

## **Marine Stewardship Council (MSC) 3<sup>rd</sup> Surveillance Audit Report**

### **The Northeastern Tropical Pacific Purse Seine Yellowfin and Skipjack Tuna Fishery**

**On behalf of:**

**Pacific Alliance for Sustainable Tuna  
(Alianza del Pacífico por el Atún Sostenible A.C.)**

**Prepared by:**

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**November 2021**

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## Quality Assurance

Role	Signature	Date
Originator:	Dr. Rob Blyth-Skyrme	18th November 2021
Reviewer:	Dr. Hugh Jones	19th November 2021
Approver:	Dr. Toru Tsuzaki	24th November 2021

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## Glossary

Acronym	Definition
AIDCP/IDCP	Agreement on the /International Dolphin Conservation Program
BMSY	Biomass at maximum sustainable yield
BET	Bigeye tuna
CAB	Conformity Assessment Body
CAP	Client action plan
CoC	Chain of Custody
CONAPESCA	<i>Comisión Nacional de Acuacultura y Pesca</i>
CR	Certification Requirement (MSC)
DML	Dolphin Mortality Limit
EEZ	Exclusive Economic Zone
eNGO	Environmental Non-governmental Organization
ENSO	El Niño Southern Oscillation
ETPO	Eastern Tropical Pacific Ocean
ETP	Endangered Threatened or Protected species
F	Fishing rate/catching rate
FAD	Fish Aggregating Device
FIDEMAR	Mexican Federal Marine Research Organization
FMSY	Fishing rate at which catchability is sustainable and at a maximum
HCR	Harvest Control Rule
HMS	Highly Migratory Species
IATTC	Inter-American Tropical Tuna Commission
INAPESCA	<i>Instituto Nacional de la Pesca</i> / National Fisheries Institute
LRP	Limit reference point
MMPA	Marine Mammal Protection Act
MSC	Marine Stewardship Council
MSE	Management Strategy Evaluation
MSY	Maximum Sustainable Yield
NOAA	National Oceanic and Atmospheric Administration (US)
NOM	<i>Norma Oficial Mexicana</i> / Official Mexican Standard
P1/P2/P3	MSC Principle 1/2/3
PAST	Pacific Alliance for Sustainable Tuna
PI	Performance Indicator
PNAAPD	Programa Nacional de Aprovechamiento del Atún y Protección del Delfín/ National Program for Utilization of Tuna and the Protection of Dolphins
PROFEPA	Procuraduría Federal de Protección al Ambiente
RBF	Risk-Based Framework
RFMO	Regional Fisheries Management Organization
SBR	Spawning Biomass Ratio
SCS	Scientific Certification Systems/ SCS Global Services
SG 60/80/100	Scoring Guidepost 60/80/100

Acronym	Definition
SKJ	Skipjack tuna
SSB	Spawning Stock Biomass
TRP	Target reference point
US/USA	United States of America
WCPFC	Western Central Pacific Fisheries Commission
WWF	World Wildlife Fund
YFT	Yellowfin tuna

## 1 Executive Summary

The Northeastern Tropical Pacific Purse Seine Yellowfin and Skipjack Tuna (PAST) Fishery was certified on the 07 Sep 2017. The initial assessment was conducted in accordance with the MSC Fisheries Certification Requirements v1.3.

The year 1 surveillance audit and an expedited audit were undertaken in 2018, and the Year 2 audit was undertaken in 2020. At that time, following the variation request for all tuna fisheries<sup>1</sup>, the MSC required both tuna stocks targeted by the PAST fishery (Eastern Pacific Ocean (EPO) yellowfin tuna (YFT) and EPO skipjack (SKJ)) to undergo Principle 1 upgrade to FCR2.01. The EPO YFT Principle 1 rescore appeared as an appendix to the Year 2 surveillance report, whilst the client chose to self-suspend the skipjack tuna UoCs (#3 and #4) during the EPO SKJ upgrade process in 2021.

In the lead up to the Year 3 audit, Covid-19 has continued to be a major consideration and constraint in the management of the PAST fishery. This is consistent with fisheries management (and many other participatory systems) globally; the MSC has recognised the difficulty faced by clients in trying to make progress against conditions through issuing Derogation 6<sup>6</sup> for conditions raised against Principle 1 and Principle 2 management and information PIs, and all Principle 3 PIs. The derogation automatically extends the timelines for eligible conditions, with the result that there are no milestones for these conditions this year. Nevertheless, the Year 3 Audit Team has sought to determine the progress made, with an update provided for every condition.

The Year 3 Audit Team consisted of Dr Robert Blyth Skyrme (Principle 2 expert and team leader), Dr Carlos Alvarez (Principle 1 expert) and Peter Watt (Principle 3 expert); this is the same team that undertook the Year 2 audit. Details of the meetings held are provided further on in this report.

For Principle 1, there was little to update at this Year 3 audit, as the YFT assessment was undertaken and reported on last year, and there are ongoing discussions on management at the IATTC, but no definitive decisions were taken within the requisite auditing reporting period. Further, the SKJ UoCs remain suspended, and so reporting against Conditions 1-1 and 1-2 is not required at this time.

For Principle 2, progress against milestones for each of the 20 existing conditions was evaluated. The conditions related to sharks and rays (10 conditions across the four UoAs) were all found to be on target or ahead of target. For conditions related to dolphins (six conditions) four were found to be on target or ahead of target, while two were considered to be behind target. No revisions were made to the client action plan in these cases as the existing milestones remain relevant. There were also four conditions set originally on other tuna species (bonitos and Pacific bluefin tuna). At this Year 3 audit, these four conditions were closed. Further details are presented in the report for these conditions in the rescoring tables, presented in Section 4.6.

Under Principle 3, four conditions remained open at this audit and one (3-6, set on PI 3.2.5) was closed at this audit and rescored to SG80. Of the other three conditions, one was considered to be ahead of target and two were found to be behind target. Further details are presented in the report for the conditions considered to be behind target.

Based on the findings the audit team confirms that this fishery continues to conform to the MSC Principles and Criteria for sustainable fishing and recommends that this fishery remain certified.

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<sup>1</sup> <https://cert.msc.org/FileLoader/FileLinkDownload.aspx/GetFile?encryptedKey=VL9/JvOh4Rf1duc6feshRGzfGLI/5a8Q1njKM02S4og3+f6xfQnoyv1B2YJSvdK>



## 2 Report Details

### 2.1 Surveillance information

<b>1</b>	<b>Fishery name</b>							
	The Northeastern Tropical Pacific Purse Seine Yellowfin and Skipjack Tuna Fishery.							
<b>2</b>	<b>Surveillance level and type</b>							
	<p>The fishery was scheduled to have an on-site surveillance audit at Year 3, in keeping with the default (Level 6) surveillance schedule that was indicated at certification (Morgan et al. 2017). However, due to travel restrictions associated with Coronavirus and the <a href="#">MSC derogation</a>, an off-site surveillance was undertaken.</p> <p>Note that although it was expected that an on-site surveillance would be conducted at Year 3, this has still not proven possible with Coronavirus.</p>							
<b>3</b>	<b>Surveillance number</b>							
	3 <sup>rd</sup> Surveillance	X						
<b>4</b>	<b>Proposed team leader</b>							
	<table border="1"> <tr> <td><b>Name</b></td><td>Dr Rob Blyth-Skyrme</td></tr> <tr> <td><b>Areas of responsibility</b></td><td>Team Leader, Principle 2 and Traceability assessor</td></tr> <tr> <td><b>Competency criteria (Annex PC)</b></td><td> <p>Rob started his professional career in commercial aquaculture in 1996, before switching to a focus on the science, management and policy of wild fisheries. Following his PhD, which considered biological and socio-economic aspects of an inshore shellfish fishery and resulted in peer-reviewed publications on issues including habitat and ecosystem interactions, he worked as the Senior Environment Officer and then Deputy Chief Fishery Officer at the Eastern Sea Fisheries Joint Committee, the largest regional fisheries management organization in England. In these roles he was responsible for, amongst other things, advising the Committee on ETP species, habitat and ecosystem considerations. Rob then became Natural England's senior advisor to the UK Government on marine fisheries and environmental issues, leading a team dealing with fisheries policy, science and nationally significant fisheries casework. Since 2008, Rob has run Ichthys Marine Ecological Consulting Ltd., which provides marine fisheries and environmental advice to a variety of governmental and industry clients. Projects have included a review of ETP fish species management options to advise an expert group convened by a UK nature conservation body, reviewing fisheries management proposals for a suite of marine protected areas, and undertaking a detailed analysis of fisheries impacts in three marine protected areas in the UK. Rob has also undertaken all facets of MSC work as a Team Leader, expert team member and peer reviewer, across a wide variety of fisheries, including those for highly migratory species.</p> <p>He has completed the MSC Certification Process V.2.1 and V2.2 training and is a Third Party Expert for the MSC's Peer Review College. Rob has completed the required Fishery MSC training modules for v1.3 and v2.01 Fisheries Standard including the team leader modules and holds an ISO 19011 lead auditor</p> </td></tr> </table>		<b>Name</b>	Dr Rob Blyth-Skyrme	<b>Areas of responsibility</b>	Team Leader, Principle 2 and Traceability assessor	<b>Competency criteria (Annex PC)</b>	<p>Rob started his professional career in commercial aquaculture in 1996, before switching to a focus on the science, management and policy of wild fisheries. Following his PhD, which considered biological and socio-economic aspects of an inshore shellfish fishery and resulted in peer-reviewed publications on issues including habitat and ecosystem interactions, he worked as the Senior Environment Officer and then Deputy Chief Fishery Officer at the Eastern Sea Fisheries Joint Committee, the largest regional fisheries management organization in England. In these roles he was responsible for, amongst other things, advising the Committee on ETP species, habitat and ecosystem considerations. Rob then became Natural England's senior advisor to the UK Government on marine fisheries and environmental issues, leading a team dealing with fisheries policy, science and nationally significant fisheries casework. Since 2008, Rob has run Ichthys Marine Ecological Consulting Ltd., which provides marine fisheries and environmental advice to a variety of governmental and industry clients. Projects have included a review of ETP fish species management options to advise an expert group convened by a UK nature conservation body, reviewing fisheries management proposals for a suite of marine protected areas, and undertaking a detailed analysis of fisheries impacts in three marine protected areas in the UK. Rob has also undertaken all facets of MSC work as a Team Leader, expert team member and peer reviewer, across a wide variety of fisheries, including those for highly migratory species.</p> <p>He has completed the MSC Certification Process V.2.1 and V2.2 training and is a Third Party Expert for the MSC's Peer Review College. Rob has completed the required Fishery MSC training modules for v1.3 and v2.01 Fisheries Standard including the team leader modules and holds an ISO 19011 lead auditor</p>
<b>Name</b>	Dr Rob Blyth-Skyrme							
<b>Areas of responsibility</b>	Team Leader, Principle 2 and Traceability assessor							
<b>Competency criteria (Annex PC)</b>	<p>Rob started his professional career in commercial aquaculture in 1996, before switching to a focus on the science, management and policy of wild fisheries. Following his PhD, which considered biological and socio-economic aspects of an inshore shellfish fishery and resulted in peer-reviewed publications on issues including habitat and ecosystem interactions, he worked as the Senior Environment Officer and then Deputy Chief Fishery Officer at the Eastern Sea Fisheries Joint Committee, the largest regional fisheries management organization in England. In these roles he was responsible for, amongst other things, advising the Committee on ETP species, habitat and ecosystem considerations. Rob then became Natural England's senior advisor to the UK Government on marine fisheries and environmental issues, leading a team dealing with fisheries policy, science and nationally significant fisheries casework. Since 2008, Rob has run Ichthys Marine Ecological Consulting Ltd., which provides marine fisheries and environmental advice to a variety of governmental and industry clients. Projects have included a review of ETP fish species management options to advise an expert group convened by a UK nature conservation body, reviewing fisheries management proposals for a suite of marine protected areas, and undertaking a detailed analysis of fisheries impacts in three marine protected areas in the UK. Rob has also undertaken all facets of MSC work as a Team Leader, expert team member and peer reviewer, across a wide variety of fisheries, including those for highly migratory species.</p> <p>He has completed the MSC Certification Process V.2.1 and V2.2 training and is a Third Party Expert for the MSC's Peer Review College. Rob has completed the required Fishery MSC training modules for v1.3 and v2.01 Fisheries Standard including the team leader modules and holds an ISO 19011 lead auditor</p>							

		qualification. For this assessment, it is proposed that Robert would be the overall Team Leader and have primary responsibility for the assessment of Principle 2. Based on the above CU UK are confident he meets the requirements of Table PC3 3. Fishing impacts on aquatic ecosystems.
	<b>Conflict of interest</b>	No conflict of interest has been identified for this fishery.
	<b>On-site or off-site</b>	Off-site – Please see the note above on ‘Surveillance level and type’ regarding the remote nature of this audit.  Under FCP v2.2 .28.6.1 It is proposed that Rob will act as Team Leader, Principle 2 and Traceability assessor for this audit. Rob will also be responsible for bringing together the report.
	<b>CV</b>	CV available on request
<b>5</b>	<b>Proposed team members [remove if not applicable]</b>	
	<b>Name</b>	Dr Carlos Alvarez Flores
	<b>Areas of responsibility</b>	Principle 1
	<b>Competency criteria (Annex PC)</b>	Carlos obtained his Bachelor of Science and Master of Science degrees at the National University of Mexico. He later moved to Seattle USA to obtain his PhD at the School of Fisheries at the University of Washington. His research interest is focused on the management and conservation of wildlife and fisheries. This includes abundance estimation; assessment of population status; estimation of population parameters; the effect of human intervention; direct harvest; bycatch and associated environmental effects; projections based on biological potential; population viability; risk assessment; design of alternative management strategies. His background comes from work dealing with large, pelagic, data rich fisheries, but his current assessments are related to small-scale, coastal, data poor fisheries. Therefore, his present ambition is to combine ideas, techniques, knowledge and experience to improve the performance of these problematic activities in developing countries. Most of his experience has been focused on practical investigations applied to populations and fishery assessments and management as a consultant for governments, NGO’s and private sector of different countries. Carlos has over 5 years’ experience in MSC pre-assessments, full assessments and surveillance audits of different types of fisheries in different countries. Carlos has previous experience with this fishery having been the primary Principle 1 assessor in the initial assessment cycle in 2016. For this assessment, it is proposed that that Carlos would again have primary responsibility for the assessment of Principle 1. Carlos has completed the required Fishery Team member MSC training modules for the new V1.3 and V2.01 Fisheries Certification Requirements. Based on the above CU UK are confident he meets the requirements of Table PC3 section 1 and 2.
	<b>Conflict of interest</b>	No conflict of interest has been identified for this fishery
	<b>On-site or off-site</b>	Off-site – Please see the note above on ‘Surveillance level and type’ regarding the remote nature of this audit.  Under FCP v2.2 .28.6.1 It is proposed that Carlos will act as Principle 1 assessor for this audit and will support the rest of the team. He will be responsible for updating P1 and to ensure scores comply with up-to-date harmonisation across tuna-fisheries.

	<b>CV</b>	CV available on request
	<b>Name</b>	Peter Watt
	<b>Areas of responsibility</b>	Principle 3
	<b>Competency criteria (Annex PC)</b>	<p>Educated in Canada and living in the Philippines, Peter has over 20 years fisheries management and development work experience with national governments, regional organisations and private consultancy companies in the Marshall Islands, Samoa, Papua New Guinea, Solomon Islands, Palau, Tokelau, Tonga, New Caledonia, Vanuatu, Kiribati, Federated States of Micronesia, Commonwealth of the Mariana Islands, Fiji, New Zealand, Canada, and United States. Peter has authored or co-authored over 30 publications in his field and worked on more than 50 projects and assignments in technical research, marine management and development, technical training and project administration. He developed and established community-based fisheries management arrangements for the Coastal Fisheries Development and Management Project in Papua New Guinea, establishing over twenty fisheries management plans and developing legislation to empower communities to manage their fisheries resources. Prior to this he was the Commercial Fisheries Advisor in Samoa for four years, providing management advice and expertise for the development and management of the tuna longline and other fisheries. This included working with the government and stakeholders to develop and implement a tuna management plan, with related legislation and policies. Other experience also includes rapid resource assessments in the Philippines, Papua New Guinea and Samoa, and conducting stock assessments for the tuna longline fishery and outer reef slope assessments for the deep-water snapper fishery.</p> <p>It is proposed that Peter would have primary responsibility for the assessment of Principle 3. Peter has completed the required Fishery Team member MSC training modules for the new V1.3 and V2.01 Fisheries Certification Requirements. Based on the above CU UK are confident he meets the requirements of Table PC3 section 4.</p>
	<b>Conflict of interest</b>	No conflict of interest has been identified for this fishery
	<b>On-site or off-site</b>	<p>Off site – Please see the note above on ‘Surveillance level and type’ regarding the remote nature of this audit.</p> <p>Under FCP v2.2 .28.6.1 It is proposed that Peter will act as Principle 3 assessor for this audit and will be available remotely for the site visit.</p>
	<b>CV</b>	CV available on request
<b>6</b>	<b>Audit/review time and location</b>	
	<p>The audit was started on the 1<sup>st</sup> September 2021 and took place via a series of conference calls with clients and stakeholders. The closing meeting was held with the client 28<sup>th</sup> September 2021.</p> <p>We note that the remote site visit is consistent with the MSC derogation for site visits taking place during the Covid-19 pandemic<sup>2</sup>.</p>	

<sup>2</sup> <https://www.msc.org/docs/default-source/default-document-library/stakeholders/covid-19-pandemic-derogation-march-2020.pdf>

	Stakeholders were encouraged to provide information either through the MSC stakeholder input form or by arranging for a remote meeting with the assessment team in the week of the audits
<b>7</b>	<b>Assessment and review activities</b>
	<p>During the audit, CU UK communicated with the client and any relevant stakeholders and used any available up to date information to assess and review;</p> <ul style="list-style-type: none"> <li>• Any changes to the fishery and its management including those to management systems, regulation and relevant personnel;</li> <li>• Any changes to the scientific base of information such as stock assessments;</li> <li>• Progress against the conditions associated with this fishery (Please see Appendix 1 below).</li> <li>• Harmonization against the other fisheries certified on the MSC program</li> <li>• Any developments or changes within the fishery impact may impact on traceability and the ability to segregate MSC from non-MSC products;</li> <li>• The impact of Covid-19 on the fishery and its management, and on the client's ability to make progress against conditions.</li> <li>• Any other significant changes in the fishery.</li> </ul>

## 3 Background

### 3.1 Version details

**Table 1. Fisheries programme documents versions**

Document	Version number
MSC Fisheries Certification Process	Version 2.2
MSC Fisheries Standard	Version 1.3 (FCR2.01 for the YFT Principle 1 upgrade)
MSC General Certification Requirements	Version 2.4.1
MSC Reporting Template	Version 2.3

### 3.2 Units of Assessment (UoAs) and Units of Certification (UoCs)

Initially, the Units of Assessment (UoAs) were the same as the Units of Certification (UoCs). However, the client self-suspended the skipjack tuna UoCs (UoCs 3 and 4) in February 2021, and an announcement was published on the MSC website on February 15<sup>th</sup>, 2021<sup>3</sup>. This leaves only the yellowfin tuna UoCs (UoCs 1 and 2) as certified units; these are presented in Table 2, below. The suspended UoCs (UoCs 3 and 4) are presented in Table 3.

**Table 2. Units of Certification (UoCs) – currently certified.**

UoC	Stock/Species	Location	Method of Capture
1	ETPO yellowfin tuna, <i>Thunnus albacares</i>	Mexican EEZ and greater Eastern Tropical Pacific Ocean (ETPO), within FAO 77 and the IATTC management zone with scope defined by the Antigua Convention.	Purse seine vessels > 363mt hold capacity, dolphin-associated sets
2	ETPO yellowfin tuna, <i>Thunnus albacares</i>		Purse seine vessels > 363mt hold capacity, unassociated sets
Client Group	The UoC is equivalent to the UoA and includes only vessels that are members of the Pacific Alliance for Sustainable Tuna (PAST), referred to as the Alliance, with catches from vessels greater than 363 mt (400 short tons) hold carrying capacity or equivalent in cubic meters, licensed by Mexico, using purse seine gear, fishing within the Mexican EEZ and the IATTC management area defined by the Antigua Convention.		
	There are 34 purse seine vessels within the PAST catching yellowfin and skipjack tuna (see the list of vessels in Appendix 5); this is a change since certification (when 36 vessels were included within the UoC). If required, stakeholders are advised to confirm the current vessel list with the CAB or client.		
	The PAST represented four companies at certification (Grupomar, Herdez Del Fuerte, Pesca Azteca and Procesa Chiapas), but Herdez del Fuerte recently left the client group. The three remaining companies are vertically integrated in their harvesting, processing and marketing operations; supply domestic and foreign markets (see: <a href="http://www.pacifictunaalliance.org/">http://www.pacifictunaalliance.org/</a> ).		

<sup>3</sup><https://cert.msc.org/FileLoader/FileLinkDownload.aspx/GetFile?encryptedKey=VOeDt3H2dUszyRfueBT+jYC5HB38XlghAhzo1oUuGzAJuu1Qtnn8TKn5PvzOZ6bD>

**Table 3. Units of Certification (UoCs) – currently suspended.**

UoC	Stock/Species	Location	Method of Capture
3	ETPO skipjack tuna, <i>Katsuwonus pelamis</i>	Mexican EEZ and greater Eastern Tropical Pacific Ocean (ETPO), within FAO 77 and the IATTC management zone with scope defined by the Antigua Convention.	Purse seine vessels > 363mt hold capacity, dolphin-associated sets
4	ETPO skipjack tuna, <i>Katsuwonus pelamis</i>		Purse seine vessels > 363mt hold capacity, unassociated sets
Client Group	The UoC is equivalent to the UoA and includes only vessels that are members of the Pacific Alliance for Sustainable Tuna (PAST), referred to as the Alliance, with catches from vessels greater than 363 mt (400 short tons) hold carrying capacity or equivalent in cubic meters, licensed by Mexico, using purse seine gear, fishing within the Mexican EEZ and the IATTC management area defined by the Antigua Convention.		
	There are 34 purse seine vessels within the PAST catching yellowfin and skipjack tuna (see the list of vessels in Appendix 5); this is a change since certification (when 36 vessels were included within the UoC). If required, stakeholders are advised to confirm the current vessel list with the CAB or client.		
	The PAST represented four companies at certification (Grupomar, Herdez Del Fuerte, Pesca Azteca and Procesa Chiapas), but Herdez del Fuerte recently left the client group. The three remaining companies are vertically integrated in their harvesting, processing and marketing operations; supply domestic and foreign markets (see: <a href="http://www.pacifictunaalliance.org/">http://www.pacifictunaalliance.org/</a> ).		

It is noted that, when the suspension for UoCs 3 and 4 was announced in February 2021, the skipjack tuna UoCs were undergoing a Version 2.01 upgrade under the MEGVAR process (i.e., to assess skipjack tuna against v.2.01 of the MSC Standard as an upgrade from v.1.3)<sup>4</sup>; this upgrade process was also suspended at that point. If UoCs 3 and 4 are to be unsuspended, progress against any relevant conditions would need to be assessed, and the upgrade process would recommence.

CU UK confirms that the fishery under audit remains within in the scope of the MSC Fisheries Standard (7.4 of the MSC Fisheries Certification Process v.2.2):

- The target species are not an amphibian, reptile, bird or mammal;
- The fishery does not use poisons or explosives;
- The fishery is not conducted under a controversial unilateral exemption to an international agreement;
- The client or client group does not include an entity that has been successfully prosecuted for a forced or child labour violation in the last 2 years;
- the client or client group does not include an entity that has been convicted for a shark finning violation in the last 2 years
- The fishery has in place a mechanism for resolving disputes, and disputes do not overwhelm the fishery;
- The fishery is not an enhanced fishery as per the MSC FCP 7.4.6; and
- The fishery is not an introduced species-based fishery as per the MSC FCP 7.4.7.

4

<https://cert.msc.org/FileLoader/FileLinkDownload.aspx/GetFile?encryptedKey=myOo9a2eeuku81M0lpcA6VO0/0s kKaVQrkl3whq6VKAvC1ofogKU9CN5DXD85JSN>

CU UK also confirms the following:

- That the client group has submitted the completed 'Certificate Holder Forced and Child Labour Policies, Practices and Measures Template' prior to the start of this assessment.
- That there are no significant changes to the management system to report this year.
- That there are no significant changes to relevant regulations to report this year.
- That there are no changes to the personnel involved in science, management or industry to report this year that would result in significant changes to the approach taken to managing the fishery.

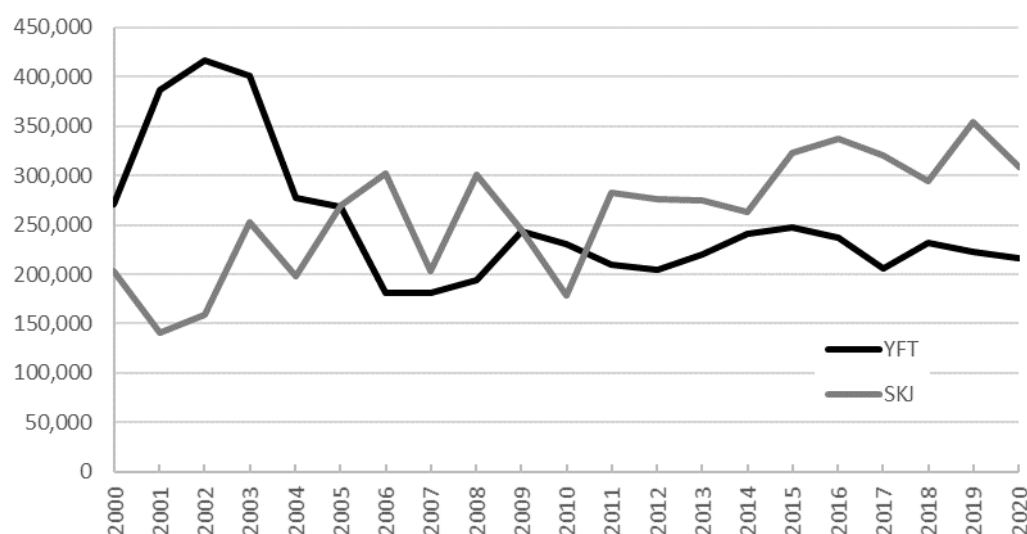
### 3.3 Principle 1

The PAST fleet's retained catch of yellowfin tuna and skipjack tuna, and of other species, by set type and year is presented in Table 4.

**Table 4. Retained catch of the PAST fleet for the period 2016-2020 by set type in metric tonnes and as a % of the total catch by set type.**

Set type/species	Volume (mt)					Percent from total				
	2016	2017	2018	2019	2020	2016	2017	2018	2019	2020
<b>Dolphin sets</b>										
Yellowfin tuna	65,796	59,936	84,803	87,192	85,396	96	98	99	98	99
Skipjack tuna	2,809	1,290	888	2,059	977	4	2	1	2	<1
Dolphin sets – All other species combined	114	38	47	44	41	<1	<1	<1	<1	<1
<b>Dolphin sets / All species</b>	<b>68,719</b>	<b>61,265</b>	<b>85,738</b>	<b>89,295</b>	<b>86,414</b>	<b>(100)</b>	<b>(100)</b>	<b>(100)</b>	<b>(100)</b>	<b>(100)</b>
<b>Free school sets</b>										
Yellowfin tuna	11,334	9,996	3,346	4,290	4,162	77	43	45	31	74
Skipjack tuna	3,215	12,050	4,085	7,570	1,192	22	51	55	54	21
East.Pac. and striped bonito	108	1,354	0	2,151	303	1	6	0	15	5
Free school sets – All other species combined	49	42	9	26	8	<1	<1	<1	<1	<1
<b>Free schools / All species</b>	<b>14,706</b>	<b>23,441</b>	<b>7,439</b>	<b>14,037</b>	<b>5,665</b>	<b>(100)</b>	<b>(100)</b>	<b>(100)</b>	<b>(100)</b>	<b>(100)</b>

The trends in recent total catch of yellowfin and skipjack tuna with all gears by all fleets in the EPO from 2000 to 2020 is shown in Figure 1.



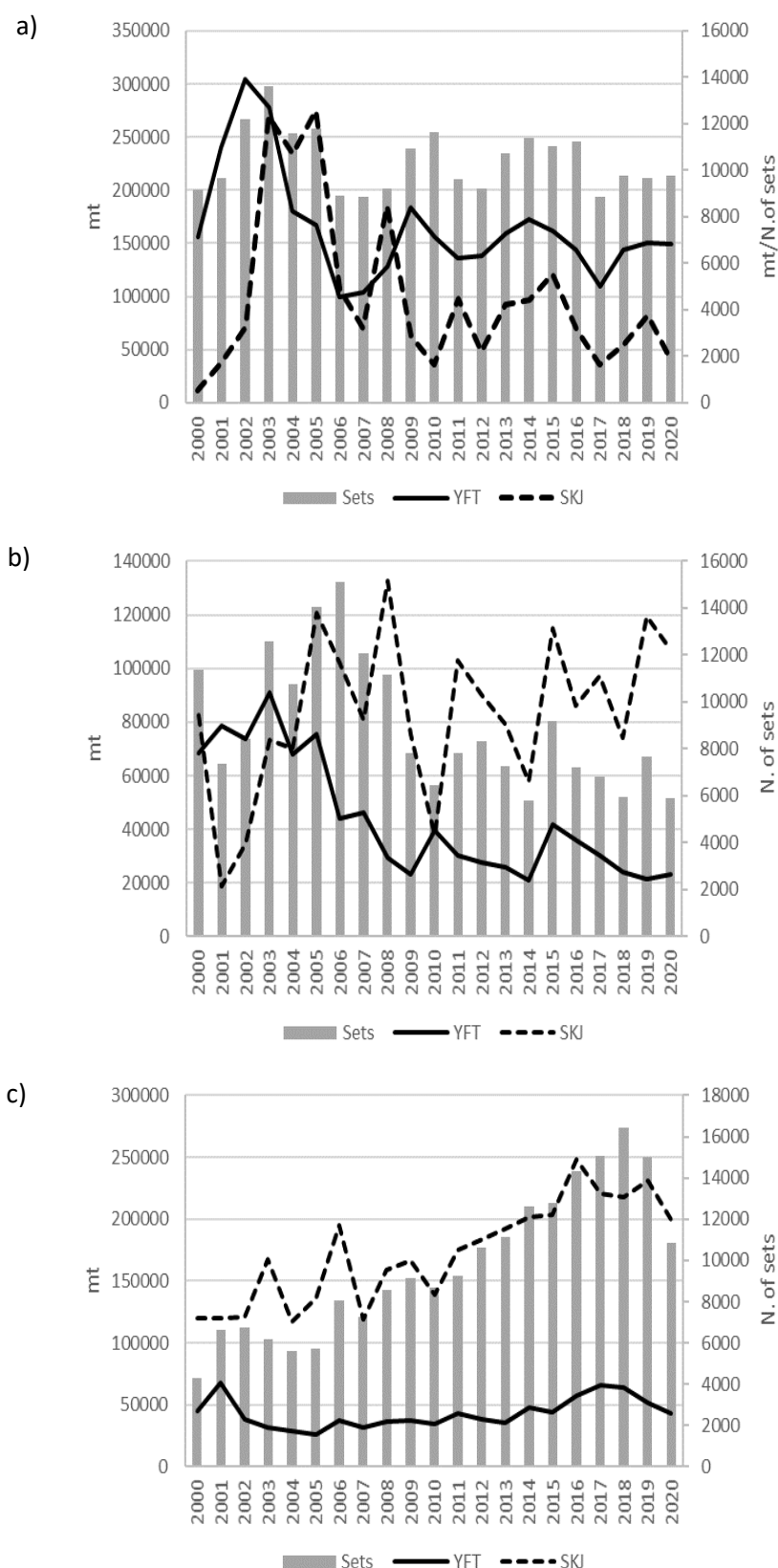
**Figure 1.** Trends in total catch of yellowfin and skipjack tuna caught with all gears by all purse seine fleets in the EPO. Data from IATTC depository, available at: <http://iattc.org/PublicDomainData/IATTC-Catch-by-species1.htm>.

Catches of yellowfin tuna and skipjack tuna by all purse seiners in the EPO differentiated by set type are presented in Figure 2 together with effort in number of sets. The trend in catch of both tuna species closely follows the number of dolphin sets (Figure 2a). Trends in yellowfin tuna do not follow the trend in effort in unassociated and object sets, but the trends in catch of skipjack do (Figure 2b and c). Catch volume of yellowfin tuna is larger in dolphin sets while catch of skipjack is larger in object sets. Catch of both species is relatively low in unassociated sets. Data of the last five years of catch of yellowfin tuna and skipjack and the number of sets by type are presented in Table 5.

**Table 5.** Recent estimates of total catch of yellowfin and skipjack tuna, with number of sets by type by purse seiners in the EPO. Data from IATTC depository available at: <http://iattc.org/PublicDomainData/IATTC-Catch-by-species1.htm>.

Year	Yellowfin (mt)	Skipjack (mt)	Number of sets of each type			
			Dolphin	Unassociated	Object	Total
2016	236,928	336,951	11,219	7,198	14,319	32,736
2017	205,718	319,829	8,863	6,797	15,055	30,715
2018	231,963	294,459	9,763	5,948	16,432	32,143
2019	223,132	353,536	9,680	7,647	14,949	32,276
2020	216,002	308,364	9,774	5,909	10,834	26,517





**Figure 2.** Trends in catch of yellowfin tuna (continuous line) and skipjack (broken line) by purse seiners of all flags in the EPO by set type: a) dolphins; b) unassociated and c) object. Gray bars are effort in number of sets. Data from IATTC depository available at: <http://iattc.org/PublicDomainData/IATTC-Catch-by-species1.htm> (Note, these graphs were mislabelled in the 2<sup>nd</sup> surveillance audit report).

The first surveillance audit presented Table 6 in p. 16 with numbers that correspond to the total fleet flying a Mexican flag which is larger than the UoC. Revised data from 2015 to 2020, specific for the UoC is presented in Table 6.

**Table 6. Estimated catch of yellowfin and skipjack tuna in metric tons by the PAST fleet in the EPO. Note that the object-associated sets are not certified, and skipjack tuna is currently suspended (Source: client).**

Year	Yellowfin tuna				Skipjack tuna				Grand Total
	Dolphin	Free	Object	Total	Dolphin	Free	Object	Total	
2015	79,179	11,623	2,311	93,113	4,497	12,311	4,646	21,454	114,567
2016	65,796	11,334	1,771	78,901	2,809	3,215	5,225	11,249	90,150
2017	59,936	9,996	2,356	72,288	1,290	12,050	5,030	18,370	90,658
2018	84,803	3,346	3,471	91,620	888	4,085	5,891	10,864	102,484
2019	87,192	4,290	1,704	93,186	2,059	7,570	5,149	14,778	107,964
2020	85,396	4,162	1,221	90,779	977	1,192	3,386	5,555	96,334

### 3.3.1 Yellowfin tuna stock assessment

There was no updated assessment of yellowfin tuna.

### 3.3.2 Skipjack tuna stock assessment

The fishery suspended the certificate portion for skipjack tuna, therefore it was not considered in this surveillance audit.

### 3.3.3 Principle 1 overall conclusion

#### 3.3.3.1 Yellowfin tuna

The yellowfin stock status is assumed to continue to be fluctuating around or above the level producing the MSY with high probability, therefore the PI 1.1.1 maintains a high score. The same applies for PI 1.2.4 given no changes in the entire stock assessment procedures.

## 3.4 Principle 2

Various data sources were provided to the Audit Team by the client in support of the milestones for the Principle 2 conditions on the fishery.

Observer data on oceanic whitetip shark and silky shark catches in 2020 were provided to the Audit Team, which were added to data already available for 2018 and 2019 (Table 7). These catch data show that the live release rate for silky shark has improved considerably from 2018 to 2020 (50.9% to 64% and then 76.7%), while very few oceanic whitetip are taken in the fishery in any case, but all of those which were taken in these years were recorded as released alive (1 in 2018, 8 in 2018, 3 in 2020). Observer data for catches of rays in 2020 were also provided, again to add to the data already available for 2018 and 2019 (Table 8). These data show that catches increased slightly in 2020, and with slightly lower survival rate, although there is no particular pattern apparent in the data over time.

**Table 7. Observer data, including fate, for silky shark and oceanic whitetip shark for the PAST fleet, 2018 and 2019 (source (2018-2019): Dreyfus León 2020a, Dreyfus León 2020b, (2020): CONAPESCA, pers. comm.).**

Common name	Retained			Discarded (Dead)			Other/Unknown			Released (Alive)		
	2018	2019	2020	2018	2019	2020	2018	2019	2020	2018	2019	2020
Oceanic whitetip	0	0	0	0	0	0	0	0	0	1	8	3
Released proportion of total, oceanic whitetip shark										100%	100%	100%
Silky shark	7	1	1	1522	1272	422	0	0	0	1587	2267	1392
Released proportion of total, silky shark										50.9%	64.0%	76.7%

**Table 8. Observer data, including fate, for ray species for the PAST fleet, 2018 and 2019 (source (2018-2019): Dreyfus León 2020a, Dreyfus León 2020b, (2020): CONAPESCA, pers. comm.).**

Common name	Retained			Discarded (Dead)			Other/Unknown			Released (Alive)		
	2018	2019	2020	2018	2019	2020	2018	2019	2020	2018	2019	2020
Spinetail mobula	0	0	0	8	2	2	0	0	0	19	9	3
Chilean devil ray	0	0	0	0	0	1	0	0	0	4	30	0
Bentfin devil ray	0	0	0	0	0	7	0	0	0	23	7	4
Mobula spp.	0	3	0	3	0	4	0	0	0	89	72	108
Pelagic stingray	6	0	2	4	10	6	2	1	0	74	68	145
Ray spp.	0	0	15	0	2	13	0	0	0	5	16	8
Totals	6	3	17	15	14	33	2	1		214	202	268
Release proportion of total, all ray species										90.3%	91.8%	84.3%

As well as providing details on the inspections carried out on vessels of the PAST fleet, and compliance with measures to prohibit retention of sharks, rays and shark fins, CONAPESCA 2020 confirmed the following for bycatches of bluefin tuna and bonito (Table 9).

