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Guidance for Government Authorities to Engage in Jurisdictional Initiatives for the Seafood Sector

Acknowledgements

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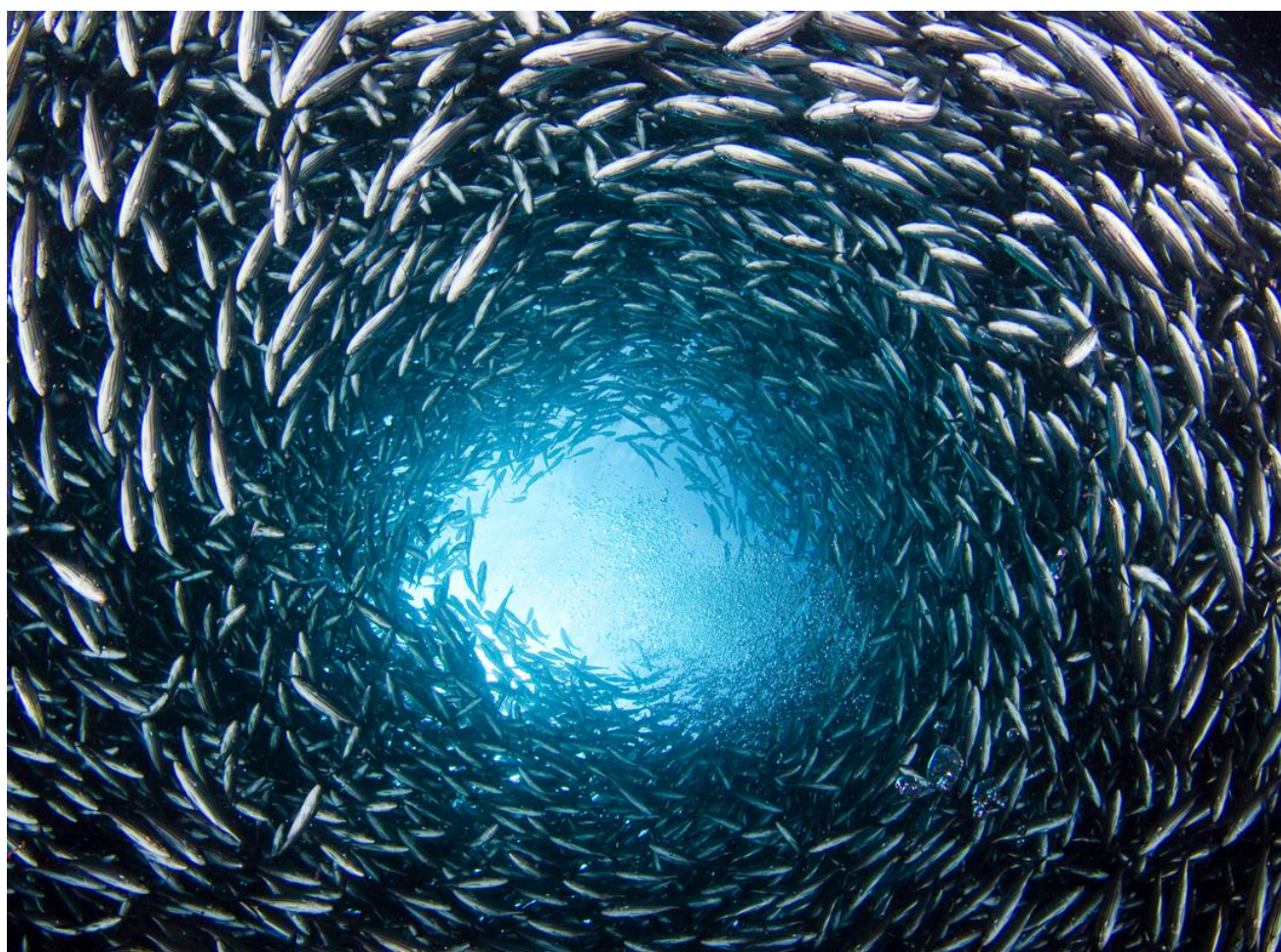
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This guidance document will be updated as additional information, knowledge, and implementation experience lead to learnings in the field.

