

Lloyd's Register
6 Redheughs Rigg
South Gyle
Edinburgh, EH12 9DQ
United Kingdom

T +44 (0)13 1619 2100
E fisheries-ca@lr.org
www.lr.org

MINSA North East Atlantic Mackerel



Surveillance Report

Conformity Assessment Body (CAB)	Lloyd's Register
Assessment team	Geir Honneland, Gudrun Gaudian and John Nichols
Fishery client	Scottish Pelagic Sustainability Group
Assessment type	Fourth Surveillance
Date	March 2021

Lloyd's Register, LR and any variants are trading names of Lloyd's Register Group Limited, its subsidiaries and affiliates.

Acoura Marine: trading as Lloyd's Register (Reg. no. SC313289).

Registered office: 50 Lothian Road, Festival Square, Edinburgh, EH3 9WJ. Registered in Scotland. A member of the Lloyd's Register group.

Contents

Contents	2
List of Figures	3
List of Tables	3
1 Glossary	4
2 Executive summary	5
3 Report details	6
3.1 Surveillance information	6
3.2 Background	14
3.2.1 Updates in Management System	14
3.2.2 Changes in relevant regulations	14
3.2.3 Changes to personnel involved in science, management or industry	14
3.2.4 Scientific base of information, including stock assessments	14
3.2.5 Updates on relevant Ecosystem issues	20
3.2.6 Changes affecting Traceability	23
3.3 Version details	23
4 Results	24
4.1 Surveillance results overview	24
4.1.1 Summary of conditions	24
4.1.2 Total Allowable Catch (TAC) and catch data	24
4.1.3 Recommendations	25
4.2 Conditions	25
4.2.1 Progress against conditions	25
5 Appendices	39
5.1 Evaluation processes and techniques	39
5.1.1 Site visits	39
5.1.2 Stakeholder participation	39
5.2 Stakeholder input	40
5.3 Harmonised fishery assessments	44
6 Template information and copyright	45
7 References	46

Lloyd's Register, LR and any variants are trading names of Lloyd's Register Group Limited, its subsidiaries and affiliates.

Acoura Marine: trading as Lloyd's Register (Reg. no. SC313289).

Registered office: 50 Lothian Road, Festival Square, Edinburgh, EH3 9WJ. Registered in Scotland. A member of the Lloyd's Register group.

List of Figures

Figure 1. The total annual catch of NEA mackerel, in thousands of tonnes, over the period 1972 to 2019, as estimated by ICES (ICES, 2020b)	16
Figure 2. The total annual catch of NEA mackerel as estimated by ICES, in thousands of tonnes, over the period 1998 to 2019. The ICES advised maximum annual catch and the eventual 'agreed' TACs are also shown. The 'agreed' TACs are the sum of the unilaterally declared quotas of all the participants in the fishery (ICES, 2020b). ..	16
Figure 3. The Working group estimates of SSB, in tonnes, over the period 1980 to 2019. The 95% confidence intervals are shown as the high and low values of the SSB estimate (ICES, 2020b).	17
Figure 4. The Working group estimates of Fishing Mortality (F) over the period 1980 to 2019. The 95% confidence intervals are shown as the high and low values of the fishing mortality estimate (ICES, 2020b).....	18
Figure 5. Annual distribution of mackerel proxied by the relative distribution of mean mackerel catch rates per standardized rectangles (2° lat. x 4° long.), from Mulpelt 832 pelagic trawl hauls at predetermined surface trawl stations. Colour scale goes from white (= 0) to red (= maximum value for the given year). Source ICES WG WIDE 2020	21
Figure 6. Mackerel catch rates from surface trawl hauls (circle size represents catch rate in kg/km ²) overlaid on mean catch rate per standardized rectangle (1° lat. x 2° long.) from the IESSNS survey in 2019. (Source: ICES WG WIDE 2020)	22

List of Tables

Table 1. Summary of conditions.	5
Table 2. Surveillance information.....	6
Table 3. Summary of quota and transfers in 2020 (WG WIDE).....	18
Table 4. Reference Points for NEA mackerel – all areas.	20
Table 5. Fisheries program documents versions	23
Table 6. Summary of conditions	24
Table 7. Total Allowable Catch (TAC) and catch data	25
Table 8. Condition 1	26
Table 9. Condition 2	30
Table 10. Condition 5	36
Table 11. Audit meeting schedule summary	39
Table 12. Overlapping fisheries	44

1 Glossary

Bpa	Precautionary reference point for spawning stock biomass
Blim	Limit biomass reference point, below which recruitment is expected to be impaired.
Bmsy	Biomass corresponding to the maximum sustainable yield
CR	Council Regulation
EC	European Commission
EEZ	Exclusive Economic Zone
EIA	Environmental Impact Assessment
ETP	Endangered, threatened and protected species
EU	European Union
F	Fishing Mortality
Flim	Limit reference point for fishing mortality that is expected to drive the stock to the biomass limit
Fmsy	Fishing mortality giving maximum sustainable yield
HCR	Harvest Control Rule
ICES	International Council for the Exploration of the Sea
MSC	Marine Stewardship Council
MSY	Maximum Sustainable Yield
P1	MSC Principle 1
PO	Producer Organisation
PRI	Point of Recruitment Impairment
RBF	Risk Based Framework
SG	Scoring Guidepost (MSC)
SI	Scoring Issue (MSC)
SSB	Spawning Stock Biomass
TAC	Total Allowable Catch
UoA	Unit of Assessment
UoC	Unit of Certification

Lloyd's Register, LR and any variants are trading names of Lloyd's Register Group Limited, its subsidiaries and affiliates.

Accura Marine: trading as Lloyd's Register (Reg. no. SC313289).

Registered office: 50 Lothian Road, Festival Square, Edinburgh, EH3 9WJ. Registered in Scotland. A member of the Lloyd's Register group.

2 Executive summary

This fishery was certified in May 2016. In September 2018, ICES released advice for 2019 and in assessing the status of the stock ICES finds that the stock in 2018 is now below the MSY $B_{trigger}$ and the fishing mortality remains well above F_{MSY} .

This triggered an expedited audit which considered Principle 1 and found that the NEA mackerel fisheries cannot maintain their MSC certificates. The failure was based on failing P1.2.2 (Harvest Control Rule) and the overall Principle 1 score falling below 80. Hence, the certificates were suspended.

After considering the information presented at the 4th surveillance audit, it was determined the NEA Mackerel fisheries shall remain **suspended**.

A summary of P1 scores following this audit is shown in Table 1:

Table 1. Summary of conditions.

Condition number	PI	Original score (2016)	SA1 2017	SA2 2018	Expedited SA Jan 2019+	SA3 July 2019	SA4 Nov 2020
1	1.2.2 HCR rules and tools	65	65	65	<60 fail	<60 fail	<60 fail
2	3.1.1 Legal framework	65	65	65	65	65 non-binding, on target	65 non-binding, on target
3 new	1.1.1 Stock status	80			70	90 closed	closed at SA3
4 new	1.1.3 stock* rebuilding	-			60	NR closed	closed at SA3
5 new	1.2.1 Harvest strategy	85			60 (v1.3) 65 (v2.0)	70 non-binding, on target	70 non-binding, on target

3 Report details

3.1 Surveillance information

Table 2. Surveillance information

1	Fishery name																						
	MINSA North East Atlantic Mackerel																						
2	Unit(s) of Assessment (UoA)																						
	<p>UoC 1 – SPSG (Scotland)</p> <table border="1"> <tr> <td>Species:</td> <td>Mackerel (<i>Scomber scombrus</i>)</td> </tr> <tr> <td>Geographical area:</td> <td>ICES Areas II, V, VI, VII, IVa & IVb</td> </tr> <tr> <td>Method of capture:</td> <td>Mid-water single and pair pelagic trawl</td> </tr> <tr> <td>Stock:</td> <td>North East Atlantic Mackerel</td> </tr> <tr> <td>Management System:</td> <td>Agreed record on a fisheries arrangement between the European Union, the Faroe Islands and Norway on the Management of mackerel in the North East Atlantic.</td> </tr> <tr> <td>Client Group:</td> <td>Scottish Pelagic Sustainability Group Ltd (SPSG) member vessels fishing for North East Atlantic mackerel ICES Area II, V, VI, VII, IVa & IVb, using mid-water single and pair pelagic trawl.</td> </tr> </table> <p>UoC 2 – SPSG (Scotland)</p> <table border="1"> <tr> <td>Species:</td> <td>Mackerel (<i>Scomber scombrus</i>)</td> </tr> <tr> <td>Geographical area:</td> <td>ICES Areas II, V, VI, VII, IVa & IVb</td> </tr> <tr> <td>Method of capture:</td> <td>Purse seine</td> </tr> <tr> <td>Stock:</td> <td>North East Atlantic Mackerel</td> </tr> <tr> <td>Management System:</td> <td>Agreed record on a fisheries arrangement between the European Union, the Faroe Islands and Norway on the Management of mackerel in the North East Atlantic.</td> </tr> </table>	Species:	Mackerel (<i>Scomber scombrus</i>)	Geographical area:	ICES Areas II, V, VI, VII, IVa & IVb	Method of capture:	Mid-water single and pair pelagic trawl	Stock:	North East Atlantic Mackerel	Management System:	Agreed record on a fisheries arrangement between the European Union, the Faroe Islands and Norway on the Management of mackerel in the North East Atlantic.	Client Group:	Scottish Pelagic Sustainability Group Ltd (SPSG) member vessels fishing for North East Atlantic mackerel ICES Area II, V, VI, VII, IVa & IVb, using mid-water single and pair pelagic trawl.	Species:	Mackerel (<i>Scomber scombrus</i>)	Geographical area:	ICES Areas II, V, VI, VII, IVa & IVb	Method of capture:	Purse seine	Stock:	North East Atlantic Mackerel	Management System:	Agreed record on a fisheries arrangement between the European Union, the Faroe Islands and Norway on the Management of mackerel in the North East Atlantic.
Species:	Mackerel (<i>Scomber scombrus</i>)																						
Geographical area:	ICES Areas II, V, VI, VII, IVa & IVb																						
Method of capture:	Mid-water single and pair pelagic trawl																						
Stock:	North East Atlantic Mackerel																						
Management System:	Agreed record on a fisheries arrangement between the European Union, the Faroe Islands and Norway on the Management of mackerel in the North East Atlantic.																						
Client Group:	Scottish Pelagic Sustainability Group Ltd (SPSG) member vessels fishing for North East Atlantic mackerel ICES Area II, V, VI, VII, IVa & IVb, using mid-water single and pair pelagic trawl.																						
Species:	Mackerel (<i>Scomber scombrus</i>)																						
Geographical area:	ICES Areas II, V, VI, VII, IVa & IVb																						
Method of capture:	Purse seine																						
Stock:	North East Atlantic Mackerel																						
Management System:	Agreed record on a fisheries arrangement between the European Union, the Faroe Islands and Norway on the Management of mackerel in the North East Atlantic.																						

Lloyd's Register, LR and any variants are trading names of Lloyd's Register Group Limited, its subsidiaries and affiliates.

Acoura Marine: trading as Lloyd's Register (Reg. no. SC313289).

Registered office: 50 Lothian Road, Festival Square, Edinburgh, EH3 9WJ. Registered in Scotland. A member of the Lloyd's Register group.

Client Group:	Scottish Pelagic Sustainability Group Ltd (SPSG) member vessels fishing for North East Atlantic mackerel ICES Area II, V, VI, VII, IVa & IVb, using purse seine.
UoC 3 – DPPO (Denmark)	
Species:	Mackerel (<i>Scomber scombrus</i>)
Geographical area:	ICES Areas II, III, IV, V & VI
Method of capture:	Purse seine
Stock:	North East Atlantic Mackerel
Management System:	Agreed record on a fisheries arrangement between the European Union, the Faroe Islands and Norway on the Management of mackerel in the North East Atlantic.
Client Group:	Danish Pelagic Producers Organisation (DPPO) member vessels fishing for North East Atlantic mackerel in ICES Areas II, III, IV, V & VI, using purse seine.
UoC 4 – DPPO (Denmark)	
Species:	Mackerel (<i>Scomber scombrus</i>)
Geographical area:	ICES Areas II, III, IV, V & VI
Method of capture:	Mid-water single and pair pelagic trawl
Stock:	North East Atlantic Mackerel
Management System:	Agreed record on a fisheries arrangement between the European Union, the Faroe Islands and Norway on the Management of mackerel in the North East Atlantic.
Client Group:	Danish Pelagic Producers Organisation (DPPO) member vessels fishing for North East Atlantic mackerel in ICES Areas II, III, IV, V & VI, using mid-water single and pair pelagic trawl.
UoC 5 – IPSA (Ireland)	
Species:	Mackerel (<i>Scomber scombrus</i>)
Geographical area:	ICES Areas VI, VII, IVa, Vb, VIIIa, VIIIb, VIIIc & VIIIe

Lloyd's Register, LR and any variants are trading names of Lloyd's Register Group Limited, its subsidiaries and affiliates.

Acoura Marine: trading as Lloyd's Register (Reg. no. SC313289).

Registered office: 50 Lothian Road, Festival Square, Edinburgh, EH3 9WJ. Registered in Scotland. A member of the Lloyd's Register group.