**Table 9. Bycatches (t) of Pacific bluefin tuna and Eastern Pacific and striped bonito in the PAST fleet, 2016-2020 (source: CONAPESCA)**

	2016 (t)	2017 (t)	2018 (t)	2019 (t)	2020 (t)
Pacific Bluefin tuna	0	0	0	0	0
Eastern Pacific and Striped Bonito	108	1,354	0	2,125	303

New information was made available last year for bonitos (Ortega-García & Jakes-Cota 2019), and a new stock assessment was published for Pacific bluefin tuna (IATTC 2020a). There was no further information identified for these species during this year's audit.

#### **3.4.1 PAST Training on bycatch management and the policy zero shark finning**

Last year, the Audit team was provided with a copy of the PAST guide to good practices to reduce the mortality of sharks and rays captured incidentally by purse seine vessels (PAST 2019a) and the PAST workshop training manual on the commitment to zero retention, zero finning and 100% release of sharks and rays (PAST 2019b). These training materials are intended to be delivered at workshops with skippers, fishing captains and other crew of the PAST fleet, and highlight the benefits to sharks, rays and other bycatch species of appropriate, safe handling techniques. The materials also point to the Mexican and IATTC laws and regulations around finning and shark management, specifying clearly that the PAST operates a zero retention and 100% release policy for sharks and ray species, and that there is a zero finning policy in place (including because of the impact this practice would have on MSC certification for the fishery).

At the Year 2 audit, evidence was provided that, during 2019 and 2020, 11 shark and ray bycatch management training events were held in total across the PAST membership, where 168 crew members from different companies and vessels were present. Training has been ongoing in the last year, and evidence was provided during this latest audit that a total of 979 skippers and crewmen from across the vessels of the client group have now received the training.

#### **3.4.2 The Science and Technical Group on Sharks and Rays**

The Science and Technical Group on Sharks and Rays (STG) was initiated by the PAST as a stakeholder forum to provide support and advice in the formulation and implementation of its policies of zero retention and safe handling / live return of sharks and rays that interact with the fishery; several meetings have been held since March 2020.

This year, the STG was offered the opportunity to comment on the policies implemented by the PAST (PAST 2021), and a response was received from Comunidad y Biodiversidad, AC (COBI 2021). The audit team confirmed that PAST confirmed acceptance of the COBI comments and that they would be discussed in due course.

#### **3.4.3 Dolphin Interactions**

No update was available for the Year 3 audit regarding fishing effort by the PAST fleet. However, effort has remained relatively stable over recent years, with around 6,000 dolphin sets and 500-1,000 unassociated sets per year (

Table 10). Catches from the dolphin-associated sets have also been very stable over the last three years (Table 4). It is noted that only the dolphin sets (UoCs 1 and 3) and unassociated sets (UoCs 2 and 4) were assessed as part of the PAST certificate, while catches from floating-object associated sets are outside of the certification. Despite Covid-19, it was also noted during the Year 3 audit that 100% observer coverage was maintained on PAST vessels in 2020-2021.

**Table 10. Effort by set type for PAST vessels, 2014-2019 (source: client)**

Year	Dolphin set (UoCs 1 & 3)		Unassociated (UoCs 2 & 4)		Floating object (not certified)		Total Annual sets
	PAST vessels	% of total annual sets	PAST vessels	% of total annual sets	PAST vessels	% of total annual sets	
<b>2014</b>	6,659	89.0	625	8.4	197	2.6	7,481
<b>2015</b>	6,038	77.2	1438	18.4	344	4.4	7,820
<b>2016</b>	6,168	82.9	902	12.1	366	4.9	7,436
<b>2017</b>	5,314	77.7	1152	16.8	374	5.5	6,840
<b>2018</b>	6,236	85.3	498	6.8	574	7.9	7,308
<b>2019</b>	6,145	83.6	791	10.8	412	5.6	7,348

Dolphin mortalities in the PAST fishery increased slightly in 2018 and 2019 compared to the proceeding three years, in part because of the slightly higher number of dolphin sets undertaken, but also because the mortality rate increased slightly from around 0.07 to just under 0.09 dolphins per set (Table 11). It is noted, though, that the total dolphin mortality limit (DML) for 2019 was set at 5,000 dolphins across all fleets (4,900 in the unreserved portion – AIDCP 2020), and the total mortality was estimated to be 778 animals (i.e., 15.6% of the DML).

The average individual vessel DML across the 107 vessels that requested a DML in 2019 was 45.79, and no vessel exceeded that figure (AIDCP 2020).

**Table 11. Dolphin mortality for PAST vessels and all fleets, 2014-2019 (PAST data source: client, All fleet data source: AIDCP 2020).**

Year	PAST vessels	Total all fleets	PAST vessels as % of total	PAST vessels mean mortality per dolphin set
<b>2014</b>	591	975	60.6	0.089
<b>2015</b>	420	765	54.9	0.070
<b>2016</b>	406	702	57.8	0.066
<b>2017</b>	400	688	58.1	0.075
<b>2018</b>	554	819	67.6	0.089
<b>2019</b>	530	778	68.1	0.086

As noted at last year's audit, although the estimates of population size for the different dolphin populations are dated, AIDCP 2020 provided a summary estimate of relative total mortality (all fleets) compared to those best estimates; the highest relative mortality rate estimate was for the Eastern spinner dolphin at 0.03% (Table 12).

**Table 12. Estimates of total mortalities of dolphins in 2019, population abundance, and relative total mortality (all fleets), by stock (Source: AIDCP 2020).**

Species	Population	Mortality	Population estimate	Relative mortality (%)
<b>Offshore spotted dolphin</b> <sup>1</sup>	Northeastern—Nororiental	104	911,177	0.01
	Western/southern—Occidental y sureño	220	911,830	0.02
<b>Spinner dolphin</b> <sup>1</sup>	Eastern—Oriental	270	790,613	0.03
	Whitebelly—Panza blanca	142	711,883	0.02
<b>Common dolphin</b> <sup>2</sup>	Northern—Norteño	25	449,462	< 0.01
	Central	3	577,048	<0.01
	Southern—Sureño	2	1,525,207	<0.01
<b>Other dolphins</b> <sup>3</sup>		12	n/a	n/a
<b>Total</b>		778		

Notes for table provided by AIDCP 2020

1 Logistic model for 1986-2006 (IATTC SAB-07-05)

2 Weighted averages for 1998-2003 (IATTC Special Report 14: Appendix 5)

3 "Other dolphins" includes the following species and stocks, whose observed mortalities were as follows: Central American spinner dolphin (*Stenella longirostris centroamericana*) 6, striped dolphin (*Stenella coeruleoalba*) 3, rough-toothed dolphin (*Steno bredanensis*) 2, and unidentified dolphins, 1.

### 3.4.4 Dolphin abundance survey and mother-calf separation

A key interest for the Audit Team remains progress made against the plan to produce abundance estimates for dolphin species in the Eastern Tropical Pacific Ocean. This work was intended to update estimates of abundance that relied upon fishery-independent and ecosystem assessment surveys that were undertaken periodically by the US National Marine Fisheries Service from 1979 to 2006; because those surveys have not been undertaken since 2006 there are currently no reliable indicators of abundance for Eastern Tropical Pacific dolphin populations (Lennert-Cody et al. 2018).

As reported last year, a research plan was developed to address identified constraints (AIDCP 2019b), and a 14 day trial cruise was undertaken in November 2019 aboard the Mexican research vessel Dr Jorge Carranza Fraser, provided by INAPESCA for the project; a cruise report was made available to the Audit Team for the Year 2 audit (Oedekoven et al. 2020), which indicated that while the Research Vessel was proven to be appropriate for undertaking the work, contrary to the methodological requirements the drones employed for the survey were not able to provide sufficient endurance, camera image resolution was too low, transmitted video footage was of insufficient quality due to compression and other issues, and there was no on-board back-up video storage capability. Further, one drone was lost and only one pilot was able to fly the drones successfully. Together, these issues meant that whilst some calibration of trackline detection and counts by species could occur, the test was not sufficiently successful to confirm the feasibility of the methodology for undertaking a full survey covering 120 days.

A further sea trial was proposed by the survey project team, using a different drone-camera system to provide improved image resolution and endurance capabilities (Oedekoven et al. 2020). However, the limitations posed by Covid-19 meant that the new sea trial has not taken place in 2021.

Covid-19 has also impacted the proposed mother-calf separation work. The Audit Team heard this year that the PAST has requested that the IATTC commit part of its research budget to a project considering this issue. However, this has yet to be agreed because there has been disruption to the normal IATTC meeting process, including because the term of the previous IATTC Director ended in August 2020, and a new postholder or a new term for the previous Director cannot be confirmed until the IATTC meets in person – this has not happened since the pandemic began, and so a temporary Director is in post currently. With the ongoing pandemic causing difficulty with IATTC process, it is understandable that some matters have not been addressed in the way they might have been otherwise; the dolphin research requires the input of IATTC staff and non-Mexican external experts, and in this regard Covid-19 has clearly caused difficulty because of the continuing absence of in-person meetings, travel restrictions for out-of-country collaborators, and because at-sea research work has been constrained greatly even for in-country participants.

### 3.4.5 Principle 2 overall conclusion

Overall, the audit team is satisfied that the PAST is working diligently to improve understanding of the fishery with respect to the risk posed to bycatch species, including sharks and rays and dolphins, and to address conditions. Nevertheless, Covid-19 is a factor beyond the control of the client group and, in particular, this has affected delivery of the work focused on dolphin interactions. In essence, progress been very positive in general where the client has been in control of the required processes, but not universal for all areas. More details can be found in the summary table for the Conditions (Table 14) and in the detailed commentaries on the P2 conditions (Section 4.3).

## 3.5 Principle 3

The management framework for the Northeastern Tropical Pacific Purse Seine Yellowfin and Skipjack Tuna Fishery has not undergone any significant changes or revisions since the fishery was certified by SCS Global Services on 7<sup>th</sup> September 2017.

### 3.5.1 Decision-making processes

The Final Assessment Report included two Conditions for PI 3.2.2: Decision-making processes.

- **Condition 3.2 for PI 3.2.2 SI b** was applied due to there being insufficient evidence to demonstrate that issues identified through research and monitoring outside IATTC processes were responded to in a transparent and timely manner.
- **Condition 3.3 for PI 3.2.2 SI d** was applied due to it not being evident that the Management Plan for Yellowfin Tuna (SAGARPA 2014) was effective as a management tool for the fishery and the level of influence of the fishing industry in decision-making was not clear. In addition, overall there was a lack of transparency in decision-making.

During the on-site visit for the First Year Surveillance Audit the team met with CONAPESCA to discuss existing decision-making processes in the management of the purse seine tuna fishery and evaluating the progress of the Client Action Plan to meet the First Year Milestones. CONAPESCA provided a detailed explanation of how the Official Mexican Standard (NOM in Spanish) establishes rules and guidelines for the management of fisheries operations. It was explained that in the development of the NOM a Technical Working Group (GTT) reviews issues identified through scientific research, evaluations and information provided from various stakeholders including the fishing industry and NGOs. A draft of the NOM when completed was sent for approval to the Subcommittee for Responsible Fisheries (SCPR), once approved, it was presented to the National Committee for Agrifood



Standardization (CNNA) for publication and public consultation. The public was given 60 days to raise any issues concerning the content of the NOM. Comments from stakeholders were responded to and when applicable, modifications were made to the draft. The NOM for the tuna fishery (NOM-001-SAG/PESC-2013) was published in 2014 after the approval of the Subcommittee for Responsible Fisheries (SCPR). A review of the NOM was to be conducted every 5 years where changes can be made or its validity can be ratified. The audit team concluded that although there were opportunities for public consultation access to information concerning the details of decisions that were made was limited. INAPESCA did not provide technical opinions, or details concerning the developing stages of the NOM, therefore, it remained unclear how research and monitoring were incorporated in the NOM to address fisheries issues. As a review of the current NOM was expected to commence in 2019, the team recommended that this was an opportunity for CONAPESCA to present evidence of how issues identified through research and monitoring are taken into consideration. Also, it was reported to the team that the 'Barco Abierto', a multi-stakeholder group, proposed that new members from the fisheries sector be added to the National Council of Sustainable Fisheries and Aquaculture to strengthen stakeholder participation and that State Fisheries and Aquaculture Councils increase citizen participation in the creation of fisheries policies. To promote transparency, it was proposed that the Technical Secretariat of the Council publish on the internet portal of SAGARPA the list of members, work agenda, minutes of sessions, reports of activities etc.

Discussions during the Second Year Surveillance Audit indicated that the Alliance and CONAPESCA were concerned that in the Final Assessment Report rationale for PI 3.2.2b which stated "it was not clear that issues identified through research and monitoring, outside IATTC processes, are responded to in a transparent and timely manner", was not justified. CONAPESCA explained that decision-making processes for the NOM-001-SAG/PESC-2013 included inputs from the fishing industry and other stakeholders in all steps of its development. Also, INAPESCA provided scientific and technical information to support tuna management measures that were included in the NOM. It was mentioned that in the development of the Tuna Management Plan two workshops were conducted that included the participation of multiple stakeholders. Data from observer reports were also used to contribute to the development of the tuna management plan.

It was reported that to date, the National Advisory Committee for Agrifood Standardization (CCNNA) and Sub-committee of Sustainable Fisheries have not added new members as the functions and operation of the CCNNA are governed by operational rules published in the Secretariat Agreement of 2012 and as long as these rules have not been amended the inclusion of new members is prohibited. The Alliance mentioned that during the First Surveillance Audit there was a discussion about either changing the wording of Condition 3.2 or closing the Condition as there was evidence that issues identified through research and monitoring were responded to in a transparent and timely manner.

Following these discussions, the Second Year Surveillance Audit team concluded that to justify any revisions to the wording of Condition 3.2 milestones or changing the status of the Condition, it would require evidence that decision-making issues identified through research and/or evaluation were taken into consideration in developing tuna management plans or legislation. It was recommended that CONAPESCA provide meeting minutes or other relevant information from the review of the NOM in 2019 and the Management Plan for Tropical Yellowfin Tuna as evidence. CONAPESCA mentioned that although a review of the NOM was conducted in 2019, there were not any revisions to the document. As the NOM had not been revised there was not a review report, however, there are meeting minutes that are publicly available.

Discussions during Third Year Surveillance Audit indicated that there were no major changes to the fisheries management system since the last audit was conducted in 2020. There were some changes

to the senior staff of CONAPESCA, however, these changes have not affected the management of the tuna fishery.

Correspondence was provided by the Alliance requesting information from the Director General of INAPESCA on the status of the Management Plan for Tropical Yellowfin Tuna review. The Director General of INAPESCA responded stating that due to COVID-19 restrictions INAPESCA and its partners were unable to meet and commence the review process. However, the Director General reported that it was expected that the review would be completed by May 2021. The Alliance sent another letter to the Director General of INAPESCA in April 2021 requesting an update on the review but to date, there has not been a reply. It was reported that the INAPESCA staff only returned to work in late August 2021 and this was likely the reason for a lack of correspondence concerning the review.

### **3.5.2 Monitoring, Control and Surveillance (MCS)**

The Final Assessment Report included three conditions for PI 3.2.3: Compliance and Enforcement.

- **Condition 3.4 for PI 3.2.3 Sla** was applied due to the national management system not being comprehensive and not having the ability to consistently enforce relevant management measures.
- **Condition 3.5 for PI 3.2.3 Sib** was applied due to sanctions to deal with non-compliance were not clearly, consistently or systematically applied.
- **Condition 3.7 for PI 3.2.3 Sld** was applied due to a report of over 29 cases of fishing/no movement in closed areas which constituted evidence of systematic non-compliance by the fishers.

The main MCS mechanisms for monitoring and reporting potential non-compliance incidents committed by vessel operators/owners include the Vessel Monitoring System (VMS), the Mexican and IATTC Regional Observer Programs and random dockside inspections.

There is a requirement for 100% observer coverage on purse seine vessels (including UoA vessels) that is shared 50:50 by the IATTC and Mexican observer programs. Apart from the collection of catch and effort data observers are required to report infractions that occur during the vessel's fishing activities, (i.e. the retention of illegal fish species or ETP species, after sundown sets etc.). If an infraction has occurred, the observer upon completion of the fishing trip will meet with the observer program supervisor to review the trip report, which is then forwarded to IATTC. The observer reports that provide information concerning violations committed by tuna fishing vessels are presented to the International Review Panel (IRP) under the AIDCP. The low level of violations reported by observers, given the 100% observer coverage requirement, indicates that there is a high level of compliance. Reports from IRP from 2016-2019 that were provided to the Second Year Surveillance Audit team indicated that there were not any violations reported for the Mexican tuna fishery.

CONAPESCA reported to the audit team that all UoA purse seine vessels are required to install a VMS system that tracks the routes of each vessel during fishing operations. The VMS system is installed maintained and monitored by CONAPESCA. The rate of transmission (ping rate) from the VMS system on the vessel is once an hour, however, if the vessel enters the waters of a Marine Protected Area (MPA) an alarm is triggered and the ping rate is reduced by the SISMEP operator to once every fifteen minutes. The rate is reduced to determine whether the vessel is conducting possible illegal fishing activities or transiting to another fishing area outside the MPA boundaries. If it is determined that the vessel speed indicates that a possible fishing activity is occurring the SISMEP control center sends a cedula (authorization) to PROFEPA and SEMAR to investigate the incident.

The Alliance members have also contracted a global satellite monitoring company, CLS, to track and monitor all UoA vessels during fishing operations. The CLS system also triggers an alarm that alerts the Alliance if a UoA vessel enters MPA waters. The Alliance once alerted will contact the captain of the vessel with instructions to exit MPA waters. If it is determined that the vessel was indeed conducting fishing activities within the MPA waters the Alliance will terminate the captain's contract (pers.comm. Marianna Ramos, PAST, August 2020).

The VMS upgrade that was scheduled to be completed by CONAPESCA in 2019 was delayed due to the restructuring of national government agencies after the election of a new government which resulted in the funding for this project being reallocated.

CONAPESCA through the Dirección General de Inspección y Vigilancia (the Office for Inspection and Surveillance) and Federal Fisheries Officials conduct inspections of UoA vessel's fishing gear and fish products in accordance with Article 124 of the Ley General de Pesca y Acuicultura Sustentables, Article 145, Sections II and III of the Fisheries Law and Articles 62 and 69 of the Federal Law of Administrative Procedure. The resolution regarding dolphin safety gear inspections (Resolution A-04-0) stipulates that purse seine vessels are required to be inspected twice a year to ensure that the dolphin safety gear and equipment are onboard. Random dockside inspections of purse seine vessels are also conducted by fisheries officers to determine whether there are illegal fish or ETP species onboard. In 2018 and 2019, Federal Fisheries Officials of CONAPESCA conducted random inspections on Alliance vessels; no cases of non-compliance were reported concerning the retention of sharks, rays or shark fins.

During the expedited audit in 2019, out of a total of 71 potential cases identified, CONAPESCA provided records of 29 cases involving 18 fishing vessels entering MPA waters in 2017. As mentioned above, when a fishing vessel enters a protected area, if it is determined that a fishing vessel is suspected of conducting illegal fishing activities a cedula is sent to PROFEPA and to SEMAR. 14 of the cases identified in 2017 presented potential irregularities, which were sent to PROFEPA to determine whether there was an infraction.

PROFEPA's investigations into fishing vessel entries into MPA waters confirmed that the tuna fishing vessel AZTECA 6 had illegally fished within MPA boundaries in 2017 and imposed a fine of 3,623,520 Mexican pesos (around GB£130,000). The audit team during the remote site visit for the Second Year Surveillance Audit was informed by CONAPESCA that the other 2017 cases and 2018-2019 cases of vessels entering into MPA waters were still under investigation by PROFEPA. If it is determined that some of these cases did indeed involve illegal fishing activities formal procedures to implement sanctions will be followed.

CONANP, which is responsible for managing Mexico's 173 marine protected areas (MPAs) works in close collaboration with relevant government agencies, as well as Global Fishing Watch and Marine Traffic. CONANP and CONAPESCA reported that although some of the MPA areas were traditional fishing grounds the response from the fishers has been very positive. Also, the deterrents for non-compliance that include sanctions, returning to port, loss of fishing time etc., are significant. The registration of UoA vessels in the new Revillagigedo National Park has also improved compliance. To raise the awareness of the vessel captains and crew about the MPA boundaries and fisheries regulations the Alliance and CONANP are developing videos that will be viewed onboard the UoA vessels during fishing operations.

Discussions during the Third Year Surveillance Audit indicated that during the COVID-19 pandemic Mexico was able to maintain 100% observer coverage on tuna purse seine vessels. As the purse seine fleet in Mexico only operates from domestic ports this enabled the government to closely monitor the

placing of observers aboard vessels. This is a major accomplishment as in other regions observer coverage for tuna fleets has been problematic due to national and regional restrictions that have been implemented to control the spread of the virus. Also, regular dockside inspections were conducted by CONAPESCA of tuna vessels offloading their catches in domestic ports. New protocols port entry and offloading were implemented to address COVID-19 concerns in domestic ports.

The national VMS system which is monitored and maintained by CONAPESCA continues to operate efficiently and effectively with 100% of the tuna purse seine vessels meeting the requirement to install a VMS. Also, the Alliance members have also contracted a global satellite monitoring company, CLS, to track and monitor all UoA vessels during fishing operations. The CLS VMS system acts as a backup to the national VMS and enables the Alliance to monitor the UoA vessel fishing activities and warn captains if a vessel is approaching an MPA area. Although the national VMS system was not upgraded in 2019 due to financial constraints, CONAPESCA reported that it constantly updates the system to provide an effective and accurate mechanism for tracking of tuna fishing vessels.

IRP, CONAPESCA, and PROFEPA provided information concerning infractions and sanctions of UoA vessels from 2012-2020. The data concerning infractions indicated that since 2018 there have not been any infractions committed by the UoA fleet. It was reported that CONAPESCA, the Navy and other relevant enforcement partners have taken preventative measures to improve compliance.

During the expedited audit in 2019, out of a total of 71 potential cases identified, CONAPESCA provided records of 29 cases involving 18 fishing vessels entering MPA waters in 2017. Fourteen (14) of the cases identified in 2017 presented potential irregularities. The 14 cases of concern that required investigation of tuna vessels entering MPA waters in 2017 have yet to be resolved by CONAPESCA and PROFEPA due to COVID-19 restrictions. It was reported that investigations concerning these infractions required the authorities to conduct face-to-face interviews with the captains and crew of the vessels as well as the staff from CONANP. Therefore, the investigations into these cases have been suspended until the COVID-19 restrictions are eased.

To raise awareness about Marine Protected Areas (MPAs), located within the Exclusive Economic Zone (EEZ) of Mexico, the Alliance has conducted 41 workshops with over 1000 participants, mainly the captains and crews of UoA vessels, since May 2020. Each workshop included a power-point presentation which provided details concerning the boundaries of MPAs and the rules and regulations for the management of the MPAs and tuna fishery. Further information on the workshops can be found at: <https://www.pacifictunaalliance.org/es/el-blog/medidas-para-el-desarrollo-de-una-pesca-sostenible-en-la-pescqueria-mexicana-de-atun-en-el-oceano-pacifico-html> .

### **3.5.3 Principle 3 overall conclusion**

Since the Northeastern Tropical Pacific Purse Seine Yellowfin and Skipjack Fishery was certified in September 2017, the Government of Mexico, CONAPESCA and other relevant government agencies and the Alliance have continued to implement programs and measures to improve the management of the tuna purse seine fishery. The Third Annual Audit has focused on changes and improvements since the second audit and measures taken by the Alliance and CONAPESCA and other relevant government agencies to meet the milestones that were outlined for the P3 Conditions. Progress in general has been positive; more details can be found in the summary table for the Conditions (Table 14) and in the detailed commentaries on the P3 conditions (Section 4.4).

## **3.6 Traceability**

There were no changes to traceability identified at this Year 3 audit.

## 4 Results

### 4.1 Surveillance results overview

#### 4.1.1 Total Allowable Catch (TAC) and Catch Data

The TAC and catch data for 2019/2020 are shown in Table 13, below.

**Table 13. TAC and Catch Data**

##### UoC 1: Dolphin-associated sets – yellowfin tuna

<b>TAC</b>	Year	2020	Amount	N/A
<b>UoC share of TAC</b>	Year	2020	Amount	N/A
<b>UoC share of total TAC</b>	Year	2020	Amount	N/A
<b>Total green weight catch by UoC</b>	Year (most recent)	2020	Amount	85,396 tonnes
	Year (second most recent)	2019	Amount	87,192 tonnes

##### UoC 2: Unassociated sets – yellowfin tuna

<b>TAC</b>	Year	2020	Amount	N/A
<b>UoC share of TAC</b>	Year	2020	Amount	N/A
<b>UoC share of total TAC</b>	Year	2020	Amount	N/A
<b>Total green weight catch by UoC</b>	Year (most recent)	2020	Amount	4,162 tonnes
	Year (second most recent)	2019	Amount	4,290 tonnes

##### UoC 3: Dolphin-associated sets – skipjack tuna (SUSPENDED)

<b>TAC</b>	Year	2020	Amount	N/A
<b>UoC share of TAC</b>	Year	2020	Amount	N/A
<b>UoC share of total TAC</b>	Year	2020	Amount	N/A
<b>Total green weight catch by UoC</b>	Year (most recent)	2020	Amount	977 tonnes
	Year (second most recent)	2019	Amount	2,059 tonnes

##### UoC 4: Unassociated sets – skipjack tuna (SUSPENDED)

<b>TAC</b>	Year	2020	Amount	N/A
<b>UoC share of TAC</b>	Year	2020	Amount	N/A
<b>UoC share of total TAC</b>	Year	2020	Amount	N/A
<b>Total green weight catch by UoC</b>	Year (most recent)	2020	Amount	1,192 tonnes
	Year (second most recent)	2019	Amount	7,570 tonnes

#### 4.1.2 Summary of conditions

The following table presents a summary of the 29 conditions (two in Principle 1, 20 in Principle 2, and seven in Principle 3) that were placed on the PAST purse seine tuna fishery. The status and scoring have been updated to show how the fishery is performing at this Year 3 audit.

It is highlighted that, in March 2021, the MSC responded to the Covid-19 pandemic by issuing a derogation (Derogation 6<sup>5</sup>) for conditions raised against Principle 1 and Principle 2 management and information PIs, and all Principle 3 PIs. This recognises the difficulty faced by clients in trying to make progress against conditions, and the timelines for eligible conditions are extended automatically under the derogation, with no milestones this year.

Despite Derogation 6, the Audit Team has sought to determine the progress made against all conditions this year, with an update provided for each condition in the following sections of the report, below.

We note that the MSC has also clarified through interpretation<sup>6</sup> that where the conditions were set originally to run to the fourth surveillance audit, the new deadline for the conditions covered by the Derogation 6 is the 1<sup>st</sup> year of a new surveillance audit; this is reflected in the revised timelines shown for eligible conditions.

**Table 14. Summary of conditions**

Condition number	Condition	PI	Status	PI original score	PI revised score	Derogation 6 applies?
<b>Principle 1</b>						
<b>1-1</b>	<u>UoCs 3 &amp; 4: Skipjack</u> By the fourth annual surveillance, provide evidence that the fishery for skipjack tuna has developed reference points that are appropriate for the stock and can be estimated.	1.1.2 Sla	UoC SUSPENDED	75	N/A	Yes but UoCs are suspended from Feb 2021
<b>1-2</b>	<u>UoCs 3 &amp; 4: Skipjack</u> By the fourth annual surveillance, provide evidence that the harvest strategy is responsive to the state of the stock and the elements of the harvest strategy work together towards achieving management objectives reflected in the target and limit reference points.	1.2.1 Sla	UoC SUSPENDED	70	N/A	Yes but UoCs are suspended from Feb 2021
<b>Principle 2</b>						
<b>2-1</b>	<u>UoCs 1 &amp; 3: Dolphin sets</u> Silky sharks and oceanic whitetips: By the fourth annual surveillance, provide evidence that there is a partial strategy of demonstrably	2.1.1 Slc	On target	60	N/A	No

<sup>5</sup> <https://www.msc.org/docs/default-source/default-document-library/for-business/program-documents/chain-of-custody-supporting-documents/msc-derogation-6-covid-19-fishery-conditions-extension.pdf>

<sup>6</sup> <https://mscportal.force.com/interpret/s/article/Derogation-6-Covid-19-Fishery-Conditions-Extension>



Condition number	Condition	PI	Status	PI original score	PI revised score	Derogation 6 applies?
	effective management measures in place such that the dolphin sets do not hinder recovery and rebuilding.					
2-2	<u>UoCs 1 &amp; 3: Dolphin sets</u> Silky sharks and oceanic whitetips: By the fourth annual surveillance, provide evidence that the partial strategy is being implemented successfully.	2.1.2 Slc	Ahead of target	70	N/A	Yes (condition now scheduled to close in Year 1 of a new certificate)
2-3	<u>UoCs 1 &amp; 3: Dolphin sets</u> Silky sharks and oceanic whitetips: By the fourth annual surveillance, provide evidence that it is highly likely that shark finning is not taking place in dolphin sets	2.1.2 Sle	Ahead of target	70	N/A	Yes (condition now scheduled to close in Year 1 of a new certificate)
2-4	<u>UoCs 1 &amp; 3: Dolphin sets</u> Silky shark and oceanic whitetips: By the fourth annual surveillance, provide evidence that information is adequate to support a partial strategy to manage main retained species.	2.1.3 Slc	Ahead of target	70	N/A	Yes (condition now scheduled to close in Year 1 of a new certificate)
2-5	<u>UoCs 1 &amp; 3: Dolphin sets</u> Silky shark and oceanic whitetips: By the fourth annual surveillance, provide evidence that sufficient data continue to be collected for dolphin sets to detect any increase in risk level (e.g. due to changes in the outcome indicator score or the operation of the fishery or the effectiveness of the strategy).	2.1.3 Sld	Ahead of target	70	N/A	Yes (condition now scheduled to close in Year 1 of a new certificate)
2-6	<u>UoCs 1 &amp; 3: Dolphin sets</u> Dolphins: By the fourth annual surveillance, provide evidence that the effects of dolphin sets in the fishery on dolphins are known and are highly likely to be within limits of national and international requirements for their protection.	2.3.1 Sla	On target	65	N/A	No
2-7	<u>UoCs 1 &amp; 3: Dolphin sets</u> Dolphins: By the fourth annual surveillance, provide evidence that direct effects of dolphin sets on dolphins have been considered and are thought to be unlikely to create unacceptable impacts.	2.3.1 Sib	On target	65	N/A	No
2-8	<u>UoCs 1 &amp; 3: Dolphin sets</u> Dolphins: By the fourth annual surveillance, provide evidence that there is an objective basis for confidence that the strategy will work (to ensure the fishery does not hinder recovery of ETP species), based on information directly about the fishery or species involved	2.3.2 Sib	On target	65	N/A	Yes (but not applied as milestones the same as for Conditions 2-6 and 2-7)

Condition number	Condition	PI	Status	PI original score	PI revised score	Derogation 6 applies?
2-9	<u>UoCs 1 &amp; 3: Dolphin sets</u> Dolphins: By the fourth annual surveillance, provide evidence that the strategy is being implemented successfully.	2.3.2 Slc	Ahead of target	65	N/A	Yes (but not applied as milestones the same as for Conditions 2-6 and 2-7)
2-10	<u>UoCs 1 &amp; 3: Dolphin sets</u> Dolphins: By the fourth annual surveillance, provide evidence to show that sufficient information is available from dolphin sets to allow fishery related mortality and the impact of fishing to be quantitatively estimated for dolphins.	2.3.3 Sla	Behind target	65	N/A	Yes (but not applied as milestones the same as for Conditions 2-6 and 2-7)
2-11	<u>UoCs 1 &amp; 3: Dolphin sets</u> Dolphins: By the fourth annual surveillance, provide evidence to show that information from dolphin sets is sufficient to determine whether the fishery may be a threat to protection and recovery of dolphins.	2.3.3 Slb	Behind target	65	N/A	Yes (but not applied as milestones the same as for Conditions 2-6 and 2-7)
2-12	<u>UoCs 2 &amp; 4: Free School Sets</u> Silky sharks and Mobulid rays: By the fourth annual surveillance, provide evidence that there is a partial strategy of demonstrably effective management measures in place such that the free school sets do not hinder recovery and rebuilding.	2.1.1 Slc	On target	60	70 (Score changed through rescoring 2-13 and 2-13b)	No
2-13	<u>UoCs 2 &amp; 4: Free School Sets</u> Pacific bluefin tuna: By the fourth annual surveillance, provide evidence that there is a partial strategy of demonstrably effective management measures in place such that the free school sets do not hinder recovery and rebuilding.	2.1.1 Slc	Closed	60	70 (Score not 80 as 2-12 not rescored)	No (N/A – condition closed)
2-13b	<u>UoCs 2 &amp; 4: Free School Sets</u> Eastern Pacific and striped bonito tuna: By the fourth annual surveillance, provide evidence that these species are highly likely to be within biologically based limits or, if found to be outside such limits, that there is a partial strategy of demonstrably effective management measures in place such that the free school sets do not hinder recovery and rebuilding.	2.1.1 Slc	Closed	60	70 (Score not 80 as 2-12 not rescored)	No (N/A – condition closed)
2-14	<u>UoCs 2 &amp; 4: Free School Sets</u> Silky shark and Mobulid rays: By the fourth annual surveillance, provide evidence that the	2.1.2 Slc	Ahead of target	65	75 (Score changed through	Yes (condition now scheduled to close in Year



Condition number	Condition	PI	Status	PI original score	PI revised score	Derogation 6 applies?
	partial strategy is being implemented successfully.				rescoring 2-15)	1 of a new certificate)
<b>2-15</b>	<u>UoCs 2 &amp; 4: Free School Sets</u> Pacific bluefin tuna: By the fourth annual surveillance, provide evidence that the partial strategy is being implemented successfully.	2.1.2 Slc	Closed	65	75 (Score not 80 as 2-14 and 2-16 not rescored)	Yes (N/A – condition closed)
<b>2-16</b>	<u>UoCs 2 &amp; 4: Free School Sets</u> Silky shark: By the fourth annual surveillance, provide evidence that it is highly likely that shark finning is not taking place in free school sets.	2.1.2 Sle	Ahead of target	65	75 (Score changed through rescoring 2-15)	Yes (condition now scheduled to close in Year 1 of a new certificate)
<b>2-17</b>	<u>UoCs 2 &amp; 4: Free School Sets</u> Silky shark and Mobulid rays: By the fourth annual surveillance, provide evidence that information is adequate to support a partial strategy to manage main retained species.	2.1.3 Slc	Ahead of target	65	75 (Score changed through rescoring 2-19)	Yes (condition now scheduled to close in Year 1 of a new certificate)
<b>2-18</b>	<u>UoCs 2 &amp; 4: Free School Sets</u> Silky shark and Mobulid rays: By the fourth annual surveillance, provide evidence that sufficient data continue to be collected for free school sets to detect any increase in risk level (e.g. due to changes in the outcome indicator score or the operation of the fishery or the effectiveness of the strategy).	2.1.3 Sld	Ahead of target	65	75 (Score changed through rescoring 2-19)	Yes (condition now scheduled to close in Year 1 of a new certificate)
<b>2-19</b>	<u>UoCs 2 &amp; 4: Free School Sets</u> Bonito: By the fourth surveillance, provide evidence that sufficient data continue to be collected for free school sets to detect any increase in risk level (e.g. due to changes in the outcome indicator score or the operation of the fishery or the effectiveness of the strategy).	2.1.3 Sld	Closed	65	75 (Score not 80 as 2-17 and 2-18 not rescored)	Yes
<b>Principle 3</b>						
<b>3-1</b>	<u>All UoCs</u> By the third annual surveillance, demonstrate that short term objectives are in place at the national level, consistent with achieving the outcomes expressed by MSC's Principles 1 and 2 and explicit within the fishery's management system.	3.2.1 Sla	Closed (Year 1 audit)	75	80	N/A Condition is closed
<b>3-2</b>	<u>All UoCs</u> By the third annual surveillance, demonstrate that at the national level decision processes	3.2.2 Slb	Closed (Year 2 audit)	75	75 (PI cannot meet SG80)	N/A Condition is closed

Condition number	Condition	PI	Status	PI original score	PI revised score	Derogation 6 applies?
	respond to serious and other important issues identified in relevant research, monitoring, evaluation and consultation, in a transparent, timely and adaptive manner.				until Condition 3-3 is also met)	
<b>3-3</b>	<u>All UoCs</u> By the third annual surveillance, demonstrate at the national level that explanations are provided for any actions or lack of action associated with findings and relevant recommendations emerging from research, monitoring, evaluation and review activity.	3.2.2 SId	Behind target	75	N/A	Yes (condition now scheduled to close in Year 4)
<b>3-4 &amp; 3-5</b>	<u>All UoCs</u> By the fourth annual surveillance, demonstrate that the MCS system implemented in the fishery under assessment has a demonstrated ability to enforce relevant management measures, strategies and/or rules, and that sanctions to deal with non-compliance are consistently applied at the national levels. <i>Surveillance Y1 Note: Condition 3-4 and condition 3-5 are now joined as a single condition. Explanation provided in the original table for Condition 3-5</i>	3.2.3 Sla & SId	Behind target	65	N/A	Yes (conditions now scheduled to close in Year 1 of a new certificate)
<b>3-6</b>	<u>All UoCs</u> By the third annual surveillance demonstrate that external review at the regional and national level is undertaken (as proposed under Resolution C-14-09).	3.2.5 SId	On target	70	80	N/A Condition is closed
<b>3-7</b>	<u>All UoCs</u> By the 3rd surveillance audit (SA), assure that there is no evidence of systematic non-compliance such that the MSC mechanisms ensure the fishery's management measures are coherent, enforced and complied with.	3.2.3 SId	Ahead of target	65	N/A	Yes (condition now scheduled to close in Year 4)

#### 4.1.3 Recommendations

No recommendations have been set against the PAST purse seine tuna fishery.

## 4.2 Principle 1 Conditions

The two conditions in Principle 1 were set against the skipjack tuna UoAs (UoAs 3 and 4). These UoAs are currently suspended. As such, there is no requirement to report progress at the Year 3 audit; for both conditions this is reflected in the section 'Progress on Condition (Year 3)', below.