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Glossary

Blended finance: Blended finance can be broadly defined as the combination of public, concessional, official development assistance with private or public resources, generally with the aim of mobilizing or leveraging development finance from other actors (Oxfam 2017).

Contextual analysis: Identifies key systemic environmental and socio-economic challenges in the seafood production system of the jurisdictional initiative site and against which improvements and performance claims will be measured, as well as providing insights into whether key enabling conditions are in place, or could be created, to support the successful co-design of the jurisdictional initiative. This analysis is completed during the co-design phase.

Credible: Having rigor and a strong likelihood of success; worthy of belief and confidence.

Market partners: Seafood businesses, including end buyers, mid-supply chain suppliers, and local exporters.

Marine protected area: Any area of intertidal or subtidal terrain, together with its overlying water and associated flora, fauna, and historical and cultural features, which has been reserved by law or other effective means to protect part or all of the enclosed environment (WCPA 1999).

Monitoring: An ongoing function that uses the systematic collection of data on specific indicators to assess and document the extent to which actions, progress, performance, and compliance are being carried out or achieved.

Scoping assessment: An assessment conducted in the Scoping phase to evaluate whether the key enabling conditions are in place, or could be created, to support the successful co-design of a jurisdictional initiative.

Seascape: Large, multiple-use marine area, defined scientifically and strategically, in which government authorities, private organizations, and other stakeholders cooperate to conserve the diversity and abundance of marine life and promote human well-being (Murphy, S. E. et al. 2021).

Site: The specific location/area of the jurisdictional initiative.

Triple bottom line: Improvement of a fishery/farm's environmental, social, and economic performance.

Verification: An assessment and validation of compliance, performance, and/or actions relative to a stated commitment, standard, or target. It utilizes monitoring data and other information sources as input to the verification process.

List of Acronyms

AIP: aquaculture improvement project
ASC: Aquaculture Stewardship Council
BAP: Best Aquaculture Practices
CBD: Convention on Biological Diversity
CI: Conservation International
CoC: chain of custody
CRI: certification, ratings, and improvement
EAA: ecosystem approach to aquaculture
EAF: ecosystem approach to fisheries
EBM: ecosystem-based management
EEZ: exclusive economic zone
EFT: ecological fiscal transfer
ETP: endangered, threatened, and protected
FAD: fish aggregating device
FAO: Food and Agriculture Organization
FFIA: Fiji Fishing Industry Association
FIP: fishery improvement project
FISH: Fairness, Integrity, Safety, and Health
FISHE: Framework for Integrated Stock and Habitat Evaluation
FMP: fishery management plan
FPI: fishery performance indicator
GDP: gross domestic product
GDST: Global Dialogue on Seafood Traceability
GTA: Global Tuna Alliance
IMT: Implementation Monitoring Tool
IPs: Indigenous peoples
IUCN: International Union for the Conservation of Nature
IUU: illegal, unreported, and unregulated
JA: jurisdictional approach
JI: jurisdictional initiative
KDE: key data element
KPI: key performance indicator
MPA: marine protected area
MSC: Marine Stewardship Council
MSP: marine spatial planning
MSP: multistakeholder process
MOU: Memorandum of Understanding
NGO: nongovernmental organization
PNA: Parties to the Nauru Agreement
RAT: rapid assessment tool
RFMO: regional fishery management organization
SDGs: Sustainable Development Goals

SIDS: Small Island Developing States
SRA: Social Responsibility Assessment Tool for the Seafood Sector
UN: United Nations
UNCLOS: United Nations Convention on the Law of the Sea
VDS: vessel day scheme
WCPA: World Commission on Protected Areas
WCPO: Western Central Pacific Ocean
WWF: World Wildlife Fund/Worldwide Fund for Nature