Method of capture:	Mid-water single and pair pelagic trawl
Stock:	North East Atlantic Mackerel
Management System:	Agreed record on a fisheries arrangement between the European Union, the Faroe Islands and Norway on the Management of mackerel in the North East Atlantic.
Client Group:	Irish Pelagic Sustainability Association (IPSA) member vessels fishing for North East Atlantic mackerel in ICES Areas VI, VII, IVa, Vb, VIIa, VIIb, VIIc & VIIe, using mid-water single and pair pelagic trawl.

UoC 6 – IPSG (Ireland)

Species:	Mackerel (<i>Scomber scombrus</i>)
Geographical area:	ICES Areas VI, VII, VIII, Vb, XII, XIV & IIa
Method of capture:	Mid-water single and pair pelagic trawl
Stock:	North East Atlantic Mackerel
Management System:	Agreed record on a fisheries arrangement between the European Union, the Faroe Islands and Norway on the Management of mackerel in the North East Atlantic.
Client Group:	Irish Pelagic Sustainability Group (IPSG) member vessels fishing for North East Atlantic mackerel in ICES Areas VI, VII, VIII, Vb, XII, XIV & IIa, using mid-water single and pair pelagic trawl.

UoC 7 – NFA (Norway)

Species:	Mackerel (<i>Scomber scombrus</i>)
Geographical area:	ICES Areas II, III, IV, V, VI & VII
Method of capture:	Pelagic trawl
Stock:	North East Atlantic Mackerel
Management System:	Agreed record on a fisheries arrangement between the European Union, the Faroe Islands and Norway on the Management of mackerel in the North East Atlantic.
Client Group:	All Norwegian vessels fishing for NE Atlantic mackerel in ICES areas II, III,

Lloyd's Register, LR and any variants are trading names of Lloyd's Register Group Limited, its subsidiaries and affiliates.

Accura Marine: trading as Lloyd's Register (Reg. no. SC313289).

Registered office: 50 Lothian Road, Festival Square, Edinburgh, EH3 9WJ. Registered in Scotland. A member of the Lloyd's Register group.

	IV, V, VI & VII, using pelagic trawl, sold through or by approval from Norges Sildesalgslag.
--	--

UoC 8 – NFA (Norway)

Species:	Mackerel (<i>Scomber scombrus</i>)
Geographical area:	ICES Areas II, III, IV, V, VI & VII
Method of capture:	Purse seine
Stock:	North East Atlantic Mackerel
Management System:	Agreed record on a fisheries arrangement between the European Union, the Faroe Islands and Norway on the Management of mackerel in the North East Atlantic.
Client Group:	All Norwegian vessels fishing for NE Atlantic mackerel in ICES areas II, III, IV, V, VI & VII, using purse seine, sold through or by approval from Norges Sildesalgslag.

UoC 9 – NFA (Norway)

Species:	Mackerel (<i>Scomber scombrus</i>)
Geographical area:	ICES Areas II, III, IV, V, VI & VII
Method of capture:	Hand-line
Stock:	North East Atlantic Mackerel
Management System:	Agreed record on a fisheries arrangement between the European Union, the Faroe Islands and Norway on the Management of mackerel in the North East Atlantic.
Client Group:	All Norwegian vessels fishing for NE Atlantic mackerel in ICES areas II, III, IV, V, VI & VII, using hand-line, sold through or by approval from Norges Sildesalgslag.

UoC 10 – PFA (Netherlands, Germany, France, England, Lithuania)

Species:	Mackerel (<i>Scomber scombrus</i>)
Geographical area:	ICES Areas IVa, Vb, IIa, VI, VII, VIIIa, VIIIb, XII & XIV

Method of capture:	Mid-water single and pair pelagic trawl
Stock:	North East Atlantic Mackerel
Management System:	Agreed record on a fisheries arrangement between the European Union, the Faroe Islands and Norway on the Management of mackerel in the North East Atlantic.
Client Group:	Pelagic Freezer-Trawler Association member vessels fishing for North East Atlantic mackerel in ICES Areas IVa, Vb, IIa, VI, VII, VIIIb, XII & XIV, using mid-water single and pair pelagic trawl.

UoC 11 – SPFPO (Sweden)

Species:	Mackerel (<i>Scomber scombrus</i>)
Geographical area:	ICES Areas II, III, IV & V
Method of capture:	Purse seine
Stock:	North East Atlantic Mackerel
Management System:	Agreed record on a fisheries arrangement between the European Union, the Faroe Islands and Norway on the Management of mackerel in the North East Atlantic.
Client Group:	Swedish Pelagic Federation Producer Organization (SPFPO) member vessels fishing for North East Atlantic mackerel in ICES Areas II, III, IV & V using purse seine.

UoC 12 – SPFPO (Sweden)

Species:	Mackerel (<i>Scomber scombrus</i>)
Geographical area:	ICES Areas II, III, IV & V
Method of capture:	Mid-water single and pair pelagic trawl
Stock:	North East Atlantic Mackerel
Management System:	Agreed record on a fisheries arrangement between the European Union, the Faroe Islands and Norway on the Management of mackerel in the North East Atlantic.
Client Group:	Swedish Pelagic Federation Producer Organization (SPFPO) member vessels fishing for North East Atlantic mackerel in ICES Areas II, III, IV &

Lloyd's Register, LR and any variants are trading names of Lloyd's Register Group Limited, its subsidiaries and affiliates.

Acoura Marine: trading as Lloyd's Register (Reg. no. SC313289).

Registered office: 50 Lothian Road, Festival Square, Edinburgh, EH3 9WJ. Registered in Scotland. A member of the Lloyd's Register group.

	✓ using mid-water single and pair pelagic trawl.	
	UoC 13 – SPFPO (Sweden)	
	Species:	Mackerel (<i>Scomber scombrus</i>)
	Geographical area:	ICES Area III (Skagerack/Kettegatt)
	Method of capture:	Hand-line
	Stock:	North East Atlantic Mackerel
	Management System:	Agreed record on a fisheries arrangement between the European Union, the Faroe Islands and Norway on the Management of mackerel in the North East Atlantic.
	Client Group:	Swedish Pelagic Federation Producer Organization (SPFPO) member vessels fishing for North East Atlantic mackerel in ICES Area III, using hand-line.
	Other Eligible Fishers:	Members of MINSA and other producer organisations or fisheries organisations or individual fishers who have not yet signed the certification sharing mechanism.
3	Date certified	Date of expiry
	10 th May 2016	9 th November 2021
4	Surveillance level and type	
	Surveillance level 3, on-site surveillance	
	<p>This audit was initially planned as an onsite audit as per the requirements for surveillance audit from the most recent Public Certification Report for this fishery. However, due to the ongoing COVID-19 situation globally, this audit will now take place remotely, with assessors holding online skype calls with interested stakeholders. The MSC have allowances for on-site audits to switch to off-site audits if travel is affected by COVID-19.</p>	
5	Surveillance number	
	4th Surveillance	X

Lloyd's Register, LR and any variants are trading names of Lloyd's Register Group Limited, its subsidiaries and affiliates.

Acoura Marine: trading as Lloyd's Register (Reg. no. SC313289).

Registered office: 50 Lothian Road, Festival Square, Edinburgh, EH3 9WJ. Registered in Scotland. A member of the Lloyd's Register group.

6	Surveillance team leader
	<p>Dr Geir Honneland – Team Lead and P3 expert</p> <p>Geir Hønneland holds a PhD in political science from the University of Oslo (2000) and has studied international fisheries management (with main emphasis on enforcement and compliance issues), international environmental politics and international politics in Polar regions. He was affiliated with the Fridtjof Nansen Institute in Oslo for more than 20 years, as PhD student and research fellow (1996-2006), research director (2006-2014) and director (2015-2019). Among his fisheries-related books is Making Fishery Agreements Work (Edward Elgar, 2012; China Ocean Press, 2016). Before embarking on an academic career, he worked five years for the Norwegian Coast Guard, where he was trained and certified as a fisheries inspector.</p> <p>Geir has been involved in MSC assessments since 2009 and has acted as P3 expert in approx. 50 full assessments and re-assessments, as well as a number of pre-assessments and surveillance audits. His experience from full assessments includes a large number of demersal, pelagic and reduction fisheries in the Northeast Atlantic, North Pacific and Southern Ocean, as well as inland, bivalve and enhanced salmon fisheries. In the Northeast Atlantic, he has covered the international management regimes in the Barents Sea, Norwegian Sea, North Sea, Skagerrak, Kattegat and the Baltic Sea, and the national management regimes in Norway, Sweden, Denmark, Russia, Iceland, Faroe Islands, Greenland, Scotland and Germany, as well as the EU level. He is qualified as an MSC Team Leader (Fisheries Standard v2.0, Fisheries Certification Process v2.1) and Chain of Custody Auditor (v2.0) and has also passed the ISO 19011-2018 course as Lead Auditor – Management Systems Auditing. Since 2019, he has been affiliated with Lloyd's Register as Senior Project Manager for Northern Europe, Scandinavia and Russia.</p> <p>Geir has passed MSC training and has no Conflict of Interest in relation to this fishery. Full CV available upon request.</p>
Team Leader Experience	<p>Geir has completed a number of MSC assessment as TL and meets all Fishery TL Qualification and Competency Criteria under MSC FCP v2.2 Table PC1 and MSC GCR v2.4.1 Table 1.</p>
7	Surveillance team members
	<p>Dr Gudrun Gaudian – P2 expert</p> <p>Gudrun Gaudian is an experienced marine ecologist and taxonomist, including coastal and marine surveys, EIA's for coastal development and tourism, and research projects in tropical and temperate seas. Work experience also includes coastal and marine management issues, such as identifying sustainable coastal development projects, as well as addressing conservation issues, including selection and planning of marine parks and reserves, sustainable utilisation of natural resources and community based management programmes. Projects have been undertaken in temperate, polar and tropical marine regions. Since 2010 Dr Gaudian has been working on fisheries certification applying the Marine Stewardship Council standard for sustainable fisheries, primarily as Principle 2 assessor,</p>

Lloyd's Register, LR and any variants are trading names of Lloyd's Register Group Limited, its subsidiaries and affiliates.

Acoura Marine: trading as Lloyd's Register (Reg. no. SC313289).

Registered office: 50 Lothian Road, Festival Square, Edinburgh, EH3 9WJ. Registered in Scotland. A member of the Lloyd's Register group.

both as Team Leader and Team Member. Other relevant work carried out includes pre-assessments, fisheries improvement plans, peer reviews and MSC workshops. Furthermore, Dr Gaudian holds an LLM degree in Environmental Law and Management, giving a deeper understanding of law and policy dealing with such relevant issues as the Common Fisheries Policy, water and waste management, and international environmental law including EU environmental policy and Law of the Sea.

Gudrun has passed all relevant MSC and ISO training and has no Conflict of Interest in relation to this fishery. Full CV available upon request.

John Nichols – P1 expert

Mr John Nichols is a retired UK government fisheries biologist with 42 years research experience in plankton ecosystems in the North Atlantic specializing in the taxonomy of North Atlantic & NW European plankton including phytoplankton, micro and meso-plankton, ichthyoplankton and young fish.. He has been a member of ICES working groups on herring, mackerel, horse mackerel, sardine and anchovy assessments; and mackerel and horse mackerel egg surveys. He was also a member of ICES study groups on herring larval surveys and plankton sampling. In 1992 he set up the UK programme for monitoring phytoplankton in shellfish harvesting areas in compliance with a new EU Directive to protect the public from the potential ill effects of toxic algae entering the food chain through shellfish.

He was scientist in charge of numerous research vessel surveys for fish stock assessment purposes and directly involved in the assessment of pelagic and western demersal fish stocks from 1994 to 2000.

He has been involved in the publication of over fifty scientific papers and reports more than half of which have been in peer reviewed journals, and the publication of two fish egg and larvae identification keys.

Since retirement from his government post he has participated in a total of 40 different fisheries MSC assessments as the Principle 1 expert plus the re-assessments of many of those fisheries Those assessments include the Thames estuary herring, PFA North Sea Herring, NEA mackerel and Atlanto-Scandian herring, Hastings Fleet Dover sole, the north –east coast of England bass fishery, the SW mackerel hand line fishery, Portuguese sardine, a Newfoundland herring fishery, Newfoundland cod, Canadian Pacific sablefish, various Norwegian and Swedish pelagic fisheries, Faroese and Norwegian saithe fisheries, Faroese, Russian and Norwegian Arctic cod and haddock fisheries, Faroese mackerel and Blue whiting fisheries, Scottish pelagic fisheries and a North Sea plaice and sole fishery. He has also been a peer reviewer for numerous MSC certification reports by various Certification bodies and has also carried out two MSC pre-assessments and numerous annual surveillance audits.

In 2010 he delivered a lecture on 'The Importance of a Fisheries Interaction with the Ecosystem in the MSC Certification Process' at an international Safe Seas conference in Portugal. In 2014 he successfully completed the four module MSC on line training course, passed the exam and was certified in the role of an MSC Fishery Assessment Team Leader. Recently completed and passed the MSC Version 2.0 Fisheries Certification Module.