### Condition 1-1 (PI 1.1.2 Sla: Skipjack tuna)

<b>Performance Indicator</b>	1.1.2, Sla
<b>Score</b>	75
<b>Justification</b>	<p>For SKJ, the IATTC uses a clear management procedure that through implicit association, operates to achieve goals based on MSY reference points for associated, more vulnerable, species for which reference points may be estimated.</p> <p>This approach is applied alongside alternative non-MSY indicators evaluating the status of the SKJ stock in the ETPO to maintain the stock far from the point where recruitment would be impaired. Given the difficulties in assessing the SKJ stock in the ETPO, this is considered an appropriate use of indicators that are reasonable surrogates of reference points, when in reality, the stock is expected to be well above Bmsy by indirect action of the HCR. The way that the harvest strategy operates in implicit association with explicit reference points and assisted by indicators, is consistent with the MSC intent to maintain stocks around levels producing MSY.</p> <p>The indirect approach meets the requirements at SG60 for Sla. However, the inability to directly estimate MSY related quantities for SKJ, and the fact that the alternative indicators are not part of the formally adopted tools/reference points prevent this requirement from meeting the SG80.</p>
<b>Condition</b>	By the fourth annual surveillance, provide evidence that the fishery for skipjack tuna has developed reference points that are appropriate for the stock and can be estimated.
<b>Condition Start</b>	PCR
<b>Condition Deadline</b>	fourth annual surveillance
<b>Milestones</b>	<p><b>M-I SKJ 1</b> Reference Points: By the first annual surveillance, the Alliance will provide evidence of the communications exchanged with CONAPESCA and the IATTC Secretariat, requesting the scientific staff of the Commission that, consistent with Resolution <a href="http://www.iatrc.org/PDFFiles2/Resolutions/C-16-02-Harvest-control-rules.pdf">http://www.iatrc.org/PDFFiles2/Resolutions/C-16-02-Harvest-control-rules.pdf</a>, further develops (estimates) reference points (or formalizes alternative indicators) that are appropriate, and specific to the skipjack stock, and that can be estimated, and presented before the SAC for its consideration and approval.</p> <p>Responsiveness: By the first annual surveillance, the Alliance will provide evidence of the communications exchanged with CONAPESCA and the IATTC Secretariat, requesting that the scientific staff of the Commission create, within the harvest strategy, a formally responsive linkage to the status of the skipjack stock, such that status relative to defined reference points or formalized alternative indicators, is used to trigger required management actions to assure stock health.</p> <p><b>M-I SKJ 2</b> By the second annual audit, the Alliance will provide evidence on the recommendation from the SAC regarding reference points or alternative indicators and a formally responsive (as defined in M-SKJ-1) harvest strategy for skipjack.</p>

	<p><b>M-I SKJ 3</b> By the second annual surveillance, the Alliance will provide evidence showing that CONAPESCA has introduced a resolution calling for the estimation of reference points for the skipjack stock and a formally responsive harvest strategy for skipjack.</p> <p><b>M-I SKJ 4</b> By the fourth annual surveillance, the Alliance will show that the Commission has adopted appropriate reference points for skipjack that can be estimated and that a formally responsive harvest strategy for skipjack is in place, hence closing the Condition.</p>
<b>Client Action Plan</b>	<p><b>Goal:</b> The Alliance will advocate, through CONAPESCA, that the IATTC scientific staff, develop and present for the consideration of the next Scientific Advisory Committee (SAC) within the first year of certification, appropriate reference points that can be estimated for skipjack as well as a defined mechanism within the harvest strategy for skipjack that allow the stock's status, relative to defined reference points, to be used to trigger actions to assure the state of the stock.</p> <p><b>Description of the Proposed Action</b> The Alliance is committed to improving fisheries management measures taken by the IATTC, including the establishment of estimated target and limit reference points for skipjack and the establishment of a robust and responsive harvest strategy for this stock.</p> <p>While progress has been made in these areas, the Alliance remains committed to ensuring that in the near future, the IATTC develops reference points that can be estimated for skipjack, and that there is a harvest strategy with the capacity to be responsive to the state of the stock. The Alliance, working through CONAPESCA, will advocate before the SAC to recommend that the Commission takes into consideration the recommendations presented by IATTC scientific staff with regards to appropriate reference points and a harvest strategy that includes defined, management outcomes that trigger responsiveness to the status of the skipjack stock specifically, and will actively promote, together with other members of the IATTC and interested members of the NGO community, the introduction of a Resolution towards this goal.</p>
<b>Consultation on condition</b>	<p>Letters of Support below from CONAPESCA and IATTC were provided to SCS Global Services as the fishery's Conformity Assessment Body (CAB) when the fishery was certified (Morgan et al. 2017).</p>
<b>Progress on Condition (Year 2)</b>	<p><b>M-I SKJ 2, M-I SKJ 3</b></p> <p><u>Progress on tagging programme</u></p> <p>The team received evidence that the IATTC organized a workshop to review the tagging programme activities (see documents in the workshop website <a href="http://www.iattc.org/Meetings/Meetings2019/OTM-29/WorkshopIATTCRegionalTunaTaggingProgramENG.htm">http://www.iattc.org/Meetings/Meetings2019/OTM-29/WorkshopIATTCRegionalTunaTaggingProgramENG.htm</a>) and that, a tagging survey took place between March and May 2019 (Letter Ref 0367-537 from the IATTC Director to the PAST Executive Director, August 10<sup>th</sup> 2020). Results from the tagging survey however were not as expected because not enough fish were tagged, and no other survey has been conducted because of the restrictions given the COVID-19 pandemic.</p> <p><u>Progress on stock assessment</u></p> <p>Given that not sufficient tagging data is being produced, there is no additional work reported on an updated conventional stock assessment of skipjack tuna.</p> <p><u>Progress on indicators</u></p> <p>The previous approach to calculate the SSIs based on the purse seine data was revised to reduce biases introduced while allocating fishing effort among the different set types. Trends in the new SSI indicate an increase in fishing mortality in the floating object fishery due mostly to an increase in the number of sets on objects (IATTC 2020b).</p> <p><u>Progress on reference points</u></p>

	<p>The fishery did not present evidence as expected in the action plan milestones for the second surveillance audit, that a recommendation or report had been submitted, regarding further development (or estimates) of reference points, or alternatively, formalizes the alternative indicators, which are appropriate, and specific to skipjack.</p> <p><u>Progress on harvest strategy</u></p> <p>Although no progress has been made in the development of a harvest strategy that is responsive to the state of the stock relative to reference points, a workshop on MSE as conducted in December 2019. The workshop objectives were to</p> <p><i>“explain and clarify the MSE process, enhance communication and foster mutual understanding among fisheries scientists, managers, and other stakeholders on matters related to harvest strategies and MSE, and discuss potential management goals and performance metrics with managers and other stakeholders.”</i></p> <p>Outcomes of the workshop include improved communication among scientists, managers and stakeholders and a list of potential management objectives and HCR to use in the MSE analyses (Valero and Aires-da-Silva 2019). Although these are positive steps, they are part of a five-year plan for a multispecies fishery that for now is mostly focused on BET. The IATTC staff commented that they are far from addressing the specific needs of SKJ and it is hard to tell when they would have an operating model.</p> <p><u>Overall findings</u></p> <p>The team acknowledges the complexity of assessing and managing the fishery for skipjack tuna. It is also recognized that prioritization has ranked BET and YFT as in higher need to be managed more precisely. Also, it is understood that SKJ is expected to be more resilient and protected when decisions are made based on the status of BET or YFT. However, the limitations of the approach, coupled with the increase in effort and catch in the object associated fishery (catch on objects is predominantly SKJ), as well as the decline in CPUE and length, is of concern and, so far, there has been no management response – Resolution C-17-02 implements controls in terms of days fishing and number of active FADs, but there is no limitation on the number of sets on floating objects. Because of this, in recent years the scientific staff has been recommending adopting additional precautionary measures (e.g. IATTC 2019 d). However, the recommendation was not adopted by the SAC (IATTC 2019 e) and a member argued “there was not enough scientific evidence to support it” (minutes of the 93rd annual meeting 2018).</p> <p>Recommendations of the staff in 2020 include similar measures that are now considered necessary to prevent stocks to be overfished as a result of the increased number of sets on floating objects. At the time of writing this report, the annual meeting of the IATTC has not taken place yet due to delays because of the COVID-19 pandemic, therefore, it is unknown whether the Commission will adopt the staff recommendations on additional measures.</p> <p>The client provided documentation referred to communications between the PAST and CONAPESCA, where amongst other things, requested information about the inclusion of a Resolution Proposal on the estimation of reference points and on a harvest strategy for skipjack tuna. The response from CONAPESCA revolves around the difficulties in assessing stock status using conventional methods and about the use of alternative SSIs. Also, CONAPESCA’s response indicates that Mexico agreed that to conduct a formal assessment a large tagging programme was necessary and accepted to be part of the project, which already had started tagging tropical tunas. There is no mention about the development of alternative reference points or how the use of SSI could be linked to the decision making process to make the harvest strategy responsive to the state of the stock as required by PI 1.2.1, linked to this Condition. More specifically, the Client Action Plan indicates</p> <p><i>The Alliance, working through CONAPESCA, will advocate before the SAC to recommend that the Commission takes into consideration the recommendations presented by IATTC scientific staff with regards to appropriate reference points</i></p>
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	<p><i>and a harvest strategy that includes defined, management outcomes that trigger responsiveness to the status of the skipjack stock specifically, and will actively promote, together with other members of the IATTC and interested members of the NGO community, the introduction of a Resolution towards this goal.</i></p> <p>In summary, despite significant improvements in the assessment and management procedures that have occurred in the fishery, the situation with skipjack tuna has only improved marginally and there are concerns about its immediate future state. At the time of writing this report, it is uncertain how the management system will respond to this situation. In particular, given the requirements of this Condition and milestones M-I-SKJ-2 and M-I-SKJ-3, no procedure has been proposed to assure that the harvest strategy for SKJ tuna is directly responsive to the state of the stock relative to reference points, including the use of alternative indicators of stock status.</p>
<b>Progress on Condition (Year 3)</b>	This condition was assessed as 'behind target' at audit 2. UoAs 3 and 4 (skipjack tuna) are currently suspended.
<b>Status</b>	Suspended.
<b>Additional information</b>	None.

#### Condition 1-2 (PI 1.2.1 Sla: Skipjack tuna)

<b>Performance Indicator</b>	1.2.1, Sla
<b>Score</b>	70
<b>Justification</b>	<p>The HCR + temporal closure is the main effort control for tropical tunas and is used in conjunction with indicators that are designed specifically for Skipjack. These elements have been designed to be responsive to the state of the stock of all three tropical tunas, and while they <i>could</i> be responsive for SKJ, the system does not have a mechanism a) to assure that any change of status in SKJ, apparent via indicators, is necessarily linked to, or triggers, a management outcome as with the HCR and b) to assure that any change in the current operational assumptions (that the fishery for SKJ tuna is tightly coupled with BET/YET) is linked to a management outcome as with the HCR, should this interspecific coupling change. In terms of b), the team has not seen sufficient publicly available evidence for the assumption that these conditions will always be maintained, particularly under varying environmental conditions or changes in fleet behavior.</p> <p>The team observed there was the unusual situation where the harvest strategy has been <b>designed</b> (SG100), and has an HCR that is responsive to the state of the BET and YFT, but has no defined trigger to be responsive to the state of the SKJ stock. Therefore, it was possible to say that for SKJ, the harvest strategy is <b>expected</b> to achieve stock management objective (SG60), but it was not possible to say with assurance, that the harvest strategy <b>is responsive</b> to the state of the stock (SG80). This is because it is not clear that changes in SKJ indicators are formally linked to management actions and because the key assumption – that fishing effort on BET and YFT is linked to effort on SKJ - may not always hold. The current assumption appears to be reasonable in that it reflects current conditions and appears to now keep SKJ at or above target levels. However, to use these assumptions for management purposes that assure responsiveness, would require at least systematic monitoring and analysis of publicly available, relevant metrics, that ground-truth the linkages that allow SKJ to be managed via the large tunas, and to assure that these linkages hold in reality, on an ongoing basis. <b>Therefore, we awarded a score of 60 vs 80 based on the elements of the strategy that will</b></p>

	<p>need to be more formally defined to trigger management measures, to assure responsiveness to SKJ in particular.</p> <p>-----</p> <p><i>Readers should note that the team deliberated extensively as to whether it was most appropriate to issue conditions against the HCR (1.2.2) or harvest strategy (1.2.1) Performance Indicators based on concerns a) and b) above. While the concerns relate to the HCR, they related to <b>responsiveness</b> specifically, which is a consideration that is most explicitly scored under PI 1.2.1: hence the decision to issue conditions under 1.2.1 vs. 1.2.2: the outcome is the same from a scoring perspective for P1 overall.</i></p>
<b>Condition</b>	By the fourth annual surveillance, provide evidence that the harvest strategy (for skipjack tuna) is responsive to the state of the stock and the elements of the harvest strategy work together towards achieving management objectives reflected in the target and limit reference points.
<b>Condition Start</b>	PCR
<b>Condition Deadline</b>	fourth annual surveillance
<b>Milestones</b>	<p><b>Note, these milestones are the same as for Condition 1-1.</b></p> <p><b>M-I SKJ 1</b> Reference Points: By the first annual surveillance, the Alliance will provide evidence of the communications exchanged with CONAPESCA and the IATTC Secretariat, requesting the scientific staff of the Commission that, consistent with Resolution <a href="http://www.iattc.org/PDFFiles2/Resolutions/C-16-02-Harvest-control-rules.pdf">http://www.iattc.org/PDFFiles2/Resolutions/C-16-02-Harvest-control-rules.pdf</a>, further develops (estimates) reference points (or formalizes alternative indicators) that are appropriate, and specific to the skipjack stock, and that can be estimated, and presented before the SAC for its consideration and approval.</p> <p>Responsiveness: By the first annual surveillance, the Alliance will provide evidence of the communications exchanged with CONAPESCA and the IATTC Secretariat, requesting that the scientific staff of the Commission create, within the harvest strategy, a formally responsive linkage to the status of the skipjack stock, such that status relative to defined reference points or formalized alternative indicators, is used to trigger required management actions to assure stock health.</p> <p><b>M-I SKJ 2</b> By the second annual audit, the Alliance will provide evidence on the recommendation from the SAC regarding reference points or alternative indicators and a formally responsive (as defined in M-SKJ-1) harvest strategy for skipjack.</p> <p><b>M-I SKJ 3</b> By the second annual surveillance, the Alliance will provide evidence showing that CONAPESCA has introduced a resolution calling for the estimation of reference points for the skipjack stock and a formally responsive harvest strategy for skipjack.</p> <p><b>M-I SKJ 4</b> By the fourth annual surveillance, the Alliance will show that the Commission has adopted appropriate reference points for skipjack that can be estimated and that a formally responsive harvest strategy for skipjack is in place, hence closing the Condition.</p>
<b>Client Action Plan</b>	<p><b>Note, this CAP is the same as for Condition 1-1.</b></p> <p><b>Goal:</b> The Alliance will advocate, through CONAPESCA, that the IATTC scientific staff, develop and present for the consideration of the next Scientific Advisory Committee (SAC) within the first year of certification, appropriate reference points that can be estimated for skipjack as well as a defined mechanism within the harvest strategy for skipjack that allow the stock's status, relative to defined reference points, to be used to trigger actions to assure the state of the stock.</p> <p><b>Description of the Proposed Action</b> The Alliance is committed to improving fisheries management measures taken by the IATTC, including the establishment of estimated target</p>



	<p>and limit reference points for skipjack and the establishment of a robust and responsive harvest strategy for this stock.</p> <p>While progress has been made in these areas, the Alliance remains committed to ensuring that in the near future, the IATTC develops reference points that can be estimated for skipjack, and that there is a harvest strategy with the capacity to be responsive to the state of the stock. The Alliance, working through CONAPESCA, will advocate before the SAC to recommend that the Commission takes into consideration the recommendations presented by IATTC scientific staff with regards to appropriate reference points and a harvest strategy that includes defined, management outcomes that trigger responsiveness to the status of the skipjack stock specifically, and will actively promote, together with other members of the IATTC and interested members of the NGO community, the introduction of a Resolution towards this goal.</p>
<b>Consultation on condition</b>	Letters of Support below from CONAPESCA and IATTC were provided to SCS Global Services as the fishery's Conformity Assessment Body (CAB) when the fishery was certified (Morgan et al. 2017).
<b>Progress on Condition (Year 2)</b>	See Progress Results on Condition 1-1
<b>Progress on Condition (Year 3)</b>	This condition was assessed as 'behind target' at audit 2. UoAs 3 and 4 (skipjack tuna) are currently suspended.
<b>Status</b>	Suspended.
<b>Additional information</b>	None.

### 4.3 Principle 2 Conditions

The following tables present information on Principle 2 conditions that were set on the fishery. This includes the condition number and general focus (e.g., Condition 2-1, below, which was set on PI 2.1.1 Slc, and is focused on dolphin set UoCs).

For each condition, the tables also provide the justification, the condition itself, and then the annual milestones that were set; the milestones that are relevant to the Year 3 audit are highlighted in green. The Client Action Plan (CAP) is also presented, together with an update from the last audit report in the section 'Progress on Condition Year 2'.

New information from the client for this Year 3 surveillance audit was made available to the audit team and for each milestone, and relevant points are summarised and presented in the section 'Progress on Condition Year 3'. The Audit Team has indicated the current situation with respect to each condition being 'ahead of target', 'on target', 'behind target' or 'closed' in the 'Status' section.

Where MSC Derogation 6 may be applied (i.e., conditions on all management and information PIs), details are provided in the 'Additional information' section of each Condition to show how the derogation will impact the milestones and deadlines going forward.



**Condition 2-1 (PI 2.1.1 Slc – Dolphin sets)**

<b>Performance Indicator</b>	2.1.1, Slc
<b>Score</b>	60
<b>Justification</b>	<p><u>Silky Shark</u> There is a range of measures in place that are directed at the conservation of sharks and constitute at least a partial strategy. As detailed in Section 3.4 these include IATTC Resolution C-05-03 which concerns the conservation of sharks (including silky sharks) and IATTC Resolution C-04-05 which mandates the live release of sharks when possible. These measures are expected to ensure that purse sets on dolphins do not hinder recovery and rebuilding of silky sharks. The low level of catch of silky sharks by dolphin sets also indicates that this fishing method is not hindering this recovery. This meets the requirements of the SG 60 level. The effectiveness of these measures, however, has not been demonstrated, so the requirements of the SG 80 level are not met.</p> <p><u>Oceanic whitetip shark</u> Measures in place are intended to ensure that oceanic whitetip sharks, which are caught principally (See P2.1.1a) in dolphin sets, do not hinder recovery and rebuilding of oceanic whitetip shark populations. This meets the requirements of the SG 60 level. The effectiveness of these measures, however, has not been demonstrated: a) the team was not provided data to demonstrate that whitetip sharks are not retained, and b) conflicting national requirements between NOM 001 and NOM 029 represent problematic management requirements that impact the ability to enforce effectively. Therefore, the requirements of the SG 80 level are not met.</p>
<b>Condition</b>	<p><u>Silky sharks and oceanic whitetips:</u> By the fourth annual surveillance, provide evidence that there is a partial strategy of demonstrably effective management measures in place such that the dolphin sets do not hinder recovery and rebuilding.</p>
<b>Condition Start</b>	PCR
<b>Condition Deadline</b>	fourth annual surveillance
<b>Milestones</b>	<p><u>Milestones for Zero Retention of Sharks (S&amp;R)</u>  <b>M-I S&amp;R A.1</b> By the first annual audit, the Alliance will provide the auditors written evidence that the Zero Retention Policy has been fully developed and has been or is in the process of being implemented by all of the Alliance vessels.  <b>M-I S&amp;R A.4</b> By the first annual audit, the Alliance will provide any available data resulting from the records being kept of interactions with oceanic whitetips and silky sharks, specifically indicating the numbers and condition of their release (live, unknown, injured, dead,).  <b>M-I S&amp;R A.5</b> By the second annual audit, the Alliance will provide evidence showing records of any random port inspections conducted by CONAPESCA on Alliance vessels, highlighting any findings in relation to retentions of sharks (oceanic whitetips and silky sharks) found on any of the Alliance vessels. Data from these random port inspections will be uploaded onto the Alliance web page on a quarterly basis.  <b>M-I S&amp;R A.6</b> By the second and third annual audits, the Alliance will provide evidence (i.e. records on the numbers and nature of interactions with oceanic whitetips and silky sharks and the conditions at the time of their release) showing that the Zero Retention Policy for sharks is being implemented successfully and that the strategy is consistent with measures adopted by both the IATTC and the Mexican Government for these species.</p>

	<p><b>M-I S&amp;R A.7</b> By the second annual audit, the Alliance will provide evidence that information being collected is adequate to support a partial strategy to manage the main retained (or no longer retained) sharks species.</p> <p><b>M-I S&amp;R A.9</b> By the fourth annual audit, the Alliance will provide evidence showing that there is a partial strategy of demonstrably effective measures in place such that dolphin and free school sets do not hinder recovery and rebuilding of oceanic whitetips and silky sharks.</p> <p><b>M-I S&amp;R A.6</b> By the second and third annual audits, the Alliance will provide evidence (i.e. records on the numbers and nature of interactions with oceanic whitetips and silky sharks and the conditions at the time of their release) without being noticed by the crew during brailing and/or sorting, as well as documentation showing the donation of these species to a designated food bank.</p> <p><u>Milestones for Safe-Handling/Live Return of Sharks</u></p> <p><b>M-I S&amp;R B.1</b> By the first annual audit, the Alliance will provide evidence of the written policy for the Safe-Handling/Live Return of sharks and rays to be implemented by all Alliance vessels that is consistent with both domestic regulations and IATTC resolutions. This will include a copy of the necessary formats required by the IATTC observer program for record keeping of interactions that will include a section for the apparent status of the species at the time of their release (live, unknown, injured, dead). The written policy will establish compliance mechanisms and sanctions to be applied for non-compliance. The Alliance will inform the auditors during this first surveillance visit of the status of the policy's implementation.</p> <p><b>M-I S&amp;R B.4</b> For the second, third and fourth annual audits, the Alliance will provide any available data resulting from the records being kept, showing the interactions with all sharks, specifically with oceanic whitetips and silky sharks, indicating the numbers and condition at the time of their release (live, unknown, injured, dead).</p> <p><b>M-I S&amp;R B.8</b> By the fourth annual audit, the Alliance will provide evidence that the partial strategy is being implemented successfully.</p> <p><b>M-I S&amp;R B.9</b> By the fourth annual audit, the Alliance will provide evidence showing that there is a partial strategy of demonstrably effective measures in place such that dolphin and free school sets do not hinder recovery and rebuilding of oceanic whitetips and silky sharks.</p> <p><b>M-I S&amp;R B.10</b> By the fourth annual audit, the Alliance will provide evidence that sufficient data continues to be collected for both dolphin and free school sets to detect any increase in risk level (e.g. due to changes in the outcome indicator score or the operation of the fishery or the effectiveness of the strategy) as it relates to the Safe-Handling/ Live Return policy oceanic whitetips and silky sharks.</p> <p><u>Milestones to Promote Regulatory Consistency for Zero Retention of Sharks through Advocacy</u></p> <p><b>M-II S&amp;R 1</b> By the first annual audit, the Alliance will provide the auditor with evidence of any formal communication between the Alliance and CONAPESCA requesting modifications to seek consistency between NOM 029 and NOM 001.</p> <p><b>M-II S&amp;R 2</b> By the first annual audit, the Alliance will provide the auditor evidence showing the adoption of IATTC Resolutions C-16-04, C-16-05 and C-16-06, which, once CONAPESCA incorporates them into the domestic regulatory framework, will prohibit Mexican tuna purse seine vessels from retaining any sharks incidentally caught during regular tuna fishing operations.</p> <p><u>Milestones for the Scientific and Technical Group on Sharks and Rays.</u></p> <p><b>M-III S&amp;R 1</b> By the first annual audit, the Alliance will provide evidence to the auditors showing that written Terms of Reference have been developed and implemented for the operation and responsibilities of STG on Sharks and Rays. [see milestone in narrative action plan above for description of technical plan areas of interest]</p>
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	<p><b>M-III S&amp;R 2</b> By the first annual audit, the Alliance will provide evidence that the terms of reference for the STG has been posted in the Alliance website and that invitations have been extended to potential interested scientists and NGOs for their participation.</p> <p><b>M-III. S&amp;R 3</b> By the second annual audit, the Alliance will provide evidence showing the integration of the STG, including a list of the individuals and/or organizations participating in the STG.</p> <p><b>M-III. S&amp;R 4</b> By the second annual audit, the Alliance will provide evidence to the auditor demonstrating any suggestions made by the STG regarding the production of material to be utilized for training of skippers and crewmen as well as any tentative schedules for possible workshops.</p> <p><b>M-III. S&amp;R 6</b> By the second annual audit, the Alliance will provide evidence showing any suggestions made by the STG for technical improvements that could lead to a reduction of interactions with shark and rays during dolphin and free school sets by the vessels of the Alliance, accompanied by considerations regarding costs and ease of implementation.</p> <p><b>M-III. S&amp;R 7</b> By the third annual audit, the Alliance will provide the auditors with any external evaluation generated by the STG regarding the effectiveness of the policies implemented by the Alliance (assuming one has been requested) regarding Zero Retention, Zero Finning and Safe-Handling/Live Return of sharks and rays, including any recommendations for improvements.</p> <p><b>M-III. S&amp;R 8</b> By the fourth annual audit, the Alliance will provide evidence, if any, of any improvements implemented by the Alliance vessels to improve the effectiveness of the policies adopted by the Alliance with regards to sharks and rays.</p>
<b>Client Action Plan</b>	<p>Refer to the following sections of Client Action Plan in the PCR:</p> <p>Section I. Comprehensive Strategy for Sharks and Rays. The Alliance will design and implement a comprehensive strategy that includes</p> <p>A. Proposed Action Plan on Implementation of Zero Retention of Sharks and Rays.</p> <p>Goal: To ensure that no sharks incidentally caught during regular tuna fishing operations (Dolphin sets and/or Free School sets), are voluntarily retained by any of the Alliance vessels.</p> <p>B. Proposed Action Plan on Implementation of the Alliance Safe-Handling/Live Return for Sharks and Rays.</p> <p>Goal: To implement on all Alliance vessels a Safe-Handling/Live Return policy to maximize the number of sharks released alive at sea, to the extent practical and without compromising the safety of any persons on board; and to keep records of all these interactions.</p> <p>Section II. Alignment of the National and International Regulatory Structure to support the Alliance Zero Retention of shark and rays policy.</p> <p>Goal: To advocate before CONAPESCA modifications to the current domestic regulatory framework to ensure consistency regarding retention of sharks incidentally caught during tuna purse seine fishing operations.</p> <p>Section III. Establishment of a Scientific and Technical Working Group (STG) on Sharks and Rays.</p> <p>Goal: To promote the creation of a STG that will provide support and advice to the Alliance in the formulation and implementation of its Zero Retention and Safe-Handling/Live Return policies.</p>
<b>Consultation on condition</b>	<p>Letters of Support below from CONAPESCA and IATTC were provided to SCS Global Services as the fishery's Conformity Assessment Body (CAB) when the fishery was certified (Morgan et al. 2017).</p>
<b>Progress on Condition (Year 2)</b>	<p><u>Milestones for Zero Retention of Sharks (S&amp;R)</u></p> <p><b>M-I S&amp;R A.5, M-I S&amp;R A.6, M-I S&amp;R A.7, M-I S&amp;R A.11.</b></p> <p>For the year 2 audit of the PAST fishery, the audit team was provided with a letter sent to the client by the CONAPESCA Directorate of International Affairs, responding to a request for data (CONAPESCA 2020). This letter indicated that no random inspections had been carried out in</p>

2018, but that six random inspections of PAST vessels were carried out in 2019, looking for evidence of the retention of sharks or their fins; it was confirmed that these inspections were unannounced (i.e., to ensure that no opportunity was provided prior to the inspection to hide or discard evidence) and that none of these unannounced inspections had found evidence of illegal retention or of finning.

The audit team was also provided with detailed observer data for the PAST fishery as a whole showing the number and nature of interactions with oceanic whitetip and silky sharks in 2018 and 2019 (Table 6). Seven silky sharks (2018) and a single silky shark (2019) were then recorded during scheduled inspections of landings. With respect to the 2019 occurrence, CONAPESCA (2020) noted that this was considered to be a possible case of non-compliance with IATTC Resolution C-19-05 which prohibits the retention of silky shark by purse seine vessels operating in the Eastern Pacific Ocean. The audit team questioned CONAPESCA and INAPESCA staff with the client on this matter during the site visit and were informed that these appeared to be small sharks that had accidentally progressed through the catch handling systems aboard the vessels. The audit team notes the very small number and that the explanation is consistent with a lack of deliberate intent, and have no reason to doubt that the sharks were retained accidentally; we will consider any further evidence if available at the next audit.

In terms of overall numbers, slightly more silky shark were caught by the PAST fishery in 2019 than 2018, but the release rate (alive) was also higher in 2019 (3,540 animals @ 64.0% alive in 2019 compared with 3,116 animals @ 50.9% released alive in 2018). Oceanic whitetip sharks were caught in very small numbers (1 and 8 in 2018 and 2019, respectively), all of which were released alive according to the observer data (Table 6).

The results for 2018 and 2019 are commendable and, overall, although there are a small number of instances where silky sharks have been retained inadvertently, the data overall show the non-retention policy for sharks is being implemented successfully, consistent with measures adopted by both the IATTC and the Mexican Government. The data are considered adequate to support a partial strategy to manage these main P2 species.

#### Milestones for Safe-Handling/Live Return of Sharks

##### **M-I S&R B.4**

As reported above, in terms of overall numbers, slightly more silky shark were caught in the PAST fishery in 2019 than 2018, but the release rate (alive) was also higher in 2019 (3,540 animals @ 64.0% alive in 2019 compared with 3,116 animals @ 50.9% released alive in 2018). Oceanic whitetip sharks were caught in very small numbers (1 and 8 in 2018 and 2019, respectively), all of which were released alive according to the observer data (Table 6).

#### Milestones for the Scientific and Technical Group on Sharks and Rays.

##### **M-III. S&R 3, M-III. S&R 4, M-III. S&R 6**

The first meeting of the STG was held remotely in March 2020, with other meetings in May, June and July; minutes were provided to the audit team. Meeting attendees included representatives of the IATTC, CONAPESCA, INAPESCA, FIDEMAR, the Autonomous University of Sinaloa, the Environmental Defense Fund and Community and Biodiversity as environmental non-Governmental Organisations, as well as the Alliance. The terms of reference of the group and the no-finning and non-retention policy of the PAST fishery was shared with participants, as well as presentations on the fishery detailing the catch profile and the conditions of certification placed on the fishery, and the good practice training materials that are in use. In turn, participants shared various existing shark and ray identification and biological sampling manuals, and fishing best practice guides biological sampling information. The minutes suggest that positive progress has been made at these initial meetings, despite being held early in the period during which the serious situation with Covid-19 was becoming apparent, preventing the group from meeting in person. Indeed, there are signs that there is genuine engagement from all sides and that the STG will be an effective forum for generating

	options for technical improvement on shark and ray bycatch issues; the audit team therefore anticipates further progress in due course.
<b>Progress on Condition (Year 3)</b>	<p>PI 2.1.1 is an outcome PI, and therefore Condition 2-1 is <u>not</u> eligible for an extension under Derogation 6. Therefore, the Year 3 milestones are effective this year.</p> <p><u>Milestones for Zero Retention of Sharks (S&amp;R)</u>  <b>M-I S&amp;R A.6</b>  With respects to sharks that may be retained inadvertently, the data show that this year there was just a single case (Table 7). The Audit Team is satisfied that this was in no way deliberate, and was presented with a letter from the IATTC to the client, confirming that the IATTC is also satisfied there was no intentional retention of sharks by PAST vessels (IATTC 2021a). This milestone is met.</p> <p><u>Milestones for Safe-Handling/Live Return of Sharks</u>  <b>M-I S&amp;R B.4</b>  Observer data presented in Table 7 show that there continue to be very few oceanic whitetip sharks taken in total in the PAST fleet (3 in 2020, compared with 8 in 2019 and 1 in 2018), all of which were released alive. A smaller number of silky sharks were taken in 2020 (1,815) compared to the previous two years (3,116 in 2018 and 3,540 in 2019), but the Audit Team also noted the data showing that the percentage of the silky sharks recorded as 'released alive' has increased from 50.9% in 2018, to 64.0% in 2019, and then to 76.7% for the latest year. When queried during the audit, it was commented that the improvement in live releases had not been studied in detail but was thought to be linked to the effort undertaken to ensure PAST skippers and crew are trained in best practice handling techniques for these species. The Audit Team have no reason to doubt this assertion, and clearly welcomes the efforts made in this regard – this milestone is met.</p> <p><u>Milestones for the Scientific and Technical Group on Sharks and Rays.</u>  <b>M-III. S&amp;R 7</b>  The Science and Technical Group on Sharks and Rays (STG) was initiated by the PAST as a stakeholder forum to provide support and advice in the formulation and implementation of its policies of zero retention and safe handling / live return of sharks and rays that interact with the fishery; several meetings have been held since March 2020.  This year, the STG was offered the opportunity to comment on the policies implemented by the PAST (PAST 2021), and a response was received from Comunidad y Biodiversidad, AC (COBI 2021). The audit team confirmed that PAST confirmed acceptance of the COBI comments and that they would be discussed in due course. This milestone is met.</p>
<b>Status</b>	<p>The data and other information presented to the audit team show that the year 3 milestones for this condition have been met.</p> <p><b>On target</b></p>
<b>Additional information</b>	Condition 2-1 is not eligible for Derogation 6. As such, no change has been made to the milestones for this condition.

