

Board of Trustees of MSC
London
United Kingdom

Heusenstamm, 01.08.2017

Dear Trustees,

Sharkproject International e.V. is an international eNGO working out of Germany, Austria and Switzerland. Our objective is the conservation of our world's more than 530 different species of sharks, of which more than 100 are unfortunately already listed by the IUCN as threatened, with some populations of large pelagic sharks having sadly declined by more than 90% over the last 20 years.

In pursuit of our global mission to educate people about the importance of sharks for our marine ecosystems and the urgent need to prevent them from complete extinction, Sharkproject has since its foundation in 2002 always been working together very closely with many other NGOs.

We have also welcomed and supported the intention of the MSC to certify sustainable fisheries and thereby provide a real alternative to concerned consumers, caring about our marine resources. The MSC label has been and always should be a symbol for a true alternative to the industrial depletion of our oceans by the fishing industry. Rewarding only truly sustainable fisheries, which actively manage the stocks and apply only ecologically friendly fishing methods to minimise the amount of bycatch of ETP species, sharks, and other species, thereby reducing the overall impact on the marine ecosystems, needs to be the main focus during assessment and certification.

However, over the course of the last 5 years or so we have been witness to the MSC often also awarding its label to fisheries, which can by no means be considered to be sustainable!

And despite the active stakeholder engagement of many eNGOs in these assessments our input was neither considered adequately nor could it prevent most of these fisheries from getting certified or re-certified.

This is indeed a very sad development the MSC has undergone over the last years and we believe that you as trustees should be made aware of this change, which will eventually result in an irreparable damage to the MSC's image and a discontinuation of our support and involvement in any MSC certification, if continuing in this way.

I am therefore writing to you today to inform you all about our deep concerns, which we share with many other eNGOs, over the extremely disappointing outcome of all discussions and engagements with your boards and working groups so far. Despite the urgency of the discussed topics for both, the conservation of our oceans and the image of the MSC, no tangible results or improvements have been achieved so far. It is also our concern that you, the trustees of the MSC, have so far not been adequately informed by your board of directors on the contents and the urgency of our concerns.

Therefore, I would very much appreciate if Sharkproject together with a small delegation of the by now more than 60 other concerned eNGOs would be provided with the opportunity to meet with the Board of Trustees in person. Then we could inform you directly about the requested changes and the reasons why these changes to the assessment process and the certification standards themselves are urgently required.

In particular, at the beginning of this year we sent an open letter to the MSC, which was already signed by more than 50 eNGOs, highlighting several examples of utterly unsustainable fisheries which had been certified or were in assessment. We jointly requested the MSC to deny certification or re-certification of these fisheries.

In a meeting of a delegation of these eNGOs with the MSC in April in Brussels we further explained our growing dissatisfaction with the MSC label and emphasized the urgency of 15 changes being made to the current assessment process and the standard itself to prevent the imminent damage to the MSC's image and a loss of its credibility as a partner in the conservation of the diversity of our oceans for future generations.

However, while the importance of all our topics was acknowledged and the topics deferred to working groups for further review, we were informed, that actually no changes whatsoever will be made prior to the second half of next year and that any changes to the certification standard would have to wait until 2020 - another 3 years from now!

While having offered several times to work together with MSC on the definitions and implementation of these changes, this newly announced timeline is utterly disappointing and unacceptable for us. Considering the urgency of our topics, like the involvement of MSC certified vessels in commercial whaling, the deliberate disregard of the extent of sharks as bycatch in the tuna and swordfish fisheries, or the obvious conflict of interests of all CABs, when having to assess the sustainability of a fishery while getting paid by the same fishery, this is deeply worrying.

Another example of MSC's current practice to certify unsustainable fisheries, I would like to draw your attention to, is the outcome of the "Unit of Assessment" workshop the MSC held in London in June on the. After two days of intensive discussions of the impacts and risks of the compartmentalisation of a single fishing gear into a sustainable and a unsustainable part for the same UoA, as currently applied for the MSC certification of FAD free purse seine tuna fisheries, most of the 40 delegates, including participants from eNGOs, UK retailers, and even some of the fisheries unanimously agreed that this needs to be revised urgently.

However, once more no immediate action has been taken by the MSC and this topic has also only been remitted to the working groups for review for potential incorporation in 2020, as part of the standard review!

It was indeed very difficult for the delegates to understand, that a fishery should be allowed to fish for a major part of its total catch, during the same trip, using the same vessels, and mostly even doing so on the same day by using FAD associated purse seine nets, without even having to report and consider the huge number of bycatch of ETP species and sharks and the overall negative impacts of this practice on the ecosystem. When a CAB assesses a fishery for its UoA against principle 2 and 3 requirements the complete catch and impact of the UoA should have to be considered and not only the impact of the usually smaller part of its fishing activities when the fishery uses FAD free (unassociated or free swimming schools) sets. As the setting on free schools is associated with a significantly lower amount of bycatch of ETP species, silky sharks and oceanic whitetips, the FAD free practice is then considered to be sustainable and gets MSC certified, while the hugely negative impact of the fishery as a whole on these species is completely disregarded in the assessment of the UoA. And this fishery will then not even have to commit to any improvements being made to its unsustainable part of fishing for subsequent re-certification.

For example in the case of the currently ongoing re-certification of the PNA tuna fishery and its FAD free purse seine skipjack and yellowfin tuna the bigotry of this compartmentalisation becomes fully apparent.* This fishery with 285 vessels and a huge annual catch of more than 1.6 million tons of purse seine tuna in 2014 (making up for more than 60% of the total purse seine tuna in the WCPFC) caught only about half of its catch (approx. 750,000 tons) using the FAD free purse seine fishing practice. However, in the CABs PDCR for re-certification neither the total bycatch of the client nor the total extent of finning, which took place on the client's vessels got assessed. Thus the 287 tons of silky sharks and 117 tons of whale sharks from approximately 450,000 tons of tuna observed from free sets by the observers are in no way indicative of the total extent of bycatch of these IUCN Appendix II listed shark species caused by this fishery as a whole.

While the tonnage of silky sharks from the FAD free part of the fishery accounts to approx. 0.05% of the total catch or roughly 10,000 – 14,000 animals per year (assuming an average weight of 20 – 30 kg per shark as most of them would have been juveniles) the total number of silky sharks estimated from its overall purse seine fishing activities, including the FAD associated sets, will be at least 10 times higher, as commonly acknowledged. Thereby the MSC label may get re-awarded to a fishery which artificially limits its UoA to one compartment of the fishing gear while killing more than 100,000 silky sharks per year as bycatch and does not even have to report these numbers or commit to any reduction of them for the future.

Together with many other workshop delegates we thus consider this compartmentalisation to be a perverse incentive carrying the risk of severely damaging the reputation of the MSC label in the public opinion and the consumer level, but also with perspective to the future desire of truly sustainable fisheries of getting MSC certified.

I am therefore writing to you all to inform you on this unacceptable situation and hoping for you to take action on this.
Thank you very much

Kind regards



Dr. Iris Ziegler

International Cooperations

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