Elected as a Fellow of the Society of Biology in July 2014 (now the Royal Society of Biology, July 2015)

	John has passed MSC training and has no Conflict of Interest in relation to this fishery. Full CV available upon request.
Local Context	English is widely spoken in by the MINSA fishery stakeholders All three members of the team have had fisheries relevant assignments in the region in the last 10 years.
Traceability	Geir and Gudrun have completed the MSC traceability module
RBF	Gudrun has completed the RBF training.
8	Audit/review time and location
	The audit will take place the week commencing the 16 th November 2020 via conference calls (via MS Teams).
9	Assessment and review activities
	All relevant data, progress on the Client Action Plan and progress on the 5 open conditions.

3.2 Background

3.2.1 Updates in Management System

No changes identified.

3.2.2 Changes in relevant regulations

No changes identified.

3.2.3 Changes to personnel involved in science, management or industry

No changes identified.

3.2.4 Scientific base of information, including stock assessments

The last Surveillance audit SA3 was published in September 2019 and stock status was based on the most recent information published by ICES in October 2018 (ICES, 2018a) on the status of the stock in 2017. Further to that advice, Norway made a request for ICES to provide a catch scenario for 2019 corresponding to the Norway–EU–Faroe long-term management strategy for mackerel (*Scomber scombrus*) (ICES 2018b). Following that assessment and advice concerns were expressed both by industry representatives and scientists concerning the actual stock status. Those concerns were based not only on the perception of the state of the stock by the industry but also on

Lloyd's Register, LR and any variants are trading names of Lloyd's Register Group Limited, its subsidiaries and affiliates.

Accura Marine: trading as Lloyd's Register (Reg. no. SC313289).

Registered office: 50 Lothian Road, Festival Square, Edinburgh, EH3 9WJ. Registered in Scotland. A member of the Lloyd's Register group.

potential sources of error from conflicting survey signals. As a result ICES convened an inter benchmark assessment which reviewed all the input data and the whole assessment process

The inter-benchmark report was released on 4 April 2019 (ICES, 2019a). The report detailed a thorough review of the data and data analysis and the decisions made with regard to the data that should be included in the assessment model and the statistical approach to these data. The assessment results were found to be very sensitive to both input data and model settings and minor changes implemented in the assessment model in 2019 led to a significant upward revision in the estimates of SSB, a downwards revision of the estimates of F in recent years, and a change in the pattern of estimated recruitment in recent years. This, together with previous revisions to stock trends, highlights the instability in the mackerel assessment.

As a consequence, the 2017 SSB was re-assessed, at that inter-benchmark meeting, to be 4.39million tons (5.42 / 3.55: 95% CI) predicted to decrease to 4.19million t in 2018. This compares with the ICES October 2018 advised level of 3.08 million t in 2017 predicted to decrease to 2.35million t in 2018 (ICES, 2018a).

Fishing mortality was also revised down from F0.38 in the October 2018 advice to F0.29 (0.37 / 0.23: 95%CI) from the revised assessment. Some minor revisions were also made to the stock reference points. From the revised assessment ICES concluded that fishing pressure on the stock was above Fmsy but below Fpa and Flim while the spawning stock biomass was above MSY Btrigger and Bpa.

As a result, ICES released the updated information on the status of the stock and revised advice on its management on 15 May 2019 based on a special request by Norway for a revision (ICES, 2019b).

Moving on from those changes ICES carried out a routine assessment of stock status in 2018 by the ICES assessment working Group, WGWIDE (ICES, 2019c) between 28 August and 3 September 2019, ICES released their advice on the management of the stock in October 2019 (ICES, 2019d). That advice was based on the estimate of the 2018 SSB at 4.28 million t (3.35.- 5.44 – 95% CI) and a fishing mortality of F 0.24 (0.182 – 0.31 95% CI)

The information above is basically a revised background leading up to the most recent and most relevant assessment of stock status carried out by the ICES assessment Working Group between 26 August and 1 September 2020 (ICES,2020a).

The fishery in 2019.

The total catch, in thousands of tonnes, estimated by ICES over the period 1972 to 2019 is shown in Figure 1. The total catch of NEA mackerel from all areas in 2019, as estimated by ICES, was 840,021t. This was a reduction of 186,416t compared with the total catch in 2018. The ICES catch in 2019 includes an estimate of 7,807t for discards and slippage based on figures from two fleets. The 2019 catch was 69,663t above the ICES advised catch based on the MSY approach. The performance of the fishery compared to the ICES advice and the agreed TAC over the past twenty years is shown in Figure 2. It should be noted that the total catch and the agreed TAC have been well above the ICES advised catch over the past ten years.

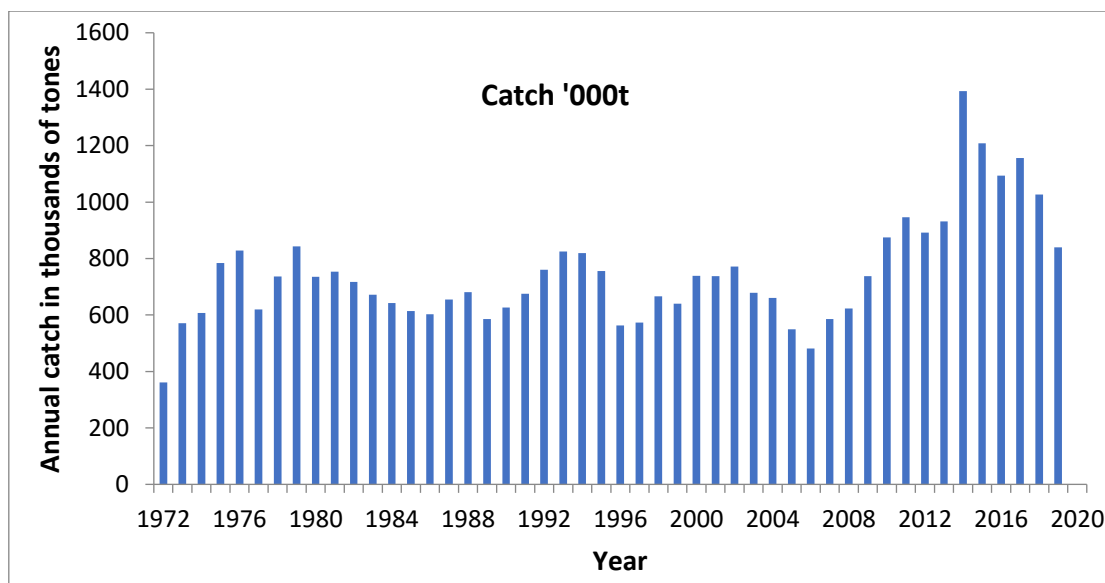


Figure 1. The total annual catch of NEA mackerel, in thousands of tonnes, over the period 1972 to 2019, as estimated by ICES (ICES, 2020b)

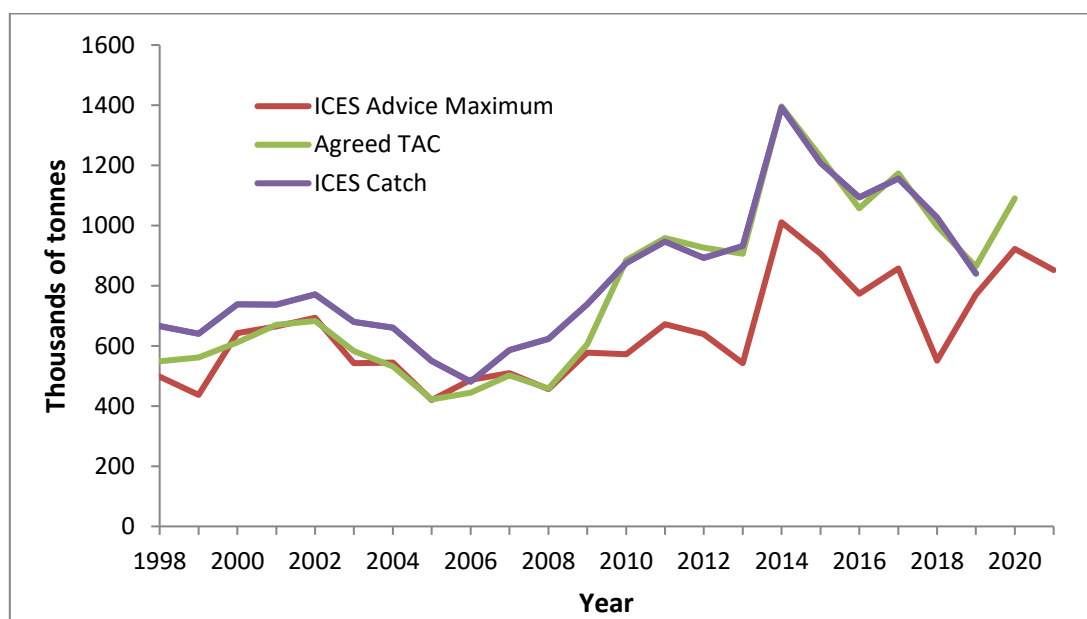


Figure 2. The total annual catch of NEA mackerel as estimated by ICES, in thousands of tonnes, over the period 1998 to 2019. The ICES advised maximum annual catch and the eventual 'agreed' TACs are also shown. The 'agreed' TACs are the sum of the unilaterally declared quotas of all the participants in the fishery (ICES, 2020b).

Lloyd's Register, LR and any variants are trading names of Lloyd's Register Group Limited, its subsidiaries and affiliates.

Acoura Marine: trading as Lloyd's Register (Reg. no. SC313289).

Registered office: 50 Lothian Road, Festival Square, Edinburgh, EH3 9WJ. Registered in Scotland. A member of the Lloyd's Register group.

In the ICES advice (ICES, 2020b) resulting from the 2020 Working Group assessment of stock status (ICES, 2020a), the retrospective estimate of SSB in 2018 was reduced to 4.15 million t (3.32 – 5.19: 95% CI). The estimate of SSB at spawning time in 2019 was 3.73 million t (2.83 – 4.92: 95% CI). SSB is predicted to have stabilized at 3.68 million t at spawning in 2020. Figure 3 shows the 2020 working Groups estimates of SSB over the period 1980 to 2019. The 95% confidence intervals above and below are also shown.

Fishing mortality, as predicted in the previous advice, fell to F0.22 (0.165 – 0.30: 95%CI) which is well below the revised value of Fmsy (F0.26). The Working Groups estimate of fishing mortality (F) based on ages 4 to 8 years in the stock, over the period 1980 to 2019, is shown in Figure 4. The 95% confidence intervals on those estimates are also shown (ICES, 2020b).

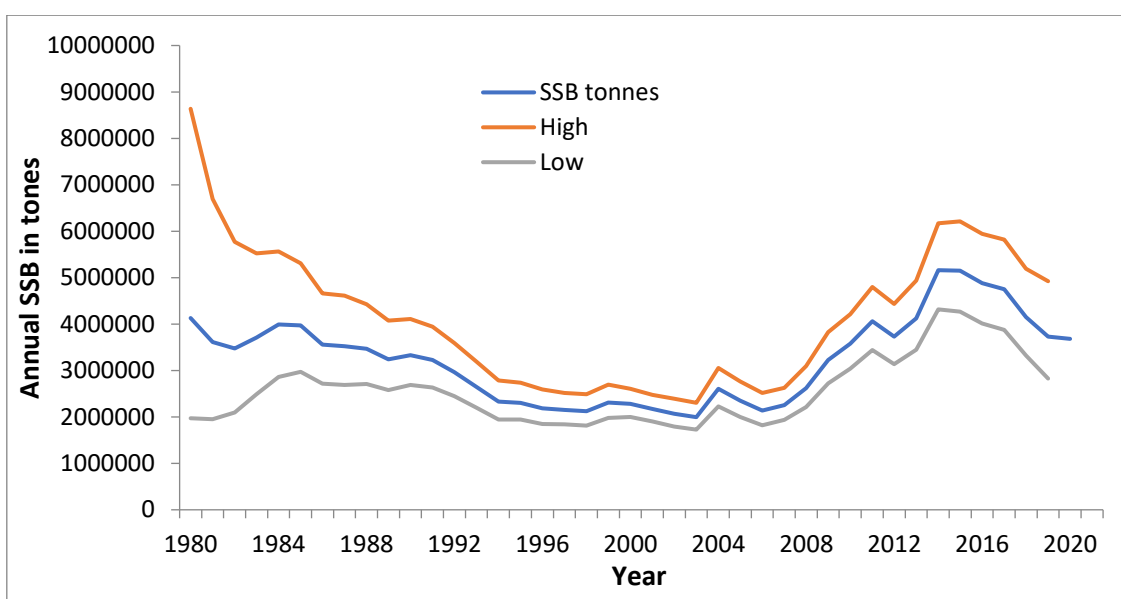


Figure 3. The Working group estimates of SSB, in tonnes, over the period 1980 to 2019. The 95% confidence intervals are shown as the high and low values of the SSB estimate (ICES, 2020b).