#### Condition 2-2 (PI 2.1.2 Slc – Dolphin sets)

<b>Performance Indicator</b>	2.1.2, Slc
<b>Score</b>	70

<b>Justification</b>	<p><u>Silky sharks and oceanic whitetips:</u></p> <p>The assessment team was not aware of any data or analyses that provide evidence that the measures adopted by the IATTC or Mexican Government are being implemented successfully. The requirements of the SG 80 level are therefore not met.</p>
<b>Condition</b>	<p><u>Silky sharks and oceanic whitetips:</u></p> <p>By the <del>fourth</del> first year reassessment annual surveillance, provide evidence that the partial strategy is being implemented successfully.</p>
<b>Condition Start</b>	PCR
<b>Condition Deadline</b>	<del>fourth</del> first year reassessment annual surveillance
<b>Milestones</b>	<p><u>Milestones for Zero Retention of Sharks and Rays (S&amp;R)</u></p> <p><b>M-I S&amp;R A.1</b> By the first annual audit, the Alliance will provide the auditors written evidence that the Zero Retention Policy has been fully developed and has been or is in the process of being implemented by all of the Alliance vessels.</p> <p><b>M-I S&amp;R A.4</b> By the first annual audit, the Alliance will provide any available data resulting from the records being kept of interactions with oceanic whitetips and silky sharks, specifically indicating the numbers and condition of their release (live, unknown, injured, dead).</p> <p><b>M-I S&amp;R A.6</b> By the second and third annual audits, the Alliance will provide evidence (i.e. records on the numbers and nature of interactions with oceanic whitetips and silky sharks the conditions at the time of their release), showing that the Zero Retention Policy for sharks is being implemented successfully and that the strategy is consistent with measures adopted by both the IATTC and the Mexican Government for these species.</p> <p><b>M-I S&amp;R A.8</b> By the fourth annual audit, the Alliance will provide evidence that the partial strategy is being implemented successfully.</p> <p><b>M-I S&amp;R A.9</b> By the fourth annual audit, the Alliance will provide evidence showing that there is a partial strategy of demonstrably effective measures in place such that dolphin and free school sets do not hinder recovery and rebuilding of oceanic whitetips and silky sharks.</p> <p><b>M-I S&amp;R A.11</b> For each of the annual audits, Year One through Year Four, the Alliance will provide evidence showing records of any small sharks detected at the time of fish unloading and that could involuntarily have ended up in the vessel fish wells without being noticed by the crew during brailing and/or sorting, as well as documentation showing the donation of these species to a designated food bank.</p> <p><u>Milestones for Safe-Handling/Live Return of Sharks and Rays</u></p> <p><b>M-I S&amp;R B.1</b> By the first annual audit, the Alliance will provide evidence of the written policy for the Safe-Handling/Live Return of sharks and rays to be implemented by all Alliance vessels that is consistent with both domestic regulations and IATTC resolutions. This will include a copy of the necessary formats required by the IATTC observer program for record keeping of interactions that will include a section for the apparent status of the species at the time of their release (live, unknown, injured, dead). The written policy will establish compliance mechanisms and sanctions to be applied for non-compliance. The Alliance will inform the auditors during this first surveillance visit of the status of the policy's implementation.</p> <p><b>M-I S&amp;R B.9</b> By the fourth annual audit, the Alliance will provide evidence showing that there is a partial strategy of demonstrably effective measures in place such that dolphin and free school sets do not hinder recovery and rebuilding of oceanic whitetips and silky sharks.</p> <p><b>M-I S&amp;R B.10</b> By the fourth annual audit, the Alliance will provide evidence that sufficient data continues to be collected for both dolphin and free school sets to detect any increase in risk level (e.g. due to changes in the outcome indicator score or the operation of the fishery or the</p>



	effectiveness of the strategy) as it relates to the Safe-Handling/ Live Return policy for oceanic whitetips and silky sharks.
<b>Client Action Plan</b>	<p>Refer to the following section(s) of Client Action Plan in the PCR:</p> <p>Section I. Comprehensive Strategy for Sharks and Rays. The Alliance will design and implement a comprehensive strategy that includes</p> <p>A. Proposed Action Plan on Implementation of Zero Retention of Sharks and Rays.</p> <p>Goal: To ensure that no sharks incidentally caught during regular tuna fishing operations (Dolphin sets and/or Free School sets), are voluntarily retained by any of the Alliance vessels</p> <p>B. Proposed Action Plan on Implementation of the Alliance Safe-Handling/Live Return for Sharks and Rays.</p> <p>Goal: To implement on all Alliance vessels a Safe-Handling/Live Return policy to maximize the number of sharks released alive at sea, to the extent practical and without compromising the safety of any persons on board; and to keep records of all these interactions.</p>
<b>Consultation on condition</b>	Letters of Support below from CONAPESCA and IATTC were provided to SCS Global Services as the fishery's Conformity Assessment Body (CAB) when the fishery was certified (Morgan et al. 2017).
<b>Progress on Condition (Year 2)</b>	<p><u>Milestones for Zero Retention of Sharks and Rays (S&amp;R)</u></p> <p><b>M-I S&amp;R A.6, M-I S&amp;R A.11.</b></p> <p>As noted for Condition 2-1, above, the audit team was provided with detailed observer data for the PAST fishery, showing the number and nature of interactions with oceanic whitetip and silky sharks in 2018 and 2019 (Table 6). In terms of overall numbers, slightly more silky shark were caught in 2019 than 2018, but the release rate (alive) was also higher in 2019 (3,540 animals @ 64.0% alive in 2019 compared with 3,116 animals @ 50.9% released alive in 2018). Oceanic whitetip sharks were caught in very small numbers (1 and 8 in 2018 and 2019, respectively), all of which were released alive according to the observer data (Table 7).</p> <p>It was also reported to the audit team that seven silky sharks (2018) and a single silky shark (2019) were recorded in the observer data. With respect to the 2019 occurrence, CONAPESCA (2020) noted that this was considered to be a possible case of non-compliance with IATTC Resolution C-19-05 which prohibits the retention of silky shark by purse seine vessels operating in the Eastern Pacific Ocean. The audit team questioned CONAPESCA and INAPESCA staff with the client on this matter during the site visit and were informed that these appeared to be small sharks that had accidentally progressed through the catch handling systems aboard the vessels. The audit team notes the very small number and that the explanation is consistent with a lack of deliberate intent, and have no reason to doubt that the sharks were retained accidentally; we will consider any further evidence if available at the next audit.</p> <p>The results for 2018 and 2019 are commendable and, overall, although there are a small number of instances where silky sharks have been retained inadvertently, the data overall show the non-retention policy for sharks is being implemented successfully.</p>
<b>Progress on Condition (Year 3)</b>	<p>PI 2.1.2 is a management PI, and therefore Condition 2-2 <u>is</u> eligible for an extension under Derogation 6. Therefore, the Year 3 milestones are not effective this year. Nevertheless, progress is noted against the Year 3 milestones, and the status as indicated in the following section reflects the status after considering any progress.</p> <p><u>Milestones for Zero Retention of Sharks and Rays (S&amp;R)</u></p> <p><b>M-I S&amp;R A.6, M-I S&amp;R A.11</b></p> <p>Observer data presented in Table 7 show that there continue to be very few oceanic whitetip sharks taken in total in the PAST fleet (3 in 2020, compared with 8 in 20219 and 1 in 2018), all of which were released alive. A smaller number of silky sharks were taken in 2020 (1,815) compared to the previous two years (3,116 in 2018 and 3,540 in 2019), but the Audit Team also noted the data showing that the percentage of the silky sharks recorded as 'released alive' has increased from 50.9% in 2018, to 64.0% in 2019, and then to 76.7% for the latest year.</p>

	<p>When queried during the audit, it was commented that the improvement in live releases had not been studied in detail but was thought to be linked to the effort undertaken to ensure PAST skippers and crew are trained in best practice handling techniques for these species. The Audit Team have no reason to doubt this assertion, and clearly welcomes the efforts made in this regard.</p> <p>With respects to sharks that may be retained inadvertently, the data show that this year there was just a single case (Table 7). The Audit Team is satisfied that this was in no way deliberate, and was presented with a letter from the IATTC to the client, confirming that the IATTC is also satisfied there was no intentional retention of sharks by PAST vessels (IATTC 2021a). These milestones are met.</p>
<b>Status</b>	<p>The data and other information presented to the audit team show that the year 3 milestones for this condition have been met.</p> <p><b>Ahead of target</b> (reflecting that there are no milestones this year under Derogation 6).</p>
<b>Additional information</b>	<p>Condition 2-2 was set as a four-year condition, but is eligible for an extension under Derogation 6<sup>7</sup>. Following interpretation<sup>8</sup>, a revised timeline is set for this Condition to close in year 1 of a new certificate, assuming the fishery is recertified.</p>

### Condition 2-3 (PI 2.1.2 Sle – Dolphin sets)

<b>Performance Indicator</b>	2.1.2, Sle
<b>Score</b>	70
<b>Justification</b>	<p><u>Silky sharks and oceanic whitetips:</u></p> <p>As outlined in the background section on silky sharks, there is evidence from both the reports to the Review Committee (COR) and the results from the observer survey that shark finning is not taking place in any systematic way. The number of instances in the UoA are small. CONAPESCA provided evidence of a case of shark finning infractions by a vessel. The vessel, not from the UoA, was found guilty, however the case is subject to appeal and ongoing (CONAPESCA 2015b). On this basis, and following the revised guidance with regard to shark finning, we have concluded that it is likely that shark finning is not taking place.</p> <p>There are no recent data from the Compliance Committee, however, on the level of compliance with C-05-03 and no information through the IRP on sanctions for any non-compliance. We therefore do not consider it to be highly likely that shark finning is not taking place.</p> <p>We note the information from observers that shark finning was previously more common in catches from object sets but given that silky sharks are caught in all set types, and in the absence of any data specific to dolphin sets, have applied the same rationale and score to both set types. This meets the requirements of the SG 60 level but not of the SG 80 level.</p>
<b>Condition</b>	<p><u>Silky sharks and oceanic whitetips:</u></p> <p>By the <del>fourth</del> first year reassessment annual surveillance, provide evidence that it is highly likely that shark finning is not taking place in dolphin sets</p>
<b>Condition Start</b>	PCR

<sup>7</sup> <https://www.msc.org/docs/default-source/default-document-library/for-business/program-documents/chain-of-custody-supporting-documents/msc-derogation-6-covid-19-fishery-conditions-extension.pdf>

<sup>8</sup> <https://mscportal.force.com/interpret/s/article/Derogation-6-Covid-19-Fishery-Conditions-Extension>



<b>Condition Deadline</b>	<del>fourth</del> first year reassessment annual surveillance
<b>Milestones</b>	<p><u>Milestones for Zero Finning</u></p> <p><b>M-I S&amp;R C.1</b> By the first annual audit, the Alliance will provide the auditors with a copy of the written Zero Finning policy developed to be followed by the Alliance vessels, and will inform them as to the status of its implementation.</p> <p><b>M-I S&amp;R C.2</b> By the first annual audit, the Alliance will provide the auditors with copy of the materials used and distributed to train crewmen and skippers regarding the Alliance Zero Finning policy (including the materials posted in the galley) and will provide an update of the numbers of individuals that have received this training.</p> <p><b>M-I S&amp;R C.3</b> For the second, third and fourth annual audits, the Alliance will provide evidence to the auditors on the numbers of skippers and crewmen that have received training on the Alliance Zero Finning Policy.</p> <p><b>M-I S&amp;R C.4</b> For the first, second, third and fourth first annual audits, the Alliance will provide written documentation showing the number of random port inspections requested by the Alliance (or otherwise initiated) and conducted by CONAPESCA personnel, with the aim of enforcing zero finning domestic and international regulations, including the findings issued by the corresponding authority with respect to finning. The Alliance will also provide evidence that such events have been posted on the Alliance web page each quarter.</p> <p><b>M-I S&amp;R C.5</b> For the first, second, third and fourth annual audits, the Alliance will provide evidence describing and quantifying any violations to its Zero Finning Policy and the corresponding corrective actions it has taken with skippers and crewmen.</p> <p><b>M-I S&amp;R C.6</b> By the fourth annual audit, the Alliance will provide evidence that it is highly likely that shark finning is not taking place for both dolphin and free school sets, involving any sharks, but in particular oceanic whitetips and silky sharks.</p>
<b>Client Action Plan</b>	<p>Refer to the following section(s) of Client Action Plan in the PCR:</p> <p>C. Proposed Action Plan on Implementation of the Alliance Zero Finning Policy.</p> <p>Goal: To ensure that no finning takes place on any of the Alliance vessels and to ensure full compliance with all domestic regulations and those emerging from the IATTC Resolutions regarding finning.</p>
<b>Consultation on condition</b>	Letters of Support below from CONAPESCA and IATTC were provided to SCS Global Services as the fishery's Conformity Assessment Body (CAB) when the fishery was certified (Morgan et al. 2017).
<b>Progress on Condition (Year 2)</b>	<p><u>Milestones for Zero Finning</u></p> <p><b>M-I S&amp;R C.3, M-I S&amp;R C.4, M-I S&amp;R C.5</b></p> <p>The audit team was provided with a copy of the PAST guide to good practices to reduce the mortality of sharks and rays captured incidentally by purse seine vessels (PAST 2019a) and the PAST workshop training manual on the commitment to zero retention, zero finning and 100% release of sharks and rays (PAST 2019b). During 2109 and 2020, 11 training events were held in total across the PAST membership, where 168 crew members from different companies and vessels were present.</p> <p>As noted against Condition 2-1, for the year 2 audit of the PAST fishery, the audit team was also provided with a letter sent to the client by the CONAPESCA Directorate of International Affairs, responding to a request for data (CONAPESCA 2020). This letter indicated that no random inspections had been carried out in 2018, but that six random inspections of PAST vessels were carried out in 2019, looking for evidence of the retention of sharks or their fins; it was confirmed that these inspections were unannounced (i.e., to ensure that no opportunity was provided prior to the inspection to hide or discard evidence) and that none of these unannounced inspections had found evidence of illegal retention or of finning. Although conventional observer data showed there were a small number of instances where silky sharks were retained inadvertently (seven sharks in 2018, one shark in 2019), the data overall show</p>

	<p>the non-retention policy for sharks is being implemented successfully, consistent with measures adopted by both the IATTC and the Mexican Government. The audit team notes the improvement in the live release rate for silky shark from 50.9% in 2018 to 64.0% in 2019, and are satisfied that the data now available should be considered adequate to support a partial strategy to manage these main P2 species (Table 6).</p> <p>The audit team confirmed that the zero-finning policy of the PAST fleet is enforced vigorously, including by highlighting at training events for crew members that finning would put the MSC certification at risk (PAST 2019b), and noting in letters to crew members that any finning would result in dismissal from employment. There was no finning reported or indicated in the PAST fleet in this last year.</p> <p>The data overall show the non-retention policy for sharks is being implemented successfully, consistent with measures adopted by both the IATTC and the Mexican Government. The data are considered adequate to support a partial strategy to manage these main P2 species.</p>
<b>Progress on Condition (Year 3)</b>	<p>PI 2.1.2 is a management PI, and therefore Condition 2-3 <u>is</u> eligible for an extension under Derogation 6. Therefore, the Year 3 milestones are not effective this year. Nevertheless, progress is noted against the Year 3 milestones, and the status as indicated in the following section reflects the status after considering any progress.</p> <p><u>Milestones for Zero Finning</u>  <b>M-I S&amp;R C.3, M-I S&amp;R C.4, M-I S&amp;R C.5</b></p> <p>Last year, the Audit team was provided with a copy of the PAST guide to good practices to reduce the mortality of sharks and rays captured incidentally by purse seine vessels (PAST 2019a) and the PAST workshop training manual on the commitment to zero retention, zero finning and 100% release of sharks and rays (PAST 2019b). These training materials are delivered at workshops with skippers, fishing captains and other crew of the PAST fleet, and highlight the benefits to sharks, rays and other bycatch species of appropriate, safe handling techniques. The materials also point to the Mexican and IATTC laws and regulations around finning and shark management, specifying clearly that the PAST operates a zero retention and 100% release policy for sharks and ray species, and that there is a zero finning policy in place (including because of the impact this practice would have on MSC certification for the fishery). Training has been ongoing in the last year, and evidence was provided during this latest audit that a total of 979 skippers and crewmen from across the vessels of the client group have now received the training – this is an increase of 811 since last year.</p> <p>As last year, for 2021 the PAST officially requested that CONAPESCA undertake random inspections of its vessels at landing (PAST 2021a), and these were followed by requests from each member company (Procesa Chiapas 2021, Pesca Azteca 2021, Grupomar 2021).</p> <p>There have been no violations of the non-retention of sharks and zero finning policies in the last year (IATTC 2021a). These milestones are met.</p>
<b>Status</b>	<p>The data and other information presented to the audit team show that the year 3 milestones for this condition have been met.</p> <p><b>Ahead of target</b> (reflecting that there are no milestones this year under Derogation 6).</p>
<b>Additional information</b>	<p>Condition 2-3 was set as a four-year condition, but is eligible for an extension under Derogation 6<sup>9</sup>. Following interpretation<sup>10</sup>, a revised timeline is set for this Condition to close in year 1 of a new certificate, assuming the fishery is recertified.</p> <p>All Year 3 milestones will be repeated at the Year 4 audit, and progress against the Year 4 milestones will then be considered at the Year 1 audit of a new certificate.</p>

<sup>9</sup> <https://www.msc.org/docs/default-source/default-document-library/for-business/program-documents/chain-of-custody-supporting-documents/msc-derogation-6-covid-19-fishery-conditions-extension.pdf>

<sup>10</sup> <https://mscportal.force.com/interpret/s/article/Derogation-6-Covid-19-Fishery-Conditions-Extension>

**Condition 2-4 (PI 2.1.3 Slc – Dolphin sets)**

<b>Performance Indicator</b>	2.1.3, Slc
<b>Score</b>	70
<b>Justification</b>	<p><u>Silky Shark</u> The information that has been collected has been sufficient to support at least some of the measures that collectively are considered to comprise a strategy to manage silky sharks. However, the absence of retention vs discard (and survivorship) information means that there is not sufficient information to support the partial strategy, which includes national and international regulations prohibiting retention of the species. The SG 60, but not SG 80 Scoring Issue, is therefore met.</p> <p><u>Oceanic Whitetip</u> Data on oceanic whitetips provided includes annual catch by set type, but the team was not provided with retention versus discard data. While the data available are sufficient to support overall management of the species and basic estimates such as abundance, information is currently not adequate to support the main measures of the partial strategy, which hinge on national and international regulations that pertain to prohibited retention of the species. The SG 60, but not SG 80 Scoring Issue, is therefore met.</p>
<b>Condition</b>	<p><u>Silky shark and oceanic whitetips:</u> By the <del>fourth</del> first year reassessment annual surveillance, provide evidence that information is adequate to support a partial strategy to manage main retained species.</p>
<b>Condition Start</b>	PCR
<b>Condition Deadline</b>	<del>fourth</del> first year reassessment annual surveillance
<b>Milestones</b>	<p><u>Milestones for Zero Retention of Sharks and Rays (S&amp;R)</u>  <b>M-I S&amp;R A.3</b> By the first annual audit, the Alliance will provide evidence of the record keeping format that is being or will be used to keep records of all interactions with Sharks (specifically oceanic whitetips and silky sharks).  <b>M-I S&amp;R A.4</b> By the first annual audit, the Alliance will provide any available data resulting from the records being kept of interactions with oceanic whitetips and silky sharks, specifically indicating the numbers and condition of their release (live, unknown, injured, dead).  <b>M-I S&amp;R A.7</b> By the second annual audit, the Alliance will provide evidence that information being collected is adequate to support a partial strategy to manage the main retained (or no longer retained) sharks.  <b>M-I S&amp;R A.10</b> By the fourth annual audit, the Alliance will provide evidence that sufficient data continues to be collected for both dolphin and free school sets to detect any increase in risk level (e.g. due to changes in the outcome indicator score or the operation of the fishery or the effectiveness of the strategy) as it relates to oceanic whitetips and silky sharks.  <b>M-I S&amp;R A. 11</b> For each of the annual audits, Year One through Year Four, the Alliance will provide evidence showing records of any small sharks detected at the time of fish unloading and that could involuntarily have ended up in the vessel fish wells without being noticed by the crew during brailing and/or sorting, as well as documentation showing the donation of these species to a designated food bank.</p> <p><u>Milestones for Safe-Handling/Live Return of Sharks and Rays</u></p>

	<p><b>M-I S&amp;R B.4</b> For the second, third and fourth annual audits, the Alliance will provide any available data resulting from the records being kept, showing the interactions with all sharks, but specifically with oceanic whitetips and silky sharks, indicating the numbers and condition at the time of their release (live, unknown, injured, dead).</p> <p><b>M-I S&amp;R B.10</b> By the fourth annual audit, the Alliance will provide evidence that sufficient data continues to be collected for both dolphin and free school sets to detect any increase in risk level (e.g. due to changes in the outcome indicator score or the operation of the fishery or the effectiveness of the strategy) as it relates to the Safe-Handling/ Live Return policy for oceanic whitetips and silky sharks.</p>
<b>Client Action Plan</b>	<p>Refer to the following section(s) of Client Action Plan in the PCR:</p> <p>Section I. Comprehensive Strategy for Sharks and Rays. The Alliance will design and implement a comprehensive strategy that includes</p> <p>A. Proposed Action Plan on Implementation of Zero Retention of Sharks and Rays.</p> <p>Goal: To ensure that no sharks incidentally caught during regular tuna fishing operations (Dolphin sets and/or Free School sets), are voluntarily retained by any of the Alliance vessels.</p> <p>B. Proposed Action Plan on Implementation of the Alliance Safe-Handling/Live Return for Sharks and Rays.</p> <p>Goal: To implement on all Alliance vessels a Safe-Handling/Live Return policy to maximize the number of sharks released alive at sea, to the extent practical and without compromising the safety of any persons on board; and to keep records of all these interactions</p>
<b>Consultation on condition</b>	<p>Letters of Support below from CONAPESCA and IATTC were provided to SCS Global Services as the fishery's Conformity Assessment Body (CAB) when the fishery was certified (Morgan et al. 2017).</p>
<b>Progress on Condition (Year 2)</b>	<p><u>Milestones for Zero Retention of Sharks and Rays (S&amp;R)</u></p> <p><b>M-I S&amp;R A.7, M-I S&amp;R A. 11</b></p> <p>As noted in the P2 introduction and in commentaries against the conditions relevant to sharks, there is a range of information and substantial quantities of data now available on the fishery with respect to sharks. There is 100% observer coverage on the fishery, and the data collected on catches including fate (Table 6) provide overall catch quantities and changes in live release rate over time consistent with the completion of eleven training events for skippers and crew on the PAST guide to good practices to reduce the mortality of sharks and rays captured incidentally by purse seine vessels (PAST 2019a) and the PAST workshop training manual on the commitment to zero retention, zero finning and 100% release of sharks and rays (PAST 2019b). There are also data available from unannounced inspections to check for illegal retention of shark species, showing that no deliberate retention is occurring. Information is clearly being collected that is adequate to support a partial strategy to manage the main shark species.</p> <p>As noted against Condition 2-1, for the year 2 audit of the PAST fishery, the audit team was provided with a letter sent to the client by the CONAPESCA Directorate of International Affairs, responding to a request for data (CONAPESCA 2020). This letter indicated that no random inspections had been carried out in 2018, but that six random inspections of PAST vessels were carried out in 2019, looking for evidence of the retention of sharks or their fins; it was confirmed that these inspections were unannounced (i.e., to ensure that no opportunity was provided prior to the inspection to hide or discard evidence) and that none of these unannounced inspections had found evidence of illegal retention or of finning.</p> <p>Seven silky sharks (2018) and a single silky shark (2019) were recorded retained during routine observer processes. With respect to the 2019 occurrence, CONAPESCA (2020) noted that this was considered to be a possible case of non-compliance with IATTC Resolution C-19-05 which prohibits the retention of silky shark by purse seine vessels operating in the Eastern Pacific Ocean. The audit team questioned CONAPESCA and INAPESCA staff with the client on this matter during the site visit and were informed that these appeared to be small sharks that had accidentally progressed through the catch handling systems aboard the vessels. The audit</p>

	<p>team notes the very small number and that the explanation is consistent with a lack of deliberate intent, and have no reason to doubt that the sharks were retained accidentally; we will consider any further evidence if available at the next audit.</p> <p><u>Milestones for Safe-Handling/Live Return of Sharks and Rays</u></p> <p><b>M-I S&amp;R B.4</b></p> <p>As noted for Condition 2-1, above, the audit team was provided with detailed observer data for the PAST fishery, showing the number and nature of interactions with oceanic whitetip and silky sharks in 2018 and 2019 (Table 6), and with different ray species (Table 7). In terms of overall numbers, slightly more silky shark were caught in 2019 than 2018, but the release rate (alive) was also higher in 2019 (3,540 animals @ 64.0% alive in 2019 compared with 3,116 animals @ 50.9% released alive in 2018). Oceanic whitetip sharks were caught in very small numbers (1 and 8 in 2018 and 2019, respectively), all of which were released alive according to the observer data (Table 6).</p> <p>Overall, although there are a small number of instances where silky sharks have been retained inadvertently, the data overall show the non-retention policy for sharks is being implemented successfully, consistent with measures adopted by both the IATTC and the Mexican Government. The data are considered adequate to support a partial strategy to manage these main P2 species.</p>
<b>Progress on Condition (Year 3)</b>	<p>PI 2.1.3 is an information PI, and therefore Condition 2-4 <u>is</u> eligible for an extension under Derogation 6. Therefore, the Year 3 milestones are not effective this year. Nevertheless, progress is noted against the Year 3 milestones, and the status as indicated in the following section reflects the status after considering any progress.</p> <p><u>Milestones for Zero Retention of Sharks and Rays (S&amp;R)</u></p> <p><b>M-I S&amp;R A. 11, M-I S&amp;R B.4</b></p> <p>With respects to sharks that may be retained inadvertently, the data show that this year there was just a single case (Table 7). The Audit Team is satisfied that this was in no way deliberate, and was presented with a letter from the IATTC to the client, confirming that the IATTC is also satisfied there was no intentional retention of sharks by PAST vessels (IATTC 2021a). This milestone is met.</p> <p><u>Milestones for Safe-Handling/Live Return of Sharks and Rays</u></p> <p><b>M-I S&amp;R B.4</b></p> <p>Observer data presented in Table 7 show that there continue to be very few oceanic whitetip sharks taken in total in the PAST fleet (3 in 2020, compared with 8 in 20219 and 1 in 2018), all of which were released alive. A smaller number of silky sharks were taken in 2020 (1,815) compared to the previous two years (3,116 in 2018 and 3,540 in 2019), but the Audit Team also noted the data showing that the percentage of the silky sharks recorded as 'released alive' has increased from 50.9% in 2018, to 64.0% in 2019, and then to 76.7% for the latest year. This milestone is met.</p>
<b>Status</b>	<p>The data and other information presented to the audit team show that the year 3 milestones for this condition have been met.</p> <p><b>Ahead of target</b> (reflecting that there are no milestones this year under Derogation 6).</p>

<b>Additional information</b>	<p>Condition 2-4 was set as a four-year condition, but is eligible for an extension under Derogation 6<sup>11</sup>. Following interpretation<sup>12</sup>, a revised timeline is set for this Condition to close in year 1 of a new certificate, assuming the fishery is recertified.</p> <p>All Year 3 milestones will be repeated at the Year 4 audit, and progress against the Year 4 milestones will then be considered at the Year 1 audit of a new certificate.</p>
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#### Condition 2-5 (PI 2.1.3 SId – Dolphin sets)

<b>Performance Indicator</b>	2.1.3, SId
<b>Score</b>	70
<b>Justification</b>	<p><u>Silky shark and oceanic whitetips:</u></p> <p>Data continue to be collected from logbooks and observer programs in sufficient detail to detect any substantial increase in risk from increased catches of retained species. What is not currently available, however, is information on the effectiveness of all the measures contained in the IATTC's Resolutions, which collectively form the strategy for addressing risks to retained species. This Scoring Issue is therefore not considered to be met at the SG 80 level.</p>
<b>Condition</b>	<p><u>Silky shark and oceanic whitetips:</u></p> <p>By the <del>fourth</del> first year reassessment annual surveillance, provide evidence that sufficient data continue to be collected for dolphin sets to detect any increase in risk level (e.g. due to changes in the outcome indicator score or the operation of the fishery or the effectiveness of the strategy).</p>
<b>Condition Start</b>	PCR
<b>Condition Deadline</b>	<del>fourth</del> first year reassessment annual surveillance
<b>Milestones</b>	<p><u>Milestones for Zero Retention of Sharks and Rays (S&amp;R)</u></p> <p><b>M-I S&amp;R A.3</b> By the first annual audit, the Alliance will provide evidence of the record keeping format that is being or will be used to keep records of all interactions with Sharks (specifically oceanic whitetips and silky sharks).</p> <p><b>M-I S&amp;R A.4</b> By the first annual audit, the Alliance will provide any available data resulting from the records being kept of interactions with oceanic whitetips and silky sharks, specifically indicating the numbers and condition of their release (live, unknown, injured, dead).</p> <p><b>M-I S&amp;R A.7</b> By the second annual audit, the Alliance will provide evidence that information being collected is adequate to support a partial strategy to manage the main retained (or no longer retained) sharks species.</p> <p><b>M-I S&amp;R A.10</b> By the fourth annual audit, the Alliance will provide evidence that sufficient data continues to be collected for both dolphin and free school sets to detect any increase in risk level (e.g. due to changes in the outcome indicator score or the operation of the fishery or the effectiveness of the strategy) as it relates to oceanic whitetips and silky sharks.</p> <p><b>M-I S&amp;R A. 11</b> For each of the annual audits, Year One through Year Four, the Alliance will provide evidence showing records of any small sharks and/or rays detected at the time of fish unloading and that could involuntarily have ended up in the vessel fish wells without being</p>

<sup>11</sup> <https://www.msc.org/docs/default-source/default-document-library/for-business/program-documents/chain-of-custody-supporting-documents/msc-derogation-6-covid-19-fishery-conditions-extension.pdf>

<sup>12</sup> <https://mscportal.force.com/interpret/s/article/Derogation-6-Covid-19-Fishery-Conditions-Extension>



	<p>noticed by the crew during brailing and/or sorting, as well as documentation showing the donation of these species to a designated food bank.</p> <p><u>Milestones for Safe-Handling/Live Return of Sharks and Rays</u></p> <p><b>M-I S&amp;R B.4</b> For the second, third and fourth annual audits, the Alliance will provide any available data resulting from the records being kept, showing the interactions with all sharks and rays, but specifically with oceanic whitetips, silky sharks, and Mobulid rays, indicating the numbers and condition at the time of their release (live, unknown, injured, dead).</p> <p><b>M-I S&amp;R B.10</b> By the fourth annual audit, the Alliance will provide evidence that sufficient data continues to be collected for both dolphin and free school sets to detect any increase in risk level (e.g. due to changes in the outcome indicator score or the operation of the fishery or the effectiveness of the strategy) as it relates to the Safe-Handling/ Live Return policy for oceanic whitetips, silky sharks and Mobulid rays.</p>
<b>Client Action Plan</b>	<p>Refer to the following section(s) of Client Action Plan in the PCR:</p> <p>Section I. Comprehensive Strategy for Sharks and Rays. The Alliance will design and implement a comprehensive strategy that includes</p> <p>A. Proposed Action Plan on Implementation of Zero Retention of Sharks and Rays.</p> <p>Goal: To ensure that no sharks incidentally caught during regular tuna fishing operations (Dolphin sets and/or Free School sets), are voluntarily retained by any of the Alliance vessels.</p> <p>B. Proposed Action Plan on Implementation of the Alliance Safe-Handling/Live Return for Sharks and Rays.</p> <p>Goal: To implement on all Alliance vessels a Safe-Handling/Live Return policy to maximize the number of sharks released alive at sea, to the extent practical and without compromising the safety of any persons on board; and to keep records of all these interactions</p>
<b>Consultation on condition</b>	<p>Letters of Support below from CONAPESCA and IATTC were provided to SCS Global Services as the fishery's Conformity Assessment Body (CAB) when the fishery was certified (Morgan et al. 2017).</p>
<b>Progress on Condition (Year 2)</b>	<p><u>Milestones for Zero Retention of Sharks and Rays (S&amp;R)</u></p> <p><b>M-I S&amp;R A.7, M-I S&amp;R A. 11</b></p> <p>As noted in the P2 introduction and in commentaries against the conditions relevant to sharks, there is a range of information and substantial quantities of data now available on the fishery with respect to sharks. There is 100% observer coverage on the fishery, and the data collected on catches including fate of silky sharks and oceanic whitetip sharks (Table 6) and of Mobulid rays (Table 7) provide overall catch quantities and changes in live release rate over time consistent with the completion of eleven training events for skippers and crew on the PAST guide to good practices to reduce the mortality of sharks and rays captured incidentally by purse seine vessels (PAST 2019a) and the PAST workshop training manual on the commitment to zero retention, zero finning and 100% release of sharks and rays (PAST 2019b). There are also data available from unannounced inspections to check for illegal retention of shark species, showing that no deliberate retention is occurring. Information is clearly being collected that is adequate to support a partial strategy to manage the main shark species.</p> <p>Seven silky sharks (2018) and a single silky shark (2019) were recorded retained during routine observer processes. With respect to the 2019 occurrence, CONAPESCA (2020) noted that this was considered to be a possible case of non-compliance with IATTC Resolution C-19-05 which prohibits the retention of silky shark by purse seine vessels operating in the Eastern Pacific Ocean. The audit team questioned CONAPESCA and INAPESCA staff with the client on this matter during the site visit and were informed that these appeared to be small sharks that had accidentally progressed through the catch handling systems aboard the vessels. The audit team notes the very small number and that the explanation is consistent with a lack of deliberate intent, and have no reason to doubt that the sharks were retained accidentally; we will consider any further evidence if available at the next audit.</p>

	<p><u>Milestones for Safe-Handling/Live Return of Sharks and Rays</u></p> <p><b>M-I S&amp;R B.4</b></p> <p>As noted for Condition 2-1, above, the audit team was provided with detailed observer data for the PAST fishery, showing the number and nature of interactions with oceanic whitetip and silky sharks in 2018 and 2019 (Table 6), and with different ray species (Table 7). In terms of overall numbers, slightly more silky shark were caught in 2019 than 2018, but the release rate (alive) was also higher in 2019 (3,540 animals @ 64.0% alive in 2019 compared with 3,116 animals @ 50.9% released alive in 2018). Oceanic whitetip sharks were caught in very small numbers (1 and 8 in 2018 and 2019, respectively), all of which were released alive according to the observer data (Table 6). Catches of rays were very similar from 2018 to 2019, but the proportion of live releases also increased during this period, albeit only slightly from an already high 90.3% to 91.8% (Table 7).</p> <p>Although there are a small number of instances where silky sharks have been retained inadvertently, the data overall show the non-retention policy for sharks is being implemented successfully, consistent with measures adopted by both the IATTC and the Mexican Government. The data are considered adequate to support a partial strategy to manage these main P2 species.</p>
<b>Progress on Condition (Year 3)</b>	<p>PI 2.1.3 is an information PI, and therefore Condition 2-5 <u>is</u> eligible for an extension under Derogation 6. Therefore, the Year 3 milestones are not effective this year. Nevertheless, progress is noted against the Year 3 milestones, and the status as indicated in the following section reflects the status after considering any progress.</p> <p><u>Milestones for Zero Retention of Sharks and Rays (S&amp;R)</u></p> <p><b>M-I S&amp;R A. 11</b></p> <p>With respects to sharks that may be retained inadvertently, the data show that this year there was just a single case (Table 7). For rays, Table 8 shows there was a slight increase in inadvertent retention, with 17 retained (as compared with 6 and 3 for 2018 and 2019, respectively). The Audit Team is satisfied that these retentions are in no way deliberate, and was presented with a letter from the IATTC to the client, confirming that the IATTC is also satisfied there was no intentional retention of sharks or rays by PAST vessels (IATTC 2021a). This milestone is met.</p> <p><u>Milestones for Safe-Handling/Live Return of Sharks and Rays</u></p> <p><b>M-I S&amp;R B.4</b></p> <p>Observer data presented in Table 7 show that a smaller number of silky sharks were taken in 2020 (1,815) compared to the previous two years (3,116 in 2018 and 3,540 in 2019), but the Audit Team also noted the data showing that the percentage of the silky sharks recorded as 'released alive' has increased from 50.9% in 2018, to 64.0% in 2019, and then to 76.7% for the latest year. A somewhat higher catch of rays was taken in 2020 (268) in comparison to the previous two years (214 in 2018 and 202 in 2019), with a slightly lower percentage 'released alive' (90.3% in 2018, 91.8% in 2019, to 84.3% in the last year). The Audit Team will continue to monitor the situation, but there is no pattern in the data and no reason to consider that anything has changed in the fishery. This milestone is met.</p>
<b>Status</b>	<p>The data and other information presented to the audit team show that the year 3 milestones for this condition have been met.</p> <p><b>Ahead of target</b> (reflecting that there are no milestones this year under Derogation 6).</p>



<b>Additional information</b>	<p>Condition 2-5 was set as a four-year condition, but is eligible for an extension under Derogation 6<sup>13</sup>. Following interpretation<sup>14</sup>, a revised timeline is set for this Condition to close in year 1 of a new certificate, assuming the fishery is recertified.</p> <p>All Year 3 milestones will be repeated at the Year 4 audit, and progress against the Year 4 milestones will then be considered at the Year 1 audit of a new certificate.</p>
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### Condition 2-6 (PI 2.3.1 Sla – Dolphin sets)

<b>Performance Indicator</b>	2.3.1, Sla
<b>Score</b>	65
<b>Justification</b>	<p><u>Dolphins:</u></p> <p>Reported mortalities are well under DMLs (Figure 46) so even allowing for these estimates of the potential levels of unobserved mortality the team has concluded such mortality to be low enough that it is likely that the total mortality is still lower than the limits set by the IDCP for any of the dolphin stocks. Therefore the known effects of the fishery are assessed as being within requirements and the SG60 level is considered to be met.</p> <p>SG80 requirements concern whether the effects of the fishery are known and within requirements for protection. As noted above, unobserved mortality is considered a known effect but, by definition, is one that can only be estimated indirectly. The cumulative effect of all these known effects have been considered unlikely to cause a breach of the DMLs but the team were not able to assign any higher level of confidence to this conclusion. The requirements of the SG 80 level are therefore not considered to be met.</p>
<b>Condition</b>	<p><u>Dolphins:</u></p> <p>By the <del>fourth</del> first year reassessment annual surveillance*, provide evidence that the effects of dolphin sets in the fishery on dolphins are known and are highly likely to be within limits of national and international requirements for their protection.</p> <p>*based on accepted VR See additional information section below</p>
<b>Condition Start</b>	PCR
<b>Condition Deadline</b>	<del>fourth</del> first year reassessment annual surveillance
<b>Milestones</b>	<p><u>Milestones Associated with New Stock Assessments on Dolphin Populations</u></p> <p><b>M-I DOL 4.</b> Survey completed: By the third annual audit, the Alliance will provide evidence demonstrating that one season of dolphin abundance surveys has been successfully executed, and that all associated records exist.</p> <p><b>M-I DOL 5.</b> Analysis of surveys and new population estimates: By the fourth annual audit, the Alliance will provide the auditors with the results of the dolphin abundance surveys and new dolphin population estimates for the ETPO.</p> <p><b>M-I DOL 6.</b> Current abundances support that mortality is within defined limits, and do not create unacceptable population impacts or impede recovery: By the fourth annual audit, the Alliance will provide evidence of trends in dolphin populations which will continue to provide evidence that:</p>

<sup>13</sup> <https://www.msc.org/docs/default-source/default-document-library/for-business/program-documents/chain-of-custody-supporting-documents/msc-derogation-6-covid-19-fishery-conditions-extension.pdf>

<sup>14</sup> <https://mscportal.force.com/interpret/s/article/Derogation-6-Covid-19-Fishery-Conditions-Extension>

