

ASC Stakeholder Consultation

Stakeholder Consultation Summary Report

Terms of Reference for the project on Free, Prior and Informed Consent (FPIC)

September– October 2023

Table of Contents

| | |
|--|---|
| Acronyms..... | 2 |
| 1. Background | 2 |
| 1.1 Introduction | 2 |
| 1.2 Objectives..... | 2 |
| 1.3 Approach for ToR feedback..... | 3 |
| 2. Participation..... | 3 |
| 3. Summary of feedback..... | 3 |
| 4. Next steps..... | 4 |
| Appendix 1: List of individual participants..... | 4 |

Acronyms

| Acronym | Definition |
|---------|----------------------------------|
| ASC | Aquaculture Stewardship Council |
| FPIC | Free, Prior and Informed Consent |
| ToR | Terms of Reference |

1. Background

1.1 Introduction

This report summarises feedback received from stakeholder consultation on the Terms of Reference (ToR) of ASC's new project that aims to revise the community engagement criterion of the ASC Farm Standard (of which version 1 will be launched in the autumn of 2024) to include the principles of Free Prior and Informed Consent (FPIC). This is intended for the first revision of the ASC Farm Standard.

While this was the first formal stakeholder consultation on the topic, a research project on the same topic took place between February and May 2023, prior to development of the ToR for the FPIC project. In this project 17 interviews were carried out with stakeholders from government, NGOs, producers and producer associations, and academics. The interviews sought opinions of these stakeholders on the topic of FPIC and the feasibility and desirability of including it in the ASC Farm Standard. This process informed the formulation of the ToR.

Apart from the stakeholder consultation, five additional expert interviews were carried out to gain more insight and understanding on the role of voluntary sustainability systems in promoting FPIC. These insights will also inform the revision of the ToR. In addition, the Consensus Building Institute (CBI) has been engaged to support the implementation of the project.

Normal practice for ToRs for new projects is to run a stakeholder consultation for 30 days with one option to provide feedback via email to the project lead. Due to the sensitivity around this topic, it was decided to extend the consultation period to 60 days and organise a workshop for interested stakeholders. The consultation ran from 1 September – 31 October 2023.

1.2 Objectives

The objectives of the stakeholder consultation on the ToR of the project on Free, Prior and Informed Consent were three-fold:

1. To identify relevant stakeholders to engage in the project
2. To raise awareness of the project
3. To seek feedback on the project plan

1.3 Approach for ToR feedback

To elicit feedback on the FPIC ToR, ASC sent out a targeted Mailchimp campaign (email sent out to 5067 recipients) and ASC newsletter (1121 subscribers) about all stakeholder consultation topics, which included FPIC. Additionally, a set of 24 people, identified during the research project carried out in early 2023 received personalised emails specifically requesting feedback on the FPIC ToR. ASC also requested feedback through social media channels and the ASC website, both through the stakeholder consultation page and the FPIC project page. A blog was also published to communicate the intent of the project.

2. Participation

Two stakeholders provided feedback on the ToR:

- NGO
- Academic (provided feedback both in the workshop and by email)

3. Summary of feedback

| Key Theme | Summary of Consultation Feedback | ASC Response/Next steps |
|---|--|--|
| Methodology for stakeholder consultation | One stakeholder requested more clarity on the process for stakeholder consultation in this project, especially how ASC intends to reach Indigenous communities. The advice was given to do this through people that are trusted in the communities. | This will be further developed with support from experts on Indigenous rights in the first phase of the project. |
| Project timeline | Both stakeholders indicated that ASC needs to remain open to adjust the timeline of the project to allow for consultations with Indigenous people to take place in their own timeframes. They both agreed that ASC should not impose timelines on Indigenous people and the advice was therefore to remove these from the ToR. | Timelines will be removed from the ToR and website. |
| Scope of the project to include both Indigenous and non-Indigenous communities | One stakeholder provided feedback that the current wider scope of the project to also include non-Indigenous local communities is appropriate as otherwise it may create conflict in communities that are in practice mixed (i.e., Indigenous, and non-Indigenous people live together in a community). | This will be considered during the development of the indicators for the standard. |

| Key Theme | Summary of Consultation Feedback | ASC Response/Next steps |
|---|---|--|
| FPIC as a process rather than an outcome | Stakeholders strongly recognised the importance of including FPIC in the ASC Farm Standard but had some concerns about how it will be implemented eventually. Both stakeholders emphasised the importance of the FPIC process being true to its intent. They warned there is a risk of it becoming 'transactional' and only about the signed consent rather than the process of engagement. One stakeholder also emphasised that these processes need to be adapted to local circumstances and avoid following a fixed process. | This will be considered during the development of the indicators for the standard. |

4. Next steps

The project ToR will be revised to incorporate the feedback received from the stakeholder consultation and inputs from experts on this topic. This revision phase of the project began in October 2023. In early 2024, a Technical Working Group and an Advisory Group that will consist of experts on Indigenous rights will be convened. In addition, the formulation of draft indicators for the standard will strongly be informed by a process of extended stakeholder consultation that among others explicitly targets Indigenous people.

Appendix 1: List of individual participants

| Organisation (Stakeholder) | Contact Person |
|--|------------------|
| Instituto Milenio en Socioecología Costera SECOS | Joaquín Saavedra |
| Equitable Origin | Deborah David |