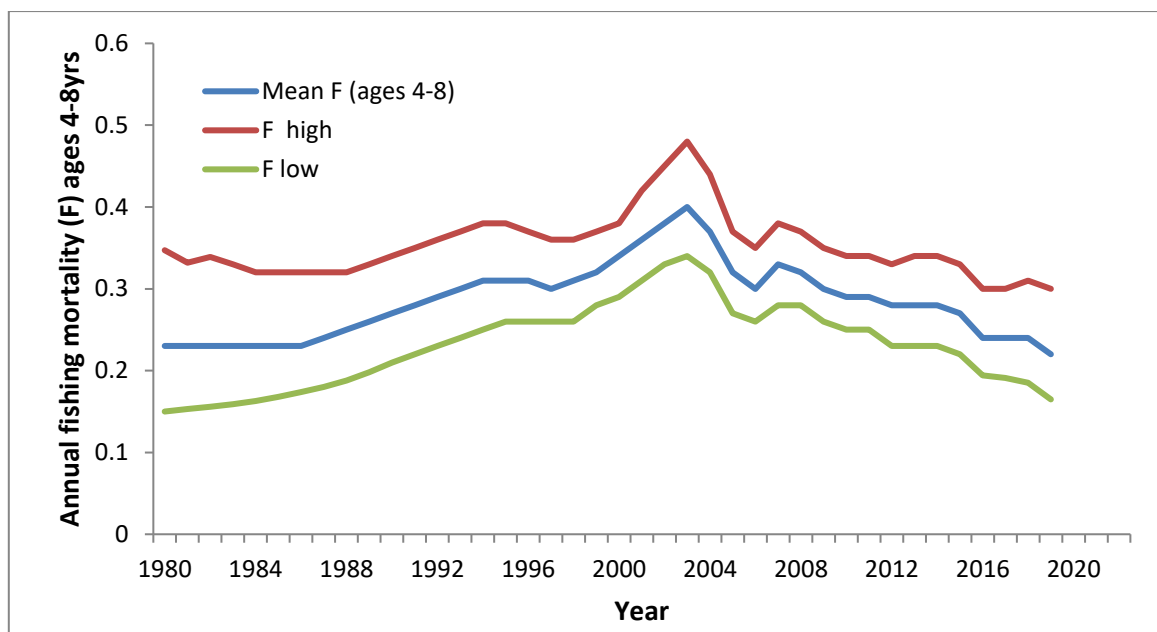


Figure 4. The Working group estimates of Fishing Mortality (F) over the period 1980 to 2019. The 95% confidence intervals are shown as the high and low values of the fishing mortality estimate (ICES, 2020b).

ICES annual advice

There is currently no long-term management strategy for Northeast Atlantic (NEA) mackerel agreed by all parties involved in the mackerel fishery. Coastal State Delegations from Norway, the EU, and the Faroes have agreed on an arrangement for a long-term management strategy for mackerel (Anon., 2017).

From 2001 to 2007, the internationally agreed TACs covered most of the distribution area of the Northeast Atlantic mackerel. From 2008 to 2014, no agreement was reached among the Coastal States on the sharing of the mackerel quotas. In 2014, three of the Coastal States (European Union, Norway and the Faroe Islands) agreed on a Management Strategy for 2014 to 2018. In November 2018, (Anon, 2018) the agreement from 2014 was extended for two further years until 2020. However, the total declared quotas in each year from 2015 to 2020 all exceeded the TAC advised by ICES. An overview of the declared quotas and transfers for 2020, as available to WGWIDE, is given in Table 3.

Total removals of mackerel are expected to be approximately 1,090,879 tonnes in 2020, exceeding the ICES advice for 2020 by about 169 000 t (ICES, 2020b)

Table 3. Summary of quota and transfers in 2020 WGWIDE (ICES 2020a).

Estimation of 2020 catch	Tonnes	Reference
EU Quota	454,482	EU-NO-FO agreement 17 Oct. 2019
Inter annual quota transfer 2019 > 2020 (EU)	2,136	European Council Regulation 2020/123

Lloyd's Register, LR and any variants are trading names of Lloyd's Register Group Limited, its subsidiaries and affiliates.

Accura Marine: trading as Lloyd's Register (Reg. no. SC313289).

Registered office: 50 Lothian Road, Festival Square, Edinburgh, EH3 9WJ. Registered in Scotland. A member of the Lloyd's Register group.

Norwegian Quota	207,551	EU-NO-FO agreement 17 Oct. 2019
Inter annual quota transfer 2019 > 2020 (NO)	-12,567	Fiskeridirektoratet 18 Dec. 2019
Russian Quota	130,282	NEAFC HOD 20/15
Discards	7,807	Previous years estimate
Icelandic Quota	135,428	Icelandic regulation No.277/2020 and WGWIDE
Inter annual quota transfer 2019 > 2020 (Iceland)	19,572	Iceland Fisheries Directorate webpage
Faroese Quota	116,188	EU-NO-FO agreement 17 Oct. 2019
Greenland expected catch	30,000	Ministry of Fisheries, Hunting and Agriculture in Greenland
Total expected catch inc. discards	1,090,879	

Notes: 1. No estimates of banking from 2020 to 2021

2. Quotas refer to claims by each party for 2020 and include exchange to other parties

All the Quota figures and transfers in the above Table were based on various national regulation, official press releases, and discard estimates.

In their 2020 advice ICES (ICES 2020b), concludes that the fishing pressure is below the level of maximum sustainable yield, that in terms of the precautionary approach, the stock is being harvested sustainably, that the stock is above MSY B trigger and is in full reproductive capacity.

Their advice for the fishery in 2021 is based on the MSY approach $F = F_{msy} 0.26$ (Table 4). This would generate a total catch in 2021 of 852,284t and would result in a spawning stock biomass of 3,636,445t at spawning time in 2021 stabilizing to 3,625,357t at spawning time in 2022 (ICES, 2020b).

Table 4. Reference Points for NEA mackerel – all areas.

Framework	Reference point	Value	Technical basis
MSY Approach	MSY B trigger	2,580,000	Bpa in tonnes
	Fmsy	0.26	Stochastic simulations
Precautionary Approach			
	B lim		
	B pa		
	F lim		
	F pa		
Management Plan	SSB mgt		
	F mgt		

3.2.5 Updates on relevant Ecosystem issues

ICES WGWIDE 2020¹ reported on the extensive Ecosystem surveys in the Nordic Seas IESSNS, (International Ecosystem Summer Survey in the Nordic Seas, July-August 2019). The IESSNS has been providing an annual age-segregated index for mackerel abundance for age classes 1-14+ in Nordic Seas since 2010, and in the North Sea since 2018. Mackerel density, per pre-determined surface trawl station, ranged from 0 to 52 tonnes/km² with the highest densities recorded in the northern Norwegian Sea, south-east of Iceland, between Iceland and the Faroe Island, as well as south west of the Faroe Islands (Nøttestad et al., 2019 – in ICES 2020a WGWIDE). The mackerel geographical distribution began shifting eastward in 2018 compared to the period from 2010 to 2017 (Figure 5).

¹ ICES. 2020a. Working Group on Widely Distributed Stocks (WGWIDE). ICES Scientific Reports. 2:82. 1019 pp. <http://doi.org/10.17895/ices.pub.7475>

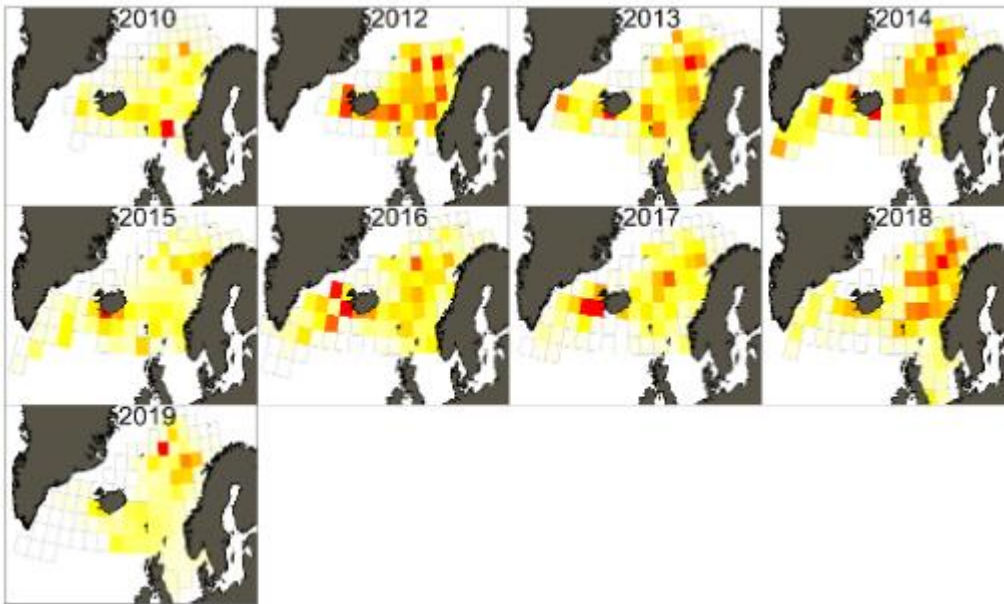


Figure 5. Annual distribution of mackerel proxied by the relative distribution of mean mackerel catch rates per standardized rectangles (2° lat. x 4° long.), from Mulpelt 832 pelagic trawl hauls at predetermined surface trawl stations. Colour scale goes from white (= 0) to red (= maximum value for the given year). Source ICES 2020a WGWIDE

This eastward distributional shift continued in 2019 with limited amount of mackerel caught westward of longitude 27°W (Figure 6) (Nøttestad et al., 2019 in ICES 2020a WGWIDE). For comparison, the westward boundary of mackerel was at longitude 43°W in 2014 which is the year with the largest geographical distribution range.

Lloyd's Register, LR and any variants are trading names of Lloyd's Register Group Limited, its subsidiaries and affiliates.

Accura Marine: trading as Lloyd's Register (Reg. no. SC313289).

Registered office: 50 Lothian Road, Festival Square, Edinburgh, EH3 9WJ. Registered in Scotland. A member of the Lloyd's Register group.

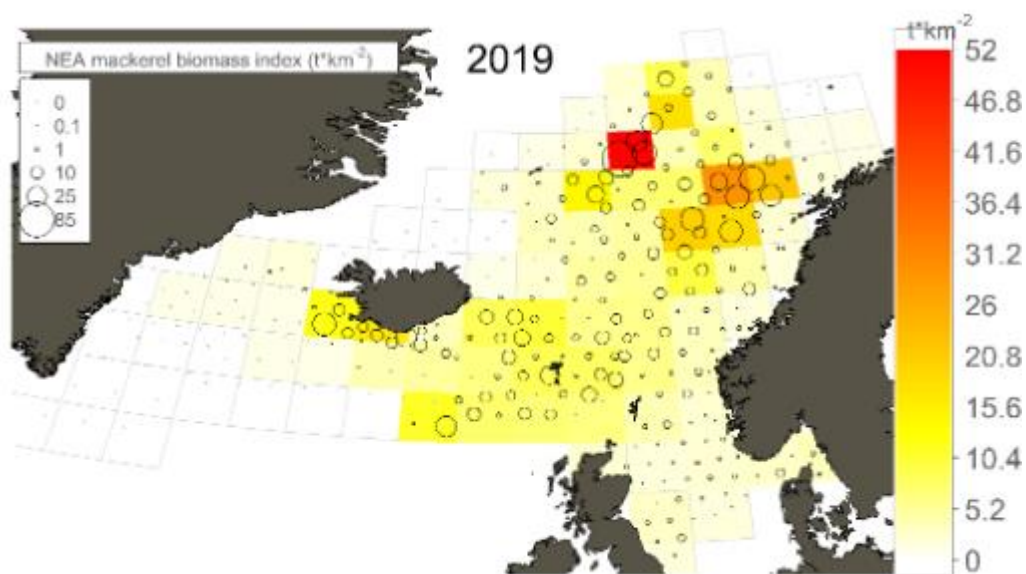


Figure 6. Mackerel catch rates from surface trawl hauls (circle size represents catch rate in kg/km²) overlaid on mean catch rate per standardized rectangle (1° lat. x 2° long.) from the IESSNS survey in 2019. (Source: ICES 2020a WG WIDE)

In 2019 there were practically no mackerel in Greenland waters during the survey. The marked increase of mackerel in the Norwegian Sea could partly be explained by improved feeding conditions from average estimates in the Norwegian Sea in 2019, compared to previous years, and more mackerel migrating into the surveyed area compared to 2018.

While biological data on growth and spawning time of mackerel have exhibited clear temporal trends since the mid-2000s, the cause of these trends is unknown. According to ICES, it has not yet been possible to determine the direction of future changes in these characteristics (ICES Advice request 2020²). According to Bruge et al (2016), north-east Atlantic mackerel spawning distribution has shifted northward in the last three decades, probably in response to global sea warming. Yet, uncertainties subsist regarding on the shift rate, causalities, and how this species will respond to future conditions.

PFA – self-sampling³

In 2015, the PFA has initiated a self-sampling programme that expands the ongoing monitoring programmes on board of pelagic freezer-trawlers by the specialized crew of the vessels. The primary objective of that monitoring programme

² ICES Advice request 2020. EU, Norway, and the Faroe Islands request for advice on the long-term management strategies for Northeast Atlantic mackerel (full feedback approach). In Report of the ICES Advisory Committee, 2020. ICES Advice 2020, sr.2020.07. 12 pp. <https://doi.org/10.17895/ices.advice.7446>.