	<ol style="list-style-type: none"> <li>1) The effects of dolphin sets in the fishery on dolphins are known and are or are not highly likely to be within limits of national and international requirements for their protection,</li> <li>2) Direct effects of dolphin sets on dolphins have been considered and are or are not known to be highly unlikely to create unacceptable impacts,</li> <li>3) The fishery does or does not hinder recovery of ETP species,</li> <li>4) There is a strategy in place for managing the fishery's impact on ETP species, if any, including measures to minimize mortality, which is designed to be highly likely to achieve national and international requirements for the protection of ETP species,</li> <li>5) There is an objective basis for confidence that the strategy will work,</li> <li>6) The strategy is being implemented successfully, and</li> <li>7) Information is sufficient to measure trends and support a full strategy to manage impacts on ETP species.</li> </ol> <p><b>M-I DOL 7.</b> Surveys inform DMLs: By the fourth annual audit, the Alliance will provide evidence that the IATTC has survey results and that there is evidence demonstrating how these data have been used for the determination of DMLs for the fishery to continue to ensure that the fishery does not hinder the protection and recovery of dolphin species.</p> <p><u>Milestones related to Unaccounted/unobserved mortalities</u></p> <p><b>M-II DOL A.1</b> By the first audit, the auditors will select and interview a sample (series) of observers (statistically appropriate and with appropriate stratification of relevant factors e.g. national/IATTC program, experience etc.) to discuss issues related to unobserved dolphin mortalities. The CAB will provide all outputs from observer interviews (redacted as needed) into the annual surveillance report. The client will provide all data resulting from this action to the IATTC.</p> <p>All subsequent M-II clauses are to be considered, "If deemed necessary by SCS based on results from observer interviews."</p> <p><b>M-II DOL A.2</b> By the second audit, the Alliance will provide additional evidence demonstrating the presence/absence of unobserved dolphin mortality at the relevant point of operations. All data resulting from this action will be provided to the IATTC for its potential inclusion into the determination of DMLs and/or possible modifications to fishing procedures.</p> <p><b>M-II DOL A.3</b> By the third audit, the Alliance will present verifiable evidence to conclude the presence/absence of un-observed dolphin mortality in fishing sets. All related data and results will be provided to the IATTC for their potential inclusion into the determination of DMLs.</p> <p><b>M-II DOL A.4</b> By the fourth audit, the Alliance will provide evidence that the results of the independent study are being used to inform the management of the fishery's impact on dolphins and the determination of DMLs.</p> <p><b>M-II DOL A.5.</b> By the fourth audit, the Alliance will provide evidence that the effects of the fishing operations on dolphins are known and highly likely to be within the limits of national and international requirements for their protection.</p> <p><u>Milestones related to Mother-Calf Separation</u></p> <p><b>M-II DOL B.1</b> By the first annual audit, the Alliance will provide evidence that shows that a research program has been designed in coordination with the IATTC scientific staff to be implemented during the first year of certification.</p> <p><b>M-II DOL B.2</b> By the second annual audit, the Alliance will provide evidence to the auditors that the research program is being implemented.</p> <p><b>M-II DOL B.3</b> By the third annual audit, the Alliance will provide evidence to the auditors of the preliminary findings and recommendations of the research program including determinations as to whether mother-calf separation is indeed occurring and in what order of magnitude, as well as if additional information is needed to expand the research program in order to ratify preliminary conclusions.</p>
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	<p><b>M-II DOL B.4</b> By the fourth annual audit, the Alliance will provide evidence that the preliminary results of the research program are been taken into consideration in the overall management objectives of the IATTC/AIDCP including their possible inclusion in the determination of the DMLs and stock/per-year mortality limits.</p> <p><b>M-II DOL B.5</b> By the fourth annual audit, the Alliance will provide evidence to the auditor showing that the effects of the fishing operation on dolphins are known and are highly likely to be within limits of national and international requirements for their protection.</p> <p><b>M-II DOL B.6</b> By the fourth annual audit, the Alliance will provide evidence to show that all observed and potential fishery effects are highly unlikely to create unacceptable impacts on ETP species and significantly curtail their reproductive rate.</p>
<b>Client Action Plan</b>	<p>Refer to the following section(s) of Client Action Plan in the PCR:</p> <p>Research to Arrive at New Dolphin Population Estimates in the Eastern Tropical Pacific Ocean (ETPO)</p> <p>Section I. Commitments to Support/Catalyze Research for New Estimates of Dolphin Populations</p> <p>Goal: The main objective of this research is to arrive at dolphin populations estimates for the ETPO by the year 2020.</p> <p>The Alliance is committed to conduct research on Direct and Indirect Impacts (See Section II Dolphin Action Plan for details)</p> <p>A. Proposed Action Plan on Unaccounted/unobserved Mortalities</p> <p>Goal: Determine whether unobserved and/or unreported mortalities during fishing operations are occurring.</p> <p>B. Proposed Action Plan on Mother-Calf Separation</p> <p>Goal: To determine whether mother and calves get separated during the follow up, catch and release phase of the fishing operation.</p>
<b>Consultation on condition</b>	<p>Letters of Support below from CONAPESCA and IATTC were provided to SCS Global Services as the fishery's Conformity Assessment Body (CAB) when the fishery was certified (Morgan et al. 2017).</p>
<b>Progress on Condition (Year 2)</b>	<p><u>Milestones Associated with New Stock Assessments on Dolphin Populations</u></p> <p>There are no milestones to report on for this part of the Condition, this year. However, we note that the results of the unaccounted/unobserved mortalities investigations and mother-calf separation projects are expected to feed into the work to understand the overall impact of the fishery on dolphin populations that will be delivered through also generating the estimate of dolphin abundance as intended specifically under Conditions 2-10 and 2-11. As noted against our comments for those conditions, the CAB considers that the client has clearly made considerable efforts to undertake the population abundance study, but due to complications beyond the client's control the survey has been delayed.</p> <p>A variation request<sup>15</sup> was submitted to the MSC, seeking an additional two years to meet conditions, however, and this was accepted by MSC. As such, this condition is extended and new milestones are set, as indicated in the 'Additional Information' section, below.</p> <p><u>Milestones related to Unaccounted/unobserved mortalities</u></p> <p><b>M-II DOL A.2</b></p> <p>The audit team for the Year 2 audit interviewed observers and managers from the Mexican national observer programme (FIDEMAR) and related management and compliance bodies (CONAPESCA, CONANP and PROFEPA). The observers were quizzed in detail about their roles; they noted that they took up positions on the vessels during different stages of the fishing process, including on the helicopter pads (which are required to be unobstructed and offer an</p>

<sup>15</sup> <https://cert.msc.org/FileLoader/FileLinkDownload.aspx/GetFile?encryptedKey=1Msjcxkx1eH5gXMQEmtkoZyvgKb/xnzqr4TWFZQaTiew1qZcTE3An4e1uL25dYnW>

	<p>all-round view), specifically to maximise their ability to monitor potential interactions with dolphins. The observers also noted that they were very familiar with the activity patterns of the fishermen and were confident that they would be able to discern if something abnormal was occurring, specifically if an attempt was being made to remove a dead dolphin from a net surreptitiously.</p> <p>Senior representatives of the PAST fleet also noted that divers working inside the net to release dolphins or other animals would not cut the meshes deliberately to release a dolphin underwater in order to avoid it being counted towards a DML. It was reported that this was because, if cut, the pressure on the net generated during active fishing operations could result in the meshes splitting and the tuna catch being lost. It was also noted that the individual vessel and total DMLs are not close to being exceeded (for 2019, total mortality for all fleets was estimated to be 778 animals (i.e., 15.6% of the DML), of which the PAST fleet accounted for 530 animals (10.6%) – Table 10), and so there is no requirement or significant incentive to hide or disguise dolphin mortalities where they did occur.</p> <p>Although the estimates of population size for the different dolphin populations are dated, AIDCP 2020 provided a summary estimate of relative total mortality (all fleets) compared to those best population estimates; for 2019, the highest relative mortality rate estimate was for the Eastern spinner dolphin at 0.03% (Table 11); this is &lt;1% of the established default maximum expected rate of population increase (Rmax) for small cetacean species of 4% as calculated by Wade (1998).</p> <p>The audit team is now entirely satisfied on the basis of the new information collected at this and the last audit that there is no underlying, fundamental or systematic issue from unaccounted / unobserved mortality associated with fishing operations; As such, and noting the conclusion from the previous audit (undertaken by a different CAB and audit team) that there is no merit in creating an independently verifiable mechanism, we assess that there is no justification in further pursuing this or related M-II DOL A milestones. As such, in accordance with the note in milestone M-II DOL A.1 that <i>“All subsequent M-II clauses are to be considered, “If deemed necessary by SCS based on results from observer interviews”</i> and on the basis of the new information presented, we consider the intent of milestone M-II DOL A.2 to be met, and for milestones M-II DOL A.3, A.4 and A.5 to be unwarranted; we therefore we close this part of the condition. Please see the ‘other information’ box below for more information.</p> <p><u>Milestones related to Mother-Calf Separation</u></p> <p><b>M-II DOL B.2</b></p> <p>PAST has looked into options to fund the work on mother-calf separation as identified in AIDCP 2018b, including potentially through applying to the MSC’s Ocean Stewardship Fund. However, the audit team understands that PAST has been focused heavily on achieving the milestones around the estimation of dolphin population abundance and, as a result, there has been no substantive progress against this milestone this year.</p>
<p><b>Progress on Condition (Year 3)</b></p>	<p>PI 2.3.1 is an outcome PI, and therefore Condition 2-6 <u>is not</u> eligible for an extension under Derogation 6.</p> <p><u>Milestones Associated with New Stock Assessments on Dolphin Populations</u></p> <p><b>M-I revised 2</b> is the next milestone that is active in this part of the Condition – it is not effective until Year 4, however.</p> <p><u>Milestones related to Mother-Calf Separation</u></p> <p>Last year the audit reported this part of the condition as being behind target. However, a Variation Request (VR)<sup>16</sup> was submitted and granted that covered the entire condition. Not</p>

<sup>16</sup> <https://cert.msc.org/FileLoader/FileLinkDownload.aspx/GetFile?encryptedKey=1Msjcxkx1eH5gXMQEmtkoZyvgKb/xnzqr4TWFZQaTlew1qZcTE3An4e1uL25dYnW>

	<p>allowing additional time for the mother-calf separation work under this Condition in the year 2 report was therefore an error by the team that is required to be corrected at this audit.</p> <p>The client has continued to press for the mother-calf separation work to be undertaken through a request to the IATTC, but funding has not yet been agreed. However, on the basis that the Condition has been extended by two years under the VR, the Year 2 milestone is now effective for Year 4, and the Year 3 milestone for (Year 5 / Year 0 of new certificate if recertified), etc. Details of the revised milestones are provided in the 'Additional Information' section, below.</p> <p>Based on the adjustment to milestones, there are no active milestones this year for this condition.</p>
<b>Status</b>	<b>On target</b> (reflecting the adjustment to the timelines for the milestones).
<b>Additional information</b>	<p><b><u>Changes undertaken at Year 2</u></b></p> <p><b><u>Milestones Associated with New Stock Assessments on Dolphin Populations</u></b></p> <p>Following the variation request that was accepted by the MSC, milestones <b>MI-DOL 4, MI-DOL 5, MI-DOL 6</b> and <b>MI-DOL 7</b> are rescinded, and revised milestones are set for this condition, as follows:</p> <ul style="list-style-type: none"> <li>• <b>M-I revised 2</b> (Year 4 audit). Provide evidence demonstrating that one season of dolphin abundance surveys has been successfully executed, and that records as needed to generate the dolphin abundance estimates exist.</li> <li>• <b>M-I revised 3</b> (Year 5 / Year 0 of new certificate if recertified). Provide the results of the dolphin abundance surveys and new dolphin population estimates for the Eastern Tropical Pacific Ocean.</li> <li>• <b>M-I revised 4</b> (Year 6 / Year 1 of new certificate if recertified). Provide evidence of trends in dolphin populations which will provide evidence that:             <ol style="list-style-type: none"> <li>1) The effects of dolphin sets in the PAST fishery on dolphins are known and are highly likely to be within limits of national and international requirements for their protection,</li> <li>2) Direct effects of dolphin sets on dolphins have been considered and are known to be highly unlikely to create unacceptable impacts,</li> <li>3) The fishery does not hinder recovery of ETP species,</li> <li>4) There is a strategy in place for managing the fishery's impact on ETP species, if any, including measures to minimize mortality, which is designed to be highly likely to achieve national and international requirements for the protection of ETP species,</li> <li>5) There is an objective basis for confidence that the strategy will work,</li> <li>6) The strategy is being implemented successfully, and</li> <li>7) Information is sufficient to measure trends and support a full strategy to manage impacts on ETP species.</li> </ol> </li> </ul> <p>We note three issues:</p> <ol style="list-style-type: none"> <li>a) M-I revised 4 is similar to the old milestone M-I DOL 6, but the text 'or are not' (or 'or do not') is removed from sections 1, 2 and 3. This is because this text would allow the condition to be met without the SG80 requirement being met.</li> <li>b) Old milestone M-I DOL 6 included SG80 requirements from PI 2.3.1, PI 2.3.2 and PI 2.3.3, therefore addressing issues beyond this condition alone. However, in recognising the interconnected nature of Conditions 2-6, 2-7, 2-8, 2-9, 2-10 and 2-11, this wording is retained (except for the 'or are not' / 'or do not' text, as in part a), above).</li> <li>c) The components of old milestone M-I DOL 7 have not been incorporated into these revised milestones, because meeting M-I DOL 7 was contingent upon agreement</li> </ol>

	<p>on new DMLs being reached at the IATTC, which is not strictly necessary in this case because of the fishery-specific nature of the Principle 2 assessment (unlike the requirements for management in Principle 1, which are stock-wide). We consider that if milestone M-I revised 4 is met, then the SG80 requirement for PI2.3.3 SIb will also be met in full.</p> <p><b><u>Changes undertaken at Year 3 (correcting an absence of changes at year 2)</u></b></p> <p><b><u>Milestones related to Mother-Calf Separation</u></b> Reflecting the VR that was accepted last year, the existing M-II DOL milestones are moved forward by two years and are now 'revised'.</p> <p><b>M-II DOL revised B.2</b> (Year 4 audit). Provide evidence to the auditors that the research program is being implemented.</p> <p><b>M-II DOL revised B.3</b> (Year 5 / Year 0 of new certificate if recertified). Provide evidence to the auditors of the preliminary findings and recommendations of the research program including determinations as to whether mother-calf separation is indeed occurring and in what order of magnitude, as well as if additional information is needed to expand the research program in order to ratify preliminary conclusions.</p> <p><b>M-II DOL revised B.4</b> (Year 6 / Year 1 of new certificate if recertified). Provide evidence that the preliminary results of the research program are been taken into consideration in the overall management objectives of the IATTC/AIDCP including their possible inclusion in the determination of the DMLs and stock/per-year mortality limits.</p> <p><b>M-II DOL revised B.5</b> (Year 6 / Year 1 of new certificate if recertified). Provide evidence to the auditor showing that the effects of the fishing operation on dolphins are known and are highly likely to be within limits of national and international requirements for their protection.</p> <p><b>M-II DOL revised B.6</b> (Year 6 / Year 1 of new certificate if recertified). Provide evidence to show that all observed and potential fishery effects are highly unlikely to create unacceptable impacts on ETP species and significantly curtail their reproductive rate.</p>
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#### Condition 2-7 (PI 2.3.1 SIb – Dolphin sets)

<b>Performance Indicator</b>	2.3.1, SIb
<b>Score</b>	65
<b>Justification</b>	<p><u>Dolphins:</u> We conclude that there is at least some evidence that the impacts of the UoA are unlikely to be hindering the recovery of any dolphin stocks. In fact, the most recent analyses of the available survey results indicates that the status of the two main species affected is improving (with a high degree of certainty) but we note again that evidence of rebuilding is not required to conclude that a fishery is not hindering recovery. Nevertheless, and particularly given the long time since the last population estimates have been produced, the team considered that while it is likely that the fishery is not having unacceptable impacts on populations or hindering recovery, there was insufficient information to be able to assign any higher level of confidence to this conclusion. This meets the requirements of the SG 60 level but not of the SG 80 level.</p>
<b>Condition</b>	<p><u>Dolphins:</u> By the <del>fourth</del> first year reassessment annual surveillance*, provide evidence that direct effects of dolphin sets on dolphins have been considered and are thought to be unlikely to create unacceptable impacts.</p> <p>*based on accepted VR See additional information section below</p>

<b>Condition Start</b>	PCR
<b>Condition Deadline</b>	<del>fourth</del> first year reassessment annual surveillance
<b>Milestones</b>	<p><u>Milestones Associated with New Stock Assessments on Dolphin Populations</u></p> <p><b>M-I DOL 4.</b> Survey completed: By the third annual audit, the Alliance will provide evidence demonstrating that one season of dolphin abundance surveys has been successfully executed, and that all associated records exist.</p> <p><b>M-I DOL 5</b> Analysis of surveys and new population estimates: By the fourth annual audit, the Alliance will provide the auditors with the results of the dolphin abundance surveys and new dolphin population estimates for the ETPO.</p> <p><b>M-I DOL 6.</b> Current abundances support that mortality is within defined limits, and do not create unacceptable population impacts or impede recovery: By the fourth annual audit, the Alliance will provide evidence of trends in dolphin populations which will continue to provide evidence that:</p> <ol style="list-style-type: none"> <li>1) The effects of dolphin sets in the fishery on dolphins are known and are or are not highly likely to be within limits of national and international requirements for their protection,</li> <li>2) Direct effects of dolphin sets on dolphins have been considered and are or are not known to be highly unlikely to create unacceptable impacts,</li> <li>3) The fishery does or does not hinder recovery of ETP species,</li> <li>4) There is a strategy in place for managing the fishery's impact on ETP species, if any, including measures to minimize mortality, which is designed to be highly likely to achieve national and international requirements for the protection of ETP species,</li> <li>5) There is an objective basis for confidence that the strategy will work,</li> <li>6) The strategy is being implemented successfully, and</li> <li>7) Information is sufficient to measure trends and support a full strategy to manage impacts on ETP species.</li> </ol> <p><b>M-I DOL 7</b> Surveys inform DMLs: By the fourth annual audit, the Alliance will provide evidence that the IATTC has survey results and that there is evidence demonstrating how these data have been used for the determination of DMLs for the fishery to continue to ensure that the fishery does not hinder the protection and recovery of dolphin species.</p> <p><u>Milestones related to Unaccounted/unobserved mortalities</u></p> <p><b>M-II DOL A.1</b> By the first audit, the auditors will select and interview a sample (series) of observers (statistically appropriate and with appropriate stratification of factors e.g. national/IATTC program, experience etc.) to discuss issues related to unobserved dolphin mortalities. The CAB will provide all outputs from observer interviews (redacted as needed) into the annual surveillance report. The client will provide all data resulting from this action to the IATTC.</p> <p>All subsequent M-II clauses are to be considered, "If deemed necessary by SCS based on results from observer interviews."</p> <p><b>M-II DOL A.2</b> By the second audit, the Alliance will provide additional evidence demonstrating the presence/absence of unobserved dolphin mortality at the relevant point of operations. All data resulting from this action will be provided to the IATTC for its potential inclusion into the determination of DMLs and/or possible modifications to fishing procedures.</p> <p><b>M-II DOL A.3</b> By the third audit, the Alliance will present verifiable evidence to conclude the presence/absence of un-observed dolphin mortality in fishing sets. All related data and results will be provided to the IATTC for their potential inclusion into the determination of DMLs.</p>



	<p><b>M-II DOL A.4</b> By the fourth audit, the Alliance will provide evidence that the results of the independent study are being used to inform the management of the fishery's impact on dolphins and the determination of DMLs.</p> <p><b>M-II DOL A.5.</b> By the fourth audit, the Alliance will provide evidence that the effects of the fishing operations on dolphins are known and highly likely to be within the limits of national and international requirements for their protection.</p> <p><u>Milestones related to Mother-Calf Separation</u></p> <p><b>M-II DOL B.1</b> By the first annual audit, the Alliance will provide evidence that shows that a research program has been designed in coordination with the IATTC scientific staff to be implemented during the first year of certification.</p> <p><b>M-II DOL B.2</b> By the second annual audit, the Alliance will provide evidence to the auditors that the research program is being implemented.</p> <p><b>M-II DOL B.3</b> By the third annual audit, the Alliance will provide evidence to the auditors of the preliminary findings and recommendations of the research program including determinations as to whether mother-calf separation is indeed occurring and in what order of magnitude, as well as if additional information is needed to expand the research program in order to ratify preliminary conclusions.</p> <p><b>M-II DOL B.4</b> By the fourth annual audit, the Alliance will provide evidence that the preliminary results of the research program are been taken into consideration in the overall management objectives of the IATTC/AIDCP including their possible inclusion in the determination of the DMLs and stock/per-year mortality limits.</p> <p><b>M-II DOL B.5</b> By the fourth annual audit, the Alliance will provide evidence to the auditor showing that the effects of the fishing operation on dolphins are known and are highly likely to be within limits of national and international requirements for their protection.</p> <p><b>M-II DOL B.6</b> By the fourth annual audit, the Alliance will provide evidence to show that all observed and potential fishery effects are highly unlikely to create unacceptable impacts on ETP species and significantly curtail their reproductive rate.</p>
<b>Client Action Plan</b>	<p>Refer to the following section(s) of Client Action Plan in the PCR:</p> <p>Research to Arrive at New Dolphin Population Estimates in the Eastern Tropical Pacific Ocean (ETPO)</p> <p>Section I. Commitments to Support/Catalyze Research for New Estimates of Dolphin Populations</p> <p>Goal: The main objective of this research is to arrive at dolphin populations estimates for the ETPO by the year 2020.</p> <p>The Alliance is committed to conduct research on Direct and Indirect Impacts (See Section II Dolphin Action Plan for details)</p> <p>A. Proposed Action Plan on Unaccounted/unobserved Mortalities</p> <p>Goal: Determine whether unobserved and/or unreported mortalities during fishing operations are occurring.</p> <p>B. Proposed Action Plan on Mother-Calf Separation</p> <p>Goal: To determine whether mother and calves get separated during the follow up, catch and release phase of the fishing operation.</p>
<b>Consultation on condition</b>	<p>Letters of Support below from CONAPESCA and IATTC were provided to SCS Global Services as the fishery's Conformity Assessment Body (CAB) when the fishery was certified (Morgan et al. 2017).</p>
<b>Progress on Condition (Year 2)</b>	<p><u>Milestones Associated with New Stock Assessments on Dolphin Populations</u></p> <p>There are no milestones to report on for this part of the Condition, this year. However, we note that the results of the unaccounted/unobserved mortalities investigations and mother-calf separation projects are expected to feed into the work to understand the overall impact of the fishery on dolphin populations that will be delivered through also generating the</p>



	<p>estimate of dolphin abundance as intended specifically under Conditions 2-10 and 2-11. As noted against our comments for those conditions, the CAB considers that the client has clearly made considerable efforts to undertake the population abundance study, but due to complications beyond the client's control the survey has been delayed.</p> <p>A variation request<sup>17</sup> was submitted to the MSC, seeking an additional two years to meet conditions, however, and this was accepted. As such, this condition is extended and new milestones are set, as indicated in the 'Additional Information' section, below.</p> <p><u>Milestones related to Unaccounted/unobserved mortalities</u></p> <p><b>M-II DOL A.2</b></p> <p>The audit team for the Year 2 audit interviewed observers and managers from the Mexican national observer programme (FIDEMAR) and related management and compliance bodies (CONAPESCA, CONANP and PROFEPA). The observers were quizzed in detail about their roles; they noted that they took up positions on the vessels during different stages of the fishing process, including on the helicopter pads (which are required to be unobstructed and offer an all-round view), specifically to maximise their ability to monitor potential interactions with dolphins. The observers also noted that they were very familiar with the activity patterns of the fishermen and were confident that they would be able to discern if something abnormal was occurring, specifically if an attempt was being made to remove a dead dolphin from a net surreptitiously.</p> <p>Senior representatives of the PAST fleet also noted that divers working inside the net to release dolphins or other animals would not cut the meshes deliberately to release a dolphin underwater in order to avoid it being counted towards a DML. It was reported that this was because, if cut, the pressure on the net generated during active fishing operations could result in the meshes splitting and the tuna catch being lost. It was also noted that the individual vessel and total DMLs are not close to being exceeded (for 2019, total mortality for all fleets was estimated to be 778 animals (i.e., 15.6% of the DML), of which the PAST fleet accounted for 530 animals (10.6%) – Table 10), and so there is no requirement or significant incentive to hide or disguise dolphin mortalities where they did occur.</p> <p>Although the estimates of population size for the different dolphin populations are dated, AIDCP 2020 provided a summary estimate of relative total mortality (all fleets) compared to those best population estimates; for 2019, the highest relative mortality rate estimate was for the Eastern spinner dolphin at 0.03% (Table 11); this is &lt;1% of the established default maximum expected rate of population increase (Rmax) for small cetacean species of 4% as calculated by Wade (1998).</p> <p>The audit team is now entirely satisfied on the basis of the new information collected at this and the last audit that there is no underlying, fundamental or systematic issue from unaccounted / unobserved mortality associated with fishing operations; As such, and noting the conclusion from the previous audit (undertaken by a different CAB and audit team) that there is no merit in creating an independently verifiable mechanism, we assess that there is no justification in further pursuing this or related M-II DOL A milestones. As such, in accordance with the note in milestone M-II DOL A.1 that <i>"All subsequent M-II clauses are to be considered, "If deemed necessary by SCS based on results from observer interviews"</i> and on the basis of the new information presented, we consider the intent of milestone M-II DOL A.2 to be met, and for milestones M-II DOL A.3, A.4 and A.5 to be unwarranted; we therefore we close this part of the condition. Please see the 'other information' box below for more information.</p> <p><u>Milestones related to Mother-Calf Separation</u></p> <p><b>M-II DOL B.2</b></p>
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<sup>17</sup> <https://cert.msc.org/FileLoader/FileLinkDownload.aspx/GetFile?encryptedKey=1Msjcxkx1eH5gXMQEmtkoZyvgKb/xnzqr4TWFZQaTlew1qZcTE3An4e1uL25dYnW>

	<p>PAST has looked into options to fund the work on mother-calf separation as identified in AIDCP 2018b, including potentially through applying to the MSC's Ocean Stewardship Fund. However, the audit team understands that PAST has been focused heavily on achieving the milestones around the estimation of dolphin population abundance and, as a result, there has been no substantive progress against this milestone this year.</p>
<b>Progress on Condition (Year 3)</b>	<p>PI 2.3.1 is an outcome PI, and therefore Condition 2-7 <u>is not</u> eligible for an extension under Derogation 6.</p> <p><u>Milestones Associated with New Stock Assessments on Dolphin Populations</u></p> <p><b>M-I revised 2</b> is the next milestone that is active in this part of the Condition – it is not effective until Year 4, however.</p> <p><u>Milestones related to Mother-Calf Separation</u></p> <p>Last year the audit reported this part of the condition as being behind target. However, a Variation Request (VR)<sup>18</sup> was submitted and granted that covered the entire condition. Not allowing additional time for the mother-calf separation work under the Condition in the year 2 audit report was therefore an error by the assessment team that is required to be corrected at this audit.</p> <p>The client has continued to press for the mother-calf separation work to be undertaken through a request to the IATTC, but funding has not yet been agreed. However, on the basis that the Condition has been extended by two years under the VR, the Year 2 milestone is now effective for Year 4, and the Year 3 milestone for (Year 5 / Year 0 of new certificate if recertified), etc. Details of the revised milestones are provided in the 'Additional Information' section, below.</p> <p>Based on the adjustment to milestones, there are no active milestones this year for this condition.</p>
<b>Status</b>	<b>On target</b> (reflecting the adjustment to the timelines for the milestones).
<b>Additional information</b>	<p><u>Changes undertaken at Year 2</u></p> <p><u>Milestones Associated with New Stock Assessments on Dolphin Populations</u></p> <p>Following the variation request that was accepted by the MSC, milestones <b>MI-DOL 4</b>, <b>MI-DOL 5</b>, <b>MI-DOL 6</b> and <b>MI-DOL 7</b> are rescinded, and revised milestones are set for this condition, as follows:</p> <ul style="list-style-type: none"> <li>• <b>M-I revised 2</b> (Year 4 audit). Provide evidence demonstrating that one season of dolphin abundance surveys has been successfully executed, and that records as needed to generate the dolphin abundance estimates exist.</li> <li>• <b>M-I revised 3</b> (Year 5 / Year 0 of new certificate if recertified). Provide the results of the dolphin abundance surveys and new dolphin population estimates for the Eastern Tropical Pacific Ocean.</li> <li>• <b>M-I revised 4</b> (Year 6 / Year 1 of new certificate if recertified). Provide evidence of trends in dolphin populations which will provide evidence that: <ol style="list-style-type: none"> <li>1) The effects of dolphin sets in the PAST fishery on dolphins are known and are highly likely to be within limits of national and international requirements for their protection,</li> <li>2) Direct effects of dolphin sets on dolphins have been considered and are known to be highly unlikely to create unacceptable impacts,</li> <li>3) The fishery does not hinder recovery of ETP species,</li> </ol> </li> </ul>

<sup>18</sup> <https://cert.msc.org/FileLoader/FileLinkDownload.aspx/GetFile?encryptedKey=1Msjcxkx1eH5gXMQEmtkoZyvgKb/xnzqr4TWFZQaTlew1qZcTE3An4e1uL25dYnW>

	<p>4) There is a strategy in place for managing the fishery's impact on ETP species, if any, including measures to minimize mortality, which is designed to be highly likely to achieve national and international requirements for the protection of ETP species,</p> <p>5) There is an objective basis for confidence that the strategy will work,</p> <p>6) The strategy is being implemented successfully, and</p> <p>7) Information is sufficient to measure trends and support a full strategy to manage impacts on ETP species.</p> <p>We note three issues:</p> <ul style="list-style-type: none"> <li>d) M-I revised 4 is similar to the old milestone M-I DOL 6, but the text 'or are not' (or 'or do not') is removed from sections 1, 2 and 3. This is because this text would allow the condition to be met without the SG80 requirement being met.</li> <li>e) Old milestone M-I DOL 6 included SG80 requirements from PI 2.3.1, PI 2.3.2 and PI 2.3.3, therefore addressing issues beyond this condition alone. However, in recognising the interconnected nature of Conditions 2-6, 2-7, 2-8, 2-9, 2-10 and 2-11, this wording is retained (except for the 'or are not' / 'or do not' text, as in part a), above).</li> <li>f) The components of old milestone M-I DOL 7 have not been incorporated into these revised milestones, because meeting M-I DOL 7 was contingent upon agreement on new DMLs being reached at the IATTC, which is not strictly necessary in this case because of the fishery-specific nature of the Principle 2 assessment (unlike the requirements for management in Principle 1, which are stock-wide). We consider that if milestone M-I revised 4 is met, then the SG80 requirement for PI2.3.3 Sib will also be met in full.</li> </ul> <p><b><u>Changes undertaken at Year 3 (correcting an absence of changes at year 2)</u></b></p> <p><b><u>Milestones related to Mother-Calf Separation</u></b></p> <p>Reflecting the VR that was accepted last year, the existing M-II DOL milestones are moved forward by two years and are now 'revised'.</p> <p><b>M-II DOL revised B.2</b> (Year 4 audit). Provide evidence to the auditors that the research program is being implemented.</p> <p><b>M-II DOL revised B.3</b> (Year 5 / Year 0 of new certificate if recertified). Provide evidence to the auditors of the preliminary findings and recommendations of the research program including determinations as to whether mother-calf separation is indeed occurring and in what order of magnitude, as well as if additional information is needed to expand the research program in order to ratify preliminary conclusions.</p> <p><b>M-II DOL revised B.4</b> (Year 6 / Year 1 of new certificate if recertified). Provide evidence that the preliminary results of the research program are been taken into consideration in the overall management objectives of the IATTC/AIDCP including their possible inclusion in the determination of the DMLs and stock/per-year mortality limits.</p> <p><b>M-II DOL revised B.5</b> (Year 6 / Year 1 of new certificate if recertified). Provide evidence to the auditor showing that the effects of the fishing operation on dolphins are known and are highly likely to be within limits of national and international requirements for their protection.</p> <p><b>M-II DOL revised B.6</b> (Year 6 / Year 1 of new certificate if recertified). Provide evidence to show that all observed and potential fishery effects are highly unlikely to create unacceptable impacts on ETP species and significantly curtail their reproductive rate.</p>
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**Condition 2-8 (PI 2.3.2 Sib – Dolphin sets)**

<b>Performance Indicator</b>	2.3.2, Sib
<b>Score</b>	65
<b>Justification</b>	<p><u>Dolphins:</u></p> <p>The current system of DMLs does not address all sources of risk to dolphin populations, and stress effects on reproductive rates are not currently part of the DML system. The doubts that exist over the level of depletion that has occurred and the population trends that should be expected prevented the team concluding that there is an objective basis for confidence that the strategy will achieve the overarching objectives of the Performance Indicator, which include the stipulation that a management strategy shall "ensure the fishery does not hinder recovery of ETP species". DMLs are therefore considered to be one measure in a currently incomplete strategy that does not collect data on or measure trends in the status of affected dolphin populations even though there is a plausible argument that unobserved effects, such as stress-related impacts, may have diminished reproductive output and could be hindering recovery. Therefore, the team feels that within the present evaluation framework the existing measures (DMLs) have to be considered likely to work and effective (SG 60 met), but that there is not an objective basis for confidence that the strategy will work to ensure that recovery is not hindered (SG 80), based on information directly about the fishery and particularly the species involved. This meets the requirements of the SG 60 level but not of the SG 80 level.</p>
<b>Condition</b>	<p><u>Dolphins:</u></p> <p>By the <del>fourth</del> first year reassessment annual surveillance, provide evidence that there is an objective basis for confidence that the strategy will work (to ensure the fishery does not hinder recovery of ETP species), based on information directly about the fishery or species involved</p>
<b>Condition Start</b>	PCR
<b>Condition Deadline</b>	<del>fourth</del> first year reassessment annual surveillance
<b>Milestones</b>	<p><u>Milestones Associated with New Stock Assessments on Dolphin Populations</u></p> <p><b>M-I DOL 4</b> Survey completed: By the third annual audit, the Alliance will provide evidence demonstrating that one season of dolphin abundance surveys has been successfully executed, and that all associated records exist.</p> <p><b>M-I DOL 5</b> Analysis of surveys and new population estimates: By the fourth annual audit, the Alliance will provide the auditors with the results of the dolphin abundance surveys and new dolphin population estimates for the ETPO.</p> <p><b>M-I DOL 6.</b> Current abundances support that mortality is within defined limits, and do not create unacceptable population impacts or impede recovery: By the fourth annual audit, the Alliance will provide evidence of trends in dolphin populations which will continue to provide evidence that:</p> <ol style="list-style-type: none"> <li>1) The effects of dolphin sets in the fishery on dolphins are known and are or are not highly likely to be within limits of national and international requirements for their protection,</li> <li>2) Direct effects of dolphin sets on dolphins have been considered and are or are not known to be highly unlikely to create unacceptable impacts,</li> <li>3) The fishery does or does not hinder recovery of ETP species,</li> </ol>

	<p>4) There is a strategy in place for managing the fishery's impact on ETP species, if any, including measures to minimize mortality, which is designed to be highly likely to achieve national and international requirements for the protection of ETP species,</p> <p>5) There is an objective basis for confidence that the strategy will work,</p> <p>6) The strategy is being implemented successfully, and</p> <p>7) Information is sufficient to measure trends and support a full strategy to manage impacts on ETP species.</p> <p><u>M-I DOL 7</u> Surveys inform DMLs: By the fourth annual audit, the Alliance will provide evidence that the IATTC has survey results and that there is evidence demonstrating how these data have been used for the determination of DMLs for the fishery to continue to ensure that the fishery does not hinder the protection and recovery of dolphin species.</p> <p><u>Milestones related to Mother-Calf Separation</u></p> <p><b>M-II DOL B.1</b> By the first annual audit, the Alliance will provide evidence that shows that a research program has been designed in coordination with the IATTC scientific staff to be implemented during the first year of certification.</p> <p><b>M-II DOL B.2</b> By the second annual audit, the Alliance will provide evidence to the auditors that the research program is being implemented.</p> <p><b>M-II DOL B.3</b> By the third annual audit, the Alliance will provide evidence to the auditors of the preliminary findings and recommendations of the research program including determinations as to whether mother-calf separation is indeed occurring and in what order of magnitude, as well as if additional information is needed to expand the research program in order to ratify preliminary conclusions.</p> <p><b>M-II DOL B.4</b> By the fourth annual audit, the Alliance will provide evidence that the preliminary results of the research program are taken into consideration in the overall management objectives of the IATTC/AIDCP including their possible inclusion in the determination of the DMLs and stock/per-year mortality limits.</p> <p><b>M-II DOL B.5</b> By the fourth annual audit, the Alliance will provide evidence to the auditor showing that the effects of the fishing operation on dolphins are known and are highly likely to be within limits of national and international requirements for their protection.</p> <p><b>M-II DOL B.6</b> By the fourth annual audit, the Alliance will provide evidence to show that all observed and potential fishery effects are highly unlikely to create unacceptable impacts on ETP species and significantly curtail their reproductive rate.</p>
<b>Client Action Plan</b>	<p>Refer to the following section(s) of Client Action Plan in the PCR:</p> <p>Research to Arrive at New Dolphin Population Estimates in the Eastern Tropical Pacific Ocean (ETPO)</p> <p>Section I. Commitments to Support/Catalyze Research for New Estimates of Dolphin Populations</p> <p>Goal: The main objective of this research is to arrive at dolphin populations estimates for the ETPO by the year 2020.</p> <p>The Alliance is committed to conduct research on Direct and Indirect Impacts (See Section II Dolphin Action Plan for details)</p> <p>B. Proposed Action Plan on Mother-Calf Separation</p> <p>Goal: To determine whether mother and calves get separated during the follow up, catch and release phase of the fishing operation.</p>
<b>Consultation on condition</b>	<p>Letters of Support below from CONAPESCA and IATTC were provided to SCS Global Services as the fishery's Conformity Assessment Body (CAB) when the fishery was certified (Morgan et al. 2017).</p>
<b>Progress on Condition (Year 2)</b>	<p><u>Milestones Associated with New Stock Assessments on Dolphin Populations</u></p> <p>There are no milestones to report on for this part of the Condition, this year. However, we note that the results of the unaccounted/unobserved mortalities investigations and mother-</p>

	<p>calf separation projects are expected to feed into the work to understand the overall impact of the fishery on dolphin populations that will be delivered through also generating the estimate of dolphin abundance as intended specifically under Conditions 2-10 and 2-11. As noted against our comments for those conditions, the CAB considers that the client has clearly made considerable efforts to undertake the population abundance study, but due to complications beyond the client's control the survey has been delayed.</p> <p>A variation request<sup>19</sup> was submitted to the MSC, seeking an additional two years to meet conditions, however, and this was accepted. As such, this condition is extended and new milestones are set, as indicated in the 'Additional Information' section, below.</p> <p><u>Milestones related to Mother-Calf Separation</u></p> <p><b>M-II DOL B.2</b></p> <p>PAST has looked into options to fund the work on mother-calf separation as identified in AIDCP 2018b, including potentially through applying to the MSC's Ocean Stewardship Fund. However, the audit team understands that PAST has been focused heavily on achieving the milestones around the estimation of dolphin population abundance and, as a result, there has been no substantive progress against this milestone this year.</p>
<b>Progress on Condition (Year 3)</b>	<p>PI 2.3.2 is a management PI, and therefore Condition 2-8 <u>is</u> eligible for an extension under Derogation 6. However, the milestones for this PI are identical to those provided originally for Conditions 2-6 and 2-7, which are on the outcome PI 2.3.1, and which are therefore not eligible for the extension. Noting 7.28.16.4 (MSC 2020), there is no merit or value in extending the timeline for Condition 2-8 because the requisite work must be completed by the deadline for Conditions 2-6 and 2-7.</p> <p><u>Milestones Associated with New Stock Assessments on Dolphin Populations</u></p> <p><b>M-I revised 2</b> is the next milestone that is active in this part of the Condition – it is not effective until Year 4, however.</p> <p><u>Milestones related to Mother-Calf Separation</u></p> <p>Last year the audit reported this part of the condition as being behind target. However, a Variation Request (VR)<sup>20</sup> was submitted and granted that covered the entire condition. Not allowing additional time for the mother-calf separation work under the Condition in the year 2 audit report was therefore an error that is required to be corrected at this audit.</p> <p>The client has continued to press for the mother-calf separation work to be undertaken through a request to the IATTC, but funding has not yet been agreed. However, on the basis that the Condition has been extended by two years under the VR, the Year 2 milestone is now effective for Year 4, and the Year 3 milestone for (Year 5 / Year 0 of new certificate if recertified), etc. Details of the revised milestones are provided in the 'Additional Information' section, below.</p> <p>Based on the adjustment to milestones, there are no active milestones this year for this condition.</p>
<b>Status</b>	<b>On target</b> (reflecting the adjustment to the timelines for the milestones).
<b>Additional information</b>	<p><u>Changes undertaken at Year 2</u></p> <p><u>Milestones Associated with New Stock Assessments on Dolphin Populations</u></p>

<sup>19</sup> <https://cert.msc.org/FileLoader/FileLinkDownload.aspx/GetFile?encryptedKey=1Msjcxkx1eH5gXMQEmtkoZyvgKb/xnzqr4TWfZQaTlew1qZcTE3An4e1uL25dYnW>

<sup>20</sup> <https://cert.msc.org/FileLoader/FileLinkDownload.aspx/GetFile?encryptedKey=1Msjcxkx1eH5gXMQEmtkoZyvgKb/xnzqr4TWfZQaTlew1qZcTE3An4e1uL25dYnW>

Following the variation request that was accepted by the MSC, milestones **MI-DOL 4**, **MI-DOL 5**, **MI-DOL 6** and **MI-DOL 7** are rescinded, and revised milestones are set for this condition, as follows:

- **M-I revised 2** (Year 4 audit). Provide evidence demonstrating that one season of dolphin abundance surveys has been successfully executed, and that records as needed to generate the dolphin abundance estimates exist.
- **M-I revised 3** (Year 5 / Year 0 of new certificate if recertified). Provide the results of the dolphin abundance surveys and new dolphin population estimates for the Eastern Tropical Pacific Ocean.
- **M-I revised 4** (Year 6 / Year 1 of new certificate if recertified). Provide evidence of trends in dolphin populations which will provide evidence that:
  - 1) The effects of dolphin sets in the PAST fishery on dolphins are known and are highly likely to be within limits of national and international requirements for their protection,
  - 2) Direct effects of dolphin sets on dolphins have been considered and are known to be highly unlikely to create unacceptable impacts,
  - 3) The fishery does not hinder recovery of ETP species,
  - 4) There is a strategy in place for managing the fishery's impact on ETP species, if any, including measures to minimize mortality, which is designed to be highly likely to achieve national and international requirements for the protection of ETP species,
  - 5) There is an objective basis for confidence that the strategy will work,
  - 6) The strategy is being implemented successfully, and
  - 7) Information is sufficient to measure trends and support a full strategy to manage impacts on ETP species.

