



Evaluating the MSC's requirements for the prevention of shark finning

Consultation Summary Report

October 2020

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Glossary of abbreviations and technical terms

CAB – Conformity Assessment Body

This is a working paper, and hence it represents work in progress. This report is part of ongoing policy development.

The views and opinions expressed in parts of this report are those of stakeholders and do not necessarily reflect the official policy or position of the Marine Stewardship Council.

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Purpose and scope of this report

Every five years, the Marine Stewardship Council (MSC) initiates a [Fisheries Standard Review](#) to help ensure our assessment and certification system remains the leading measure of fisheries sustainability. The current review began in 2018 and will conclude in 2022.

Stakeholders from all sectors are at the heart of our review, helping identify issues, develop solutions and test proposed changes. We have completed research into the topics identified in the Terms of Reference, and will next develop options for revisions. One of the topics identified is *Evaluating the MSC's requirements for the prevention of shark finning*. We are holding a series of consultations throughout 2020 and 2021 for stakeholders to take part in the development of the Fisheries Standard.

This report details the following for the 2020 consultations on the topic of *Evaluating the MSC's requirements for the prevention of shark finning*:

- Background to topics discussed
- Participation data
- Next steps in the review process
- Full transcripts and feedback tables

It is the goal of MSC consultations to value authenticity, fairness and inclusiveness, secure strategic insight and build consensus and credibility. Our core principle is that consultations should be useful to the MSC in achieving its mission and useful to the participants in seeing how their views are considered. To achieve this, the MSC's processes for consultation follow the [ISEAL Standard Setting Code of Good Practice](#) and the [FAO Guidelines for the Ecolabelling of Fish and Fishery Products from Marine Capture Fisheries](#).

ISEAL requires that participation is open to all stakeholders, and that the standard setter proactively seeks contributions from disadvantaged stakeholder groups. This is to ensure that contributors represent a balance of interests in the subject matter and in the geographical scope to which the standard applies. Publishing raw consultation feedback is considered 'aspirational good practice' by ISEAL. We publish this feedback as part of our commitment to transparency in our consultation process.

Background

Shark finning is the practice of removing any of the fins of a shark (including the tail) and discarding the remainder of the shark at sea. This is [strictly prohibited within MSC certified fisheries](#).

The [MSC Fisheries Standard](#) requires certification bodies to assess the likelihood that shark finning is not occurring within the fishery. This is part of the scoring for both Principle 1 (sustainable stocks) and Principle 2 (minimising environmental impact).

The problem statements guiding the MSC's ongoing [Fisheries Standard Review project on shark finning](#) include:

1. Stakeholder concerns have highlighted that the existing requirements in the Fisheries Standard may not be reflective of what is currently considered to be global best practice in management for the prevention of shark finning.
2. The MSC recognises that structural changes to the existing requirements may be needed in order to better incentivise effective monitoring and enforcement practices to promote improvements in management practices on the water.

As part of the review, the MSC has consulted stakeholders through the consultation activities detailed below:

Consultation launch conference

On 13 May 2020, the MSC held an online conference hosted on WorkCast to launch the Fisheries Standard Review. The conference was open to all and advertised via the MSC website and media channels including *Undercurrent News*, *IntraFish* and *Seafood Source*. Stakeholders who had subscribed to receive updates on the MSC program were directly informed. At the conference, the MSC provided stakeholders with information on all topics under review and upcoming consultation events, and participants had the opportunity to direct questions to the MSC project leads.

There were 11 sessions, one of which was titled: *Principle 3: Effective fisheries management - Preventing shark finning*. MSC staff gave a presentation and then conference participants were invited to submit questions in a live Q&A. The Q&A session was recorded and subsequently transcribed using a third-party transcription service operating under a confidentiality agreement with the MSC. The full transcript and all questions submitted in the chat box, with any information that could potentially identify an individual, organisation or fishery removed, can be found in [Annex II: Transcript of Q&A session](#).

Online consultation workshops

Using Zoom, the MSC held two online consultation workshops on the topic of *Evaluating the MSC's requirements for the prevention of shark finning*:

- 0700-1000 UTC 7 July 2020 (see [workshop agenda](#))
- 1400-1700 UTC 9 July 2020 (see [workshop agenda](#))

The workshops were advertised at the [consultation launch conference](#), on the MSC website, and to stakeholders subscribed to receive updates on the MSC program. Stakeholders were invited to register their interest through a registration portal. Some participants were recruited through targeted communications. While the workshops were open to all, it was specified that a certain level of expertise was needed to participate effectively. Places in any given workshop were limited and were allocated to ensure representative participation across all sectors. The second workshop was held to meet demand and ensure that all stakeholders who expressed interest in attending were able to do so.

