

# MARINE AQUARIUM COUNCIL

Certifying Quality and Sustainability in the Collection, Culture and Commerce of Marine Ornamentals

## **MAC NEWS 1st Quarter 2000**

### Welcome

**This 1<sup>st</sup> of the MAC News in the new millennium reflects the ever-increasing level of support for MAC as the wave of the future. We particularly want to highlight the growing involvement of industry and governments. Please note the extended section in this MAC News on the US Coral Reef Task Force and the need for you to get informed.** To help ensure that MAC information is more readily available, we have updated the MAC website in January. We look forward to your continued involvement in MAC during the year.

### Certification Development

#### **Workshop Sets MAC Action Plan for Certification**

Representatives of the marine ornamentals chain of custody - from collection through to hobbyists - along with conservation stakeholders and certification specialists met in late March to hammer out a Certification Action Plan. Building on the MAC Strategic Plan, the workshop identified the specific steps and tasks for the MAC network to: finalize and test standards of practice, conduct pilot certification, and undertake pre-certification outreach and information dissemination with the industry and consumers - all leading to the launch of certification in 2001.

#### **Marine Ornamentals Information System to Start**

Funding has been obtained from the Packard Foundation for the Marine Ornamentals Information System (MOIS) proposed by MAC and the World Conservation Monitoring Center (WCMC). The system will create an ongoing international program of documentation and data for marine ornamentals in trade and provide consistent, comprehensive, quality information. The system will build on WCMC's CITES database, the data pledged by exporters and importers from around the world, and the documentation to be required under certification.

### Industry and Government Support for MAC

#### **Major US Importer/Wholesalers Pledge Participation in MAC Efforts**

Over 20 representatives of import and wholesale companies - covering the vast majority of West Coast marine ornamental import activity - indicated their support for MAC at a March meeting in Los Angeles. Those at the meeting made clear their interest in: providing data to MAC, participating in certification development and testing, and making a commitment to purchase certified marine ornamentals. Similar "round table" meetings are planned with importer/wholesalers in Europe and other parts of the US.

#### **Pacific Island and Canadian Governments Support MAC**

In March, the South Pacific Forum Secretariat - the intergovernmental body for the independent countries of the island Pacific - signed an MOU with MAC on certification development. As announced in the "Trade Forum", the Forum Secretariat has received 2 year funding for MAC from the Canadian government to get marine ornamentals certification up and running in several Pacific Island countries. A MAC Pacific Islands coordinator will be recruited and based in Fiji.

#### **US Government Support for MAC in SE Asia**

The US Agency for International Development (USAID) is supporting MAC efforts in Indonesia and the Philippines. The USAID assistance includes funding for: a MAC Coordinator to be based

in the Philippines, a multi-stakeholder workshop in Indonesia, expanded MAC consultations, and certification testing and training activities.

### **APEC Invites MAC Participation**

The Asia Pacific Economic Cooperation (APEC) is the preeminent political grouping for the region and brings together all of the region's governments and economies - from China and the US through to the Pacific Islands. APEC's Working Group on Marine Resource Conservation is very interested in MAC and has asked MAC to participate in its development of "Action Strategies and Work Programs for Private - Public Sector Partnership on Sustainability of Marine Environment".

### **New MAC Board Members**

We are pleased to announce the following additions to the MAC Board of Directors:

- Dr Frank Vorhies, Head, Economics of Biodiversity Unit, IUCN - World Conservation Union.
- Mrs Yuni Yarman, Chair, AKKII - the Asosiasi Korai Kerang dan Ikan Hias Indonesia [Indonesia Coral, Shell and Ornamental Fish Association (ICSOFA)]

### **US Coral Reef Task Force (USCRTF) Update**

#### Public Hearing and MAC Follow-Up

**The overwhelming majority of submissions to the government in Dec 99 - 50 of the 58 - centered on the need for government to work with the industry and other stakeholders to achieve sustainability and provide incentives for reef stewardship**, stressing that certification and government enforcement of existing legislation play key roles. The remaining 8 submissions advocated an increased government role, e.g. encouraging aquaculture, and also supported working with the industry and consumers to create incentives and standards so that hobbyists could knowingly support sustainable practices. Only 3 or 4 respondents strongly urged stricter government control, but also acknowledged the need to work with the hobby and industry. Copies of the submissions are available from the US Fish and Wildlife Service. Contact: Sheila Einsweiler: ph: (703) 358-1949 fax: (703) 358-2271 e-mail: Sheila\_\_Einsweiler@fws.gov

MAC participated in the USCRTF meeting (Washington DC, March 2<sup>nd</sup>) at which the Task Team approved the National Coral Reef Action Plan. **The revised Trade Sub-Group report** now mentions MAC and certification and **states "The U.S. should discourage the use of destructive or unsustainable collection practices... by rewarding and encouraging responsible use..."**. **The report recommends 6 strategic action areas - all of which MAC supports** - such as working with export countries, educating consumers, and developing measures to reduce unsustainable and destructive practices. Proposals for the latter have subsequently appeared in a "Conceptual Outline of Coral Reef Legislative Proposal".

Over the past year **MAC has proposed a wide range of areas for collaboration with the USCRTF and our 'position' regarding possible legislation is a continued commitment to constructive interaction** - as stated in our Dec 99 submission. The Trade Sub-Group report says it "does not recommend a complete restricting on all trade in marine aquarium organisms". In spite of this, and the overwhelming public sentiment against legislation, **the Trade Sub-Group has prepared a concept for legislation that suggests the strong likelihood of a unilateral trade ban**.

#### Proposed US Legislative Concept

**The concept for legislation proposes:**

- **To prohibit the domestic harvest and the import or export of CITES listed species** (i.e. most stony corals, live rock, giant clams), without provisions for stakeholder input.