We note three issues:

- a) M-I revised 4 is similar to the old milestone M-I DOL 6, but the text 'or are not' (or 'or do not') is removed from sections 1, 2 and 3. This is because this text would allow the condition to be met without the SG80 requirement being met.
- b) Old milestone M-I DOL 6 included SG80 requirements from PI 2.3.1, PI 2.3.2 and PI 2.3.3, therefore addressing issues beyond this condition alone. However, in recognising the interconnected nature of Conditions 2-6, 2-7, 2-8, 2-9, 2-10 and 2-11, this wording is retained (except for the 'or are not' / 'or do not' text, as in part a), above).
- c) The components of old milestone M-I DOL 7 have not been incorporated into these revised milestones, because meeting M-I DOL 7 was contingent upon agreement on new DMLs being reached at the IATTC, which is not strictly necessary in this case because of the fishery-specific nature of the Principle 2 assessment (unlike the requirements for management in Principle 1, which are stock-wide). We consider that if milestone M-I revised 4 is met, then the SG80 requirement for PI2.3.3 Sib will also be met in full.

#### **Changes undertaken at Year 3 (correcting an absence of changes at year 2)**

##### **Milestones related to Mother-Calf Separation**

Reflecting the VR that was accepted last year, the existing M-II DOL milestones are moved forward by two years and are now 'revised'.

**M-II DOL revised B.2** (Year 4 audit). Provide evidence to the auditors that the research program is being implemented.



	<p><b>M-II DOL revised B.3</b> (Year 5 / Year 0 of new certificate if recertified). Provide evidence to the auditors of the preliminary findings and recommendations of the research program including determinations as to whether mother-calf separation is indeed occurring and in what order of magnitude, as well as if additional information is needed to expand the research program in order to ratify preliminary conclusions.</p> <p><b>M-II DOL revised B.4</b> (Year 6 / Year 1 of new certificate if recertified). Provide evidence that the preliminary results of the research program are being taken into consideration in the overall management objectives of the IATTC/AIDCP including their possible inclusion in the determination of the DMLs and stock/per-year mortality limits.</p> <p><b>M-II DOL revised B.5</b> (Year 6 / Year 1 of new certificate if recertified). Provide evidence to the auditor showing that the effects of the fishing operation on dolphins are known and are highly likely to be within limits of national and international requirements for their protection.</p> <p><b>M-II DOL revised B.6</b> (Year 6 / Year 1 of new certificate if recertified). Provide evidence to show that all observed and potential fishery effects are highly unlikely to create unacceptable impacts on ETP species and significantly curtail their reproductive rate.</p>
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### Condition 2-9 (PI 2.3.2 Slc – Dolphin sets)

<b>Performance Indicator</b>	PI 2.3.2, Slc
<b>Score</b>	65
<b>Justification</b>	<p><u>Dolphins:</u></p> <p>The reports provided by the IDCP (e.g. AIDCP 2014a) provide evidence that attention is paid to key aspects the strategy and that it is being successfully implemented. However, there is also evidence of a number of deficiencies in the strategy and its implementation which have been outlined in the background sections and in the rationale for Scoring Issue b above. In particular, these concern failures to address evidence of bias among observer programs and under-reporting of mortalities, and the likelihood of other unreported or unobserved mortality. These are likely sources of mortality that are not accounted for in the current reporting or allowed for in the setting of DMLs and constitute evidence that the strategy is not being implemented as successfully as indicated from the current reports. There is additional evidence that other dolphin protection measures- in this case net alignment- are not being implemented with complete success. Industry interviews indicated that there are shortcomings in procedures to ensure net alignment is checked regularly, and the team was not provided records of regular inspections of net alignment. The requirements of the SG 80 level are therefore not met.</p>
<b>Condition</b>	<p><u>Dolphins:</u></p> <p>By the <del>fourth</del> first year reassessment annual surveillance, provide evidence that the strategy is being implemented successfully.</p>
<b>Condition Start</b>	PCR
<b>Condition Deadline</b>	<del>fourth</del> first year reassessment annual surveillance
<b>Milestones</b>	<p><u>Milestones associated with Net Alignment</u></p> <p><b>M-III DOL A.1</b> By the first annual audit the Alliance will have designed the net alignment program that has been sanctioned by the IATTC and/or the National Observer program, containing a proposed schedule for all Alliance vessels to performed net alignments.</p>



	<p><b>M-III DOL A.2</b> By the second annual audit, the net alignment program should have commenced its implementation. The Alliance will provide the auditors with evidence that the program is progressing according to schedule.</p> <p><b>M-III DOL A.3</b> On the third and fourth annual audits, the Alliance will continue to provide evidence to the auditors that the net alignment program is been successfully implemented, and inform them of any deviations.</p> <p><u>Milestones associated with Consistency between IATTC Observer Program and National Observer Programs.</u></p> <p><b>M-III DOL B.1</b> For the first annual audit, the Alliance will provide evidence of all initiatives taken by the Alliance with respect to CONAPESCA, other IATTC members, NGOs and within the IATTC itself to introduce the proposed resolution.</p> <p><b>M-III DOL B.2</b> By the second annual audit, the Alliance will provide evidence that a Proposed Resolution has been introduced to the IATTC Commission, and will report on the status of such proposal.</p> <p><b>M-III DOL B.3</b> By the third annual audit, the Alliance will provide evidence that the Commission has approved the resolution calling for regular evaluations to ensure consistency between the observer programs.</p> <p><b>M-III DOL B.4</b> By the fourth annual audit, the Alliance will provide evidence that the approved resolution has been implemented by the IATTC and that the IATTC has conducted evaluations of the IATTC program and national observer programs to ensure they are consistent and that the strategy is being implemented successfully.</p> <p><u>Milestones related to Unaccounted/unobserved mortalities</u></p> <p><b>M-II DOL A.1</b> By the first audit, the auditors will select and interview a sample (series) of observers (statistically appropriate and with appropriate stratification of relevant factors e.g. national/IATTC program, experience etc.) to discuss issues related to unobserved dolphin mortalities. The CAB will provide all outputs from observer interviews (redacted as needed) into the annual surveillance report. The client will provide all data resulting from this action to the IATTC.</p> <p>All subsequent M-II clauses are to be considered, “If deemed necessary by SCS based on results from observer interviews.”</p> <p><b>M-II DOL A.2</b> By the second audit, the Alliance will provide additional evidence demonstrating the presence/absence of unobserved dolphin mortality at the relevant point of operations. All data resulting from this action will be provided to the IATTC for its potential inclusion into the determination of DMLs and/or possible modifications to fishing procedures.</p> <p><b>M-II DOL A.3</b> By the third audit, the Alliance will present verifiable evidence to conclude the presence/absence of un-observed dolphin mortality in fishing sets. All related data and results will be provided to the IATTC for their potential inclusion into the determination of DMLs.</p> <p><b>M-II DOL A.4</b> By the fourth audit, the Alliance will provide evidence that the results of the independent study are being used to inform the management of the fishery’s impact on dolphins and the determination of DMLs.</p> <p><b>M-II DOL A.5.</b> By the fourth audit, the Alliance will provide evidence that the effects of the fishing operations on dolphins are known and highly likely to be within the limits of national and international requirements for their protection.</p>
<b>Client Action Plan</b>	<p>Refer to the following section(s) of Client Action Plan in the PCR:</p> <p>The Alliance is committed to Implement Additional Measures to Minimize Impacts on Dolphins (See Section III Dolphin Action Plan)</p> <p>A. Proposed Action Plan on Net Alignment.</p> <p>Goal: To have the nets of the Alliance vessels aligned at least once a year to reduce the risk of “disaster sets” that would result in higher dolphin mortality.</p>

	<p>B. Proposed Action Plan on Consistency between IATTC Program and National Observer Programs.</p> <p>Goal: To have credible information resulting from the IATTC and National Observer programs through consistency in their data.</p> <p>A. Proposed Action Plan on Unaccounted/unobserved Mortalities</p> <p>Goal: Determine whether unobserved and/or unreported mortalities during fishing operations are occurring.</p>
<b>Consultation on condition</b>	<p>Letters of Support below from CONAPESCA and IATTC were provided to SCS Global Services as the fishery's Conformity Assessment Body (CAB) when the fishery was certified (Morgan et al. 2017).</p>
<b>Progress on Condition (Year 2)</b>	<p><u>Milestones associated with Net Alignment</u></p> <p><b>M-III DOL A.2</b></p> <p>The audit team was provided with a summary sheet confirming that all except three PAST vessels undertook a verification check for the presence of appropriate protective equipment and net alignment (configuration) during 2019. Evidence provided confirmed that, of the three remaining vessels, one suffered a major mechanical issue that put it out of service for several months, while the other two were requested alignment checks but for whatever reason these had not occurred.</p> <p>Overall, it is clear that the alignment program is progressing to schedule and this milestone is met.</p> <p><u>Milestones associated with Consistency between IATTC Observer Program and National Observer Programs.</u></p> <p><b>M-III DOL B.2</b></p> <p>We note the 'goal' of this part of the condition was listed as: "To have credible information resulting from the IATTC and National Observer programs through consistency in their data" (as listed in the original condition in Morgan et al. 2017). In this regard, the audit team discussed the Mexican national observer programme with observers and managers from the (FIDEMAR) and the management, compliance and inspection bodies (CONAPESCA, CONANP and PROFEPA) and with the IATTC. It was commented that the training, documentation and debriefing processes undertaken by national or IATTC observers are the same, and that the two programs work together closely to ensure consistency. 100% of PAST trips are observed and the split is almost exactly 50:50 between the Mexican national and IATTC programs, with the observers assigned randomly. All observer data are submitted direct to the IATTC, before being returned to Mexico, so there is no opportunity to filter or modify the data in any way.</p> <p>The audit team was also provided with a copy of Dreyfus-Leon &amp; Solana-Arellano 2019, which is a comparative statistical analysis of incidental dolphin mortality during fishing trips of the Mexican purse seine tuna fishery in the Eastern Pacific Ocean recorded by the national and IATTC scientific observer programs. This analysis concluded that there was a very low probability of differences for the estimated dolphin bycatch rate between both programs.</p> <p>Importantly, in considering the scope of Principle 2 and PI 2.3.2 (i.e. "<i>The fishery has in place precautionary management strategies...</i>"), we see no justification or warrant in requiring the PAST client to seek evaluations of the national observer programs of countries other than Mexico – whilst this may well be a laudable objective, it comprises a considerable overreach within the context of a Principle 2 condition and we consider it to be unprecedented for an MSC fishery.</p> <p>However, whilst noting the evidence presented this year in Dreyfus-Leon &amp; Solana-Arellano 2019, we nevertheless consider that an independent evaluation of the IATTC program and the Mexican national observer program to ensure they are consistent and that the strategy is being implemented successfully is warranted. As such, we have marked this part of the condition as 'behind target' and set new milestones that are appropriate to the assessment of</p>

	<p>the PAST fishery against the scoring guideposts of PI2.3.2. Please see the additional information section below for more details.</p> <p><u>Milestones related to Unaccounted/unobserved mortalities</u></p> <p><b>M-II DOL A.2</b></p> <p>The audit team for the Year 2 audit interviewed observers and managers from the Mexican national observer programme (FIDEMAR) and related management and compliance bodies (CONAPESCA, CONANP and PROFEPA). The observers were quizzed in detail about their roles; they noted that they took up positions on the vessels during different stages of the fishing process, including on the helicopter pads (which are required to be unobstructed and offer an all-round view), specifically to maximise their ability to monitor potential interactions with dolphins. The observers also noted that they were very familiar with the activity patterns of the fishermen and were confident that they would be able to discern if something abnormal was occurring, specifically if an attempt was being made to remove a dead dolphin from a net surreptitiously.</p> <p>Senior representatives of the PAST fleet also noted that divers working inside the net to release dolphins or other animals would not cut the meshes deliberately to release a dolphin underwater in order to avoid it being counted towards a DML. It was reported that this was because, if cut, the pressure on the net generated during active fishing operations could result in the meshes splitting and the tuna catch being lost. It was also noted that the individual vessel and total DMLs are not close to being exceeded (for 2019, total mortality for all fleets was estimated to be 778 animals (i.e., 15.6% of the DML), of which the PAST fleet accounted for 530 animals (10.6%) – Table 10), and so there is no requirement or significant incentive to hide or disguise dolphin mortalities where they did occur.</p> <p>Although the estimates of population size for the different dolphin populations are dated, AIDCP 2020 provided a summary estimate of relative total mortality (all fleets) compared to those best population estimates; for 2019, the highest relative mortality rate estimate was for the Eastern spinner dolphin at 0.03% (Table 11) this is &lt;1% of the established default maximum expected rate of population increase (Rmax) for small cetacean species of 4% as calculated by Wade (1998).</p> <p>The audit team is now entirely satisfied on the basis of the new information collected at this and the last audit that there is no underlying, fundamental or systematic issue from unaccounted / unobserved mortality associated with fishing operations; As such, and noting the conclusion from the previous audit (undertaken by a different CAB and audit team) that there is no merit in creating an independently verifiable mechanism, we assess that there is no justification in further pursuing this or related M-II DOL A milestones. As such, in accordance with the note in milestone M-II DOL A.1 that “<i>All subsequent M-II clauses are to be considered, “If deemed necessary by SCS based on results from observer interviews”</i>” and on the basis of the new information presented, we consider the intent of milestone M-II DOL A.2 to be met, and for milestones M-II DOL A.3, A.4 and A.5 to be unwarranted; we therefore we close this part of the condition. Please see the ‘other information’ box below for more information.</p>
<p><b>Progress on Condition (Year 3)</b></p>	<p>PI 2.3.2 is a management PI, and therefore Condition 2-9 <u>is</u> eligible for an extension under Derogation 6. Therefore, the Year 3 milestones are not effective this year. Nevertheless, progress is noted against the Year 3 milestones, and the status as indicated in the following section reflects the status after considering any progress.</p> <p><u>Milestones associated with Net Alignment</u></p> <p><b>M-III DOL A.3</b></p> <p>The audit team was provided with a summary sheet confirming that twelve PAST vessels undertook a verification check for the presence of appropriate protective equipment for dolphins and net alignment (configuration) during 2020, with a further 18 undergoing checks</p>

	<p>in 2021 (to date). As was determined at the last audit, it is clear that the alignment program is progressing to schedule and this milestone is met.</p> <p><u>Milestones associated with Consistency between IATTC Observer Program and National Observer Programs.</u></p> <p><b>M-III revised 3</b></p> <p>At the year 3 audit, the Client presented a terms of reference for a project to evaluate the IATTAC and Mexican national observer programmes (PAST 2021ba). The particular objectives included to:</p> <ul style="list-style-type: none"> <li>• Determine the performance, effectiveness and operational efficiency of the Mexican national observer programme on board Mexican tuna vessels operating in the Eastern Pacific Ocean.</li> <li>• Determine the operational consistency of the Mexican national observer programme in relation to the international observer standards established within the AIDCP and operated at the IATTC.</li> <li>• Determine the practices associated with observing and reporting interactions with dolphins in the Mexican national observer programme in comparison to the IATTC observer programme.</li> </ul> <p>Following publication of the terms of reference, Empresa Sistemas y Servicios Ambientales, SA de CV (SISA) submitted a proposal in June 2021 that was accepted. The SISA consultants have experience of working with observer programmes and the Mexican tuna fishery, and appear to be well-qualified to undertake the work. It is considered that this milestone is met.</p>
<b>Status</b>	<p>The data and other information presented to the audit team show that the year 3 milestones for this condition have been met.</p> <p><b>Ahead of target</b> (reflecting that there are no milestones this year under Derogation 6).</p>
<b>Additional information</b>	<p><u>Changes undertaken at Year 2</u></p> <p><u>Milestones associated with Consistency between IATTC Observer Program and National Observer Programs</u></p> <p>Milestones <b>M-III DOL B.3</b> and <b>M-III DOL B.4</b> are rescinded, and revised milestones are set for this condition, as follows:</p> <ul style="list-style-type: none"> <li>• <b>M-III revised 3</b> (Year 3 audit). Present a plan and provide evidence that a suitably qualified independent party has been identified to undertake a review of the Mexican national observer program to ensure it is consistent in scope and implementation to the IATTC program, in general but also specifically with respect to the practices associated with the observation and reporting of dolphin interactions.</li> <li>• <b>M-III revised 4</b> (Year 4 audit). Provide evidence demonstrating that a credible independent evaluation of the Mexican national observer program has been undertaken to ensure it is consistent with the IATTC program and that the strategy is being implemented successfully.</li> </ul> <p><u>Changes undertaken at Year 3</u></p> <p>Condition 2-9 was set as a four-year condition, but is eligible for an extension under Derogation 6<sup>21</sup>. Following interpretation<sup>22</sup>, a revised timeline is set for this Condition to close in year 1 of a new certificate, assuming the fishery is recertified.</p>

<sup>21</sup> <https://www.msc.org/docs/default-source/default-document-library/for-business/program-documents/chain-of-custody-supporting-documents/msc-derogation-6-covid-19-fishery-conditions-extension.pdf>

<sup>22</sup> <https://mscportal.force.com/interpret/s/article/Derogation-6-Covid-19-Fishery-Conditions-Extension>

	All Year 3 milestones will be repeated at the Year 4 audit, and progress against the Year 4 milestones will then be considered at the Year 1 audit of a new certificate.
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**Condition 2-10 (PI 2.3.3 Sla – Dolphin sets)**

<b>Performance Indicator</b>	2.3.3, Sla
<b>Score</b>	65
<b>Justification</b>	<p><u>Dolphins:</u></p> <p>The information collected by the IATTC and national observer programs is routinely used to quantitatively estimate the level of direct fishery related mortality and to set DMLs. The level of unobserved mortalities of separated calves has also been estimated as being up to 15% for spotted dolphins (Reilly et al. 2005). More recently, however, there has been additional evidence provided about declines in reproductive output in response to fishing effort (Cramer et al. 2008) and a range of studies suggesting plausible reasons why such fishery effects may be preventing rebuilding of dolphin stocks (see references in Restrepo 2012). Population level effects of these proposed effects are not available.</p> <p>As noted under 2.3.1, however, there are also uncertainties concerning a range of matters, including the potential for unobserved mortalities and stress effects on reproductive output, which result in divergent scientific views about the reliability of current quantitative estimates of fishery impacts. The assessment team has considered these to be credible concerns, supported by some evidence and therefore formed the view that the full impact of fishing is currently not able to be estimated quantitatively.</p> <p>This meets the requirements of the SG 60 level but not of the SG 80 level.</p>
<b>Condition</b>	<p><u>Dolphins:</u></p> <p>By the <del>fourth</del> first year reassessment annual surveillance, provide evidence to show that sufficient information is available from dolphin sets to allow fishery related mortality and the impact of fishing to be quantitatively estimated for dolphins.</p>
<b>Condition Start</b>	PCR
<b>Condition Deadline</b>	<del>fourth</del> first year reassessment annual surveillance
<b>Milestones</b>	<p><u>Milestones Associated with New Stock Assessments on Dolphin Populations</u></p> <p><b>M-I DOL 1</b> Written support for surveys: By the first annual audit, the Alliance will 1) solicit support for new assessments of dolphin abundance, with the capacity to produce meaningful trends in abundance (calibrated in a fashion considered acceptable by leading international scientists, such that historical data can be connected to new data to create population trajectories<sup>9</sup>), from IATTC members and NGOS actively participating in the fishery, and 2) provide representative evidence of the communications and initiatives undertaken before the IATTC, its members, and NGOs regarding these efforts, including letters of support and/or agreements reached towards this goal.</p> <p><b>M-I DOL 2a</b> Outputs from abundance workshop: By the first annual audit, the Alliance will provide a link at the IATTC where all pertinent documentation and deliverables resulting from the IATTC workshop held in October 2016 (and co-financed by the Alliance) are stored including agreed-upon next steps toward ensuring that the dolphin survey is completed within three years of the issuance of the MSC certificate.<sup>10</sup></p> <p><b>M-I DOL 2b</b> Confirmation of basic methods: By the first annual audit, the Alliance will provide written evidence describing decisions that have been taken defining the general design and methodology for the dolphin surveys, including rationale for why the selected methods were</p>

	<p>prioritized over other methods and who (name, affiliation) was involved in the decision-making. The survey will be designed and implemented by the IATTC in coordination with knowledgeable scientists, including those outside of governments, based on best available science, comparable with the previous series of surveys ending in 2006, and as possible, noting the challenge that NOAA has yet to release raw data from the surveys.</p> <p><b>M-I DOL 2c</b> Confirmation of basic budget: By the first annual audit, the Alliance will provide funds to the IATTC to contract a full-time scientist to lead the scientific working group and to support the funding working group, in order to begin conducting surveys after the second annual audit.</p> <p><b>M-I DOL 2d</b> Agreement with IATTC: By the first annual audit, the Alliance will provide a copy of the notarized binding agreement that was made with IATTC upon certification that outlines an in-kind contribution in the form of two tuna vessels or one tuna vessel and one oceanographic vessel, including all supplies, crew time, and fuel needed to conduct line transect studies that are designed by lead scientists managed by the IATTC. The Alliance will also provide evidence of fundraising efforts (e.g. letters of inquiry, letters of commitment, etc.) to demonstrate that the activities are at least partially funded by interested parties and that funding is being secured.</p> <p><b>M-I DOL 3a</b> Convening of working groups: By the first annual audit, the Alliance will provide evidence of the convening of the “funding working group” and the “scientific working group,” including evidence of the identification of roles and responsibilities within each group.</p> <p><b>M-I DOL 3b</b> Confirmation of detailed methods: By the second annual audit, the Alliance will provide written evidence describing decisions that have been made defining the specific design and methodology for the dolphin surveys, including a description of how quantitative data will be generated, in what format and how data management will proceed.</p> <p><b>M-I DOL 3c</b> Confirmation of logistic preparations: By the second annual audit, the Alliance will provide a detailed budget of items needed to begin conducting surveys immediately after the second annual audit, with evidence (e.g. receipts, records) that the resources required to implement the surveys are financed/purchased in order to mobilize surveys within 3-6 months after the audit.</p> <p><b>M-I DOL 4</b> By the second annual audit, the Alliance will provide any available evidence demonstrating the commitments of all the parties and the expected timing for commencing the scientific research program, including the identification of the responsible entity charged with implementing the program, as well as the status of funding achieved to support the program, including any deviation from the proposed program initiation, scheduled by the fall of 2018.</p> <p><b>M-I DOL 5</b> Analysis of surveys and new population estimates: By the fourth annual audit, the Alliance will provide the auditors with the results of the dolphin abundance surveys and new dolphin population estimates for the ETPO.</p> <p><b>M-I DOL 6.</b> Current abundances support that mortality is within defined limits, and do not create unacceptable population impacts or impede recovery: By the fourth annual audit, the Alliance will provide evidence of trends in dolphin populations which will continue to provide evidence that:</p> <ol style="list-style-type: none"> <li>1) The effects of dolphin sets in the fishery on dolphins are known and are or are not highly likely to be within limits of national and international requirements for their protection,</li> <li>2) Direct effects of dolphin sets on dolphins have been considered and are or are not known to be highly unlikely to create unacceptable impacts,</li> <li>3) The fishery does or does not hinder recovery of ETP species,</li> <li>4) There is a strategy in place for managing the fishery’s impact on ETP species, if any, including measures to minimize mortality, which is designed to be highly likely to achieve national and international requirements for the protection of ETP species,</li> <li>5) There is an objective basis for confidence that the strategy will work,</li> <li>6) The strategy is being implemented successfully, and</li> </ol>
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	<p>7) Information is sufficient to measure trends and support a full strategy to manage impacts on ETP species.</p> <p><b>M-I DOL 7</b> Surveys inform DMLs: By the fourth annual audit, the Alliance will provide evidence that the IATTC has survey results and that there is evidence demonstrating how these data have been used for the determination of DMLs for the fishery to continue to ensure that the fishery does not hinder the protection and recovery of dolphin species.</p> <p><u>Milestones related to Mother-Calf Separation</u></p> <p><b>M-II DOL B.1</b> By the first annual audit, the Alliance will provide evidence that shows that a research program has been designed in coordination with the IATTC scientific staff to be implemented during the first year of certification</p> <p><b>M-II DOL B.2</b> By the second annual audit, the Alliance will provide evidence to the auditors that the research program is being implemented.</p> <p><b>M-II DOL B.3</b> By the third annual audit, the Alliance will provide evidence to the auditors of the preliminary findings and recommendations of the research program including determinations as to whether mother-calf separation is indeed occurring and in what order of magnitude, as well as if additional information is needed to expand the research program in order to ratify preliminary conclusions.</p> <p><b>M-II DOL B.4</b> By the fourth annual audit, the Alliance will provide evidence that the preliminary results of the research program are been taken into consideration in the overall management objectives of the IATTC/AIDCP including their possible inclusion in the determination of the DMLs and stock/per-year mortality limits.</p> <p><b>M-II DOL B.5</b> By the fourth annual audit, the Alliance will provide evidence to the auditor showing that the effects of the fishing operation on dolphins are known and are highly likely to be within limits of national and international requirements for their protection.</p> <p><b>M-II DOL B.6</b> By the fourth annual audit, the Alliance will provide evidence to show that all observed and potential fishery effects are highly unlikely to create unacceptable impacts on ETP species and significantly curtail their reproductive rate.</p> <p><u>Milestones related to Unaccounted/unobserved mortalities</u></p> <p><b>M-II DOL A.1</b> By the first audit, the auditors will select and interview a sample (series) of observers (statistically appropriate and with appropriate stratification of relevant factors e.g. national/IATTC program, experience etc.) to discuss issues related to unobserved dolphin mortalities. The CAB will provide all outputs from observer interviews (redacted as needed) into the annual surveillance report. The client will provide all data resulting from this action to the IATTC.</p> <p>All subsequent M-II clauses are to be considered, "If deemed necessary by SCS based on results from observer interviews."</p> <p><b>M-II DOL A.2</b> By the second audit, the Alliance will provide additional evidence demonstrating the presence/absence of unobserved dolphin mortality at the relevant point of operations. All data resulting from this action will be provided to the IATTC for its potential inclusion into the determination of DMLs and/or possible modifications to fishing procedures.</p> <p><b>M-II DOL A.3</b> By the third audit, the Alliance will present verifiable evidence to conclude the presence/absence of un-observed dolphin mortality in fishing sets. All related data and results will be provided to the IATTC for their potential inclusion into the determination of DMLs.</p> <p><b>M-II DOL A.4</b> By the fourth audit, the Alliance will provide evidence that the results of the independent study are being used to inform the management of the fishery's impact on dolphins and the determination of DMLs.</p> <p><b>M-II DOL A.5.</b> By the fourth audit, the Alliance will provide evidence that the effects of the fishing operations on dolphins are known and highly likely to be within the limits of national and international requirements for their protection.</p>
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<b>Client Action Plan</b>	<p>Refer to the following section(s) of Client Action Plan in the PCR:</p> <p>Research to Arrive at New Dolphin Population Estimates in the Eastern Tropical Pacific Ocean (ETPO)</p> <p>Section I. Commitments to Support/Catalyze Research for New Estimates of Dolphin Populations</p> <p>Goal: The main objective of this research is to arrive at dolphin populations estimates for the ETPO by the year 2020.</p> <p>The Alliance is committed to conduct research on Direct and Indirect Impacts (See Section II Dolphin Action Plan for details)</p> <p>B. Proposed Action Plan on Mother-Calf Separation</p> <p>Goal: To determine whether mother and calves get separated during the follow up, catch and release phase of the fishing operation.</p> <p>A. Proposed Action Plan on Unaccounted/unobserved Mortalities</p> <p>Goal: Determine whether unobserved and/or unreported mortalities during fishing operations are occurring.</p>
<b>Consultation on condition</b>	<p>Letters of Support below from CONAPESCA and IATTC were provided to SCS Global Services as the fishery's Conformity Assessment Body (CAB) when the fishery was certified (Morgan et al. 2017).</p>
<b>Progress on Condition (Year 2)</b>	<p><u>Milestones Associated with New Stock Assessments on Dolphin Populations</u></p> <p><b>M-I DOL 3b, M-I DOL 3c</b></p> <p>Progress made against the plan to produce abundance estimates for dolphin species in the Eastern Tropical Pacific Ocean was a key area of interest at the Year 2 audit. A research plan (AIDCP 2019b) was developed to address key limitations of previous studies, as discussed in the introduction in Section 3.4.4, a 14 day trial cruise was undertaken in November 2019 aboard the Mexican research vessel Dr Jorge Carranza Fraser, provided by INAPESCA for the project. Several components of the research plan were tested during the trial survey cruise, including the ability to use the Dr. Jorge Carranza Fraser as a survey platform, and the ability to use drones to detect dolphin schools directly ahead of the survey vessel to assess trackline detection probability (<math>g(0)</math>), and to collect data on the dolphin school size and species composition using the video footage and a machine-learning algorithm to calibrate estimates made by the ship-based observers.</p> <p>A cruise report was made available to the audit team (Oedekoven et al. 2020); it was reported that while the Dr. Jorge Carranza Fraser was proven to be appropriate for undertaking the work, contrary to the methodological requirements the drones employed for the survey were not able to provide sufficient endurance, camera image resolution was too low, transmitted video footage was of insufficient quality due to compression and other issues, and there was no on-board back-up video storage capability. Further, one drone was lost and only one pilot was able to fly the drones successfully. Together, these issues meant that whilst some calibration of trackline detection and counts by species could occur, the test was not sufficiently successful to confirm the feasibility of the methodology for undertaking a full survey (120 days).</p> <p>A further sea trial was proposed by the survey project team, using a different drone-camera system to provide improved image resolution and endurance capabilities (Oedekoven et al. 2020). However, this is not currently possible because the research vessel cannot sail due to the limitations posed by Covid-19, as well as because funding additional survey time to test a different, still untested drone-camera system requires careful consideration and agreement, which is challenging or impossible in the current environment.</p> <p>The CAB considers that the client has clearly made considerable efforts to undertake the study, even if the trial cruise was not a resounding success. Unfortunately, the delay in progressing the work has the potential to impact upon the successful completion of Conditions 2-6, 2-7,</p>

2-8, 2-10 and 2-11. A variation request was submitted to the MSC<sup>23</sup>, seeking an additional two years to meet the conditions, however, and this was accepted. As such, this condition is extended and new milestones are set, as indicated in the 'Additional Information' section, below.

#### Milestones related to Mother-Calf Separation

##### **M-II DOL B.2**

PAST has looked into options to fund the work on mother-calf separation as identified in AIDCP 2018b, including potentially through applying to the MSC's Ocean Stewardship Fund. However, the audit team understands that PAST has been focused heavily on achieving the milestones around the estimation of dolphin population abundance and, as a result, there has been no substantive progress against this milestone this year.

#### Milestones related to Unaccounted/unobserved mortalities

##### **M-II DOL A.2**

The audit team for the Year 2 audit interviewed observers and managers from the Mexican national observer programme (FIDEMAR) and related management and compliance bodies (CONAPESCA, CONANP and PROFEPA). The observers were quizzed in detail about their roles; they noted that they took up positions on the vessels during different stages of the fishing process, including on the helicopter pads (which are required to be unobstructed and offer an all-round view), specifically to maximise their ability to monitor potential interactions with dolphins. The observers also noted that they were very familiar with the activity patterns of the fishermen and were confident that they would be able to discern if something abnormal was occurring, specifically if an attempt was being made to remove a dead dolphin from a net surreptitiously.

Senior representatives of the PAST fleet also noted that divers working inside the net to release dolphins or other animals would not cut the meshes deliberately to release a dolphin underwater in order to avoid it being counted towards a DML. It was reported that this was because, if cut, the pressure on the net generated during active fishing operations could result in the meshes splitting and the tuna catch being lost. It was also noted that the individual vessel and total DMLs are not close to being exceeded (for 2019, total mortality for all fleets was estimated to be 778 animals (i.e., 15.6% of the DML), of which the PAST fleet accounted for 530 animals (10.6%) – Table 10), and so there is no requirement or significant incentive to hide or disguise dolphin mortalities where they did occur.

Although the estimates of population size for the different dolphin populations are dated, AIDCP 2020 provided a summary estimate of relative total mortality (all fleets) compared to those best population estimates; for 2019, the highest relative mortality rate estimate was for the Eastern spinner dolphin at 0.03% (Table 11); this is <1% of the established default maximum expected rate of population increase (Rmax) for small cetacean species of 4% as calculated by Wade (1998).

The audit team is now entirely satisfied on the basis of the new information collected at this and the last audit that there is no underlying, fundamental or systematic issue from unaccounted / unobserved mortality associated with fishing operations; As such, and noting the conclusion from the previous audit (undertaken by a different CAB and audit team) that there is no merit in creating an independently verifiable mechanism, we assess that there is no justification in further pursuing this or related M-II DOL A milestones. As such, in accordance with the note in milestone M-II DOL A.1 that *"All subsequent M-II clauses are to be considered, "If deemed necessary by SCS based on results from observer interviews"* and on the basis of the new information presented, we consider the intent of milestone M-II DOL A.2 to be met, and for milestones M-II DOL A.3, A.4 and A.5 to be unwarranted; we therefore we

<sup>23</sup> <https://cert.msc.org/FileLoader/FileLinkDownload.aspx/GetFile?encryptedKey=1Msjcxkx1eH5gXMQEmtkoZyvgKb/xnzqr4TWfZQaTlew1qZcTE3An4e1uL25dYnW>

	close this part of the condition. Please see the 'other information' box below for more information.
<b>Progress on Condition (Year 3)</b>	<p>PI 2.3.3 is an information PI, and therefore Condition 2-10 <u>is</u> eligible for an extension under Derogation 6. However, the milestones for this PI are identical to those provided originally for Conditions 2-6 and 2-7, which are on the outcome PI 2.3.1, and which are therefore not eligible for the extension. Noting 7.28.16.4 (MSC 2020), there is no merit or value in extending the timeline for Condition 2-10 because the requisite work (i.e., leading to the completion of milestones M-I revised 4 and M-II DOL revised B.6) must be completed by the deadline for Conditions 2-6 and 2-7.</p> <p><u>Milestones Associated with New Stock Assessments on Dolphin Populations</u></p> <p><b>M-I revised 1</b></p> <p>The Condition 2-10 milestone for this part of the work to undertake a new stock assessment on dolphin populations is mirrored in Condition 2-11, but is not present in Conditions 2-6, 2-7 and 2-8. These milestones were extended under a VR submitted and accepted at the Year 2 audit<sup>24</sup>, but, as noted above, there is no merit or value in further extending the timeline for Conditions 2-10 (or 2-8 and 2-11) under Derogation 6 because the same milestones are not extended for Conditions 2-6 and 2-7.</p> <p>In a letter to PAST (IATTAC 2021b), the IATTC Temporary Director highlighted that there was a need to carry out a second trial study even before starting the main study, and that the work required external collaborators and the commitment of funds and other resources. The ongoing impact of Covid-19 was noted, however, and in particular the difficulties faced through the continuing absence of in-person meetings, travel restrictions for out-of-country collaborators, and because at-sea research work has been constrained greatly.</p> <p>Although the general approach to the second trial study and the main study are agreed and understood, and a costing estimate provided, the Audit Team is aware that there is no specific funding plan in place for the work. In the absence of <i>'an indication of how the project will be funded'</i>, it must be concluded that this milestone is not met.</p> <p><u>Milestones related to Mother-Calf Separation</u></p> <p>Last year the audit reported this part of the condition as being behind target. However, a Variation Request (VR) was submitted and granted that covered the entire condition. Not allowing additional time for the mother-calf separation work under the Condition was therefore an error that is required to be corrected at this audit.</p> <p>The client has continued to press for the mother-calf separation work to be undertaken through a request to the IATTC, but funding has not yet been agreed. However, on the basis that the Condition has been extended by two years under the VR, the Year 2 milestone is now effective for Year 4, and the Year 3 milestone for (Year 5 / Year 0 of new certificate if recertified), etc. Details of the revised milestones are provided in the 'Additional Information' section, below.</p> <p>Based on the adjustment to milestones, there are no active milestones this year for this part of the condition.</p>
<b>Status</b>	<b>Behind target</b> (reflecting the adjustment to the timelines for the milestones that was undertaken at the year 2 audit, and that milestone M-I revised 1 that was scheduled to be met this year was not met fully).
<b>Additional information</b>	<u><b>Changes undertaken at Year 2</b></u>

<sup>24</sup> <https://cert.msc.org/FileLoader/FileLinkDownload.aspx/GetFile?encryptedKey=1Msjcxkx1eH5gXMQEmtkoZyvgKb/xnzqr4TWfZQaTlew1qZcTE3An4e1uL25dYnW>

Milestones **M-I DOL 3b**, **M-I DOL 3c**, **MI-DOL 4**, **MI-DOL 5**, **MI-DOL 6** and **MI-DOL 7** are rescinded, and revised milestones are set for this condition, as follows:

- **M-I revised 1** (Year 3 audit). Present a revised plan as necessary to generate new abundance estimates for Eastern Tropical Pacific dolphin populations, together with an indication of how the project will be funded.
- **M-I revised 2** (Year 4 audit). Provide evidence demonstrating that one season of dolphin abundance surveys has been successfully executed, and that records as needed to generate the dolphin abundance estimates exist.
- **M-I revised 3** (Year 5 / Year 0 of new certificate if recertified). Provide the results of the dolphin abundance surveys and new dolphin population estimates for the Eastern Tropical Pacific Ocean.
- **M-I revised 4** (Year 6 / Year 1 of new certificate if recertified). Provide evidence of trends in dolphin populations which will provide evidence that:
  - 1) The effects of dolphin sets in the PAST fishery on dolphins are known and are highly likely to be within limits of national and international requirements for their protection,
  - 2) Direct effects of dolphin sets on dolphins have been considered and are known to be highly unlikely to create unacceptable impacts,
  - 3) The fishery does not hinder recovery of ETP species,
  - 4) There is a strategy in place for managing the fishery's impact on ETP species, if any, including measures to minimize mortality, which is designed to be highly likely to achieve national and international requirements for the protection of ETP species,
  - 5) There is an objective basis for confidence that the strategy will work,
  - 6) The strategy is being implemented successfully, and
  - 7) Information is sufficient to measure trends and support a full strategy to manage impacts on ETP species.

