.</p>
Ability to understand the context, scale, and intensity of the fishery operations	Through CCAMLR literature and observer reports, the scale of the fishery can be understood by all members of the team. There is a clear indication of days at sea, and of total catches of krill fisheries in the relevant CCAMLR areas. The only aspect which required further elucidation is the catch profiles from the Korean fleet. This is a priority area identified by the team, and the client is aware that further information is needed on this point.
Availability of information and communication technology (ICT). Competency of assessment teams, auditees, and	The CAB ensures that its assessors have access to and are trained in Office 365 facilities, this includes Microsoft Teams as the teleconference software. Stakeholders will not need any licences/ software to access Microsoft Teams as the team will also make itself available through phone calls if necessary. A link will be provided to them in good time to be able to access any calls. Should any stakeholders be unable to use the software, Skype and other teleconference call facilities are also available and CU (UK) use multiple software in cases where Teams is not suitable e.g. when callers

stakeholders in using ICT. Please refer to IAF MD 4:2018	<p>need to call in via landline. The assessment team are used to using Office 365 facilities and/or Dropbox with remote stakeholders.</p> <p>As per IAF MD 4:2018, the assessment teams can record calls, will record attendance based on permission provided by those on the call. Confidentiality will be discussed at every call as per the opening meeting requirements. Notes will also be recorded by assessment team members. Documents can be sent real-time via Microsoft Teams. This has been tested and is reliable. Assessment team members will arrive early for calls should any users want to test sound/ video quality and solve any technical issues.</p>
Ability to clearly exchange information between the assessment team, prospective fishery client and stakeholders and to be understood by all parties when parties speak different languages.	<p>The CU UK team includes one Korean national (Dr. Cho, Principle 3 expert), facilitating information collection in one of the areas requiring in depth attention by the team leading up to- and during the initial assessment meetings. CU UK is in the fortunate position to have colleagues working in Korea (CU Korea), which will participate in the assessment by providing translation services. Through these measures, CU UK believes to have appropriately covered the language barrier that may arise between some of the team members, and the client and stakeholders.</p> <p>The Team Leader has noted that the client may require detailed explanations on the MSC process, as well as the role, purpose, and constraints of the audit team, and confidentiality and Col considerations. A significant portion of time will be allocated to ensuring these requirements are well covered in the opening meeting, and at the beginning of each call with a stakeholder or stakeholder group. Given the close relation between the team leader and the CU Korea translators, these topics will be discussed before the week of the remote audit (should this VR be accepted) to ensure that the right message is delivered to the client and stakeholders.</p> <p>As per FCP, the assessment team will ensure that stakeholders are involved throughout the process, and all of the team have tried to ensure that the stakeholder list is up-to-date as possible.</p>
Ability to schedule remote site visit activities at reasonable mutually convenient times when parties are located across different time zones.	<p>Whilst the assessment team and stakeholders cover multiple time zones, the assessment team are familiar with conducting assessments across these timezones and have proven that they are able to ensure that meetings are conducted at suitable times for these parties.</p>