



# ELIMINATING SHARK FINNING: URGENT ACTION NEEDED FROM THE MARINE STEWARDSHIP COUNCIL

*Join the call for the Marine Stewardship Council to introduce a requirement for Fins Naturally Attached as a prerequisite for certification in all fisheries interacting with sharks - without exemptions!*

- » Shark populations globally are on the brink of collapse under the pressure of overfishing, driven in part by the lucrative global market for shark fins. This incentivises the practice of ‘finning’ whereby fins are cut off sharks which are often then discarded and left to die in the water.
- » It is now well established that a Fins Naturally Attached policy (requiring that fishers must bring sharks back to port in one piece, with their fins still attached to their bodies) is the only truly effective means of banning shark finning.
- » Fins Naturally Attached is a world-best practice in fisheries management and has been adopted by jurisdictions around the world, including 44% of the world’s top shark fishing nations, yet it is still not required by the Marine Stewardship Council (MSC) ecolabel.
- » This is completely inconsistent with [MSC’s statement](#) that “there remains a zero tolerance approach to shark finning in MSC certified fisheries”.
- » MSC must seize the opportunity provided by its ongoing Fisheries Standard Review to introduce Fins Naturally Attached as a prerequisite for certification in all fisheries interacting with sharks - without exemptions!

*The full version of this report can be found [here](#).*

## Shark finning

### THE THREAT

Shark populations globally are on the brink of collapse under the pressure of overfishing with an **estimated 63–273 million sharks** killed each year. More than half (16 of 31) of oceanic shark species are now classified as endangered or critically endangered and **recently published data** reveals that global abundance has declined by 71% since 1970 due to an 18-fold increase in fishing pressure. The collapse of shark populations also has significant wider implications as sharks are known to play a vital role in maintaining balanced and functioning ecosystems and to **contribute to the ocean’s carbon sequestration potential**, helping to keep climate change in check.

A major driver of the unsustainable exploitation of sharks is the existence of a highly lucrative global market for their fins, with many oceanic shark species most vulnerable because of their slow growth, low reproduction rates, spatial overlap with major fishing areas, and the value of their fins. Therefore, a key element of safeguarding shark populations must be eliminating the inhumane and unsustainable practice of shark finning—the process of cutting off the fins of a shark and discarding the body at sea, often while the animal is still alive. As well as being a wasteful and cruel practice, shark finning also makes effective fisheries management impossible as neither the real numbers nor the species caught can be accurately identified.

## **SOLUTIONS**

In light of the above, [numerous jurisdictions](#) (including the United States, United Kingdom, European Union, Canada, Australia, and South Africa) have banned shark finning, albeit using different methods to operationalise their bans with significant variation in effectiveness and enforcement.

Some jurisdictions rely on a fin-to-carcass ratio, which allows fishers to remove shark fins at sea, as long as the total weight of fins landed does not exceed a certain percentage of the weight of the bodies. This approach opens up a number of ambiguities as, for example, ratios differ significantly between species and fin-cutting methods between fleets. In allowing fins to be separated from carcasses, there is also an opportunity for high-grading: where fishers combine higher value fins with smaller sharks that occupy less space in the hold. Another approach is Fins Artificially Attached: fins can be cut but must be reattached to the body, for example bound with rope or wire or stored with the body in a bag. As well as involving many of the same loopholes as above, this approach has been deemed impractical, too complicated and too expensive for fisheries with high catch volumes. The process is cost- and labour-intensive and generates additional waste such as plastic bags.

## **FINS NATURALLY ATTACHED**

Given the above issues, it is now well established from both a scientific and management perspective that the only truly effective means of banning shark finning is by requiring Fins Naturally Attached. A Fins Naturally Attached policy stipulates that fishers cannot land a shark without all of its fins naturally intact on the body and cannot possess, trans-ship or land fins that are not naturally attached to the corresponding carcass. This avoids the ambiguities and monitoring complexities of other approaches: if fins are detected separate from carcasses, it is immediately clear that a breach has occurred and sanctions can be applied.

Over the past 15 years or so, a growing [number of countries](#) around the world have adopted Fins Naturally Attached policies including the EU (since 2013), US (2010), Costa Rica (2006), South Africa (1998) and Canada (2019), as well as several Regional Fisheries Management Organisations (RFMOs). [A recent report](#) commissioned by the MSC noted that *“there has been a steady evolution over the past decade at least towards an FNA requirement for fisheries landing sharks, and FNA is widely considered to be ‘best practice’ not only in ensuring that shark finning is not occurring but also in enabling fisheries monitoring that at the level necessary to support adaptive management of these vulnerable species”*.

That report found that 19 of the world’s foremost 43 shark fishing nations had a Fins Naturally Attached policy in place for at least some fisheries under their jurisdiction, representing 90% of the 21 of those nations which have a finning ban. Given the extent of uptake, it is arguable that Fins Naturally Attached is no longer just ‘best practice’ but increasingly a minimum requirement for sustainable fisheries management.