The online consultation workshops aimed to achieve the following three objectives:

1. To establish a common understanding of the existing requirements regarding the prevention of shark finning in the MSC Standard.
2. To gather information from experts and enable a forum for informed discussion on whether these requirements continue to reflect globally accepted best practice in management for the prevention of shark finning, or whether they require revisions.
3. If changes are needed, to gather information to help build proposals for improvements to the MSC requirements, with emphasis on the types and quality of evidence needed to deliver confidence that shark finning is not occurring in MSC fisheries.

Participants were provided with [background information](#) prior to the workshop.

The workshops were recorded and later transcribed using a third-party transcription service. Subsequently, a third-party service redacted individual names, organisations, countries, fisheries and species. Confidentiality agreements were signed between the MSC and the third-parties. The full transcripts, with any information that could potentially identify an individual, organisation or fishery removed, are available in:

- [Annex IIIa: Transcript of workshop 7 July 2020](#)
- [Annex IIIb: Transcript of workshop 9 July 2020](#)

These documents also contain comments submitted in the chat box during the workshops.

The MSC also held a series of workshops on the topic of *Introducing requirements on the type and quality of evidence needed for scoring fisheries*, where the topic of shark finning requirements was discussed. See the separate [Consultation Summary Report](#) for more information about these consultation events.

Online form (follow-up survey)

The workshops were followed up by an [online form](#) that was open to all on the MSC website between 8 and 29 July 2020. The form was primarily intended as an opportunity for workshop participants to provide further feedback, and was made available following the first workshop. Feedback was submitted both through the online form and via email during the consultation period. This feedback, with defamatory comments and any information that could potentially identify an individual, organisation or fishery removed, can be found in [Annex IV: Online form feedback tables](#).

Participation

This section presents participation data for the consultation activities detailed above.

Consultation launch conference Q&A participation

The consultation launch conference session on *Principle 3: Effective fisheries management - preventing shark finning* had 75 external participants that attended live, nine of whom asked questions. Later, 19 more watched the recording online, and therefore could not participate in the live Q&A.

Table 1: Number of external participants that attended the live Q&A session representing each stakeholder group.

Stakeholder group	Count
Academic/scientific	10
Commercial wild harvest fisheries/aquaculture	14
Conformity assessment/accreditation	13
Governance/management	1
Non-governmental organisation	21
Seafood supply chain	7
Other	9
Total	75

Table 2: Number of external participants that attended the live Q&A session representing each geographical region.

Geographical region	Count
Africa	2
Asia	3
Europe	38
Latin America	13
Middle East/North Africa	1
North America	12
Oceania	0
Russia	0
South Asia	6
Total	75

There was broad sectoral representation ([Table 1](#)). A majority of participants were based in Europe, with high numbers also based in North America or Latin America ([Table 2](#)). The lower numbers of participants from Asia and South Asia, and the absence of participants from Oceania, could be explained by time differences. Recordings of the conference sessions were made available online to accommodate stakeholders in other time zones.

Online consultation workshops participation

The workshops attracted 49 participants. The full list of participants, their stakeholder groups and country of work can be found in [Table 5](#) and [Table 6](#) in [Annex I: Participation](#).

Table 3: Number of individual participants/respondents representing each stakeholder group. Note that the total represents the number of participations, not the number of individual participants, as several people participated twice; by attending a workshop and completing the online form.

Stakeholder group	Workshop 1	Workshop 2	Online form	Total
Non-governmental organisation	4	15	11	30
Conformity assessment/accreditation	2	5	3	10
Commercial wild harvest fisheries	3	3	3	9
Governance/management	4	0	2	6
Seafood supply chain	2	0	9	11
Comms/media	1	0	1	2
Academic/scientific	0	3	1	4
Other	4	2	0	6
Unknown	1	0	5	6
Total	21	28	35	84

Table 4: Number of individual participants/respondents representing each geographical region. Note that the total represents the number of participations, not the number of individual participants, as several people participated twice; by attending a workshop and completing the online form.

