



Make Stewardship Count's Initial Take on the New MSC Fisheries Standard

November 2, 2022

[Make Stewardship Count](#), a coalition of more than 90 marine conservation experts, organisations, and researchers from around the world has been heavily engaged with the Marine Stewardship Council (MSC) throughout its multi-year Certification Standard review. We recognise the immense amount of work that has gone into this review by MSC and stakeholders to deliver the new Fisheries Standard V3.0, released on October 26.

The new Standard and related documents are still under review by the coalition to confirm the full details of changes, however, we offer an initial take on the outcome, noting that our coalition has been primarily focused on how the certification assesses bycatch and wasteful fishing, impacts on species at risk and ecosystems, and monitoring high impact/high-risk fishing.

Despite an effort at simplification in this review, the Standard and process for certification remain complex. Because the MSC certification aims to cover all fisheries – whether large-scale industrial or small artisanal, across all gear types, many management systems and thousands of species – it is inevitably somewhat malleable and a mixed bag for outcomes. There are some bright spots with some new stronger requirements for fisheries to attain certification. However, the new Standard also remains riddled with ways that fisheries can undermine the intention of the scoring. Ultimately, high-impact fishing gear types that many experts would not define as sustainable will continue to be certified.

This V3.0 Standard will be in place for at least a decade. The MSC has chosen a lower bar for impacts on endangered, threatened and protected (ETP) species, monitoring of fishing practices and catch, and sustainable management objectives than our coalition and many other experts had hoped.

The Hits

We are pleased the new Standard requires fisheries to have a policy in place that any sharks landed (i.e. those not returned intact to the water) must be landed with their fins naturally attached to their bodies. Shark experts have been calling for the MSC to adopt this best practice to prevent shark finning for more than a decade and, as our coalition called for, the MSC is requiring this policy be implemented in fisheries with a 'high degree of certainty' to meet even the minimum acceptable score for certification. Most other scoring elements have the strongest requirements only at the highest score possible, making this a strong part of the Standard.

The new Standard also introduces a clear definition of 'shark' for these scoring purposes: Sharks are defined as *selachimorpha* (true sharks) and *rhinopristiformes* (e.g. shovelnose rays, guitar fishes). These include 95% of species and 99% of the volume of fins affected by the shark fin trade. In all other contexts of the certification, sharks are now defined as 'all Chondrichthyans', also a major improvement over the previous Standard.¹

¹ For designation as Endangered, Threatened, Protected and Out-of-Scope species and for fishing impact scoring

MSC made an effort to tighten and make more consistent the definition of which species are designated as ETP and thus trigger more strict requirements for fisheries that may interact with any of those species. This may increase the number of species that will be considered 'out-of-scope' for certification under the new Standard. The scoring requirements for impacts on these species have been made more consistent throughout the Standard. In response to feedback from stakeholders on the previous draft, the MSC has made it harder for fisheries to opt out of mitigation measures to reduce the mortality of ETP species if it reduces their profits.

We also welcome the vastly expanded and improved list of Key Low Trophic Species, given their crucial role in the marine food web, and the importance of such species as prey for out-of-scope/ETP species. As an example, the new Standard now includes the genus *Calanus* (copepods), a main food source for the critically endangered North Atlantic right whale.

The Misses

In our May 2022 [letter](#), we raised concerns around several critical definitions related to reducing impacts on ETP and unwanted bycatch being too weak or too subject to interpretation, including:

- '*minimise mortality*'
- '*negligible*' impact and
- '*hindering recovery*'

In the end, despite considerable concerns from stakeholders, MSC did not tighten these definitions and left them far too open to the interpretation of the company (CAB) carrying out the fishery assessment. We predict these weak definitions will result in little meaningful change in regard to how many unwanted and at-risk animals are killed by certified fisheries. For example, CABs will be allowed to use their own judgment to determine what constitutes '*negligible*' impacts caused by ghost gear and ghost fishing.

Similarly, MSC did not respond to the concerns of many conservation experts about the weak criteria chosen in the new Standard to show precautionary management is in place for ETP species or for that species to be considered 'recovering'. This weak criteria means that even if some species are designated as ETP they will still be allowed to be fished as the target species of a certified fishery. As compared to the earlier version of the draft Standard published in February, the MSC also increased the number of ETP species that would be eligible for assessment as a certified target fishery. This will likely lead to more fisheries being certified while continuing to contribute to species decline. Many threatened species (including vulnerable sharks and rays or endangered non-Chondrichthyans, even if protected by national legislation) will now be subject to weaker modification criteria and might therefore be eligible as an in-scope or target species.

There are two key critical improvements that the MSC introduced in earlier consultation drafts, to the delight of many conservation and sustainable fisheries experts, only to reverse course at the last minute and remove them from the new Standard: marine mammal protection from fishing and science-based targets for observer coverage on board vessels. These would have been powerful requirements in the certification.

For marine mammals, early drafts banned fisheries from certification that deliberately set their gear around marine mammals or harass them. The published Standard instead continues to allow this and instead tries to increase the stringency of evidence a fishery has to provide showing the impacted mammal population is healthy and able to withstand the harassment. We predict this will lead to other fisheries seeking certification, similar to the controversial, and currently certified, PAST Northeastern Tropical Pacific Yellowfin Tuna Fishery, which intentionally sets purse seine nets on dolphins.

On observer coverage requirements, MSC has not only missed an opportunity to drive change in the rapidly evolving fisheries monitoring and compliance field but will undermine progress into the next decade. Earlier drafts had required observer coverage thresholds that were based on strong, peer-reviewed science aimed at ensuring sufficient coverage to understand and mitigate impacts by fisheries on species at risk. The published Standard removed this requirement for all fisheries except those on the high seas, and even then offers an alternative option to avoid the required 30% coverage that will be relatively easy for those fisheries to adopt instead.

Stayed tuned for our final scorecard on the Standard contents, the Review process and more details about the new V3.0 MSC Fisheries Standard.

Contact information

Iris Ziegler

Head of International Cooperation | SHARKPROJECT International, Switzerland
+49 174-3795190 (Deutsch, English)
i.ziegler@sharkproject.org

Shannon Arnold

Senior Marine Program Coordinator | Ecology Action Centre, Canada
+1 902-329-4668 (English)
sarnold@ecologyaction.ca

Kate O'Connell

Marine Animal Consultant | Animal Welfare Institute, USA
+1 860-990-7858 (English, Spanish)
kate.oconnell@balaena.org

Cat Dorey

Independent Advisor | Australia
+61 425-368-323 (English)
catdorey@gmail.com