³ PFA self-sampling report for ICES WG WIDE 2020, 2015-2019 Martin Pastoors, 28/08/2019 21:55:29 in WG WIDE 2020

is to assess the quality of fish. The expansion in the self-sampling programme consists of recording of haul information, recording the species compositions per haul and regularly taking random length-samples from the catch. The self-sampling is carried out by the vessel quality managers on board of the vessels, who have a long experience in assessing the quality of fish, and by the skippers/officers with respect to the haul information. The self-sampling programme should be interpreted as an indicator of relative distributions and samples of catch and catch compositions (Pastors in ICES WGwide 2020), and it contributes to the mackerel discussions within ICES WGwide.

Extraordinary events log

SPSG has established an exceptional events log on its vessels, where interactions with or observations on ETP species are recorded. Identification guidance of ETP species is provide as part of the fleet wide Standard Operating Practice. No exceptional events were logged on SPSG vessels for 2019/20.

Coronavirus pandemic

After initial organisational issues were addressed (such as introduction of social distancing measures in processing facilities, logistics of crew changes) the pandemic did not have a detrimental impact on the fishery in 2020 (i.e. quotas were fulfilled) (client interview, 16th Nov 2020).

3.2.6 Changes affecting Traceability

No changes identified.

3.3 Version details

Table 5. Fisheries program documents versions

Document	Version number
MSC Fisheries Certification Process	Version 2.2
MSC Fisheries Standard	Version 1.3*
MSC General Certification Requirements	Version 2.4.1
MSC Surveillance Reporting Template	Version 2.1

* default assessment tree

4 Results

4.1 Surveillance results overview

4.1.1 Summary of conditions

Table 6. Summary of conditions

Condition number	PI	Original score (2016)	SA1 2017	SA2 2018	Expedited SA Jan 2019+	SA3 July 2019	SA4 Nov 2020
1	1.2.2 HCR rules and tools	65	65	65	<60 fail	<60 fail	<60 fail
2	3.1.1 Legal framework	65	65	65	65	65 non-binding, on target	65 non-binding, on target
3 new	1.1.1 Stock status	80			70	90 closed	closed at SA3
4 new	1.1.3 stock* rebuilding	-			60	NR closed	closed at SA3
5 new	1.2.1 Harvest strategy	85			60 (v1.3) 65 (v2.0)	70 non-binding, on target	70 non-binding, on target

* As 1.1.1b is <80, PI 1.3.3 is triggered

+Fishery was suspended following the expedited audit

4.1.2 Total Allowable Catch (TAC) and catch data

Lloyd's Register, LR and any variants are trading names of Lloyd's Register Group Limited, its subsidiaries and affiliates.

Acoura Marine: trading as Lloyd's Register (Reg. no. SC313289).

Registered office: 50 Lothian Road, Festival Square, Edinburgh, EH3 9WJ. Registered in Scotland. A member of the Lloyd's Register group.

Table 7. Total Allowable Catch (TAC) and catch data

TAC 2019: ICES (MSY): 318,403t⁴ TAC 2020: ICES (MSY) : 922,064t⁵				
Fishery	UoA share of TAC (t)	UoC share of TAC (t)	Greenweight catch 2018 (t)	Greenweight catch 2019 (t)
DPPO (DK)	24,722	23,733	29,811	28,121
PFA NL,D,F,Eng, Lith	63,019			62,690
SPFPO Sweden	319 ton "joint" TAC +253 ton "Nabo" TAC in Norwegian zone	2679 ton ("joint") +253 ton (Nabo)	3514 ton (joint) +354 ton (Nabo)	2603 ton (joint) +253 ton (Nabo)
SPSG Scotland	118,643	117,601	151,888	124,768
IPSG/KFO	35,705	33,683	41,590	35,700
IPSA	6,957	6,910	8,200	6,910
NFA	213,880	213,880	187,223	159,104

4.1.3 Recommendations

Retained bycatch information was provided by SPSG. The quantities of bycatch are small compared to mackerel catch, where herring may be the most commonly encountered, though still in relatively small amounts. In addition, SPSG is keeping a log of ETP and unusual event encounters.

4.2 Conditions

4.2.1 Progress against conditions

⁴ <https://www.ices.dk/sites/pub/Publication%20Reports/Advice/2018/2018/mac.27.nea.pdf>

⁵ <https://www.ices.dk/sites/pub/Publication%20Reports/Advice/2019/2019/mac.27.nea.pdf>

Table 8. Condition 1

Performance Indicator	1.2.2
Score	65
Justification	<p>PI 1.2.2a: Currently, the disagreement between parties is leading to overshooting of the ICES advised TAC. Therefore, due to this disagreement, the Assessment Team cannot conclude that well defined HCRs are in place that ensure that the exploitation rate is reduced as the PRI is approached, and are expected to keep the stock fluctuating around a target level consistent with (or above) MSY. SG80 is not met.</p> <p>PI 1.2.2c: Under PI 1.2.2a the HCR was scored as not meeting SG80 because the HCR did not provide for the appropriate 'fluctuation around' MSY (or similar). The tools that are implemented in the HCR include bilateral and multilateral platforms for reaching management decisions, TACs (Total and national), technical measures, and discard ban are appropriate for its effective implementation but because of the lack of an international allocation agreement they are not guaranteed to achieve the exploitation levels required (MSY or similar). SG80 is not met.</p>
Condition	<p>The aim is to establish a well-defined HCR agreed by all relevant Parties and including a quota sharing arrangement within sustainable limits. Recognising that this is at the level of sovereign states, the Client should approach relevant authorities and continue to encourage the establishment and implementation of such a HCR. The Client should also liaise with other relevant industries in order to achieve an agreed HCR.</p> <p>'Clear evidence' may be any relevant evidence, provided through ICES or other verifiable means, that shows the implications of all available management actions (e.g. by coastal states and/or agreements with other relevant states in controlling fishing mortality) in achieving exploitation levels consistent with appropriate harvest control rules and the requirements of PI 1.1.1.</p>
Condition start	This is a re-instatement of a Condition which scored < 60 in 2018. It was re-evaluated at the third surveillance audit in June 2019 following the new ICES advice. The revised score was 65.
Condition deadline	2023
Milestones	<p>Year 1: Communication should be begun or continued with Coastal State representatives to promote delivery of exploitation levels consistent with meeting the requirements of Principle 1. Evidence should be provided of any other actions or analyses undertaken in relation to prevailing exploitation levels and/or the implications of these for the stock. The client shall provide documented evidence of all related correspondence, analyses, actions, meetings, representations etc. The score remains at 65.</p> <p>Year 2 and Year 3: The Client shall continue to present evidence (similar to year 1) that the process on agreeing an appropriate HCR is progressing at the relevant level and involving the competent authorities. If possible, the Client shall present a HCR proposal.</p>

Lloyd's Register, LR and any variants are trading names of Lloyd's Register Group Limited, its subsidiaries and affiliates.

Accura Marine: trading as Lloyd's Register (Reg. no. SC313289).

Registered office: 50 Lothian Road, Festival Square, Edinburgh, EH3 9WJ. Registered in Scotland. A member of the Lloyd's Register group.

	<p>The score remains at 65, for both years.</p> <p>Year 4: The Client shall present the outcome of the HCR development process. At this stage, well defined harvest control rules are in place that are consistent with the harvest strategy and ensure that the exploitation rate is reduced as limit reference points are approached. SG80 is met.</p>	
<p>Progress on Condition</p>		
	<p>Year 1</p>	<p>The implication of the Condition against this Performance Indicator is that whilst an acceptable 'Harvest Strategy' is in place⁶, the tools which are available and in use are not being used successfully.</p> <p>The evidence for this Condition to continue is that, first of all based on the 2015 fishery:</p> <ul style="list-style-type: none"> • From 2008 to 2014 no agreement was reached among the Coastal States on sharing of the ICES advised mackerel quota. • In 2014 three of the Coastal States agreed on a Management Strategy for the stock for 2015 through to 2020. As noted in PI 1.2.1 above this Management Strategy has not yet been evaluated by ICES. • For the 2015 fishery ICES continued to provide advice on the basis of the original Management plan which was for a total catch of between 831,000t and 906,000t. • The 'unofficial' which ICES quotes as the sum of the unilateral quotas but accepts that there are actually no internationally agreed quotas (see footnote to Table 9.3.39.7 in ICES 2016b). The TAC for the 2015 fishery based on those unilateral declarations of intent by all participants and various agreements, was 1,235,608t • The total catch in 2015 estimated by the ICES working group and including estimated discards and slippage was 1,208,990t. • The total estimated catch was an undershoot of 26,000t on the unofficial TAC but was an overshoot of between 303,000t and 378,000t on the ICES advised catch based on the management plan. <p>For the 2016 fishery ICES reverted to providing advice on the basis of MSY using the F_{MSY} reference level of F 0.22.</p> <ul style="list-style-type: none"> • The ICES advice for the 2016 fishery was for a total advised catch (TAC) of 774,000t. This value had been revised down in September 2016 because of an error in the original stock assessment. • On the basis of the Long term Management Strategy the Parties agreed to a total allocation of 895,900t, shared according to an arrangement of 71.8% to the EU/Norway, 12.6 % to the Faroe Islands

⁶ PI 1.2.1 This performance indicator provides the 'route map' to the sustainable exploitation of the stock in the form of a Harvest Strategy. Clearly for the NEA mackerel stock a 'harvest strategy' is in place in the form of MSY advice from ICES based the MSY fishing mortality reference point of F0.22. A Long Term Management Strategy has been proposed by the Coastal States to replace the 2014 Long Term Management Plan. ICES have postponed an evaluation of the strategy until after the 2017 Benchmark Assessment of the stock. This PI continues to score 85

and 15.6% of the total was set aside for the Coastal States and Fishing Party Reserve. However this does not take into account the likely catches by Iceland and Russia and Greenland.

- The predicted catch for the fishery in 2016, based on the sum of the declared quotas and inter-annual transfers, is 1,067,828t which would be an overshoot of the ICES advised catch, based on the MSY approach, of 294,000t.⁷

For the fishery in 2017 ICES have advised a catch of 857,185t based on the MSY approach and the predicted catch in 2016.

- The EU have published the quota shares for the EU, Faroe Islands and Norway which totals 1,020,966t which includes a 15.6% share set aside for the Coastal States and other parties with whom no formal sharing arrangement has been reached (Iceland, Greenland and Russia)
- This represents an overshoot, of the ICES advised catch, of 164,000t.

Conclusion:

Clearly the tools, in the form of an annual TAC based on the scientific advice by ICES, are not yet working successfully and there has been little or no improvement in this situation since the Condition was imposed. Based on the milestones for year 1, Condition 1 continues unchanged to be reviewed at the next Surveillance audit.

At the second audit, it should be much clearer, in terms of tangible outcomes and quota allocations, that the process on agreeing an appropriate HCR is progressing.

The client has provided evidence of some progress recorded in detail in their response document. Briefly they report:

- Greenland has declared its intention to become a Coastal State which has been agreed by the other members.
- Industry scientists took part in the ICES Benchmark assessment of the stock in February 2017. The report is not yet published. This Benchmark assessment may change the perception of stock status which could result in a recommended change to the biological reference points on which management of the stock is firmly based.
- The Benchmark Workshop has also evaluated the proposed Long Term Management Strategy, put forward by the EU, Faroe Islands and Norway after their meeting in October 2015.

The Coastal States have created a Working Group under the auspices of NEAFC to address the problem of quota share and allocation of straddling stocks which includes the NEA mackerel.

⁷ Nothing can be said about the 2016 fishery until the WG WIDE report is available. The WG meets in Aug/Sep 2017 and the report will not be available until near the end of October 2017 although the advice may be published before that date.

	Year 2	<p>The main issue, generating the Condition on this performance indicator, is the unilateral declaration of autonomous quotas by states. The sum of all the declared quotas, including the Coastal States, have noticeably exceeded the ICES advised catch (based on MSY) since 2010. There was some progress, during 2017, towards finding a satisfactory solution to the current impasse</p> <p>The client group constituting MINSA were fully represented at a Fisheries Consultation meeting in London in October 2017. This meeting was between Norway, the European Union, The Faroe Islands Iceland and Greenland to consult on the management of mackerel in the North-East Atlantic in 2018.</p> <p>Their conclusions noted that, regrettably a consensus could not be found at that meeting which would permit the accession of other parties to the 2014 Fisheries Arrangement between the EU, Faroe Islands and Norway on the management of mackerel in the north east Atlantic. As a consequence, the parties agreed at that same meeting to an ad hoc arrangement based on a new Long-term Management Strategy, for the period up to 2021. The agreed record of that meeting and the details of the new Long Term Management Strategy is attached (Appendix 4a) . The agreement is in line with the Common Fisheries Policy objectives to ensure the sustainable exploitation of the stock.</p> <p>On the basis of the new Long-Term Management Strategy the parties, including Greenland, agreed to recommend a TAC of 816,797t for the 2018 mackerel fishery of which the EU share would be 402,596t. In line with the agreement a total of 127,420t (15.6%) was sets aside as a Coastal State and Fishing Party Reserve.</p> <p>If successfully implemented the new Long Term Management strategy and linked arrangements will begin to address the major problem of annual catches greatly exceeding the ICES advised catch. However, at this stage it cannot be recognised as having solved this problem as:</p> <ul style="list-style-type: none"> • at this stage it is only an arrangement agreed by Norway, the European Union, The Faroe Islands and has not yet been seen to be effective in reducing catches. The effectiveness of the new arrangement is not expected to become apparent until 2019. • the ICES advised catch for 2018, based on the MSY approach (F 0.21) is for a catch of 550,948t, although the Precautionary Approach catch (F0.35) would generate a catch of 864,415t. • the declared intentions of all parties participating in the fishery in 2017 will generate a catch of 1,178,850t – significantly above the ICES advised catch of 857,185t for 2017. <p>There is, therefore, no evidence that the issue of annual catches exceeding the ICES advised catch has been satisfactorily resolved. The recent action of the Coastal States does, however, provide some indication of changes in the management of the stock.</p> <p>There has been some indication of progress in relation to Scoring Issue a), but not such as to merit rescoring.</p> <p>There has been no evidence of success in relation to Scoring Issue c).</p>
--	--------	---

Lloyd's Register, LR and any variants are trading names of Lloyd's Register Group Limited, its subsidiaries and affiliates.