Overview

Over the past 25 years, seafood certification, ratings, and improvement (CRI) efforts have been effective at bringing awareness to environmental and social issues in seafood production (i.e., wild-capture fisheries and aquaculture) and improving their sustainability performance in many parts of the world. While CRI approaches are impactful and critical to continue, their current framework of working with individual fisheries or farms is not designed to achieve the scale of improvement needed in global seafood production, nor do they effectively engage many of the world's small-scale fisheries and farms and local communities who may not be incentivized by export market demand or cannot afford the costs associated with certification. In addition, these market-focused interventions alone are proving insufficient to fully address critical systemic issues that can be barriers to long-term environmental sustainability and social responsibility, such as cumulative environmental impacts, labor rights, climate change impacts, and biodiversity loss, which often can only be achieved through policy changes. Therefore, there is an opportunity for new approaches that aim to address systemic barriers at scale while engaging seafood sector stakeholders broadly in improvement efforts, as complementary to CRI approaches.

Frameworks for jurisdictional initiatives (JIs) have been developed by the nongovernmental organization (NGO) community in recent years to drive improvements at scale for environmental challenges in terrestrial commodities such as soy, palm oil, and timber (often called jurisdictional approaches (JAs)). These initiatives have provided added value to credible certification efforts by addressing not only environmental but also additional social and economic barriers to sustainability at a jurisdictional level or within the boundaries of a management system. Noting the successes in applying JAs to terrestrial commodities, recent efforts have focused on evaluating the applicability of these approaches to seafood commodities.

The JI concept is still nascent for fisheries and aquaculture, and there is a need for greater clarity around the key elements of successful JIs for seafood. Guidance for practitioners or companies is also needed to clarify what makes these initiatives for fisheries and aquaculture impactful and credible, and how to measure progress. For JIs to become more mainstream, it is critical to define what a credible JI for seafood should encompass to help ensure the greatest impact on aquatic ecosystem health and human well-being. This guide aims to provide some clarity on the rationale and importance, the process and key elements, and the engagement of key stakeholders for the establishment of a robust seafood JI.

We define seafood JIs as place-based initiatives in key seafood commodity-producing regions that utilize policy and market-based approaches to drive holistic improvements in seafood production at relevant ecological and political scales (Kittinger et al. 2021, Figure 1). JIs aim to achieve positive environmental, social, and economic outcomes in seafood production, such as achieving environmentally sustainable harvesting practices, promoting equity and safe and decent working conditions, and enhancing the economic profitability of those involved. Through the application of ecosystem-based management (EBM), JIs also

seek to manage, restore, and/or protect critical habitats, threatened species, and biodiversity by addressing cumulative impacts, as well as to increase ecosystem and climate resilience. The success of JIs relies on a robust and inclusive multistakeholder dialogue and collaboration to align goals and incentives among government, market, and producer actors, and with local communities and Indigenous peoples (IPs).



Figure 1. Jurisdictional initiatives (JIs) simultaneously utilize governance reform and market-based approaches to drive holistic improvements in seafood production at a jurisdictional scale. By combining these approaches, JIs can deploy the considerable resources and innovation of the private sector and the regulatory authority of governments to drive seafood sustainability across entire production geographies.

These initiatives are designed to be long-term engagements that drive systemic changes at ecologically and politically relevant scales, and rely on long-term efforts such as policy reform, public-private partnerships, and trust-based community engagement. As such, JIs can be particularly effective at driving alignment and collective action by government, IPs, local communities, the private sector, and civil society groups toward a shared vision and agenda for seafood production across a seascape. Locally driven and locally defined through a multistakeholder forum, JIs provide an opportunity to improve inclusivity and democratize planning and management. This allows for engagement of smallholders who might not participate in certification due to cost and capacity constraints.

We recommend developing a JI if stakeholders desire to increase the resilience of the ecosystem or tackle more systemic social and environmental drivers rather than focusing solely on the sustainability of a single fishery, farm/group of related farms, or supply chain. This would mean

tackling issues that are not often or not fully addressed in established CRI efforts, such as ecosystem-level biodiversity, climate resilience, regional social issues (such as lack of decent work or equity), and industry/cross-industry cumulative impacts. Seafood JIs are complementary to CRI efforts and may occur before or after application of other mature and credible market-based tools, depending on political will and economic conditions. AJI could help address risks around the continued effectiveness of traditional CRI efforts, such as lack of government engagement at all levels.