Geographical region	Workshop 1	Workshop 2	Online form	Total
Africa	0	1	0	1
Asia	4	0	1	5
Europe	7	11	20	38
Latin America	0	3	0	3
Middle East/North Africa	0	0	0	0
North America	0	11	4	15
Oceania	10	0	5	15
Russia	0	0	0	0
South Asia	0	0	0	0
Unknown	0	2	5	7
Total	21	28	35	84

In the workshops, the sectoral representation is dominated by respondents from non-governmental organisations, conformity assessment/accreditation, seafood supply chain and commercial wild harvest fisheries ([Table 3](#)). The majority of respondents were based in Europe, North America and Oceania ([Table 4](#)). Note that the two workshops were held at different times to accommodate different timezones, and that this is reflected in the regional representation at each workshop.

The low participation from certain regions might be explained by a number of factors, most importantly language barriers, rate of certifications in relevant countries/regions and general interest in the topic. The MSC offered interviews in individuals' own languages as an alternative to participating in the workshops, and translated versions of the online form were available on request.

Online form (follow-up survey) participation

There were 35 respondents to the online form. The full list of respondents, their organisations, stakeholder groups and country of work can be found in [Table 7](#) in [Annex I: Participation](#). For respondents that did not consent to their names being published, only stakeholder group and country is available.

A breakdown of stakeholder groups ([Table 3](#)) and geographical regions ([Table 4](#)) can be found above. The sectoral representation is dominated by respondents from non-governmental organisations and seafood supply chain. The majority of respondents who took advantage of this opportunity that was open to all, were based in Europe.

Next steps

We are currently reviewing all feedback received from the consultation workshops and online form. This feedback, in addition to independent research (see report on [best practice in the prevention of shark finning](#)) and information from public certification reports on how shark finning requirements are applied, will inform our decisions on proposed changes to the MSC Fisheries Standard. We will carry out an impact assessment on the proposed changes. Specifically, we want to understand the feasibility and acceptability for fisheries to make the changes, and the ability of conformity assessment bodies (CABs) to implement them. We will also seek the advice of our governance bodies on the proposed changes.

In making changes to the MSC Fisheries Standard, we need to consider the following:

- a) Do proposed changes meet [strategic objectives](#)?
- b) Do proposed changes affect the ability to deliver on the [MSC's Theory of Change](#)?
- c) Do proposed changes to the Standard align with the [MSC's three principles](#)?

We will engage with stakeholders in early 2021 to share any potential changes to the Standard and explain how we developed these changes. We will hold further consultations in 2021 and the revised Standard will be publicly reviewed in early 2022 to ensure changes are clear and that the new Standard delivers the intentions of our program.

To be notified of future activities and developments, [sign up to our Fisheries Standard Review update](#).

Annex I: Participation

Table 5: List of participants in the online consultation workshop on 7 July 2020, including organisation, stakeholder group and country of work.

Organisation	Stakeholder group	Country
Atlantis FCG	Commercial wild harvest fisheries	Australia
Atlantis FCG	Commercial wild harvest fisheries	Australia
OPAGAC	Commercial wild harvest fisheries	Spain
On The Hook campaign	Comms/media	UK
Did not specify	Conformity assessment and/or accreditation	Australia
Lloyd's Register	Conformity assessment and/or accreditation	UK
Deep Water Group	Did not specify	New Zealand
Department of Primary Industries and Regional Development (Western Australia)	Governance/management	Australia
Fisheries New Zealand	Governance/management	New Zealand
Ministry for Primary Industries	Governance/management	New Zealand
Parties to the Nauru Agreement and Nature Conservancy Council	Governance/management	Australia
Did not specify	Non-governmental organisation	Australia
The Nature Conservancy	Non-governmental organisation	Indonesia
WildAid	Non-governmental organisation	UK
Yayasan Masyarakat dan Perikanan Indonesia (MDPI Foundation)	Non-governmental organisation	Indonesia
I am a barrister in private practice, and I would be attending on behalf of a client (World Wise Foods Ltd)	Other	UK
FishListic Pty Ltd	Other: Across a lot of the above - tech consultant	Australia
Independent Consultant	Other: Fisheries consultant	Indonesia

Japan Fisheries Certification Support	Other: Fisheries consultant	Japan
Marks & Spencer	Seafood supply chain	UK
Waitrose	Seafood supply chain	UK

Table 6: List of participants in the online consultation workshop on 9 July 2020, including organisation, stakeholder group and country of work.