Acoura Marine: trading as Lloyd's Register (Reg. no. SC313289).

Registered office: 50 Lothian Road, Festival Square, Edinburgh, EH3 9WJ. Registered in Scotland. A member of the Lloyd's Register group.

		<p>SI: 1.2.2 a (60); b (80); c (<60)</p> <p>As noted in PI 1.2.1 there is currently no formally agreed harvest strategy (management plan), endorsed by ICES as precautionary, on which to determine and agree the annual exploitation rate and resultant TAC for the fishery. The failure on the part of the Coastal States to agree to such a plan means that; well defined harvest control rules that are consistent with the harvest strategy and ensure that the exploitation rate is reduced as limit reference points are approached, are not in place.</p> <p>In the absence of well-defined harvest control rules, to appropriately control exploitation, there is no evidence that tools used, the annual TAC plus a raft of technical measures, are appropriate and effective in controlling exploitation in line with the sustainable management of the stock.</p> <p>Conclusion: Available evidence over recent years shows that current management actions (tools in use) used to share the scientifically advised annual TAC cannot be considered appropriate nor effective in achieving the exploitation levels required under the current harvest control rules. As a consequence, the fishery does not meet the SG 80 requirement at scoring issue 'a' that well defined harvest control rules are in place that are consistent with the harvest strategy and ensure that the exploitation rate is reduced as limit reference points are approached". Furthermore, the available evidence also clearly shows that the SG 60 scoring guidepost at scoring issue 'c' which requires that there is some evidence that tools used to implement harvest control rules are appropriate and effective in controlling exploitation is also not met.</p> <p>Failure to meet this scoring guidepost has resulted in the fishery failing. <60.</p>
	<i>Expedited audit</i>	
	Year 3	Non-binding as fishery suspended – though readers should note new ICES advice, see background information updates in Section 2.2.4 in the third surveillance report.
Year 4		
Progress status		
Remedial action		
Additional information		

Table 9. Condition 2

EU

Performance	PI 3.1.1
-------------	----------

Lloyd's Register, LR and any variants are trading names of Lloyd's Register Group Limited, its subsidiaries and affiliates.

Acoura Marine: trading as Lloyd's Register (Reg. no. SC313289).

Registered office: 50 Lothian Road, Festival Square, Edinburgh, EH3 9WJ. Registered in Scotland. A member of the Lloyd's Register group.

Indicator	
Score	65
Rationale	<p>SI: 3.1.1 a) 60.</p> <p>Currently international co-operation does not extend to an 'agreement and delivery of management actions consistent with ... sustainable management advice' and therefore SG80 is not met.</p> <p>SG80: There is an effective national legal system and organised and effective cooperation with other parties, where necessary, to deliver management outcomes consistent with MSC Principles 1 and 2.</p> <p>3.1.1 b) 60. The ongoing disputes in relation to NEA mackerel are a clear indication that the management system does not have a mechanism to address disputes that is 'effective in dealing with most issues' and so SG80 not met.</p> <p>SG 80: The management system incorporates or is subject by law to a transparent mechanism for the resolution of legal disputes which is considered to be effective in dealing with most issues and that is appropriate to the context of the fishery.</p>
Justification	<p>The cooperation with other parties is not yet effective in delivering management outcomes consistent with MSC Principles 1 and 2.</p> <p>The management system does not appear to provide transparent mechanism for the resolution of legal disputes which is considered to be effective in dealing with most issues and that is appropriate to the context of the fishery.</p>
Condition	<p>The SG80 requirements for SI a) above must be met.</p> <p>There should be evidence of organised and effective cooperation between all affected parties which delivers outcomes consistent with meeting Principle 1 (As detailed in Condition 1).</p> <p>There should also be evidence of an effective and transparent mechanism for dispute resolution between the parties (UNFSA Article 10 paragraphs a), h) and j) are particularly relevant to the meeting of this condition).</p>
Milestones	<p>Yr 1. Communication should be begun or continued with relevant parties to promote cooperation on delivery of outcomes consistent with meeting the requirements of Principle 1 and achieving a suitable means of dispute resolution. MINSA shall provide documented evidence of all correspondence, meetings, representations etc. The score remains at 65.</p> <p>Yr 2 and Yr 3. It is understood that the condition could be closed at any time. Year 2 and 3 should therefore provide information on all relevant correspondence, meetings, representations undertaken and the prevailing situation regarding cooperation between parties and dispute resolution. The score remains at 65 for yr 2 and yr3.</p> <p>Yr 4. The SG80 requirements should be met. At the time this is achieved, this PI will be rescored at 80 or more</p>
Progress on Condition SA1 – 2017	<p>In year 1 the milestone requires evidence of progress relating to both addressing Principle 1 requirements and on P3-dispute resolution.</p> <p>The telecom meeting with the client representative was informed by a range of documents</p>

Lloyd's Register, LR and any variants are trading names of Lloyd's Register Group Limited, its subsidiaries and affiliates.

Acoura Marine: trading as Lloyd's Register (Reg. no. SC313289).

Registered office: 50 Lothian Road, Festival Square, Edinburgh, EH3 9WJ. Registered in Scotland. A member of the Lloyd's Register group.

	<p>demonstrating communications on Principle 1. These are discussed under Condition 1.</p> <p>In relation to dispute resolution, the documents provided show progress on this matter through the North East Atlantic Fisheries Commission (NEAFC) Working Group on a Framework for Coastal State Negotiations.</p> <p>The March 2017 draft “Guidelines for Coastal State Consultations in the North East Atlantic” include the following text relating to dispute resolution (NEAFC, 2017):</p> <p>Chapter 8 – Duration and opting out requirements</p> <p><i>20. A Framework Arrangement should be in force for at least five years. The arrangement should continue to apply annually until a coastal State opts out pursuant to paragraph 21. The Framework Arrangement may be amended during the period it is in force, pursuant to a new entrant joining the arrangement pursuant to Chapter 10.</i></p> <p><i>21. If a coastal State intends to opt out of an arrangement, it should give a formal notification before 1 June after the initial 4 years, or after any other period decided by the coastal States. The formal notification should contain at least an explanation/justification of why the coastal State has chosen to opt out of the arrangement.</i></p> <p><i>22. The Framework Arrangement should remain in force also until at least the end of the year after the formal notification is submitted.</i></p> <p><i>23. When a formal notification has been provided, relevant working groups of experts should be established immediately by the coastal States to produce a report on zonal attachment and other relevant information. Such reports should to the extent possible be based on agreed models. The report should be concluded within six months.</i></p> <p><i>24. If conclusion on a new Framework Arrangement has not been reached within the timeframe referred to in paragraph 22 above, each coastal State should set any unilateral conservation and management measures based on the long term management strategy or ICES-advice.</i></p> <p>Chapter 9 – Mediation</p> <p><i>25. If agreement on a Framework Arrangement is not reached, the coastal States should consider engaging a mediator. Any decision on engaging a mediator, including the choice of the person and the terms of reference of his/her role, should be made by consensus.</i></p> <p>The above text illustrates that significant progress has been made over the last 12 months in addressing the condition, in particular the reference made in the condition to the United Nations Fish Stocks Agreement (UNFSA) Article 10,(j) agree on decision-making procedures which facilitate the adoption of conservation and management measures in a timely and effective manner (UN, 1995).</p> <p>A key development is the inclusion of Chapter 9 proposing mediation. These do, however, remain as guidelines that do not require mediation to resolve disputes, but that “<i>the coastal States should consider engaging a mediator</i>”.</p>
<p>Status SA1 - 2017</p>	<p>On target. The score remains at 65.</p>
<p>Progress on Condition SA2 -2018</p>	<p>The client provided the surveillance team with evidence of relevant correspondence and meetings over the past 12 months.</p> <p>On 11th October 2017 there was a Coastal States meeting on mackerel. The Agreed Record states that “Regrettably a consensus could not be found at this stage allowing for the accession of other</p>

	<p>parties to the 2014-2018 Mackerel Arrangement”.</p> <p>On the 16th October, the MSC certified North East Atlantic clients met (including Faroese and Icelandic clients) to discuss what actions could be taken to progress matters with a view to closing this condition. The meeting minutes noted that with NEAFC’s expected adoption of dispute resolution procedures, the condition could be closed. This is not the case, as is further explained below. The group sent a letter to the Coastal States chairs on 8th November 2017 urging Coastal States to do everything in their power to realise agreement on the management of various pelagic stocks [including mackerel] and suggested a mid-year meeting be convened to give more time to make progress in advance of the October [2018] negotiations. To date, no formal response has been received and no mid-year meeting has been scheduled.</p> <p>NEAFC’s 36th Annual Meeting was held 13-17 November 2017 during which the response to the ‘Report from the Working Group on a Framework for Coastal State Negotiations’ stated <i>“In conclusion, it was agreed to adopt the Guidelines for Coastal State Consultations in the North East Atlantic and a draft Model Framework Arrangement, as presented in Annex 1 and Annex 2 of the document 2017-06. The proposed guidelines on zonal attachment would remain attached to the Working Group on Allocation Criteria for consideration in due course.”</i> This represents further progress at NEAFC level, with some caution as the meeting noted that <i>“In submitting the proposals (presented in Annex 1 and Annex 2 of the document 2017-06) the group had noted that the Guidelines would have a non-binding nature even after formal adoption by the Annual Meeting, and the Model Framework Arrangement would remain as an example only.”</i> (https://www.neafc.org/system/files/Report%20Final.pdf).</p> <p>In addition to dispute resolution, this condition requires evidence of effective co-operation between all relevant parties, i.e. progress in agreeing the quota allocation to ensure P1 outcomes. The Working Group on Allocation Criteria did not present draft recommendations, but an informal working paper. A sub-group had developed guidelines on stock distribution and zonal attachment. It was agreed that the working group be put on hold in 2018 while informal consultations continued to explore the potential for future progress.</p> <p>Overall, there is evidence that some of the shortcomings in the negotiating procedures underpinning the NEAFC Coastal States discussions are being addressed, albeit as guidelines rather than binding arrangements for contracting parties, but these are yet to be applied to the impasse in the mackerel consultations. They remain untested and have not as yet resulted in an agreement that ensures adherence to the harvest strategy by the parties prosecuting the fishery. In following the NEAFC guidelines, “the Coastal States should consider engaging a mediator.</p>
<p>Status SA2, 2018</p>	<p>On target. The score remains at 65.</p>
<p>Progress on Condition SA 3 - 2019</p>	<p>There have been no further meetings in the NEAFC Working Group on Allocation Criteria in the surveillance period; nor has the Framework Agreement for Coastal States Negotiations been put to use. Nevertheless, there has been some progress as the parties are working collaboratively in seeking advice on a harvest control rule that can be collectively adopted and implemented. They report that there is more communication than earlier between the Coastal States and the other states involved in the fishery but not accepted as coastal states. They all participate at the Coastal States Negotiations, where the atmosphere is reported to be more constructive than earlier. There is a shared opinion among the parties that the impasse needs to be unlocked, and with the gap between the TAC advice and the unilaterally declared national quotas significantly reduced, the room for agreement is larger. The decision by the states involved in the fishery not to increase TAC following the new ICES advice in May 2019, also reflects a move towards organised and effective cooperation between all affected parties. It also reflects a determination to resolve disputes among themselves,</p>

Lloyd's Register, LR and any variants are trading names of Lloyd's Register Group Limited, its subsidiaries and affiliates.

Acoura Marine: trading as Lloyd's Register (Reg. no. SC313289).

Registered office: 50 Lothian Road, Festival Square, Edinburgh, EH3 9WJ. Registered in Scotland. A member of the Lloyd's Register group.

	albeit in informal consultations rather than within a formal dispute resolution set-up.
Status Year 3	Though non-binding, the surveillance team determine this condition to be on target. The score remains at 65.
Status Year 4	Discussions between all parties involved in the fishery are ongoing. Though non-binding, the surveillance team determine this condition to be on target. The score remains at 65.