Elements that help ensure success of a JI include setting the appropriate political and ecological scale, enabling legal frameworks, strong engagement and commitment from the government at relevant levels (e.g., national, regional, or local), strong commitment from other critical stakeholders (e.g., research institutions, local communities, producers, producer groups, and supply chain companies), a public reporting framework, traceability and transparency, and a viable pathway for financing the initiative.

JIs have the capacity to benefit many stakeholders throughout a region. Participation may benefit producers by addressing risk to their livelihoods (e.g., decline in fish populations and poor water quality), providing opportunity to organize into a more cohesive collective, promoting dialogue to resolve disputes and reach agreements regarding management of resources, helping ensure safe and decent work and community well-being, reducing reputational risks by demonstrating industry-wide progress in an ecosystem, obtaining equitable distribution of benefits, and obtaining a market incentive from suppliers and end buyers who are investing in these initiatives. The major benefits that these initiatives are meant to create for local communities and IPs are platforms to engage and eventually secure improved socio-economic equity, continued dialogue with policy-makers and private actors (ensuring full and equitable participation and democratizing planning and management of resources), and potential access to financing through public-private partnerships. Governments can address risks from climate change, biodiversity loss, environmental degradation, and unethical human rights and labor practices that threaten the long-term health of marine and aquatic resources, thereby increasing the stability of nationally important food products for domestic consumption or export. Governments can also meet their national and international commitments and increase their reputations as ones that manages their ocean and aquatic resources in ways that improve biodiversity, increase climate resilience, and protect the rights of fishers, farmers, and local communities. Similarly, suppliers and end-buyer partners can reduce potential local community risks, operation risks, and supply chain volatility. Participation in JIs can also help businesses deliver on their sustainability commitments, reduce leakage issues, and improve value-chain efficiency. When supported by robust monitoring and evaluation systems, JIs may also provide companies with a way to credibly claim positive impacts as part of larger-scale improvements.

All credible seafood JIs seeking to drive change need to have a strong monitoring framework in place, with metrics relevant to the jurisdiction that will enable stakeholders to assess progress

against the initiative's targets and milestones. The most effective metrics will be tied directly to performance against environmental, social, and economic outcomes at the jurisdictional level. However, given that a JI can span 20 years, it is also recommended to include some pathway indicators that are not direct conservation outcomes but capture important initial steps believed to lead to measurable outcomes over time as well as process indicators that capture progress in JI development. The appropriate metrics for each specific initiative will depend on the local context but should tie to overall biodiversity, climate, social, and economic goals of the effort (e.g., fish stock biomass) and pathway goals focused on better management/policies and information to support effective implementation of those policies (e.g., precautionary management, effective enforcement).

There are a variety of claims that participants can utilize to communicate with internal and external stakeholders, including claims about process, objectives of the initiative, risk management, investment, actions being implemented, current performance status, and trends over time. To the extent possible, claims should have associated objective and measurable criteria so they can be verified. Stakeholders making claims should make the information publicly and easily accessible (e.g., on their website, in sustainability reports, or through public reporting by the JI itself). No single stakeholder group should make attribution claims (i.e., we are responsible for a specific performance outcome), as it is often difficult to show a direct cause-and-effect relationship, and it disregards the influence of others in achieving the outcomes. However, stakeholders can make claims about their specific contributions. It is important to note that seafood buyers and other stakeholders participating in a JI should not claim premature or augmented successes. These initiatives span a significant timeline, and associated claims should appropriately reflect the improvement journey over time. In addition, claims made by seafood companies or by producers to obtain market access will require strong traceability systems in place to ensure the integrity of products across the supply chain and reduce the risk of greenwashing in some marketplaces.

All effective JIs will have a progress framework with impact outcomes and an action plan with time-bound targets and milestones, as well as a monitoring and reporting framework to monitor and report on processes followed (including processes to ensure inclusivity) and progress against the time-bound milestones and performance improvements within the jurisdiction. Effective JIs will also have adequate capacity to manage and analyze the data. ISEAL has developed best practice guidance for these frameworks that should be followed.

