



April 22, 2024

TO: Rupert Howes, Chief Executive, Marine Stewardship Council (MSC)

CC: Board of Trustees, Stakeholder Advisory Committee, Technical Advisory Board,  
Dr. Rohan Currey, Bill Holden, Simon Cripps

FROM: Participants of the NGO Tuna Forum

RE: Proposed Changes to Fisheries Standard 3.0 Requirements and Implementation Timelines

As participants of the NGO Tuna Forum, a group of more than 30 organizations that work on tuna sustainability and associated challenges around the globe, we write to share our serious concern with the Marine Stewardship Council's (MSC) unilateral decision to review its Fisheries Standard 3.0 and delay its implementation for at least two years. This decision by the MSC seriously undermines the tuna sustainability efforts of our organizations and industry partners, other NGOs, RFMOs, fishery managers, and seafood supply chain members. We are already seeing the negative effects of these actions.

The NGO Tuna Forum's aligned priorities include critical elements of sustainable fisheries management such as increased observer coverage rates and the expansion of electronic monitoring, implementation of harvest strategies (management procedures) for tuna and other commercially fished stocks, and requirements that sharks be landed with Fins Naturally Attached. Much work of Forum participants, their market partners, and others – particularly with tuna RFMOs – is centered on advancing these important issues. The MSC's decision to delay the implementation of new requirements surrounding these issues by at least two years – therefore affecting the chance for positive change on the water potentially until 2035 or beyond – will significantly undermine efforts to advance progress at RFMOs and with industry on these critical issues and weakens MSC certification as a key tool for accelerating change.

These are not just theoretical concerns. Since the announcement delaying implementation of the new Standard, multiple fisheries that would not meet the 3.0 requirements have started the assessment process, taking advantage of the weaker requirements in the previous Standard.

The decision is also disappointing since MSC, as a participant in the NGO Tuna Forum, has created a regrettable situation where a participating organization is effectively undermining ongoing collaborative work of the Forum and its other participants.

We recognize that when launching a new Fisheries Standard there are inevitable operational adjustments required as that Standard is executed and that some stakeholders may be unhappy or critical of the outcomes. However, rather than addressing these issues through the established Standard Review or interpretation processes, the MSC has effectively "moved the goalposts" once again in response to fishery industry pressure. Further, this was done with little-to-no advance notice to MSC stakeholders, including clients, engaged NGOs and their industry partners. This has also resulted in confusion and a lack of clarity for MSC clients, particularly those that had chosen to implement Section SE.

Months after the initial derogation announcement was quietly released on MSC's website, there is still no public information on the Evidence Requirements Framework (ERF) review and its potential outcomes, which could have serious implications on how fisheries are monitored and evaluated. And without a commitment from MSC to a transparent, fair, and balanced stakeholder consultation process, there is also a strong concern that new requirements for 30% independent monitoring of RFMO-managed fisheries could be weakened or removed due to industry opposition as part of this process.

Given these concerns, we urge MSC to:

- Commit to ensuring that critical elements of the Fisheries Standard – including the 30% independent monitoring requirement – are not weakened, either through direct changes to the Standard or through CAB interpretation during implementation;
- Provide a transparent and balanced process to incorporate stakeholders input into the ERF review;
- Reduce the announced length of the derogation due to the serious implications that an ongoing delay will have on sustainability initiatives.

MSC is considered by many to be the “gold standard” on which to judge sustainability of tuna products. For this to continue to be true, MSC must commit to upholding the goals and aims of the original Standard 3.0 requirements - comprehensive harvest strategies, effective independent monitoring, and strong protection of all species affected by those fisheries and ETP species in particular. Failure to do so, for reasons noted above, may cause the Forum and individual participating organizations to reconsider our views, positions, and levels of engagement with MSC.

We hope that MSC will promptly address the concerns of the undersigned and join us on the crest of the wave, instead of sitting quietly on the shore for the next three years. We look forward to your organization's response.

Best regards,