Norway

Performance Indicator	PI 3.1.1
Score	65
Rationale	<p>SI: 3.1.1 a) 60.</p> <p>Currently international co-operation does not extend to an 'agreement and delivery of management actions consistent with ... sustainable management advice' and therefore SG80 is not met.</p> <p>SG80: There is an effective national legal system and organised and effective cooperation with other parties, where necessary, to deliver management outcomes consistent with MSC Principles 1 and 2.</p> <p>3.1.1 b) 60. The ongoing disputes in relation to NEA mackerel are a clear indication that the management system does not have a mechanism to address disputes that is 'effective in dealing with most issues' and so SG80 not met.</p> <p>SG 80: The management system incorporates or is subject by law to a transparent mechanism for the resolution of legal disputes which is considered to be effective in dealing with most issues and that is appropriate to the context of the fishery.</p>
Justification	<p>The cooperation with other parties is not yet effective in delivering management outcomes consistent with MSC Principles 1 and 2.</p> <p>The management system does not appear to provide transparent mechanism for the resolution of legal disputes which is considered to be effective in dealing with most issues and that is appropriate to the context of the fishery.</p>
Condition	<p>The SG80 requirements for SI a) above must be met.</p> <p>There should be evidence of organised and effective cooperation between all affected parties which delivers outcomes consistent with meeting Principle 1 (As detailed in Condition 1).</p> <p>There should also be evidence of an effective and transparent mechanism for dispute resolution between the parties (UNFSA Article 10 paragraphs a), h) and j) are particularly relevant to the meeting of this condition).</p>
Milestones	Yr 1. Communication should be begun or continued with relevant parties to promote cooperation on delivery of outcomes consistent with meeting the requirements of Principle 1 and achieving a suitable means of dispute resolution. MINSA shall provide documented evidence of all

Lloyd's Register, LR and any variants are trading names of Lloyd's Register Group Limited, its subsidiaries and affiliates.

Acoura Marine: trading as Lloyd's Register (Reg. no. SC313289).

Registered office: 50 Lothian Road, Festival Square, Edinburgh, EH3 9WJ. Registered in Scotland. A member of the Lloyd's Register group.

	<p>correspondence, meetings, representations etc.</p> <p>Yr 2 and Yr 3. It is understood that the condition could be closed at any time. Year 2 and 3 should therefore provide information on all relevant correspondence, meetings, representations undertaken and the prevailing situation regarding cooperation between parties and dispute resolution...</p> <p>Yr 4. The SG80 requirements should be met. At the time this is achieved, this PI will be rescored at 80 or more</p>
<p>Progress on Condition SA1 - 2017</p>	<p>The condition requires the client to begin or continue communication with relevant parties to promote cooperation between the coastal states that meets the requirements of an 80 score on SIs 3.1.1 a) regarding overarching management structure and 3.1.1 b) on dispute resolution mechanisms.</p> <p>In the surveillance period, the client has addressed the Norwegian Ministry of Trade, Industry and Fisheries with a formal request to prioritize work on a 'comprehensive coastal state agreement for mackerel that ensures a total outtake that is in line with scientific recommendations', and on the 'establishment of a formal and transparent dispute resolution mechanism that can handle similar disputes in the future' (NFA 2016, p. 2). The client has followed up the request in several meetings with Norwegian authorities, and reports good working relations with them on this issue.</p> <p>The NEAFC Working Group on a Framework for Coastal State Negotiations has been in operation throughout the surveillance period, and Draft Guidelines for Coastal State Consultations in the North East Atlantic, along with a Model Framework Arrangement for Coastal State Negotiations, were presented in March 2017 (NEAFC 2017). The Guidelines contain provisions on, among other things, participation (Chapter 2), consultations (Chapter 4), decision making (Chapter 7), duration and opting out requirements (Chapter 8), mediation (Chapter 9) and new entrants (Chapter 10). The Model Framework Agreement has chapters on, among other things, 'Consultations on management' (Sections 1–5), 'Shares and access arrangements' (Section 6), control and enforcement (Section 12) and duration of the arrangement (Sections 13–17). It should be noted that, as the name suggests, this is a model for coastal states negotiations in the Northeast Atlantic in general, and not intended for the Northeast Atlantic mackerel in particular.</p>
<p>Status SA1 - 2017</p>	<p><i>Indicate conclusion of assessment team as to whether this condition is 'new', 'on target', 'ahead of target', 'behind target' or should be closed. Any conditions that have not been closed out with the previously agreed timescales shall be detailed together with the reasons. The report shall detail what actions are required by the fishery, including revised timescales, and what the implications are for continued certification. Teams should note FCP v2.1 section 7.28, and advise clients accordingly in the case of delays</i></p>
<p>Progress on Condition SA2 - 2018</p>	<p>In the surveillance period, the client has continued its close dialogue with the Norwegian Ministry of Trade, Industry and Fisheries, as well as the Directorate of Fisheries, on the progress of the coast states negotiations for all the Norwegian Sea pelagic fisheries, including mackerel. It should be observed that the client is a strong force in Norwegian fisheries management. The Norwegian Fishermen's Association covers all Norwegian fisheries (from small-scale coastal fisheries to the trawler fleet) and to a large extent acts on behalf of the fisheries management authorities (e.g. in the domestic distribution of quotas). It is also represented on Norwegian delegations to all negotiations with other states, including the coastal states negotiations for the Norwegian Sea.</p> <p>There is not yet any breakthrough in the coastal states negotiations on mackerel. At the international level, i.e. progress in the coastal states negotiations and dispute resolution mechanisms, please see the 2018 update on Condition 2/ EU above. The issues are the same, and are not repeated here.</p> <p>Again, as in Condition 2/EU above, overall, there is evidence that some of the shortcomings in the</p>

Lloyd's Register, LR and any variants are trading names of Lloyd's Register Group Limited, its subsidiaries and affiliates.

Acoura Marine: trading as Lloyd's Register (Reg. no. SC313289).

Registered office: 50 Lothian Road, Festival Square, Edinburgh, EH3 9WJ. Registered in Scotland. A member of the Lloyd's Register group.

	negotiating procedures underpinning the NEAFC Coastal States discussions are being addressed, albeit as guidelines rather than binding arrangements for contracting parties, but these are yet to be applied to the impasse in the mackerel consultations. They remain untested and have not as yet resulted in an agreement that ensures adherence to the harvest strategy by the parties prosecuting the fishery. In following the NEAFC guidelines, 'the Coastal States should consider engaging a mediator'.
Status SA2 2018	On target, the score remains at 65.
Progress on Condition SA3 -2019	There have been no further meetings in the NEAFC Working Group on Allocation Criteria in the surveillance period; nor has the Framework Agreement for Coastal States Negotiations been put to use. Nevertheless, there has been some progress as the parties are working collaboratively in seeking advice on a harvest control rule that can be collectively adopted and implemented. They report that there is more communication than earlier between the Coastal States and the other states involved in the fishery but not accepted as coastal states. They all participate at the Coastal States Negotiations, where the atmosphere is reported to be more constructive than earlier. There is a shared opinion among the parties that the impasse needs to be unlocked, and with the gap between the TAC advice and the unilaterally declared national quotas significantly reduced, the room for agreement is larger. The decision by the states involved in the fishery not to increase TAC following the new ICES advice in May 2019, also reflects a move towards organised and effective cooperation between all affected parties. It also reflects a determination to resolve disputes among themselves, albeit in informal consultations rather than within a formal dispute resolution set-up.
Status SA3 2019	Though non-binding, the surveillance team determine this condition to be on target. The score remains at 65.
Status SA4 2020	Discussions between all parties involved in the fishery are ongoing. Though non-binding, the surveillance team determine this condition to be on target. The score remains at 65.

Table 10. Condition 5

Performance Indicator	1.2.1
Score	70 a,b,c (60) d (80)
Justification	<u>Scoring issue 'a'</u> From 2008 to 2014, there was no agreement among the Coastal States on the sharing of the mackerel quotas. In 2014, three of the Coastal States agreed on a Management Strategy for 2015 and the subsequent five years. However this arrangement did not include all countries exploiting the stock. From 2016 ICES ceased to provide advice on the basis of the management plan and has since then provided advice on the MSY approach (MSY approach: $FMSY \times SSB(2019) / MSY \text{ Btrigger}$) which only satisfies the

Lloyd's Register, LR and any variants are trading names of Lloyd's Register Group Limited, its subsidiaries and affiliates.

Accura Marine: trading as Lloyd's Register (Reg. no. SC313289).

Registered office: 50 Lothian Road, Festival Square, Edinburgh, EH3 9WJ. Registered in Scotland. A member of the Lloyd's Register group.

	<p>requirements at SG 60.</p> <p>In 2017 ICES evaluated potential options for a management plan for this fishery, based on a request from Norway, the EU, and the Faroe Islands (the Coastal States). Coastal State Delegations from Norway, the EU, and Faroes have agreed an arrangement for a long-term management strategy for mackerel but this is not agreed by all participants in the fishery. Further negotiations have taken place but a satisfactory agreement in line with ICES advice has not yet been reached. As a consequence there is still no agreed harvest strategy basis on which to set and agree an annual TAC based on the target and limit reference points for the stock and the requirements at SG 80 are not met.</p> <p><u>Scoring issue 'b'</u> In the absence of an agreed and fully tested harvest strategy there can be no evidence that it is achieving its objectives and the requirements at SG 80 are not met.</p>
Condition	<p>The quota dispute must be settled and an effective strategy implemented, including a quota sharing component. The effective strategy must then be agreed by all participants in the fishery. The harvest strategy if amended and including a HCR should be evaluated by ICES and found to be consistent with the long term sustainable management of the fishery</p>
Condition start	New at expedited audit January 2019
Condition deadline	2023
Milestones	<p>Non-binding condition as fishery suspended at Expedited Audit Jan 2019; no milestones were given.</p> <p>At SA3 in July 2019 this condition was formalised, following the un-suspension of the fishery, and milestones were set</p> <p><u>Milestone year 1 (at SA4 -2020) and year 2 (re-certification 2021):</u> The Coastal States Norway, EU and the Faroes must produce evidence that they have made progress towards the inclusion of all the other participants in the fishery (Russia, Greenland and Iceland) in the implementation of the Long Term Management Strategy which they proposed in 2017 and which has been endorsed by ICES as Precautionary. The strategy is for: Target $F=0.21 \times SSB(2019)/2.57$. The score remains 70</p> <p><u>Milestone yr 3 (SA1 of recertification) and):</u> All the Coastal States participating in the mackerel fishery ought to endeavour to sign up to the long- term management strategy for mackerel and agree to equitably sharing the ICES advised TAC, based on that strategy. The client should continue to lobby the national coastal state members in order to bring this about. The score remains 70.</p> <p><u>Milestone yr4 (SA2 of re-certification):</u> By the 4th year the elements of the harvest strategy work together towards achieving management objectives reflected in the target and limit reference points. SG80 is met.</p> <p>(This condition is using Exceptional circumstances, where the achievement of this condition will not be possible in the current lifetime of the certificate – see FCP 2.1:</p>

Lloyd's Register, LR and any variants are trading names of Lloyd's Register Group Limited, its subsidiaries and affiliates.

Acoura Marine: trading as Lloyd's Register (Reg. no. SC313289).

Registered office: 50 Lothian Road, Festival Square, Edinburgh, EH3 9WJ. Registered in Scotland. A member of the Lloyd's Register group.

	7.18.1.5.)	
Progress on Condition In November 2020		
	<i>Year 1 (SA4 2020)</i>	Some limited progress has been made in 2020 related to a request from Norway, EU and Faroe, to ICES for advice on a Long term Management Strategy for NEA mackerel (ICES, 2020c) However this request does not yet specifically address the inclusion of Russia, Greenland and Iceland in the implementation of the strategy.
	<i>Year 2</i>	
	<i>Year 3</i>	
	<i>Year 4</i>	
Progress status	Not On Target	
Remedial action		
Additional information		

Lloyd's Register, LR and any variants are trading names of Lloyd's Register Group Limited, its subsidiaries and affiliates.

Acoura Marine: trading as Lloyd's Register (Reg. no. SC313289).

Registered office: 50 Lothian Road, Festival Square, Edinburgh, EH3 9WJ. Registered in Scotland. A member of the Lloyd's Register group.

5 Appendices

5.1 Evaluation processes and techniques

5.1.1 Site visits

A remote site visit meeting was held on the 16th November 2020 via conference calls (Table 11). All three members of the assessment team took part in the call, Deirdre Duggan, as well as the client representatives Ian Gatt, Norah Parke, Malin Skog and Lise Lausten.

5.1.2 Stakeholder participation

A call with the Sea Fisheries Protection Agency (SFPA) took place on the 20th November and was attended by Geir Honneland, Deirdre Duggan, Siubhan Curran and Alan Pyne. Further details on this stakeholder input are given in section 5.2.

Table 11. Audit meeting schedule summary

Date	Attendees	Platform	Topics covered
16 th November 2020	Geir Honneland – TL and P3 Gudrun Gaudian – P2 John Nichols – P1 Deirdre Duggan – LR representative Ian Gatt – Scottish Pelagic Sustainability Group Norah Parke – Killybegs Fishermen's Organisation Malin Skog – Danmarks Pelagiske Producentorganisation Lise Lausten – Danmarks Pelagiske Producentorganisation	MS Teams	Updates to any changes in the management / fishery Updates on conditions Updates on the reason for suspension
20 th November 2020	Geir Honneland – TL and P3 Deirdre Duggan – LR representative Siubhan Curran and Alan Pyne – SFPA	MS Teams	Overfishing and undeclared catches of pelagic fisheries

5.2 Stakeholder input

A stakeholder submission was received from Siubhan Curran, Sea Fisheries Protection Officer at the Sea Fisheries Protection Authority (SFPA), Ireland, on 14th November 2020. Alan Pyne, also from the SFPA, in an email on 20th November asked to be included in the stakeholder submission alongside Ms. Curran.