Credible seafood JIs must also have sound verification frameworks that can assess the validity of different aspects of the JI's progress. These include validation of structural outcomes, action claims, and performance claims. To drive credibility of JIs, it is important to manage the expectations of stakeholders about their inability to make performance/outcome claims for quite some time, given the long timeframe of JIs. Stakeholders will need to focus first on structural claims, which highlight the progress in establishing the structures and systems for an effective JI, and action claims, which relate directly to actions companies may take to support

development and progress in a JI. Different levels of verification are required for each type of claim due to the nature of the respective claims. Verification of the performance data and of the monitoring process helps build trust in the quality and reliability of the claim. The degree and level of independence of verification needed will depend on the claims being made, the track record of the JI, the level of transparency of the data, and the trustworthiness of the data providers. ISEAL has also developed guidance for verification that should be followed.

Learnings from relatively early-stage JIs (primarily terrestrial) show the following:

- Geographic boundaries need to align with the scope of environmental degradation and decision-making authority, capacity, and local frameworks.
- A coordinating backbone organization is necessary.
- A strong common vision and multiple, balanced objectives matter.
- Strong community engagement and stakeholder participation are critical.
- Meaningful engagement with Indigenous populations and local communities is key.
- Government engagement is a key driver.
- Private-sector actors are crucial for success.
- Strong partnerships with producer cooperatives or associations can boost success.
- Robust, transparent, and collaborative multistakeholder development processes and decision-making platforms are needed.
- Technical partners are needed to support blended finance.
- Transparency and traceability are crucial for verification of market claims.



Engagement of Policy-Makers and Management Authorities

Seafood JIs are designed to achieve a high level of government involvement. Multiple references and experts confirmed that policy-relevant boundaries are a key feature of JIs, as the underlying theory of change is to engage the leading decision-making authorities for natural resource planning and use and improve both policies and practices that directly contribute to conservation and social gains. Therefore, government must be a core stakeholder and, often, the driving force behind a JI.

Depending on the scale of the initiative, local, regional, and/or national government agencies may be involved, and each agency or administrative level may be motivated by different incentives. In many instances, a combination of levels of government is necessary to implement a full JI strategy. For example, national-level authorities may oversee high-level policies related to ocean/water use rights, trade, and supply chain transparency, while sub-national agencies oversee development of ocean/water use plans, and local authorities oversee licensing and permitting processes. Most current JIs are set up at a sub-national level, with leadership at the state, provincial, or regional level. For any level of government that is required, the JI depends on strong leadership from the head of that administrative tier (i.e., governors for state or province-level initiatives) that is closely engaged in the seascape. This leadership also includes a strong commitment to sustainability.

Government engagement is a distinguishing characteristic of JIs but must be married with formal multistakeholder participation and a decision-making platform to qualify as a JI. Initiatives that lack government engagement, such as supply chain improvements, fail to fit into the JI definition.

“As noted elsewhere, sustainability at the jurisdictional level is a difficult and long-term process. Implementing jurisdictional sustainability plans or ‘road maps’ will be expensive, and government leaders willing to take on the challenge will need to see that their courage and commitments are being recognized and rewarded during the journey and not only at the end point” (CI 2018).

Development and implementation of these road maps are critical parts of the JI process. In many cases, the beginning of the process may uncover additional and unknown problems or conflicts. Governments and other JI participants should be supported and encouraged to build the appropriate institutions, processes, and mechanisms for adaptive management to deal with these issues and challenges as they arise.

Incentives for Management Authorities to Adopt a Seafood Jurisdictional Initiative

As mandated managers of aquatic resources, management authorities (governments or governance bodies like regional fishery management organizations (RFMOs)) benefit when they adopt a JI into their policy strategies and ensure valuable seafood resources are well-managed and ecosystems are healthy. While traditional CRI efforts have relied more heavily on the industry

and market actors, seafood JIs provide government authorities with an opportunity to play a critical role. The obligations and potential benefits for management authorities are as follows:

Fulfillment of international commitments: Engaging in a JI can support national management authorities to collaborate with relevant stakeholders to achieve international commitments, such as United Nations (UN) SDGs, the Convention on Biological Diversity (CBD), and the UN Convention on the Law of the Sea (UNCLOS) in relation to sustainable use of aquatic resources, the integrity of aquatic ecosystems, the well-being of people, and mitigation of climate change. Many governments have been actively working on policies to deliver these commitments, and their engagement in a seafood JI increases the visibility of their actions to meet these public commitments.