We note three issues:

- a) M-I revised 4 is similar to the old milestone M-I DOL 6, but the text 'or are not' (or 'or do not') is removed from sections 1, 2 and 3. This is because this text would allow the condition to be met without the SG80 requirement being met.
- b) Old milestone M-I DOL 6 included SG80 requirements from PI 2.3.1, PI 2.3.2 and PI 2.3.3, therefore addressing issues beyond this condition alone. However, in recognising the interconnected nature of Conditions 2-6, 2-7, 2-8, 2-9, 2-10 and 2-11, this wording is retained (except for the 'or are not' / 'or do not' text, as in part a), above).
- c) The components of old milestone M-I DOL 7 have not been incorporated into these revised milestones, because meeting M-I DOL 7 was contingent upon agreement on new DMLs being reached at the IATTC, which is not strictly necessary in this case because of the fishery-specific nature of the Principle 2 assessment (unlike the requirements for management in Principle 1, which are stock-wide). We consider that if milestone M-I revised 4 is met, then the SG80 requirement for PI2.3.3 Sib will also be met in full.

### Changes undertaken at Year 3

#### Milestones related to Mother-Calf Separation

Reflecting the VR that was accepted last year, the existing M-II DOL milestones are moved forward by two years and are now 'revised'.

	<p><b>M-II DOL revised B.2</b> (Year 4 audit). Provide evidence to the auditors that the research program is being implemented.</p> <p><b>M-II DOL revised B.3</b> (Year 5 / Year 0 of new certificate if recertified). Provide evidence to the auditors of the preliminary findings and recommendations of the research program including determinations as to whether mother-calf separation is indeed occurring and in what order of magnitude, as well as if additional information is needed to expand the research program in order to ratify preliminary conclusions.</p> <p><b>M-II DOL revised B.4</b> (Year 6 / Year 1 of new certificate if recertified). Provide evidence that the preliminary results of the research program are been taken into consideration in the overall management objectives of the IATTC/AIDCP including their possible inclusion in the determination of the DMLs and stock/per-year mortality limits.</p> <p><b>M-II DOL revised B.5</b> (Year 6 / Year 1 of new certificate if recertified). Provide evidence to the auditor showing that the effects of the fishing operation on dolphins are known and are highly likely to be within limits of national and international requirements for their protection.</p> <p><b>M-II DOL revised B.6</b> (Year 6 / Year 1 of new certificate if recertified). Provide evidence to show that all observed and potential fishery effects are highly unlikely to create unacceptable impacts on ETP species and significantly curtail their reproductive rate.</p>
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#### Condition 2-11 (PI 2.3.3 Sib – Dolphin sets)

<b>Performance Indicator</b>	2.3.3, Sib
<b>Score</b>	65
<b>Justification</b>	<p><u>Dolphins:</u></p> <p>The information collected by observers on dolphin mortalities is sufficient to meet the requirements for a broad understanding of impacts as needed to meet the SG 60 level.</p> <p>The data collected, however, have not been sufficient to allow a resolution of the long-standing concerns about an apparent failure of dolphin populations to recover as some have expected they should, once fishery-related mortalities were reduced. There are a range of reasons why this remains an issue, which are described in the background section ‘Status of Dolphin Populations’ but the ongoing nature of the scientific debate is itself evidence that the information collected has not been sufficient to determine whether the fishery remains a threat to protection and recovery of dolphin populations. The requirements of the SG 80 level are therefore not met.</p>
<b>Condition</b>	<p><u>Dolphins:</u></p> <p>By the <del>fourth</del> first year reassessment annual surveillance, provide evidence to show that information from dolphin sets is sufficient to determine whether the fishery may be a threat to protection and recovery of dolphins.</p>
<b>Condition Start</b>	PCR
<b>Condition Deadline</b>	<del>fourth</del> first year reassessment annual surveillance
<b>Milestones</b>	<p><u>Milestones Associated with New Stock Assessments on Dolphin Populations</u></p> <p><b>M-I DOL 1</b> Written support for surveys: By the first annual audit, the Alliance will 1) solicit support for new assessments of dolphin abundance, with the capacity to produce meaningful trends in abundance (calibrated in a fashion considered acceptable by leading international scientists, such that historical data can be connected to new data to create population</p>

	<p>trajectories<sup>11</sup>), from IATTC members and NGOs actively participating in the fishery, and 2) provide representative evidence of the communications and initiatives undertaken before the IATTC, its members, and NGOs regarding these efforts, including letters of support and/or agreements reached towards this goal.</p> <p><b>M-I DOL 2</b> M-I DOL 2a Outputs from abundance workshop: By the first annual audit, the Alliance will provide a link at the IATTC where all pertinent documentation and deliverables resulting from the IATTC workshop held in October 2016 (and co-financed by the Alliance) are stored including agreed-upon next steps toward ensuring that the dolphin survey is completed within three years of the issuance of the MSC certificate.<sup>12</sup></p> <p><b>M-I DOL 2b</b> Confirmation of basic methods: By the first annual audit, the Alliance will provide written evidence describing decisions that have been taken defining the general design and methodology for the dolphin surveys, including rationale for why the selected methods were prioritized over other methods and who (name, affiliation) was involved in the decision-making. The survey will be designed and implemented by the IATTC in coordination with knowledgeable scientists, including those outside of governments, based on best available science, comparable with the previous series of surveys ending in 2006, and as possible, noting the challenge that NOAA has yet to release raw data from the surveys.</p> <p><b>M-I DOL 2c</b> Confirmation of basic budget: By the first annual audit, the Alliance will provide funds to the IATTC to contract a full-time scientist to lead the scientific working group and to support the funding working group, in order to begin conducting surveys after the second annual audit.</p> <p><b>M-I DOL 2d</b> Agreement with IATTC: By the first annual audit, the Alliance will provide a copy of the notarized binding agreement that was made with IATTC upon certification that outlines an in-kind contribution in the form of two tuna vessels or one tuna vessel and one oceanographic vessel, including all supplies, crew time, and fuel needed to conduct line transect studies that are designed by lead scientists managed by the IATTC. The Alliance will also provide evidence of fundraising efforts (e.g. letters of inquiry, letters of commitment, etc.) to demonstrate that the activities are at least partially funded by interested parties and that funding is being secured.</p> <p><b>M-I DOL 3a</b> Convening of working groups: By the first annual audit, the Alliance will provide evidence of the convening of the “funding working group” and the “scientific working group,” including evidence of the identification of roles and responsibilities within each group.</p> <p><b>M-I DOL 3b</b> Confirmation of detailed methods: By the second annual audit, the Alliance will provide written evidence describing decisions that have been made defining the specific design and methodology for the dolphin surveys, including a description of how quantitative data will be generated, in what format and how data management will proceed.</p> <p><b>M-I DOL 3c</b> Confirmation of logistic preparations: By the second annual audit, the Alliance will provide a detailed budget of items needed to begin conducting surveys immediately after the second annual audit, with evidence (e.g. receipts, records) that the resources required to implement the surveys are financed/purchased in order to mobilize surveys within 3-6 months after the audit</p> <p><b>M-I DOL 4</b> Survey completed: By the third annual audit, the Alliance will provide evidence demonstrating that one season of dolphin abundance surveys has been successfully executed, and that all associated records exist.</p> <p><b>M-I DOL 5</b> Analysis of surveys and new population estimates: By the fourth annual audit, the Alliance will provide the auditors with the results of the dolphin abundance surveys and new dolphin population estimates for the ETPO.</p> <p><b>M-I DOL 6.</b> Current abundances support that mortality is within defined limits, and do not create unacceptable population impacts or impede recovery: By the fourth annual audit, the Alliance will provide evidence of trends in dolphin populations which will continue to provide evidence that:</p> <ol style="list-style-type: none"> <li>1) The effects of dolphin sets in the fishery on dolphins are known and are or are not highly likely to be within limits of national and international requirements for their protection,</li> </ol>
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	<p>2) Direct effects of dolphin sets on dolphins have been considered and are or are not known to be highly unlikely to create unacceptable impacts,</p> <p>3) The fishery does or does not hinder recovery of ETP species,</p> <p>4) There is a strategy in place for managing the fishery's impact on ETP species, if any, including measures to minimize mortality, which is designed to be highly likely to achieve national and international requirements for the protection of ETP species,</p> <p>5) There is an objective basis for confidence that the strategy will work,</p> <p>6) The strategy is being implemented successfully, and</p> <p>7) Information is sufficient to measure trends and support a full strategy to manage impacts on ETP species.</p> <p><b>M-I DOL 7</b> Surveys inform DMLs: By the fourth annual audit, the Alliance will provide evidence that the IATTC has survey results and that there is evidence demonstrating how these data have been used for the determination of DMLs for the fishery to continue to ensure that the fishery does not hinder the protection and recovery of dolphin species.</p>
<b>Client Action Plan</b>	<p>Refer to the following section(s) of Client Action Plan in the PCR:</p> <p>Research to Arrive at New Dolphin Population Estimates in the Eastern Tropical Pacific Ocean (ETPO)</p> <p>Section I. Commitments to Support/Catalyze Research for New Estimates of Dolphin Populations</p> <p>Goal: The main objective of this research is to arrive at dolphin populations estimates for the ETPO by the year 2020.</p>
<b>Consultation on condition</b>	<p>Letters of Support below from CONAPESCA and IATTC were provided to SCS Global Services as the fishery's Conformity Assessment Body (CAB) when the fishery was certified (Morgan et al. 2017).</p>
<b>Progress on Condition (Year 2)</b>	<p><u>Milestones Associated with New Stock Assessments on Dolphin Populations</u></p> <p><b>M-I DOL 3b, M-I DOL 3c</b></p> <p>Progress made against the plan to produce abundance estimates for dolphin species in the Eastern Tropical Pacific Ocean was a key area of interest at the Year 2 audit. A research plan (AIDCP 2019b) was developed to address key limitations of previous studies, as discussed in the introduction at Section 0, and a 14 day trial cruise was undertaken in November 2019 aboard the Mexican research vessel Dr Jorge Carranza Fraser, provided by INAPESCA for the project. Several components of the research plan were tested during the trial survey cruise, including the ability to use the Dr. Jorge Carranza Fraser as a survey platform, and the ability to use drones to detect dolphin schools directly ahead of the survey vessel to assess trackline detection probability (<math>g(0)</math>), and to collect data on the dolphin school size and species composition using the video footage and a machine-learning algorithm to calibrate estimates made by the ship-based observers.</p> <p>A cruise report was made available to the audit team (Oedekoven et al. 2020); it was reported that while the Dr. Jorge Carranza Fraser was proven to be appropriate for undertaking the work, contrary to the methodological requirements the drones employed for the survey were not able to provide sufficient endurance, camera image resolution was too low, transmitted video footage was of insufficient quality due to compression and other issues, and there was no on-board back-up video storage capability. Further, one drone was lost and only one pilot was able to fly the drones successfully. Together, these issues meant that whilst some calibration of trackline detection and counts by species could occur, the test was not sufficiently successful to confirm the feasibility of the methodology for undertaking a full survey (120 days).</p> <p>A further sea trial was proposed by the survey project team, using a different drone-camera system to provide improved image resolution and endurance capabilities (Oedekoven et al. 2020). However, this is not currently possible because the research vessel cannot sail due to the limitations posed by Covid-19, as well as because funding additional survey time to test a</p>



	<p>different, still untested drone-camera system requires careful consideration and agreement, which is challenging or impossible in the current environment.</p> <p>The CAB considers that the client has clearly made considerable efforts to undertake the study, even if the trial cruise was not a resounding success. Unfortunately, the delay in progressing the work has the potential to impact upon the successful completion of Conditions 2-6, 2-7, 2-8, 2-10 and 2-11. A variation request was submitted to the MSC<sup>25</sup>, seeking an additional two years to meet the conditions, however, and this was accepted. As such, this condition is extended and new milestones are set, as indicated in the 'Additional Information' section, below.</p>
<b>Progress on Condition (Year 3)</b>	<p>PI 2.3.3 is an information PI, and therefore Condition 2-11 <u>is</u> eligible for an extension under Derogation 6. However, the milestones for this PI are identical to those provided originally for Conditions 2-6 and 2-7, which are on the outcome PI 2.3.1, and which are therefore not eligible for the extension. Noting 7.28.16.4 (MSC 2020), there is no merit or value in extending the timeline for Condition 2-11 because the requisite work (i.e., leading to the completion of milestones M-I revised 4) must be completed by the deadline for Conditions 2-6 and 2-7.</p> <p><u>Milestones Associated with New Stock Assessments on Dolphin Populations</u></p> <p><b>M-I revised 1</b></p> <p>The Condition 2-10 milestone for this part of the work to undertake a new stock assessment on dolphin populations is mirrored in Condition 2-11, but is not present in Conditions 2-6, 2-7 and 2-8. These milestones were extended under a VR submitted and accepted at the Year 2 audit<sup>26</sup>, but, as noted above, there is no merit or value in further extending the timeline for Conditions 2-10 (or 2-8 and 2-11) under Derogation 6 because the same milestones are not extended for Conditions 2-6 and 2-7.</p> <p>In a letter to PAST (IATTAC 2021b), the IATTC Temporary Director highlighted that there was a need to carry out a second trial study even before starting the main study, and that the work required external collaborators and the commitment of funds and other resources. The ongoing impact of Covid-19 was noted, however, and in particular the difficulties faced through the continuing absence of in-person meetings, travel restrictions for out-of-country collaborators, and because at-sea research work has been constrained greatly.</p> <p>Although the general approach to the second trial study and the main study are agreed and understood, and a costing estimate provided, the Audit Team is aware that there is no specific funding plan in place for the work. In the absence of '<i>an indication of how the project will be funded</i>', it must be concluded that this milestone is not met.</p>
<b>Status</b>	<p><b>Behind target</b> (reflecting the adjustment to the timelines for the milestones that was undertaken at the year 2 audit, and that milestone M-I revised 1 that was scheduled to be met this year was not met fully).</p>
<b>Additional information</b>	<p><u>Changes undertaken at Year 2</u></p> <p>Milestones <b>M-I DOL 3b</b>, <b>M-I DOL 3c</b>, <b>MI-DOL 4</b>, <b>MI-DOL 5</b>, <b>MI-DOL 6</b> and <b>MI-DOL 7</b> are rescinded, and revised milestones are set for this condition, as follows:</p> <ul style="list-style-type: none"> <li>• <b>M-I revised 1</b> (Year 3 audit). Present a revised plan as necessary to generate new abundance estimates for Eastern Tropical Pacific dolphin populations, together with an indication of how the project will be funded.</li> <li>• <b>M-I revised 2</b> (Year 4 audit). Provide evidence demonstrating that one season of dolphin abundance surveys has been successfully executed, and that records as needed to generate the dolphin abundance estimates exist.</li> </ul>

<sup>25</sup> <https://cert.msc.org/FileLoader/FileLinkDownload.aspx/GetFile?encryptedKey=1Msjckx1eH5gXMQEmtkoZyvgKb/xnzqr4TWfZQaTlew1qZcTE3An4e1uL25dYnW>

<sup>26</sup> <https://cert.msc.org/FileLoader/FileLinkDownload.aspx/GetFile?encryptedKey=1Msjckx1eH5gXMQEmtkoZyvgKb/xnzqr4TWfZQaTlew1qZcTE3An4e1uL25dYnW>

	<ul style="list-style-type: none"> <li>• <b>M-I revised 3</b> (Year 5 / Year 0 of new certificate if recertified). Provide the results of the dolphin abundance surveys and new dolphin population estimates for the Eastern Tropical Pacific Ocean.</li> <li>• <b>M-I revised 4</b> (Year 6 / Year 1 of new certificate if recertified). Provide evidence of trends in dolphin populations which will provide evidence that: <ol style="list-style-type: none"> <li>1) The effects of dolphin sets in the PAST fishery on dolphins are known and are highly likely to be within limits of national and international requirements for their protection,</li> <li>2) Direct effects of dolphin sets on dolphins have been considered and are known to be highly unlikely to create unacceptable impacts,</li> <li>3) The fishery does not hinder recovery of ETP species,</li> <li>4) There is a strategy in place for managing the fishery's impact on ETP species, if any, including measures to minimize mortality, which is designed to be highly likely to achieve national and international requirements for the protection of ETP species,</li> <li>5) There is an objective basis for confidence that the strategy will work,</li> <li>6) The strategy is being implemented successfully, and</li> <li>7) Information is sufficient to measure trends and support a full strategy to manage impacts on ETP species.</li> </ol> </li> </ul>
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#### Condition 2-12 (PI 2.1.1 Slc – Free school sets)

<b>Performance Indicator</b>	2.1.1, Slc
<b>Score</b>	60
<b>Justification</b>	<p><u>Silky shark:</u></p> <p>There are a range of measures in place that are directed at the conservation of sharks and constitute at least a partial strategy. As detailed in Section 3.4 these include IATTC Resolution C-05-03 which concerns the conservation of sharks (including silky sharks) and IATTC Resolution C-04-05 which mandates the live release of sharks when possible. These measures are expected to ensure that purse sets on free schools do not hinder recovery and rebuilding of silky sharks. The low level of catch of silky sharks by sets on free schools also indicates that this fishing method is not hindering this recovery. This meets the requirements of the SG 60 level.</p> <p>NOM-001 for tuna fisheries in Mexico is aligned with the IATTC mandatory release requirements and clause 4.1.4.3 states "It is <b>prohibited for purse seine tuna vessels to retain on board</b>, hold, transship, unload, or transport specimens live or dead, whole or pieces, of oceanic whitetip sharks". However, NOM 029 (Responsible Fishing of Sharks and Rays), which is mandatory for holders of permits, licenses and authorizations for directed fishing of sharks and rays, as well as for those who catch these species as bycatch, states under Clause 4.2.1. that "all shark individuals <b>must be retained</b> on board commercial fishing vessels for full use except for the species listed in paragraph 4.2.2. (this does not include silky sharks). Therefore, there remain disconnects in the existing national measures articulated in NOMs, which represents a potential impediment to effective enforcement of the existing conflicting regulations. Overall, conflicting national measures aside, the effectiveness of the conservation measures has not been demonstrated, so the requirements of the SG 80 level are not met.</p> <p><u>Mobulid Rays:</u></p> <p>These require special protection as detailed in NOM-029. The recent IATTC resolution (C-15-04) also contains a range of measures, including a prohibition on the retention of Mobulid rays</p>

	<p>(whole or parts) and requires that Mobulid rays be released alive whenever possible. These measures are expected to ensure that the fishery does not hinder rebuilding or recovery. This meets the requirements of the SG 60 level.</p> <p>As a new measure, however, the effectiveness of CMM C-15-04 has not yet been demonstrated so the requirements of the SG 80 level are not met.</p>
<b>Condition</b>	<p><u>Silky sharks and Mobulid rays:</u></p> <p>By the fourth annual surveillance, provide evidence that there is a partial strategy of demonstrably effective management measures in place such that the free school sets do not hinder recovery and rebuilding.</p>
<b>Condition Start</b>	PCR
<b>Condition Deadline</b>	fourth-annual surveillance
<b>Milestones</b>	<p><u>Milestones for Zero Retention of Sharks and Rays (S&amp;R)</u></p> <p><b>M-I S&amp;R A.1</b> By the first annual audit, the Alliance will provide the auditors written evidence that the Zero Retention Policy has been fully developed and has been or is in the process of being implemented by all of the Alliance vessels.</p> <p><b>M-I S&amp;R A.4</b> By the first annual audit, the Alliance will provide any available data resulting from the records being kept of interactions with silky sharks, specifically indicating the numbers and condition of their release (live, unknown, injured, dead,), as well as any interactions with rays, in particular with Mobulid rays.</p> <p><b>M-I S&amp;R A.5</b> By the second annual audit, the Alliance will provide evidence showing records of any random port inspections conducted by CONAPESCA on Alliance vessels, highlighting any findings in relation to retention of silky sharks and/or Mobulid rays) found on any of the Alliance vessels. The same information will be provided for years. Data from these random port inspections will be uploaded onto the Alliance web page on a quarterly basis.</p> <p><b>M-I S&amp;R A.6</b> By the second and third annual audits, the Alliance will provide evidence (i.e. records on the numbers and nature of interactions, silky sharks and Mobulid rays and the conditions at the time of their release), showing that the Zero Retention Policy for sharks and rays is being implemented successfully and that the strategy is consistent with measures adopted by both the IATTC and the Mexican Government for these species.</p> <p><b>M-I S&amp;R A.7</b> By the second annual audit, the Alliance will provide evidence that information being collected is adequate to support a partial strategy to manage the main retained (or no longer retained) sharks and ray species.</p> <p><b>M-I S&amp;R A.9</b> By the fourth annual audit, the Alliance will provide evidence showing that there is a partial strategy of demonstrably effective measures in place such that dolphin and free school sets do not hinder recovery and rebuilding of silky sharks and rays, particularly Mobulid.</p> <p><b>M-I S&amp;R A. 11</b> For each of the annual audits, Year One through Year Four, the Alliance will provide evidence showing records of any small sharks and/or rays detected at the time of fish unloading and that could involuntarily have ended up in the vessel fish wells without being noticed by the crew during brailing and/or sorting, as well as documentation showing the donation of these species to a designated food bank.</p> <p><u>Milestones for Safe-Handling/Live Return of Sharks</u></p> <p><b>M-I S&amp;R B.1</b> By the first annual audit, the Alliance will provide evidence of the written policy for the Safe-Handling/Live Return of sharks and rays to be implemented by all Alliance vessels that is consistent with both domestic regulations and IATTC resolutions. This will include a copy of the necessary formats required by the IATTC observer program for record keeping of interactions that will include a section for the apparent status of the species at the time of their release (live, unknown, injured, dead). The written policy will establish compliance</p>

	<p>mechanisms and sanctions to be applied for non-compliance. The Alliance will inform the auditors during this first surveillance visit of the status of the policy's implementation.</p> <p><b>M-I S&amp;R B.4</b> For the second, third and fourth annual audits, the Alliance will provide any available data resulting from the records being kept, showing the interactions with all sharks and rays, but specifically with silky sharks, and Mobulid rays, indicating the numbers and condition at the time of their release (live, unknown, injured, dead).</p> <p><b>M-I S&amp;R B.8</b> By the fourth annual audit, the Alliance will provide evidence that the partial strategy is being implemented successfully.</p> <p><b>M-I S&amp;R B.9</b> By the fourth annual audit, the Alliance will provide evidence showing that there is a partial strategy of demonstrably effective measures in place such that dolphin and free school sets do not hinder recovery and rebuilding of silky sharks and rays, particularly Mobulid.</p> <p><b>M-I S&amp;R B.10</b> By the fourth annual audit, the Alliance will provide evidence that sufficient data continues to be collected for both dolphin and free school sets to detect any increase in risk level (e.g. due to changes in the outcome indicator score or the operation of the fishery or the effectiveness of the strategy) as it relates to the Safe-Handling/ Live Return policy for silky sharks and Mobulid rays.</p> <p><u>Milestones to Promote Regulatory Consistency for Zero Retention of Sharks through Advocacy</u></p> <p><b>M-II S&amp;R 1</b> By the first annual audit, the Alliance will provide the auditor with evidence of any formal communication between the Alliance and CONAPESCA requesting modifications to seek consistency between NOM 029 and NOM 001.</p> <p><b>M-II S&amp;R 2</b> By the first annual audit, the Alliance will provide the auditor evidence showing the adoption of IATTC Resolutions C-16-04, C-16-05 and C-16-06, which, once CONAPESCA incorporates them into the domestic regulatory framework, will prohibit Mexican tuna purse seine vessels from retaining any sharks incidentally caught during regular tuna fishing operations.</p> <p><u>Milestones for the Scientific and Technical Group on Sharks and Rays</u></p> <p><b>M-III S&amp;R. 1</b> By the first annual audit, the Alliance will provide evidence to the auditors showing that written Terms of Reference have been developed and implemented for the operation and responsibilities of STG on Sharks and Rays. [See narrative action plan milestones for more detail regarding the technical plan components].</p> <p><b>M-III S&amp;R. 2</b> By the first annual audit, the Alliance will provide evidence that the terms of reference for the STG has been posted in the Alliance website and that invitations have been extended to potential interested scientists and NGOs for their participation.</p> <p><b>M-III. S&amp;R 3</b> By the second annual audit, the Alliance will provide evidence showing the integration of the STG, including a list of the individuals and/or organizations participating in the STG.</p> <p><b>M-III. S&amp;R 4</b> By the second annual audit, the Alliance will provide evidence to the auditor demonstrating any suggestions made by the STG regarding the production of material to be utilized for training of skippers and crewmen as well as any tentative schedules for possible workshops.</p> <p><b>M-III. S&amp;R 6</b> By the second annual audit, the Alliance will provide evidence showing any suggestions made by the STG for technical improvements that could lead to a reduction of interactions with shark and rays during dolphin and free school sets by the vessels of the Alliance, accompanied by considerations regarding costs and ease of implementation.</p> <p><b>M-III. S&amp;R 7</b> By the third annual audit, the Alliance will provide the auditors with any external evaluation generated by the STG regarding the effectiveness of the policies implemented by the Alliance (assuming one has been requested) regarding Zero Retention, Zero Finning and Safe-Handling/Live Return of sharks and rays, including any recommendations for improvements.</p>
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	<p><b>M-III. S&amp;R 8</b> By the fourth annual audit, the Alliance will provide evidence, if any, of any improvements implemented by the Alliance vessels to improve the effectiveness of the policies adopted by the Alliance with regards to sharks and rays.</p>
<b>Client Action Plan</b>	<p>Refer to the following section(s) of Client Action Plan in the PCR:</p> <p>Section I. Comprehensive Strategy for Sharks and Rays. The Alliance will design and implement a comprehensive strategy that includes</p> <p>A. Proposed Action Plan on Implementation of Zero Retention of Sharks and Rays.</p> <p>Goal: To ensure that no sharks incidentally caught during regular tuna fishing operations (Dolphin sets and/or Free School sets), are voluntarily retained by any of the Alliance vessels.</p> <p>B. Proposed Action Plan on Implementation of the Alliance Safe-Handling/Live Return for Sharks and Rays.</p> <p>Goal: To implement on all Alliance vessels a Safe-Handling/Live Return policy to maximize the number of sharks released alive at sea, to the extent practical and without compromising the safety of any persons on board; and to keep records of all these interactions</p> <p>Section II. Alignment of the National and International Regulatory Structure to support the Alliance Zero Retention of shark and rays policy.</p> <p>Goal: To advocate before CONAPESCA modifications to the current domestic regulatory framework to ensure consistency regarding retention of sharks incidentally caught during tuna purse seine fishing operations.</p> <p>Section III. Establishment of a Scientific and Technical Working Group (STG) on Sharks and Rays.</p> <p>Goal: To promote the creation of a STG that will provide support and advice to the Alliance in the formulation and implementation of its Zero Retention and Safe-Handling/Live Return policies.</p>
<b>Consultation on condition</b>	<p>Letters of Support below from CONAPESCA and IATTC were provided to SCS Global Services as the fishery's Conformity Assessment Body (CAB) when the fishery was certified (Morgan et al. 2017).</p>
<b>Progress on Condition (Year 2)</b>	<p><u>Milestones for Zero Retention of Sharks and Rays (S&amp;R)</u></p> <p><b>M-I S&amp;R A.5, M-I S&amp;R A.6, M-I S&amp;R A.7, M-I S&amp;R A. 11</b></p> <p>For the year 2 audit of the PAST fishery, the audit team was provided with a letter sent to the client by the CONAPESCA Directorate of International Affairs, responding to a request for data (CONAPESCA 2020). This letter indicated that no random inspections had been carried out in 2018, but that six random inspections of PAST vessels were carried out in 2019, looking for evidence of the retention of sharks or their fins; it was confirmed that these inspections were unannounced (i.e., to ensure that no opportunity was provided prior to the inspection to hide or discard evidence) and that none of these unannounced inspections had found evidence of illegal retention or of finning.</p> <p>The audit team was also provided with detailed observer data for the PAST fishery as a whole showing the number and nature of interactions with oceanic whitetip and silky sharks in 2018 and 2019 (Table 6), and with ray species (Table 7).</p> <p>Seven silky sharks and six pelagic stingrays (2018) and a single silky shark and three Mobulid rays (2019) were recorded as 'retained' during routine observer processes. With respect to the 2019 occurrences, CONAPESCA (2020) noted that these were considered to be possible cases of non-compliance with IATTC Resolution C-19-05 on silky shark and Resolution C-15-04 on Mobulid rays which prohibit the retention of these species by purse seine vessels operating in the Eastern Pacific Ocean.. The audit team questioned CONAPESCA and INAPESCA staff with the client on this matter during the site visit and were informed that these appeared to be small animals that had accidentally progressed through the catch handling systems aboard the vessels. The audit team notes the very small number and that the explanation is consistent with a lack of deliberate intent, and have no reason to doubt that they were retained accidentally; we will consider any further evidence if available at the next audit.</p>

	<p>In terms of overall numbers, slightly more silky shark were caught by the PAST fishery in 2019 than 2018, but the release rate (alive) was also higher in 2019, while oceanic whitetip sharks were caught in very small numbers (1 and 8 in 2018 and 2019, respectively), all of which were released alive according to the observer data (Table 6). Catches of rays were very similar from 2018 to 2019, but the proportion of live releases also increased slightly during this period (Table 7).</p> <p>The results for 2018 and 2019 are commendable and, overall, although there are a small number of instances where silky sharks and ray species have been retained inadvertently, the data overall show the non-retention policy for sharks and rays is being implemented successfully, consistent with measures adopted by both the IATTC and the Mexican Government. The data are considered adequate to support a partial strategy to manage these main P2 species.</p> <p><u>Milestones for Safe-Handling/Live Return of Sharks</u></p> <p><b>M-I S&amp;R B.4</b></p> <p>As reported above, in terms of overall numbers, slightly more silky shark were caught in the PAST fishery in 2019 than 2018, but the release rate (alive) was also higher in 2019 (3,540 animals @ 64.0% alive in 2019 compared with 3,116 animals @ 50.9% released alive in 2018). Oceanic whitetip sharks were caught in very small numbers (1 and 8 in 2018 and 2019, respectively), all of which were released alive according to the observer data (Table 7). Catches of rays were very similar from 2018 to 2019, but the proportion of live releases also increased during this period, albeit only slightly from an already high 90.3% to 91.8% (Table 8).</p> <p><u>Milestones for the Scientific and Technical Group on Sharks and Rays</u></p> <p><b>M-III. S&amp;R 3, M-III. S&amp;R 4, M-III. S&amp;R 6.</b></p> <p>The first meeting of the STG was held remotely in March 2020, with other meetings in May, June and July; minutes were provided to the audit team. Meeting attendees included representatives of the IATTC, CONAPESCA, INAPESCA, FIDEMAR, the Autonomous University of Sinaloa, the Environmental Defense Fund and Community and Biodiversity as environmental non-Governmental Organisations, as well as the Alliance. The terms of reference of the group and the no-finning and non-retention policy of the PAST fishery was shared with participants, as well as presentations on the fishery detailing the catch profile and the conditions of certification placed on the fishery, and the good practice training materials that are in use. In turn, participants shared various existing shark and ray identification and biological sampling manuals, and fishing best practice guides biological sampling information.</p> <p>The minutes suggest that positive progress has been made at these initial meetings, despite being held early in the period during which the serious situation with Covid-19 was becoming apparent, preventing the group from meeting in person. Indeed, there are signs that there is genuine engagement from all sides and that the STG will be an effective forum for generating options for technical improvement on shark and ray bycatch issues; the audit team therefore anticipates further progress in due course.</p>
<b>Progress on Condition (Year 3)</b>	<p>PI 2.1.1 is an outcome PI, and therefore Condition 2-12 is <u>not</u> eligible for an extension under Derogation 6. Therefore, the Year 3 milestones are effective this year.</p> <p><u>Milestones for Zero Retention of Sharks and rays (S&amp;R)</u></p> <p><b>M-I S&amp;R A.6, M-I S&amp;R A. 11</b></p> <p>Observer data presented in Table 7 show that a smaller number of silky sharks were taken in 2020 (1,815) compared to the previous two years (3,116 in 2018 and 3,540 in 2019), but the Audit Team also noted the data showing that the percentage of the silky sharks recorded as 'released alive' has increased from 50.9% in 2018, to 64.0% in 2019, and then to 76.7% for the latest year. A somewhat higher catch of rays was taken in 2020 (268) in comparison to the</p>



	<p>previous two years (214 in 2018 and 202 in 2019), with a slightly lower percentage 'released alive' (90.3% in 2018, 91.8% in 2019, to 84.3% in the last year). The Audit Team will continue to monitor the situation, but there is no pattern in the data and no reason to consider that anything has changed in the fishery.</p> <p>With respects to sharks that may be retained inadvertently, the data show that this year there was just a single case (Table 7). For rays, Table 8 shows there was a slight increase in inadvertent retention, with 17 retained (as compared with 6 and 3 for 2018 and 2019, respectively). The Audit Team is satisfied that these retentions are in no way deliberate, and was presented with a letter from the IATTC to the client, confirming that the IATTC is also satisfied there was no intentional retention of sharks or rays by PAST vessels (IATTC 2021a). These milestones are met.</p> <p><u>Milestones for Safe-Handling/Live Return of Sharks</u></p> <p><b>M-I S&amp;R B.4</b></p> <p>Observer data presented in Table 7 show that there continue to be very few oceanic whitetip sharks taken in total in the PAST fleet (3 in 2020, compared with 8 in 20219 and 1 in 2018), all of which were released alive. A smaller number of silky sharks were taken in 2020 (1,815) compared to the previous two years (3,116 in 2018 and 3,540 in 2019), but the Audit Team also noted the data showing that the percentage of the silky sharks recorded as 'released alive' has increased from 50.9% in 2018, to 64.0% in 2019, and then to 76.7% for the latest year. When queried during the audit, it was commented that the improvement in live releases had not been studied in detail but was thought to be linked to the effort undertaken to ensure PAST skippers and crew are trained in best practice handling techniques for these species. The Audit Team have no reason to doubt this assertion, and clearly welcomes the efforts made in this regard – this milestone is met.</p> <p><u>Milestones for the Scientific and Technical Group on Sharks and Rays</u></p> <p><b>M-III. S&amp;R 7</b></p> <p>The Science and Technical Group on Sharks and Rays (STG) was initiated by the PAST as a stakeholder forum to provide support and advice in the formulation and implementation of its policies of zero retention and safe handling / live return of sharks and rays that interact with the fishery; several meetings have been held since March 2020.</p> <p>This year, the STG was offered the opportunity to comment on the policies implemented by the PAST (PAST 2021), and a response was received from Comunidad y Biodiversidad, AC (COBI 2021). The audit team confirmed that PAST confirmed acceptance of the COBI comments and that they would be discussed in due course. This milestone is met.</p>
<b>Status</b>	<p>The data and other information presented to the audit team show that the year 3 milestones for this condition have been met.</p> <p><b>On target</b></p>
<b>Additional information</b>	<p>Condition 2-1 is not eligible for Derogation 6. As such, no change has been made to the milestones for this condition.</p>

#### Condition 2-13 (PI 2.1.1 Slc – Free School sets)

<b>Performance Indicator</b>	2.1.1, Slc
<b>Score</b>	60
<b>Justification</b>	<p><u>Pacific bluefin tuna:</u></p> <p>There are measures implemented by the IATTC through the resolution C-14-06. Purse seines are responsible for the majority of the catch of this species in the ETPO (IATTC 2014a) but the</p>



	majority of the impact on the stock comes from fisheries in the WPO (Pacific Tuna Working Group 2014). Of more importance for this Scoring Issue, however, is the undertaking by the companies in the UoA to cease taking any Pacific bluefin tuna during future fishing operations. This is a measure that is in place and would ensure that the UoA does not hinder the recovery and rebuilding of this depleted species. As it is a new measure there is not yet any evidence of its effectiveness. This meets the requirements of the SG 60 level but not of the SG 80 level.
<b>Condition</b>	<u>Pacific bluefin tuna:</u> By the fourth annual surveillance, provide evidence that there is a partial strategy of demonstrably effective management measures in place such that the free school sets do not hinder recovery and rebuilding.
<b>Condition Start</b>	PCR
<b>Condition Deadline</b>	fourth-annual surveillance
<b>Milestones</b>	<u>Milestones for Pacific Bluefin Tuna</u> <b>M-I PFB 1</b> By the first annual audit, the Alliance will provide evidence to the auditors demonstrating that no Alliance vessels has engaged in Pacific bluefin tuna catching operations for the 2015 and 2016 inclusive, by providing official logbook documentation showing no recorded catches of this species exists. <b>M-I PFB 2</b> By the first annual audit (and subsequent annual audits until the fourth year), the Alliance will provide evidence that the strategy for no targeting Pacific bluefin tuna by the Alliance vessels applied for the 2015 and 2016, is a demonstrably effective management measure in place such that their fishing operations is not hinder recovery or rebuilding of this species. <b>M-I PFB 3</b> By the first annual audit, (and subsequent annual audits until the fourth year) the Alliance will provide evidence that the strategy is being implemented successfully.
<b>Client Action Plan</b>	Refer to the following section(s) of Client Action Plan in the PCR: Section I. Commitments to Pacific Bluefin Tuna. Goal: To refrain from targeting Pacific bluefin tuna for the duration of the certificate.
<b>Consultation on condition</b>	Letters of Support below from CONAPESCA and IATTC were provided to SCS Global Services as the fishery's Conformity Assessment Body (CAB) when the fishery was certified (Morgan et al. 2017).
<b>Progress on Condition (Year 2)</b>	<u>Milestones for Pacific Bluefin Tuna</u> <b>M-I PFB 2, M-I PFB 3</b> For this Year 2 audit, the Assessment Team was provided with a letter from the CONAPESCA General Directorate of Planning, Programming and Evaluation (CONAPESCA 2020), which provided information on various aspects of the PAST Fishery's compliance with regulations. This letter confirmed that no vessel in the PAST Fishery registered a catch of bluefin tuna in the 2017-2019 and provides evidence of the continuing successful implementation of the strategy for no targeting of bluefin tuna (Table 8). The 2020 Pacific bluefin tuna stock assessment (IATTC 2020a) presented information indicating that SSB declined steadily from 1996 to a historical low in 2010, but has been increasing slowly since then, with the 2018 Pacific bluefin tuna biomass exceeding the historical median. This includes an increase in young fish (age 0-2 years) in 2016-2018, which is expected to accelerate the recovery of SSB in the future.
<b>Progress on Condition (Year 3)</b>	PI 2.1.1 is an outcome PI, and therefore Condition 2-13 is <u>not</u> eligible for an extension under Derogation 6. Therefore, the Year 3 milestones are effective this year.