- **To have the option to extend this prohibition to any other coral reef species** (including fish) if trade etc. in that species is determined to threaten its sustainability - or that of reefs.
- To allow the domestic harvest and the import or export a prohibited species, if found to not to be a risk to the sustainability of that species - or of reefs.
- To work with stakeholders to develop criteria for transportation and handling of coral reef species that ensure survival in captivity.
- To prohibit, after a certain time, the domestic harvest and the import of coral reef species not certified to have been collected using non-destructive practices, as verified by industry.
- To work with stakeholders to develop criteria and a strategy for the conservation and sustainable management of coral reef ecosystems in the US.
- To include provisions to encourage developing criteria and a strategy for the conservation and sustainable management of coral reef ecosystems outside the US, such as through multilateral negotiations, technical assistance and capacity building.

### **Concerns re the Proposed US Legislative Concept**

Unilateral, unsubstantiated **restriction of a large part of the aquarium trade could severely compromise the single greatest opportunity for market supported reef conservation** and therefore the above concept for legislation raises concerns.

#### A Unilateral Trade Ban = Loss Of Economic and Conservation Opportunities

- The major players, and a critical mass, of the aquarium industry are now at the MAC multi-stakeholder table and are committing to conservation-based certification.
- The legislation, particularly a ban on CITES species (and the option to add any other reef species), will primarily impact US industry and consumers, i.e. those most influential in reforming the trade, most engaged in MAC, and most susceptible to pressure from conservation groups.
- The legislation may drive some industry away from the table with MAC, it may drive some to get whatever products they can by destructive methods before the ban comes into effect, and it may drive some out of business.
- This will have a domino effect, reducing the number of exporters and collectors in developing countries.
- This will reduce the ability for certification to achieve the economic and environmental benefits of a sustainable trade and self-financing conservation.

#### Loss Of the Aquarium Trade = Increased Poverty and Environmental Degradation

- The loss of a viable, sustainable industry in rural, coastal communities in developing countries will eliminate jobs and lead to increased environmental degradation - counter to US interests.
- Eliminating the aquarium trade operations in coral reef countries will:
  - Eliminate the stewardship incentive and open these reef areas to more destructive uses, i.e. a net negative impact on coral reefs.
  - Eliminate the community's high value-added aquarium fishery, thereby contributing to the poverty and poverty-driven use of destructive fishing practices for food by the community.
  - Eliminate economic options where there are few, and contribute to the out-migration from rural coastal areas to over-populated urban areas.

#### WTO-Related Issues:

- The proposed unilateral government development and application of criteria for sustainability will very likely be challenged as technical barrier to trade (TBT).
- Even if the criteria were developed in consultation with other stakeholders in the US, they would not afford opportunities for participation by interested parties from all affected and interested countries, and would therefore be considered discriminatory.
- The criteria would not be developed and applied in the manner counseled by the WTO for avoiding TBT in non tariff measures, i.e. through a credible, independent, international, 3<sup>rd</sup> party standards-setting multi-stakeholder institution relevant to the trade - providing for international comparability and equivalency and a non-discriminatory, non-arbitrary and voluntary system.

#### Technical Concerns:

- No Scientific Basis: There is little or no reliable information on amounts, kinds and trends in the collection and trade of marine ornamentals and little or no reliable data on the amount, distribution and status of harvested stocks and reef habitat where harvesting occurs - therefore no scientific basis for assuming unsustainability and a need to restrict trade.
- Coverage: only the US market will be significantly affected by the legislation, meaning the demand will continue from other importing countries - and the need for an international means to ensure sustainability through certification will continue.
- Government criteria for sustainability of CITES species and for management plans: there is no indication of when, how or by whom these would be worked out.
- Proposed self-certification that destructive methods have not been used: the industry will be expected to police itself, an invitation for cheating - and not a substantial improvement over the status quo.

#### **Linking MAC Certification and the Government Role - a "Win-Win-Win" Concept**

**MAC continues to constructively engage the USCRTF to create common ground between conservation, business and government - a "win-win-win" situation.** We have proposed working together to develop legislation that embodies the following concepts and processes:

- Undertake an international multi-stakeholder process to determine sustainability criteria for all aspects of harvest or collection, import, export, or re-export of: i.e. species (CITES and non-CITES), use destructive fishing practices, handling and transport, ecosystem management.
- Ensure a credible, international, 3<sup>rd</sup> party standards-setting multi-stakeholder institution relevant to the international trade in non-food coral reef species has participated in the criteria setting process and agreed to the results.
- As of a specified time period after the agreement on these criteria, the harvest, import, export, or re-export of ornamental coral reef species must demonstrate compliance with the criteria through internationally recognized performance based certification system.
- An appropriation will be provided to assist stakeholders in the US and internationally to comply with the criteria and achieve certified sustainability.

#### **Keeping Informed**

Although MAC continue tracking the situation and making information available, **you must take action to keep yourself informed.** In the interest of ensuring all stakeholders have full information and there is a transparent process, **we encourage you to:**

- see <http://coralreef.gov/> for the **Action Plan and Trade Sub-Group report**

- **obtain the "Conceptual Outline" of legislation** from the Trade Sub-Group chair:

Ms Ellen Athas, Council of Environmental Quality; ph: 202 456-6541 fax: 202 456-0753

e-mail: [ellen\\_athas@ceq.eop.gov](mailto:ellen_athas@ceq.eop.gov)

Please contact MAC if you have questions. if you know someone that should be part of the Network, please encourage them to visit the MAC website and submit the simple form at: [www.aquariumcouncil.org](http://www.aquariumcouncil.org).

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