Achieve national/local marine conservation, climate, and social targets: Seafood JIs aim to deliver ecosystem-based biodiversity targets (ecosystem function, cumulative impacts, and social inclusion). By engaging in these initiatives, management authorities are likely to achieve multiple national conservation targets rather than single targets. Again, government engagement in a JI increases the visibility of their actions to meet these public commitments.

Empowerment of local governments: For local/sub-national governments, a seafood JI provides a platform to not only support the delivery of national targets but also assert their control and influence in ways that can showcase their own regional reputation and increase revenues to their local areas.

Inclusive engagement of stakeholders in resource management: The multistakeholder participation and co-management elements of a JI provide a platform for management authorities to ensure all voices are heard. Issues can be addressed through open and honest dialogue among the stakeholders. A seafood JI also provides structure to better coordinate and leverage resources across local, regional, and national governance levels, which could potentially improve efficiency.

Cohesive policy reform and implementation: Successful policy development and implementation requires support from stakeholders, particularly market stakeholders (e.g., seafood businesses), to translate the reform into real-world benefits. Engaging in a JI allows management authorities to ensure policy reform is practical and feasible, as implementation of these policies will be tested by market stakeholders.

Stabilize production and improve social benefits: Large-scale management that is sustainable should stabilize production of the sector, which helps stabilize jobs and revenue/gross domestic product (GDP) for governments. Where JIs support livelihoods, increased income and stable production can help lift the quality of life in these communities.

Align political agendas: JIs provide government with the opportunity to align political agendas across different ministries and departments so that obstacles are addressed, and more collective momentum is created across a shared vision (UNDP 2019).

Attract increased investment and support for sector development: Having a stronger shared vision and a clearer action plan for sustainable seafood production provides a better context for attracting increased investment and support (across companies and international donors) for appropriate/responsible sector development (UNDP 2019).

Role of Policy-Makers Within Jurisdictional Initiatives for Seafood

Management authorities have typically played supportive and advisory roles within conventional CRI approaches, which are typically driven by market players. Conversely, management authorities/policy-makers play a lead, pivotal role in JIs, as explained in detail here. There can be no JI without the government playing a critical role.

Defining a clear jurisdictional boundary: A rigorous JI requires clear and coherent government policies to support improvement actions and to create a level playing field for all seafood producers. As such, a clear and defined jurisdictional boundary (geographically or geopolitically) is needed for which policies can be enforced.

Ultimate resources managers: Policy-makers, such as relevant ministers and their departments (e.g., fisheries, marine, labor, environment) are accountable for managing resources and safeguarding the people who rely on these resources. These policy-makers have the final decisions on catch levels for fish stocks, where fish/shrimp farms can operate, how workers in the seafood production system are treated, and ensuring climate-resilient management. Commitments and leadership for sustainable seafood production and social welfare by management authorities are crucial for the success of a JI.

Delivery of ecosystem-based and multiple targets: JIs focus on delivering high-level ecosystem-based and biodiversity targets (including maintenance and/or restoration of critical ecosystems and threatened species, increasing climate resilience, addressing cumulative impacts), as well as ensuring safe and decent working conditions, inclusion of IPs and local communities, and enhancement of the economic profitability of those involved. Achieving these targets is beyond the control of individual seafood supply chains and requires the involvement of national or regional governance.

Local JIs need policy support at the national level: Implementation of a JI at a local level often requires alignment and leadership of national policies to create enabling conditions so these policies can work more synergistically. For example, in Brazil, the Espiritu Santo state-level JI has benefited from the revision of the Forest Code that helped the alignment of multiple national policies.

Integrated and adaptive seascape management: A JI aims to mitigate impacts from multiple uses and provide resilience to climate-driven changes in the ecosystem (such as stock shifts), market needs, and stakeholder interests. Best practice suggests that JIs align goals with

international and national biodiversity and climate targets. At the same time, JIs should also incorporate climate and marine conservation projections to support adaptation and resilience.