Organisation	Stakeholder group	Country
Independent	Academic/scientific	UK
Independent Consultant	Academic/scientific	USA
Private Consultancy	Academic/scientific	UK
Association of Sustainable Fisheries	Commercial wild harvest fisheries	UK
At-sea Processors Association	Commercial wild harvest fisheries	USA
The South African Deep-Sea Trawling Industry Association (SADSTIA)	Commercial wild harvest fisheries	South Africa
Control Union	Conformity assessment and/or accreditation	Not specified
Control Union	Conformity assessment and/or accreditation	UK
Did not specify	Conformity assessment and/or accreditation	UK
MRAG Americas	Conformity assessment and/or accreditation	USA
SCS Global Services	Conformity assessment and/or accreditation	USA
Animal Welfare Institute	Non-governmental organisation	USA
AWI	Non-governmental organisation	USA
CeDePesca	Non-governmental organisation	Peru
Did not specify	Non-governmental organisation	Did not specify
Ecology Action Centre	Non-governmental organisation	Canada
Fins Attached Marine Research and Conservation	Non-governmental organisation	Costa Rica
Gesellschaft zur Rettung der Delphine e.V.	Non-governmental organisation	Germany
Make Stewardship Count	Non-governmental organisation	Switzerland
Marine Stewardship Council	Non-governmental organisation	USA

Natural Resources Defense Council	Non-governmental organisation	USA
Ocean Wise Conservation Association	Non-governmental organisation	Canada
Shark Trust	Non-governmental organisation	UK
Sharkproject International	Non-governmental organisation	Germany
Sustainable Fisheries Partnership	Non-governmental organisation	USA
WWF	Non-governmental organisation	UK
Independent	Other	UK
Divers for Sharks	Other: Dive industry organization	Brazil

Table 7: List of respondents to the online form. For those respondents who consented to this, their names and organisations are included. A total of five respondents did not provide any personal information, and are not included in this table.

Name	Organisation	Stakeholder group	Country
Craig Turley	For the purpose of this questionnaire, I am an independent consultant and do not represent the opinions of any of the organisations that I may consult for.	Academic/scientific	UK
Andy Hough	Association of Sustainable Fisheries (ASF)	Commercial wild harvest fisheries	UK
Redacted at request of individual	Redacted at request of individual	Commercial wild harvest fisheries	Singapore
Neil MacDonald	Southern Fishermen's Association	Commercial wild harvest fisheries	Australia
Amy Hammond	On the Hook	Comms/media	UK
Sandy Morison	Contracting assessor	Conformity assessment/accreditation	Australia
Rob Blyth-Skyrme	Did not specify	Conformity assessment/accreditation	UK
Samuel Dignan	SAI Global (MSC CAB)	Conformity assessment/accreditation	Ireland
Richard Banks	Fisheries consultant assessor and advisor	Governance/management	Australia
Maurice Brownjohn	Parties to the Nauru Agreement	Governance/management	Marshall Islands

Susan Millward	Animal Welfare Institute	Non-governmental organisation	USA
Dr Leonardo Guida	Australian Marine Conservation Society	Non-governmental organisation	Australia
Kate O'Connell	AWI	Non-governmental organisation	USA
Frédéric Le Manach	BLOOM	Non-governmental organisation	France
Shannon Arnold	Ecology Action Centre	Non-governmental organisation	Canada
Redacted at request of individual	Redacted at request of individual	Non-governmental organisation	Germany
Redacted at request of individual	Redacted at request of individual	Non-governmental organisation	Switzerland
Redacted at request of individual	Redacted at request of individual	Non-governmental organisation	USA
Dr Iris Ziegler	Sharkproject International	Non-governmental organisation	Germany
Alex Hofford	WildAid	Non-governmental organisation	UK
Clarus Chu	WWF	Non-governmental organisation	UK
Tom Pickerell	Global Tuna Alliance	Seafood supply chain	UK
Hannah Macintyre	Marks & Spencer	Seafood supply chain	UK
Florian Rohner	Migros	Seafood supply chain	Switzerland
Sandra Hinni	Migros Genossenschafts Bund	Seafood supply chain	Switzerland
Redacted at request of individual	Redacted at request of individual	Seafood supply chain	UK
Redacted at request of individual	Redacted at request of individual	Seafood supply chain	UK
Redacted at request of individual	Redacted at request of individual	Seafood supply chain	UK
Redacted at request of individual	Redacted at request of individual	Seafood supply chain	UK
Redacted at request of individual	Redacted at request of individual	Seafood supply chain	Netherlands