### INTRODUCTION TO THE MARINE STEWARDSHIP COUNCIL (MSC)

The MSC was established in 1997 with the objective of safeguarding seafood supplies for the future by providing a market incentive for sustainability improvements in the fishing industry. The MSC's work is premised on a Theory of Change which holds that: fisheries that meet the MSC Standard are certified as sustainable; retailers, restaurants and consumers all preferentially choose MSC-labelled seafood; market demand for MSC-certified seafood increases; more fisheries then choose to improve their practices to be assessed against the MSC Standard.

### HOW DOES MSC CERTIFICATION WORK?

MSC certification is theoretically open to almost all fisheries and all gear types, with just a few definitive exemptions, such as fisheries targeting mammals or using poison or explosives. Assessment of fisheries is conducted by accredited organisations called Conformity Assessment Bodies (CABs). Fisheries are scored against three principles outlined in the MSC Fisheries Standard: Principle 1 - whether the fishery is operating without overexploiting the target stock; Principle 2 - whether the fishery is operating without detrimental impacts on other species caught as bycatch and on habitats; and Principle 3 - whether the fishery meets national and international laws and has effective management in place. Across the three principles, there are 28 Performance Indicators in the MSC Fisheries Standard and a fishery is assigned a score for each: SG60 is the minimum acceptable level, SG80 'best practice' and SG100 'state of the art'. Products from a certified fishery can be sold carrying the MSC's blue tick ecolabel with MSC receiving royalty fees. Certification is granted for five years, at which point the fishery is reassessed and is expected to have raised all of its scores to at least SG80 having closed all 'conditions' (areas for improvement) it might have received at the time for first certification.

The MSC Fisheries Standard is reviewed every five years through a Fisheries Standard Review.

### CRITICISMS OF THE MSC

The MSC scheme has been widely embraced by governments, international organisations, retail and industry. By 2019, **409 fisheries** were certified, collectively accounting for **17.4%** of all seafood worldwide. However, the integrity of its operations and the effectiveness of its outcomes have been increasingly contested. As the programme has expanded, there have been increasing concerns that it has strayed from its original mission, with **industrial, high-impact fisheries now representing 83% of the MSC-certified catch**.

Academics and Non-Government Organisations (NGOs) have drawn attention to wide-ranging issues surrounding the MSC's Standard, its processes and governance, and the application of the Standard in specific assessments. Controversial certifications have included yellowfin tuna caught in association with endangered dolphins (such as the **Northeastern Tropical Pacific Purse Seine yellowfin and skipjack tuna fishery**), endangered bluefin tuna (such as the **Usufuku Honten Northeast Atlantic longline bluefin tuna fishery**), massive bottom-trawling fisheries (such as the Joint demersal fisheries in the North Sea and adjacent waters) and those with incidences of shark finning (such as the **PNA Western and Central Pacific skipjack, yellowfin and bigeye tuna purse seine fishery**). In January 2021, MSC certification for endangered Orange Roughy fishery in Australia was **ruled inadmissible** by an independent adjudicator. Even WWF, one of the MSC's original founders, has **publicly stated** of MSC that it is "very concerned by the lack of overall improvements, and the continued weakness of the assurance and certification process".

## Shark finning and the MSC

### MSC'S POSITION ON SHARK FINNING

The MSC Board **announced** a ban on shark finning in 2011 and **states** that it has a 'zero tolerance' approach to the practice. Until very recently, an '**interpretation**' of the Standard provided to certifying bodies allowed them to accept one or two incidences of finning as long as it was not happening 'systematically' in a fishery. Moreover, fisheries have been certified and recertified in that time despite significantly higher numbers of finning incidences.

Consumers would arguably expect a 'gold standard' ecolabel with a 'zero tolerance' attitude to reflect the cutting edge of global science and practice, which would be Fins Naturally Attached. However, the **MSC Standard** does not currently mention Fins Naturally Attached at SG60 and even at SG80 and SG100 the MSC Standard allows for alternative options such as fin to carcass ratios, despite the significant known deficiencies of this approach in effective monitoring and enforcement of a finning ban.

### TIMELINE AND ROOM FOR IMPROVEMENT

The MSC's failure to require Fins Naturally Attached as a prerequisite for certification is completely inconsistent with its stated zero-tolerance approach and has left the ecolabel lagging far behind the curve in sustainable fisheries management. While jurisdictions around the world have introduced Fins Naturally Attached and their fishing fleets have adjusted to implement the new measures, MSC has conducted repeated rounds of consultation. These have revealed strong stakeholder and NGO support for a Fins Naturally Attached requirement. **Only four of 35 respondents** to MSC's most recent shark finning consultation felt that MSC's requirements currently reflect best practice in the prevention of shark finning; meanwhile, 20 of 35 respondents stated that no policy other than Fins Naturally Attached could deliver a similar level of confidence that finning was not happening. However, thus far, MSC has made only non-effective alterations to their policy, such as a **two-year exclusion** of vessels convicted of shark finning, while not altering the fundamental baseline of their approach. Given the rapid decline in shark species and deterioration of marine environments around the world, **the MSC's ongoing Fisheries Standard Review** arguably represents the last opportunity for long-overdue and much-needed reform of its shark finning policy.