Integrating the full life cycle of the production model and interdependency of the ecosystem: This is particularly important for aquatic ecosystems, where life cycles of commercial species occur across different habitats (e.g., salmon) and adults may travel great distances. Focusing on protecting and restoring essential fish habitats, such as nursery and spawning grounds, could provide an opportunity for advancing sustainable production across multiple fisheries within a single jurisdiction. For aquaculture, open production models will need to expand the boundaries of the JI to consider cumulative risks within the larger shared watershed to account for water quality and access issues, along with disease risk. This can only be achieved by the active involvement of policy-makers as the leaders of a JI.

How Policy-Makers Can Engage in Jurisdictional Initiatives for Seafood

Like seafood buyers, policy-makers (i.e., governments and seafood resource management authorities) are crucial to the success of a JI. The following practices that inform how policy-makers can best contribute to seafood JIs complement those identified within the *Guidance for Importers, Brands and End Buyers to Engage in Jurisdictional Initiatives for the Seafood Sector* (adapted from ISEAL 2022a).

Prioritizing Actions

Policy-makers should work with stakeholders to identify the policy gaps associated with seafood production and nature protection/conservation across the jurisdiction. In addition, policy-makers should engage in the baseline assessment for the JI to help identify policy gaps for critical issues in relation to nature, climate, and social aspects, which become obstacles to sustainable seafood production. This could cover a wide range of policies, including fishery management plans (FMPs), bycatch reduction/mitigation measures, MSP regulations, and human rights policies. Once policy gaps are identified, policy-makers will be able to identify existing public and private resources that have already been invested in the jurisdiction and resources gap for implementing a successful JI.

It should be noted that government interest in fisheries/aquaculture farms may be limited in some countries, especially at a sub-national level, without strong incentives from end buyers.

Furthermore, resource management and governance capacity are generally weak around the world and may require substantial investment, particularly regarding national and international financial mechanisms, to support the long-term process of a JI.

Maximizing Impact

Once policy gaps have been identified, government and management authorities should develop policy and conservation measures to address key issues that were identified through engagement with stakeholders and baseline assessments. While local governments/authorities can support actions of market players and the producers at the ground/site level, some issues can only be

addressed through changes of policy at the national and sometimes international levels (e.g., tuna-related policies). As such, the leadership of the national government and support of local/sub-national governments are crucial.

To ensure the effectiveness of the JI's monitoring framework, policy-makers should work with initiative partners to develop legal data requirements that could allow the initiative to measure progress against local, national, and international targets and commitments.

Policy-makers can also provide or realign required investments (financial, enforcement, and/or other forms) to support a JI. Leadership from the management authorities is particularly important in seeking international financial support for the initiative.

Measuring Progress and Communicating Results

Policy-makers play an important role in effectively monitoring and reporting on progress and communicating results. Policy-makers should do the following:

- Work with JI partners, in particular the project developers, to support the development of a collaborative monitoring framework with data that aligns with policy objectives. This allows policy-makers to demonstrate that investment and supports policy reforms to achieve the desired targets.
- Work with their associated organizations, such as national research institutes, to provide support for the validation of data (e.g., recovery of fish stocks, impacts to habitat, and socio-economic performance) in relation to the initiative's objectives.
- Work with JI partners to develop the validation of contributions to the initiative as well as possible claims.

Conclusion

As governments, seafood companies, and civil society organizations around the world seek opportunities to improve seafood production systems and commit to place-based ecosystem approaches, opportunities for seafood JIs are greater than ever. Initiatives that tackle systemic barriers to sustainable production are an important tool for working toward a future where ocean ecosystems can continue to support the people and businesses who depend on them. By bringing stakeholders together (such as IPs and local communities, government representatives, civil society organizations, and seafood supply chain companies) to implement and support these initiatives, we can deliver significant conservation outcomes by addressing environmental, social, and economic barriers to environmental sustainability and social responsibility at relevant political and ecological scales. We hope this guide will help you join these efforts.

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