The substantial input reads as follows:

'EU Audit IE-D4-2018-01-A - to follow up Audit IE - 2015-C2-01-A to assess the system in place to control the weighing of fish up to the first sale - pelagic fisheries and to assess the system in place to control catches of tuna, in particular blue fin Tuna" this will have to be requested from the SFPA. The amount of fish landed through the use of inaccurate ullage tables and processed through the factories (one of whom was prosecuted by the NSAI (Ireland's Standards Agency) and found guilty is a calculable quantity. The impact of this overfishing has not been relayed to the Marine Institute (MI) which is involved in advising ICES in relation to stock assessments. Ireland is currently undertaking an Administrative Enquiry as a result of the EU Audit. It is my understanding that the volume of underdeclared mackerel has been calculated. I have already requested this information from SFPA HQ and as yet it has not been provided to me. I have also emailed on numerous occasions in the past 2 weeks requesting that I be allowed to contribute to any submission being made by the SFPA in its role as the competent Authority for the control and enforcement of National and EU regulations.'

Upon receiving the stakeholder input, the assessment team had a conference call with Siubhan Curran and Alan Pyne on 20th of November and on the same day contacted the SFPA via email, requesting access to the mentioned EU audit report and any further input the agency might have on the alleged use of incorrect ullage tables. In an email of 4th December, the SFPA responded that the EU audit reports are confidential and hence they are not in a position to share it with the assessment team. They also failed to comment on the issue raised by the assessment team. On 7th of January, the CAB requested access to the report from DG MARE. In a letter of 12th February 2021 (ref. GestDem No 2021/0300), a response from the EU Commission Transparency, Document Management & Access to Documents (SG.C.1) was received, detailing that:

'Having examined [the audit report] requested under the provisions of Regulation (EC) No 1049/2001 regarding public access to documents, I regret to inform you that your application cannot be treated positively, as disclosure is prevented by an exception to the right of access laid down in Article 4 of this Regulation. The documents requested are the reports from the audits prepared by the European Commission under Article 101 of Council Regulation (EC) No 1224/2009. These documents are the basis for the administrative enquiry which is being conducted by the Irish authorities at the request of the Commission¹ in accordance with Article 102(2) of Council Regulation (EC) No 1224/2009 and which is still pending. The above-mentioned documents are covered by a general presumption of non-accessibility based on the exception of Article 4(2), third indent, of Regulation (EC) No 1049/2001. Their public disclosure would undermine the very purpose of inspections, investigations and audits of the Commission services. Moreover, the disclosure of these documents at this point in time would negatively influence the dialogue between the European Commission and the Member State concerned, for which a climate of mutual trust is essential in the 1 C(2019)5666 2 frame of an administrative enquiry. Such climate of mutual trust is essential to enable them to resolve the issue without having to refer it to the Court of Justice. Therefore, for these reasons, the exception laid down in Article 4(2) third indent of Regulation (EC) No 1049/2001 applies to these documents. We have considered whether partial access could be granted to the document requested but it is entirely covered by the above mentioned exception. The exceptions laid down in Article 4(2) and 4(3) of Regulation 1049/2001 apply unless there is an overriding public interest in disclosure of the document. In the present instance, we did not identify such an interest.'

As both the SFPA and the European Commission have declined to comment on either the audit report or the alleged compliance issue, it has not been possible for the assessment team to investigate the issue further. It follows from press reports, however (see <https://www.irishtimes.com/news/environment/ireland-faces-losing-thousands-of-tonnes-from-fish-quotas-after-eu-investigation-1.4485289#.YCvjA23zJdk.mailto>) that a formal administrative inquiry was undertaken by the Commission to follow up the conclusions of the audit report, and that the inquiry was delivered to the Irish Ministry for the Agriculture, Food and the Marine in December 2020. At the time, it was also reported that the Ministry is set to begin an engagement with the European Commission on the inquiry and a package of measures. The Commission will open a 'payback procedure' for the overfished amounts, which will be taken from future quotas.

Lloyd's Register, LR and any variants are trading names of Lloyd's Register Group Limited, its subsidiaries and affiliates.

Accura Marine: trading as Lloyd's Register (Reg. no. SC313289).

Registered office: 50 Lothian Road, Festival Square, Edinburgh, EH3 9WJ. Registered in Scotland. A member of the Lloyd's Register group.

The system for weighing catches of fish will also be shaken up as a result, with a derogation that allows catches to be weighed in factories removed, meaning fish must now be weighed on the quayside at landing. Measures will be taken to sanction detected infringements, and Ireland must work with the Commission on a plan to solve the issues identified, including those arising from automated cross checks, risk analysis and a national control plan.

As the management system is responding to identified problems in the Irish fisheries enforcement system, the assessment team decided not to raise a new condition on the basis of the received stakeholder submission.

Performance Indicator (PI)	Condition	Input summary	Input detail	Evidence or references	Stakeholder input code	CAB response to stakeholder input	CAB response code
Principle 1 - Sustainable fish stocks							
1.2.2 - Harvest control rules and tools			The use of inaccurate ullage tables / volumetric tables, tampering of factory weighing systems.	"EU Audit IE-D4-2018-01-A - to follow up Audit IE - 2015-C2-01-A to assess the system in place to control the weighing of fish up to the first sale - pelagic fisheries and to assess the system in place to control catches of tuna, in particular blue fin Tuna" this will have to be requested from the SFPA.. The amount of fish landed through the use of inaccurate ullage tables and processed through the factories (one of whom was prosecuted by the NSAI (Ireland's Standards Agency) and found guilty is a calculable quantity. The impact of this overfishing has not been relayed to the Marine Institute (MI) which is involved in advising ICES in relation to stock assessments. Ireland is currently undertaking an Administrative Enquiry as a result of the EU Audit. It is my understanding that the volume of underdeclared mackerel has been calculated. I have already requested this information from SFPA HQ and as yet it has not been provided to me. I have also		See Section 5.2 for further details	Accepted (no score change)

Lloyd's Register, LR and any variants are trading names of Lloyd's Register Group Limited, its subsidiaries and affiliates.

Acoura Marine: trading as Lloyd's Register (Reg. no. SC313289).

Registered office: 50 Lothian Road, Festival Square, Edinburgh, EH3 9WJ. Registered in Scotland. A member of the Lloyd's Register group.

				emailed on numerous occasions in the past 2 weeks requesting that I be allowed to contribute to any submission being made by the SFPA in its role as the competent Authority for the control and enforcement of National and EU regulations.			
--	--	--	--	--	--	--	--

Lloyd's Register, LR and any variants are trading names of Lloyd's Register Group Limited, its subsidiaries and affiliates.

Acoura Marine: trading as Lloyd's Register (Reg. no. SC313289).

Registered office: 50 Lothian Road, Festival Square, Edinburgh, EH3 9WJ. Registered in Scotland. A member of the Lloyd's Register group.

5.3 Harmonised fishery assessments

No changes to the harmonisation have occurred and the mackerel fisheries remain suspended.

Table 12. Overlapping fisheries

Fishery name	Certification status and date
ISF Iceland mackerel	Suspended
Faroese Pelagic Organisation NEA mackerel	Suspended
MINSAs NEA mackerel	Suspended
NIPSG Irish Sea-Atlantic mackerel and North Sea herring	Certified (Mackerel components suspended)

Lloyd's Register, LR and any variants are trading names of Lloyd's Register Group Limited, its subsidiaries and affiliates.

Acoura Marine: trading as Lloyd's Register (Reg. no. SC313289).

Registered office: 50 Lothian Road, Festival Square, Edinburgh, EH3 9WJ. Registered in Scotland. A member of the Lloyd's Register group.

6 Template information and copyright

This document was drafted using the 'MSC Surveillance Reporting Template v2.1'.

The Marine Stewardship Council's 'MSC Surveillance Reporting Template v2.1' and its content is copyright of "Marine Stewardship Council" - © "Marine Stewardship Council" 2020. All rights reserved.

Template version control

Version	Date of publication	Description of amendment
1.0	08 October 2014	Date of issue
2.0	17 December 2018	Release alongside Fisheries Certification Process v2.1
2.01	28 March 2019	Minor document change for usability
2.1	25 March 2020	Minor document change for usability

A controlled document list of MSC program documents is available on the MSC website (msc.org).

Marine Stewardship Council
Marine House
1 Snow Hill
London EC1A 2DH
United Kingdom

Phone: + 44 (0) 20 7246 8900

Fax: + 44 (0) 20 7246 8901

Email: standards@msc.org

Lloyd's Register, LR and any variants are trading names of Lloyd's Register Group Limited, its subsidiaries and affiliates.

Acoura Marine: trading as Lloyd's Register (Reg. no. SC313289).

Registered office: 50 Lothian Road, Festival Square, Edinburgh, EH3 9WJ. Registered in Scotland. A member of the Lloyd's Register group.

7 References

- Anon. 2017. Agreed record of conclusions of fisheries consultations between Norway, the European Union and the Faroe Islands on the management of mackerel in the Northeast Atlantic for 2018, London, 11 October 2017. 8 pp. <https://www.ices.dk/community/groups/Documents/EU-NorFaroe%20Agreed%20Record%20for%20Mackerel%20Oct%202017.pdf>.
- Anon. 2018. Agreed record of fisheries consultations between the European Union and the Faroe Islands for 2019. Brussels, 12 December 2018. 14 pp. https://ec.europa.eu/fisheries/sites/fisheries/files/docs/body/2019-agreed-recordeu-faroe-islands_en.pdf
- Bruge A, Alvarez P, Fontán A, Cotano U and Chust G (2016) Thermal Niche Tracking and Future Distribution of Atlantic Mackerel Spawning in Response to Ocean Warming. *Front. Mar. Sci.* 3:86. doi: 10.3389/fmars.2016.00086
- ICES. 2018a. Advice basis. In Report of the ICES Advisory Committee, 2018. ICES Advice 2018, Version 2: 24 October 2018; Version 3: 25 October 2019. 14pp. <https://doi.org/10.17895/ices.pub.4537>
- ICES. 2018b. Norway request to provide a catch scenario for 2019 corresponding to the Norway-EU-Faroe long term management strategy for mackerel (*Scomber scombrus*) in subareas 1-8 and 14 and in Division 9a (the Northeast Atlantic and adjacent waters). ICES Technical Service. Ecoregions in the Northeast Atlantic and Arctic Ocean. Sr.2018.20. Version 2 25 October 2018. <https://doi.org/10.17895/ices.pub.4569>
- ICES. 2019a. Interbenchmark Workshop on the assessment of Northeast Atlantic mackerel (IBPNEAMac). ICES Scientific Reports, 1:5. 71 pp. <https://doi.org/10.17895/ices.pub.4985>.
- ICES. 2019b. Advice basis. In Report of the ICES Advisory Committee, 2019. ICES Advice 2019, Book 1, Section 1.2. 15 May 2019. <https://doi.org/10.17895/ices.pub.5757>
- ICES. 2019c. Working Group on Widely Distributed Stocks (WGWIDE). ICES Scientific Reports. 1:36. 948 pp. <http://doi.org/10.17895/ices.pub.5574>
- ICES. 2019d. Advice basis. In Report of the ICES Advisory Committee, 2019. ICES Advice 2019, Book 1, Section 1.2. <https://doi.org/10.17895/ices.pub.4885>
- ICES. 2020a. Working Group on Widely Distributed Stocks (WGWIDE). ICES Scientific Reports. 2:82. 1019 pp. <http://doi.org/10.17895/ices.pub.7475>
- ICES. 2020b. ICES advice on fishing opportunities, catch and effort. Mackerel (*Scomber scombrus*) in subareas 1-8 and 14 and in Division 9a (the Northeast Atlantic and adjacent waters. <http://doi.org/10.17895/ices.pub.5907>
- ICES. 2020c. EU, Norway, and the Faroe Islands request for advice on the long-term management strategies for Northeast Atlantic mackerel (full feedback approach). In Report of the ICES Advisory Committee, 2020. ICES Advice 2020, sr.2020.07. <https://doi.org/10.17895/ices.advice.7446>

Lloyd's Register, LR and any variants are trading names of Lloyd's Register Group Limited, its subsidiaries and affiliates.

Acoura Marine: trading as Lloyd's Register (Reg. no. SC313289).

Registered office: 50 Lothian Road, Festival Square, Edinburgh, EH3 9WJ. Registered in Scotland. A member of the Lloyd's Register group.

Nøttestad, L., Ólafsdóttir, A.H., Anthonypillai, V. Homrum, E., Jansen, T.; Wieland K. *et al.* 2019. Cruise report from the International Ecosystem Summer Survey in the Nordic Seas (IESSNS) 28th June – 5th August 2019. Working Group Document to ICES Working group on Widely Distributed Stocks (WGWIDE, No. 5). Spanish Institute of Oceanography (IEO), Santa Cruz, Tenerife, Canary Islands 28. August – 3 September 2019. 51 pp

Lloyd's Register, LR and any variants are trading names of Lloyd's Register Group Limited, its subsidiaries and affiliates.

Acoura Marine: trading as Lloyd's Register (Reg. no. SC313289).

Registered office: 50 Lothian Road, Festival Square, Edinburgh, EH3 9WJ. Registered in Scotland. A member of the Lloyd's Register group.