## Call to action

### WHAT NEEDS TO HAPPEN?

It is time for MSC to listen to stakeholders and to seize the opportunity of the ongoing Fisheries Standard Review to raise the bar by introducing a requirement for Fins Naturally Attached as a prerequisite for certification in all fisheries interacting with sharks—without exemptions. Implementation across a range of fleets clearly demonstrates that Fins Naturally Attached is a feasible and workable option; there is no reason why fisheries that have been certified or are aspiring to MSC certification could not follow suit. To be a useful tool, MSC should be leading the way rather than adapting to sustainability trends many years after they have become widely established. MSC's delayed action is even more concerning in light of their extremely long **timeline** for implementation by fisheries of any policy changes. The Standard is reviewed only once every five years; even if the outcome is a raising of the bar for certification, fisheries will have three years before the new requirements come into force and fisheries which are already certified will not have to make changes until their next reassessment.

To demonstrate 'zero tolerance' and minimise any chance of shark finning happening in certified fisheries, we are calling on MSC to revise its Standard such that:

- » Evidence of shark finning must immediately preclude a fishery from entering the MSC certification process.
- » Any fishery interacting with sharks in any way must, as a prerequisite, have a Fins Naturally Attached policy with no exemptions in place at the time of certification.

- » The Fins Naturally Attached requirement must apply at all scoring guideposts regardless of whether the sharks are classified as primary, secondary or ETP species in the assessment.
- » During assessment, all fisheries that interact with sharks should be subject to an evaluation of the level of risk (low, medium or high) of finning occurring in the fishery, on the basis of objective, verifiable criteria such as target species, gear type and fishing region.
- » The fishery should then be scored against shark finning-related performance indicators, with each scoring level (SG60, 80 and 100) requiring a Fins Naturally Attached policy to be in place, alongside a level of monitoring and surveillance appropriate to the level of risk in that fishery, and escalating through the scoring levels to incentivise improvement.

Policy and regulation alone cannot ensure that no shark finning can take place. Fins Naturally Attached should be seen as a complement to, rather than a replacement for, good monitoring and surveillance. Monitoring and surveillance regimes should consist of a comprehensive system of measures, such that the burden does not rest solely on human observers. Likewise, Fins Naturally Attached on its own will not end overfishing of shark and ray species of which we **risk losing more than 30%** within the coming decades. However, it is an important and urgently needed policy to limit the depletion of these highly vulnerable species. Viable data on species and stock status are needed to support other necessary shark conservation measures, such as harvest control roles, catch limits, bycatch reduction and mitigation measures, and retention bans, all of which prevent so many sharks from being caught in the first place.

Furthermore, Fins Naturally Attached can be successfully implemented in fisheries of any size, as demonstrated in its adoption by jurisdictions around the world. A risk-based approach to the level of monitoring and surveillance requirements outlined here would mitigate against potential equity implications for small scale fisheries.

## HOW CAN YOU HELP MAKE THIS HAPPEN?

- » Contact your local MSC representatives or MSC’s shark finning project leads to discuss the content of this document and express your support for the introduction of Fins Naturally Attached as a prerequisite for certification – without exemptions.
  - MSC shark finning project leads: Kate Dewar ([kate.dewar@msc.org](mailto:kate.dewar@msc.org)) and Adrian Gutteridge ([adrian.gutteridge@msc.org](mailto:adrian.gutteridge@msc.org)).
  - MSC Chief Science and Standards Officer: Dr. Rohan Currey ([rohan.currey@msc.org](mailto:rohan.currey@msc.org)).
  - MSC Head of Fisheries Standards Operation: Tim Davies ([tim.davies@msc.org](mailto:tim.davies@msc.org))
  - MSC Global Headquarters: +44 (0) 20 7246 8900
  - MSC Americas Regional Office: +1 202 793 3283
  - MSC Asia Pacific Regional Office: +61 (0)2 9527 6883
- » Follow MSC’s Fisheries Standard Review process (register as a stakeholder [here](#) to receive email notifications of opportunities to engage formally) and respond to upcoming consultations with your support for the introduction of Fins Naturally Attached as a prerequisite for certification without exemptions and a risk-based level of monitoring of compliance with the requirement.
- » Raise awareness with your network by sharing this document or via social media. We are able to provide visual social media content, and suggested wording for tweets is:
  - *@MSCecolabel MUST ensure ALL sharks are landed with “Fins Naturally Attached” –no exemptions! [We/I] support the call for a #FinFreeMSC.*

## CONTACTS

For further information and to find out about possibilities how to endorse the report and the call for Fins Naturally Attached without exemptions, please contact Dr Iris Ziegler ([i.ziegler@sharkproject.org](mailto:i.ziegler@sharkproject.org)) or Amy Hammond ([ahammond@seahorseenvironmental.co.uk](mailto:ahammond@seahorseenvironmental.co.uk)).