	<p><u>Milestones for Pacific Bluefin Tuna</u></p> <p><b>M-I PFB 2, M-I PFB 3</b></p> <p>For this year's audit, the individual companies within the client group (Grupomar, Pesca Azteca and Procesa Chiapas) provided a letter to the CAB again confirming their desire and willingness to withdraw from catching Pacific bluefin tuna in the Eastern Pacific Ocean for five years, to achieve the recovery of this species (PAST 2021c). In the same letter, the PAST members reiterated their commitment towards sustainable measures to preserve tuna species and the whole marine ecosystem in general.</p> <p>Further to this, updated catch data for Pacific bluefin tuna by PAST vessels were provided to the Audit Team, which showed that PAST vessels have caught 0 t of this species since 2017.</p> <p>In light of the ongoing evidence that the PAST fishery is not catching Pacific bluefin tuna, and therefore the effectiveness of the strategy employed by PAST vessels to avoid catches, it was determined appropriate this year to close this condition . There is considered to be <i>"evidence that there is a partial strategy of demonstrably effective management measures in place such that the free school sets do not hinder recovery and rebuilding"</i> .</p> <p>This condition is closed.</p>
<b>Status</b>	<b>Closed</b>
<b>Additional information</b>	Rescoring for this PI is provided in Section 4.6.

#### Condition 2-13b (PI 2.1.1 Slc – Free School Sets)

<b>Performance Indicator</b>	2.1.1, Slc.
<b>Score</b>	60
<b>Justification</b>	<p><u>Eastern Pacific and striped bonito tuna:</u></p> <p>Bonito have been assessed above as likely, but not highly likely, to be within biologically based limits. To achieve a pass at the SG 80 level therefore requires there to be "a partial strategy of demonstrably effective management measures in place such that the fishery does not hinder recovery and rebuilding". There are no management measures that are specifically directed at bonito. Measures for the main target species, such as Resolution C-13-01, may provide some level of protection for the other retained species but it is also possible that restrictions on fishing effort for yellowfin and skipjack could redirect fishing effort towards bonito. In the absence of direct estimates of stock status, of the risks posed to the stocks by the fishery, or of specific management measures for these species, the requirements of the SG 80 level are not considered to be met.</p>
<b>Condition</b>	<p><u>Eastern Pacific and striped bonito tuna:</u></p> <p>By the fourth annual surveillance, provide evidence that these species are highly likely to be within biologically based limits or, if found to be outside such limits, that there is a partial strategy of demonstrably effective management measures in place such that the free school sets do not hinder recovery and rebuilding.</p>
<b>Condition Start</b>	PCR
<b>Condition Deadline</b>	fourth-annual surveillance
<b>Milestones</b>	<u>Milestones for Bonito:</u>

	<p><b>M-II BON 1</b> For annual audits first through fourth, the Alliance will provide evidence showing all catch records of bonito registered by the Alliance vessels and that the data being collected is sufficient to detect any increase in risk level (e.g. due to changes in the outcome indicator score or the operation of the fishery or the effectiveness of the strategy).</p> <p><b>M-II BON 2</b> By the first annual audit, the Alliance will provide evidence that, in coordination with the IATTC Secretariat, it has commissioned an evaluation to determine if the Bonito stock is within biologically based limits and if any management measures are deemed necessary.</p> <p><b>M-II BON 3</b> By the second annual audit, the Alliance will provide a copy of the report commissioned containing findings regarding whether Bonito is within biologically based limits and recommendations regarding potential management measures.</p>
<b>Client Action Plan</b>	<p>Refer to the following section(s) of Client Action Plan in the PCR:</p> <p>Section II. Commitments to Bonito</p> <p>Goal: To continue to collect sufficient data and to commission an evaluation to determine if the harvest of this stock is within or outside of biological limits, and to identify potential measures to reduce possible risks to this stock.</p>
<b>Consultation on condition</b>	<p>Letters of Support below from CONAPESCA and IATTC were provided to SCS Global Services as the fishery's Conformity Assessment Body (CAB) when the fishery was certified (Morgan et al. 2017).</p>
<b>Progress on Condition (Year 2)</b>	<p><u>Milestones for Bonito:</u></p> <p><b>M-II BON 1, M-II BON 3</b></p> <p>For this Year 2 audit, the Assessment Team was provided with discharge totals for bonito from PAST Fishery vessels over the period 2017-2019 in a letter from the CONAPESCA General Directorate of Planning, Programming and Evaluation (CONAPESCA 2020). This letter confirmed that discharges of bonito in the PAST Fishery equated to 985.8 t in 2017, 0 t in 2018 and 2125.0 t in 2019 (Table 8).</p> <p>Ortega-García &amp; Jakes-Cota 2019 is a new report that provides an overview of the Pacific bonito stock and fishery. Catches have been variable over time but were low and averaged less than 1,000 t from the mid-1990s to the mid-2000s, before increasing to a recent maximum in 2007 of 14,000 t and then declining thereafter; in 2018, the total catch was essentially zero.</p> <p>Ortega-García &amp; Jakes-Cota 2019 note that there is high variability in total landings over time due to factors including market demand and price, as well as to the migratory movements of the fish and oceanic conditions. This study reported that production and yield-per-recruit models may overestimate MSY, but that they indicate MSY to be about 13,000 t. Recommendations on work to take forward include an improved stock assessment methodology based on comparing current values of several simple indicators to explain the available information about stock status, such as total catch, catch per set or catch per day for purse seine and for other fishing gear.</p>
<b>Progress on Condition (Year 3)</b>	<p>PI 2.1.1 is an outcome PI, and therefore Condition 2-13b <u>is not</u> eligible for an extension under Derogation 6. Therefore, the Year 3 milestones are effective this year.</p> <p><u>Milestones for Bonito:</u></p> <p><b>M-II BON 1</b></p> <p>Catches of bonitos in the PAST fishery (free school sets) have varied over recent years, from 0 t in 2018 to a maximum of 2,125 t in 2019; the average annual catch in the last five years has been 787 t (Table 9). This variability is consistent with the variability highlighted in the report by Ortega-García &amp; Jakes-Cota 2019, who demonstrated catches in total have varied historically due to factors including market demand and price, as well as to the migratory movements of the fish and oceanic conditions. These authors showed that total catches from the stock were low and averaged less than 1,000 t from the mid-1990s to the mid-2000s, before increasing to a recent maximum in 2007 of 14,000 t and then declined thereafter; in 2018, the total catch was essentially zero, mirroring the situation with the PAST fishery.</p>

	<p>The fact that bonitos are considered as main species in the free school UoCs is because they represented 15% of the total catch for the 2009-2013 period that was considered at assessment. However, over the most recent five years, the bonitos have averaged 3.9% of the free school catch (see table below). At this level, bonito would not be considered a main species, and instead they would be assessed as minor species.</p> <table><tr><th>Year</th><th>Total Catch (t)</th><th>Bonito Catch (t)</th><th>Bonito as % of Total</th></tr><tr><td>2016</td><td>26,058</td><td>108</td><td>0.4</td></tr><tr><td>2017</td><td>33,461</td><td>1,354</td><td>4.0</td></tr><tr><td>2018</td><td>10,809</td><td>-</td><td>0.0</td></tr><tr><td>2019</td><td>18,353</td><td>2,171</td><td>11.8</td></tr><tr><td>2020</td><td>9,833</td><td>303</td><td>3.1</td></tr><tr><td>Mean</td><td>19,702</td><td>787.2</td><td>3.9</td></tr></table> <p>There is limited specific targeting of bonitos by the PAST fleet, and catch data for these species are collected and collated routinely, together with VMS data. All vessels are 100% covered by onboard observers. It is noted that the status of bonitos has not been assessed by the IATTC but they are short-lived and productive species and are classified by the IUCN as being of least concern.</p> <p>In the context of the variable but low catches of bonito by the PAST fleet in recent years, the nature of the fishery overall, their productivity and the very limited targeting, it is determined appropriate this year to close this condition. There is considered to be <i>“evidence that there is a partial strategy of demonstrably effective management measures in place such that the free school sets do not hinder recovery and rebuilding”</i>.</p> <p>This condition is closed.</p>	Year	Total Catch (t)	Bonito Catch (t)	Bonito as % of Total	2016	26,058	108	0.4	2017	33,461	1,354	4.0	2018	10,809	-	0.0	2019	18,353	2,171	11.8	2020	9,833	303	3.1	Mean	19,702	787.2	3.9
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Status	Closed																												
Additional information	Rescoring for this PI is provided in Section 4.6.																												

#### Condition 2-14 (PI 2.1.2 Slc – Free School Sets)

<b>Performance Indicator</b>	2.1.2, Slc.
<b>Score</b>	65
<b>Justification</b>	<p><u>Silky shark and Mobulid rays:</u></p> <p>The assessment team was not provided with data or analyses or evidence to demonstrate that the measures adopted by the IATTC or Mexican Government are being implemented successfully in regards to requirements for zero retention. The requirements of the SG 80 level are therefore not met.</p>
<b>Condition</b>	<p><u>Silky shark and Mobulid rays:</u></p> <p>By the fourth first year reassessment annual surveillance, provide evidence that the partial strategy is being implemented successfully.</p>
<b>Condition Start</b>	PCR

<b>Condition Deadline</b>	<del>fourth</del> first year reassessment annual surveillance
<b>Milestones</b>	<p><u>Milestones for Zero Retention of Sharks and Rays (S&amp;R)</u></p> <p><b>M-I S&amp;R A.1</b> By the first annual audit, the Alliance will provide the auditors written evidence that the Zero Retention Policy has been fully developed and has been or is in the process of being implemented by all of the Alliance vessels.</p> <p><b>M-I S&amp;R A.4</b> By the first annual audit, the Alliance will provide any available data resulting from the records being kept of interactions with silky sharks, specifically indicating the numbers and condition of their release (live, unknown, injured, dead), as well as any interactions with rays, in particular with Mobulid rays.</p> <p><b>M-I S&amp;R A.6</b> By the second and third annual audits, the Alliance will provide evidence (i.e. records on the numbers and nature of interactions with silky sharks and Mobulid rays and the conditions at the time of their release), showing that the Zero Retention Policy for sharks and rays is being implemented successfully and that the strategy is consistent with measures adopted by both the IATTC and the Mexican Government for these species.</p> <p><b>M-I S&amp;R A.8</b> By the fourth annual audit, the Alliance will provide evidence that the partial strategy is being implemented successfully.</p> <p><b>M-I S&amp;R A.9</b> By the fourth annual audit, the Alliance will provide evidence showing that there is a partial strategy of demonstrably effective measures in place such that dolphin and free school sets do not hinder recovery and rebuilding of silky sharks and rays, particularly Mobulid.</p> <p><b>M-I S&amp;R A.11</b> For each of the annual audits, Year One through Year Four, the Alliance will provide evidence showing records of any small sharks and/or rays detected at the time of fish unloading and that could involuntarily have ended up in the vessel fish wells without being noticed by the crew during brailing and/or sorting, as well as documentation showing the donation of these species to a designated food bank.</p> <p><u>Milestones for Safe-Handling/Live Return of Sharks and Rays</u></p> <p><b>M-I S&amp;R B.1</b> By the first annual audit, the Alliance will provide evidence of the written policy for the Safe-Handling/Live Return of sharks and rays to be implemented by all Alliance vessels that is consistent with both domestic regulations and IATTC resolutions. This will include a copy of the necessary formats required by the IATTC observer program for record keeping of interactions that will include a section for the apparent status of the species at the time of their release (live, unknown, injured, dead). The written policy will establish compliance mechanisms and sanctions to be applied for non-compliance. The Alliance will inform the auditors during this first surveillance visit of the status of the policy's implementation.</p> <p><b>M-I S&amp;R B.9</b> By the fourth annual audit, the Alliance will provide evidence showing that there is a partial strategy of demonstrably effective measures in place such that dolphin and free school sets do not hinder recovery and rebuilding of silky sharks and Mobulid rays.</p> <p><b>M-I S&amp;R B.10</b> By the fourth annual audit, the Alliance will provide evidence that sufficient data continues to be collected for both dolphin and free school sets to detect any increase in risk level (e.g. due to changes in the outcome indicator score or the operation of the fishery or the effectiveness of the strategy) as it relates to the Safe-Handling/ Live Return policy for silky sharks and Mobulid rays.</p>
<b>Client Action Plan</b>	<p>Refer to the following section(s) of Client Action Plan in the PCR:</p> <p>Section I. Comprehensive Strategy for Sharks and Rays. The Alliance will design and implement a comprehensive strategy that includes</p> <p>A. Proposed Action Plan on Implementation of Zero Retention of Sharks and Rays.</p> <p>Goal: To ensure that no sharks incidentally caught during regular tuna fishing operations (Dolphin sets and/or Free School sets), are voluntarily retained by any of the Alliance vessels</p> <p>B. Proposed Action Plan on Implementation of the Alliance Safe-Handling/Live Return for Sharks and Rays.</p>

	Goal: To implement on all Alliance vessels a Safe-Handling/Live Return policy to maximize the number of sharks released alive at sea, to the extent practical and without compromising the safety of any persons on board; and to keep records of all these interactions
<b>Consultation on condition</b>	Letters of Support below from CONAPESCA and IATTC were provided to SCS Global Services as the fishery's Conformity Assessment Body (CAB) when the fishery was certified (Morgan et al. 2017).
<b>Progress on Condition (Year 2)</b>	<p><u>Milestones for Zero Retention of Sharks and Rays (S&amp;R)</u>  <b>M-I S&amp;R A.6, M-I S&amp;R A.11</b></p> <p>As noted for Condition 2-1, above, the audit team was provided with detailed observer data for the PAST fishery, showing the number and nature of interactions with oceanic whitetip and silky sharks in 2018 and 2019 (Table 6), and with different ray species (Table 7). In terms of overall numbers, slightly more silky shark were caught in 2019 than 2018, but the release rate (alive) was also higher in 2019 (3,540 animals @ 64.0% alive in 2019 compared with 3,116 animals @ 50.9% released alive in 2018). Oceanic whitetip sharks were caught in very small numbers (1 and 8 in 2018 and 2019, respectively), all of which were released alive according to the observer data (Table 6).</p> <p>Catches of rays were very similar from 2018 to 2019, but the proportion of live releases also increased during this period, albeit only slightly from an already high 90.3% to 91.8% (Table 7).</p> <p>Seven silky sharks and six pelagic stingrays (2018) and a single silky shark and three Mobulid rays (2019) were recorded as 'retained' during routine observer processes. With respect to the 2019 occurrences, CONAPESCA (2020) noted that these were considered to be possible cases of non-compliance with IATTC Resolution C-19-05 on silky shark and Resolution C-15-04 on Mobulid rays which prohibit the retention of these species by purse seine vessels operating in the Eastern Pacific Ocean. The audit team questioned CONAPESCA and INAPESCA staff with the client on this matter during the site visit and were informed that these appeared to be small animals that had accidentally progressed through the catch handling systems aboard the vessels. The audit team notes the very small number and that the explanation is consistent with a lack of deliberate intent, and have no reason to doubt that they were retained accidentally; we will consider any further evidence if available at the next audit.</p>
<b>Progress on Condition (Year 3)</b>	<p><u>Milestones for Zero Retention of Sharks and Rays (S&amp;R)</u>  <b>M-I S&amp;R A.6, M-I S&amp;R A. 11</b></p> <p>Observer data presented in Table 7 show that a smaller number of silky sharks were taken in 2020 (1,815) compared to the previous two years (3,116 in 2018 and 3,540 in 2019), but the Audit Team also noted the data showing that the percentage of the silky sharks recorded as 'released alive' has increased from 50.9% in 2018, to 64.0% in 2019, and then to 76.7% for the latest year. A somewhat higher catch of rays was taken in 2020 (268) in comparison to the previous two years (214 in 2018 and 202 in 2019), with a slightly lower percentage 'released alive' (90.3% in 2018, 91.8% in 2019, to 84.3% in the last year). The Audit Team will continue to monitor the situation, but there is no pattern in the data and no reason to consider that anything has changed in the fishery.</p> <p>With respects to sharks that may be retained inadvertently, the data show that this year there was just a single case (Table 7). For rays, Table 8 shows there was a slight increase in inadvertent retention, with 17 retained (as compared with 6 and 3 for 2018 and 2019, respectively). The Audit Team is satisfied that these retentions are in no way deliberate, and was presented with a letter from the IATTC to the client, confirming that the IATTC is also satisfied there was no intentional retention of sharks or rays by PAST vessels (IATTC 2021a). This milestone is met.</p>
<b>Status</b>	<p>The data and other information presented to the audit team show that the year 3 milestones for this condition have been met.</p> <p><b>Ahead of target</b> (reflecting that there are no milestones this year under Derogation 6).</p>

<b>Additional information</b>	<p>Condition 2-14 was set as a four-year condition, but is eligible for an extension under Derogation 6<sup>27</sup>. Following interpretation<sup>28</sup>, a revised timeline is set for this Condition to close in year 1 of a new certificate, assuming the fishery is recertified.</p> <p>All Year 3 milestones will be repeated at the Year 4 audit, and progress against the Year 4 milestones will then be considered at the Year 1 audit of a new certificate.</p>
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#### Condition 2-15 (PI 2.1.2 Slc – Free School Sets)

<b>Performance Indicator</b>	2.1.2, Slc
<b>Score</b>	65
<b>Justification</b>	<p><u>Pacific bluefin tuna:</u></p> <p>As the strategy has only recently been implemented there is as yet no evidence that it has been implemented successfully. The requirements of the SG 80 level are therefore not met.</p>
<b>Condition</b>	<p><u>Pacific bluefin tuna:</u></p> <p>By the <del>fourth</del> first year reassessment annual surveillance, provide evidence that the partial strategy is being implemented successfully.</p>
<b>Condition Start</b>	PCR
<b>Condition Deadline</b>	<del>fourth</del> first year reassessment annual surveillance
<b>Milestones</b>	<p><u>Milestones for Pacific Bluefin Tuna:</u></p> <p><b>M-I PFB 1</b> By the first annual audit, the Alliance will provide evidence to the auditors demonstrating that no Alliance vessels has engaged in Pacific bluefin tuna catching operations for the 2015 and 2016 inclusive, by providing official logbook documentation showing no recorded catches of this species exists.</p> <p><b>M-I PFB 2</b> By the first annual audit (and subsequent annual audits until the fourth year), the Alliance will provide evidence that the strategy for no targeting Pacific bluefin tuna by the Alliance vessels applied for the 2015 and 2016, is a demonstrably effective management measure in place such that their fishing operations is not hinder recovery or rebuilding of this species.</p> <p><b>M-I PFB 3</b> By the first annual audit, (and subsequent annual audits until the fourth year) the Alliance will provide evidence that the strategy is being implemented successfully.</p>
<b>Client Action Plan</b>	<p>Refer to the following section(s) of Client Action Plan in the PCR:</p> <p>Section I. Commitments to Pacific Bluefin Tuna.</p> <p>Goal: To refrain from targeting Pacific bluefin tuna for the duration of the certificate</p>
<b>Consultation on condition</b>	Letters of Support below from CONAPESCA and IATTC were provided to SCS Global Services as the fishery's Conformity Assessment Body (CAB) when the fishery was certified (Morgan et al. 2017).

<sup>27</sup> <https://www.msc.org/docs/default-source/default-document-library/for-business/program-documents/chain-of-custody-supporting-documents/msc-derogation-6-covid-19-fishery-conditions-extension.pdf>

<sup>28</sup> <https://mscportal.force.com/interpret/s/article/Derogation-6-Covid-19-Fishery-Conditions-Extension>



<b>Progress on Condition (Year 2)</b>	<p><u>Milestones for Pacific Bluefin Tuna:</u></p> <p><b>M-I PFB 2, M-I PFB 3</b></p> <p>For this Year 2 audit, the Assessment Team was provided with a letter from the CONAPESCA General Directorate of Planning, Programming and Evaluation (CONAPESCA 2020), which provided information on various aspects of the PAST Fishery's compliance with regulations. This letter confirmed that no vessel in the PAST Fishery registered a catch of bluefin tuna in the 2017-2019 and provides evidence of the continuing successful implementation of the strategy for no targeting of bluefin tuna (Table 8).</p> <p>The 2020 Pacific bluefin tuna stock assessment (IATTC 2020a) presented information indicating that SSB declined steadily from 1996 to a historical low in 2010, but has been increasing slowly since then, with the 2018 Pacific bluefin tuna biomass exceeding the historical median. This includes an increase in young fish (age 0-2 years) in 2016-2018, which is expected to accelerate the recovery of SSB in the future.</p>
<b>Progress on Condition (Year 3)</b>	<p><u>Milestones for Pacific Bluefin Tuna</u></p> <p><b>M-I PFB 2, M-I PFB 3</b></p> <p>For this year's audit, the individual companies within the client group (Grupomar, Pesca Azteca and Procesa Chiapas) provided a letter to the CAB again confirming their desire and willingness to withdraw from catching Pacific bluefin tuna in the Eastern Pacific Ocean for five years, to achieve the recovery of this species (PAST 2021c). In the same letter, the PAST members reiterated their commitment towards sustainable measures to preserve tuna species and the whole marine ecosystem in general.</p> <p>Further to this, updated catch data for Pacific bluefin tuna by PAST vessels were provided to the Audit Team, which showed that PAST vessels have caught 0 t of this species since 2017.</p> <p>In light of the ongoing evidence that the PAST fishery is not catching Pacific bluefin tuna, and therefore the effectiveness of the strategy employed by PAST vessels to avoid catches, it was determined appropriate this year to close this condition. There is considered to be <i>"evidence that there is a partial strategy of demonstrably effective management measures in place such that the free school sets do not hinder recovery and rebuilding"</i>.</p> <p>This condition is closed.</p>
<b>Status</b>	<b>Closed</b>
<b>Additional information</b>	Rescoring for this PI is provided in Section 4.6.

#### Condition 2-16 (PI 2.1.2 Sle – Free School Sets)

<b>Performance Indicator</b>	2.1.2, Sle
<b>Score</b>	65
<b>Justification</b>	<p><u>Silky shark:</u></p> <p>As outlined in the background section on silky sharks, there is evidence from both the reports to the COR and the results from the observer survey that shark finning is not taking place in any systematic way. The number of instances in the UoA are small. CONAPESCA provided evidence of a case of shark finning infractions by a vessel. The vessel, not from the UoA, was found guilty, however the case is subject to appeal and ongoing (CONAPESCA 2015b). On this basis, and following the revised guidance with regard to shark finning, we have concluded that it is likely that shark finning is not taking place.</p> <p>There are no recent data from the Compliance Committee, however, on the level of compliance with C-05-03 and no information through the IRP on sanctions for any non-</p>

	<p>compliance. We therefore do not consider it to be highly likely that shark finning is not taking place.</p> <p>We note the information from observers that shark finning was previously more common in catches from object sets but given that silky sharks are caught in all set types, and in the absence of any data specific to other set types, have applied the same rationale and score to both these set types. This meets the requirements of the SG 60 level but not of the SG 80 level.</p>
<b>Condition</b>	<p><u>Silky shark:</u></p> <p>By the <del>fourth</del> first year reassessment annual surveillance, provide evidence that it is highly likely that shark finning is not taking place in free school sets.</p>
<b>Condition Start</b>	PCR
<b>Condition Deadline</b>	<del>fourth</del> first year reassessment annual surveillance
<b>Milestones</b>	<p><u>Milestones for Zero Finning</u></p> <p><b>M-I S&amp;R C.1</b> By the first annual audit, the Alliance will provide the auditors with a copy of the written Zero Finning policy developed to be followed by the Alliance vessels, and will inform them as to the status of its implementation.</p> <p><b>M-I S&amp;R C.2</b> By the first annual audit, the Alliance will provide the auditors with copy of the materials used and distributed to train crewmen and skippers regarding the Alliance Zero Finning policy (including the materials posted in the galley) and will provide an update of the numbers of individuals that have received this training.</p> <p><b>M-I S&amp;R C.3</b> For the second, third and fourth annual audits, the Alliance will provide evidence to the auditors on the numbers of skippers and crewmen that have received training on the Alliance Zero Finning Policy.</p> <p><b>M-I S&amp;R C.4</b> For the first, second, third and fourth first annual audits, the Alliance will provide written documentation showing the number of random port inspections requested by the Alliance (or otherwise initiated) and conducted by CONAPESCA personnel, with the aim of enforcing zero finning domestic and international regulations, including the findings issued by the corresponding authority with respect to finning. The Alliance will also provide evidence that such events have been posted on the Alliance web page each quarter.</p> <p><b>M-I S&amp;R C.5</b> For the first, second, third and fourth annual audits, the Alliance will provide evidence describing and quantifying any violations to its Zero Finning Policy and the corresponding corrective actions it has taken with skippers and crewmen.</p> <p><b>M-I S&amp;R C.6</b> By the fourth annual audit, the Alliance will provide evidence that it is highly likely that shark finning is not taking place for both dolphin and free school sets, involving any sharks, but in particular silky sharks.</p>
<b>Client Action Plan</b>	<p>Refer to the following section(s) of Client Action Plan in the PCR:</p> <p>C. Proposed Action Plan on Implementation of the Alliance Zero Finning Policy.</p> <p>Goal: To ensure that no finning takes place on any of the Alliance vessels and to ensure full compliance with all domestic regulations and those emerging from the IATTC Resolutions regarding finning.</p>
<b>Consultation on condition</b>	Letters of Support below from CONAPESCA and IATTC were provided to SCS Global Services as the fishery's Conformity Assessment Body (CAB) when the fishery was certified (Morgan et al. 2017).
<b>Progress on Condition (Year 2)</b>	<p><u>Milestones for Zero Finning</u></p> <p><b>M-I S&amp;R C.3, M-I S&amp;R C.4, M-I S&amp;R C.5</b></p> <p>The audit team was provided with a copy of the PAST guide to good practices to reduce the mortality of sharks and rays captured incidentally by purse seine vessels (PAST 2019a) and the</p>

	<p>PAST workshop training manual on the commitment to zero retention, zero finning and 100% release of sharks and rays (PAST 2019b). During 2109 and 2020, 11 training events were held in total across the PAST membership, where 168 crew members from different companies and vessels were present.</p> <p>As noted against Condition 2-1, for the year 2 audit of the PAST fishery, the audit team was also provided with a letter sent to the client by the CONAPESCA Directorate of International Affairs, responding to a request for data (CONAPESCA 2020). This letter indicated that no random inspections had been carried out in 2018, but that six random inspections of PAST vessels were carried out in 2019, looking for evidence of the retention of sharks or their fins; it was confirmed that these inspections were unannounced (i.e., to ensure that no opportunity was provided prior to the inspection to hide or discard evidence) and that none of these unannounced inspections had found evidence of illegal retention or of finning. Although conventional observer data showed there were a small number of instances where silky sharks were retained inadvertently (seven sharks in 2018, one shark in 2019), the data overall show the non-retention policy for sharks is being implemented successfully, consistent with measures adopted by both the IATTC and the Mexican Government. The audit team notes the improvement in the live release rate for silky shark from 50.9% in 2018 to 64.0% in 2019, and are satisfied that the data now available should be considered adequate to support a partial strategy to manage these main P2 species (Table 6).</p> <p>The audit team confirmed that the zero-finning policy of the PAST fleet is enforced vigorously, including by highlighting at training events for crew members that finning would put the MSC certification at risk (PAST 2019b), and noting in letters to crew members that any finning would result in dismissal from employment. There was no finning reported or indicated in the PAST fleet in this last year.</p> <p>The data overall show the non-retention policy for sharks is being implemented successfully, consistent with measures adopted by both the IATTC and the Mexican Government. The data are considered adequate to support a partial strategy to manage these main P2 species.</p>
<b>Progress on Condition (Year 3)</b>	<p>PI 2.1.2 is a management PI, and therefore Condition 2-16 <u>is</u> eligible for an extension under Derogation 6. Therefore, the Year 3 milestones are not effective this year. Nevertheless, progress is noted against the Year 3 milestones, and the status as indicated in the following section reflects the status after considering any progress.</p> <p><u>Milestones for Zero Finning</u></p> <p><b>M-I S&amp;R C.3, M-I S&amp;R C.4, M-I S&amp;R C.5</b></p> <p>Last year, the Audit team was provided with a copy of the PAST guide to good practices to reduce the mortality of sharks and rays captured incidentally by purse seine vessels (PAST 2019a) and the PAST workshop training manual on the commitment to zero retention, zero finning and 100% release of sharks and rays (PAST 2019b). These training materials are delivered at workshops with skippers, fishing captains and other crew of the PAST fleet, and highlight the benefits to sharks, rays and other bycatch species of appropriate, safe handling techniques. The materials also point to the Mexican and IATTC laws and regulations around finning and shark management, specifying clearly that the PAST operates a zero retention and 100% release policy for sharks and ray species, and that there is a zero finning policy in place (including because of the impact this practice would have on MSC certification for the fishery).</p> <p>Training has been ongoing in the last year, and evidence was provided during this latest audit that a total of 979 skippers and crewmen from across the vessels of the client group have now received the training – this is an increase of 811 since last year.</p> <p>As last year, for 2021 the PAST officially requested that CONAPESCA undertake random inspections of its vessels at landing (PAST 2021a), and these were followed by requests from each member company (Procesa Chiapas 2021, Pesca Azteca 2021, Grupomar 2021).</p> <p>There have been no violations of the non-retention of sharks and zero finning policies in the last year (IATTC 2021a). These milestones are met.</p>

<b>Status</b>	The data and other information presented to the audit team show that the year 3 milestones for this condition have been met. <b>Ahead of target</b> (reflecting that there are no milestones this year under Derogation 6).
<b>Additional information</b>	Condition 2-16 was set as a four-year condition, but is eligible for an extension under Derogation 6 <sup>29</sup> . Following interpretation <sup>30</sup> , a revised timeline is set for this Condition to close in year 1 of a new certificate, assuming the fishery is recertified. All Year 3 milestones will be repeated at the Year 4 audit, and progress against the Year 4 milestones will then be considered at the Year 1 audit of a new certificate.

### Condition 2-17 (PI 2.1.3 Slc – Free School Sets)

<b>Performance Indicator</b>	2.1.3, Slc
<b>Score</b>	65
<b>Justification</b>	<p><u>Silky Shark:</u> The information that has been collected has been sufficient to support at least some of the measures that collectively are considered to comprise a strategy to manage silky sharks. However, the absence of retention vs discard (and survivorship) information means that there is not sufficient information to support the partial strategy, which includes national and international regulations prohibiting retention of the species. The SG 60, but not SG 80 Scoring Issue, is therefore met.</p> <p><u>Mobulid Rays:</u> Data on Mobulid rays provided includes annual catch by set type, but the team was not provided with data on retention versus discard. While the data are sufficient to support overall management of the species and basic estimates such as abundance, information is currently not adequate to support the main measures of the partial strategy, which hinge on national and international regulations that pertain to prohibited retention of the species. The SG 60, but not SG 80 Scoring Issue, is therefore met.</p>
<b>Condition</b>	<p><u>Silky shark and Mobulid rays:</u> By the <del>fourth</del> first year reassessment annual surveillance, provide evidence that information is adequate to support a partial strategy to manage main retained species.</p>
<b>Condition Start</b>	PCR
<b>Condition Deadline</b>	<del>fourth</del> first year reassessment annual surveillance
<b>Milestones</b>	<p><u>Milestones for Zero Retention of Sharks and Rays (S&amp;R)</u>  <b>M-I S&amp;R A.3</b> By the first annual audit, the Alliance will provide evidence of the record keeping format that is being or will be used to keep records of all interactions with silky sharks and Rays (in particular Mobulid).  <b>M-I S&amp;R A.4</b> By the first annual audit, the Alliance will provide any available data resulting from the records being kept of interactions with silky sharks, specifically indicating the</p>

<sup>29</sup> <https://www.msc.org/docs/default-source/default-document-library/for-business/program-documents/chain-of-custody-supporting-documents/msc-derogation-6-covid-19-fishery-conditions-extension.pdf>

<sup>30</sup> <https://mscportal.force.com/interpret/s/article/Derogation-6-Covid-19-Fishery-Conditions-Extension>

	<p>numbers and condition of their release (live, unknown, injured, dead), as well as any interactions with rays, in particular with Mobulid rays.</p> <p><b>M-I S&amp;R A.7</b> By the fourth annual audit, the Alliance will provide evidence that information being collected is adequate to support a partial strategy to manage the main retained (or no longer retained) sharks and ray species.</p> <p><b>M-I S&amp;R A. 11</b> For each of the annual audits, Year One through Year Four, the Alliance will provide evidence showing records of any small sharks and/or rays detected at the time of fish unloading and that could involuntarily have ended up in the vessel fish wells without being noticed by the crew during brailing and/or sorting, as well as documentation showing the donation of these species to a designated food bank.</p> <p><u>Milestones for Safe-Handling/Live Return of Sharks and Rays</u></p> <p><b>M-I S&amp;R B.4</b> For the second, third and fourth annual audits, the Alliance will provide any available data resulting from the records being kept, showing the interactions with all sharks and rays, but specifically silky sharks and Mobulid rays, indicating the numbers and condition at the time of their release (live, unknown, injured, dead).</p> <p><b>M-I S&amp;R B.10</b> By the fourth annual audit, the Alliance will provide evidence that sufficient data continues to be collected for both dolphin and free school sets to detect any increase in risk level (e.g. due to changes in the outcome indicator score or the operation of the fishery or the effectiveness of the strategy) as it relates to the Safe-Handling/ Live Return policy for silky sharks and Mobulid rays.</p>
<b>Client Action Plan</b>	<p>Refer to the following section(s) of Client Action Plan in the PCR:</p> <p>Section I. Comprehensive Strategy for Sharks and Rays. The Alliance will design and implement a comprehensive strategy that includes</p> <p>A. Proposed Action Plan on Implementation of Zero Retention of Sharks and Rays.</p> <p>Goal: To ensure that no sharks incidentally caught during regular tuna fishing operations (Dolphin sets and/or Free School sets), are voluntarily retained by any of the Alliance vessels.</p> <p>B. Proposed Action Plan on Implementation of the Alliance Safe-Handling/Live Return for Sharks and Rays.</p> <p>Goal: To implement on all Alliance vessels a Safe-Handling/Live Return policy to maximize the number of sharks released alive at sea, to the extent practical and without compromising the safety of any persons on board; and to keep records of all these interactions</p>
<b>Consultation on condition</b>	<p>Letters of Support below from CONAPESCA and IATTC were provided to SCS Global Services as the fishery's Conformity Assessment Body (CAB) when the fishery was certified (Morgan et al. 2017).</p>
<b>Progress on Condition (Year 2)</b>	<p><u>Milestones for Zero Retention of Sharks and Rays (S&amp;R)</u></p> <p><b>M-I S&amp;R A. 11</b></p> <p>Seven silky sharks and six pelagic stingrays (2018) and a single silky shark and three Mobulid rays (2019) were recorded as 'retained' during routine observer processes. With respect to the 2019 occurrences, CONAPESCA (2020) noted that these were considered to be possible cases of non-compliance with IATTC Resolution C-19-05 on silky shark and Resolution C-15-04 on Mobulid rays which prohibit the retention of these species by purse seine vessels operating in the Eastern Pacific Ocean. The audit team questioned CONAPESCA and INAPESCA staff with the client on this matter during the site visit and were informed that these appeared to be small animals that had accidentally progressed through the catch handling systems aboard the vessels. The audit team notes the very small number and that the explanation is consistent with a lack of deliberate intent and have no reason to doubt that these animals were retained accidentally; we will consider any further evidence if available at the next audit.</p> <p><u>Milestones for Safe-Handling/Live Return of Sharks and Rays</u></p> <p><b>M-I S&amp;R B.4</b></p>

	<p>As noted for Condition 2-1, above, the audit team was provided with detailed observer data for the PAST fishery, showing the number and nature of interactions with oceanic whitetip and silky sharks in 2018 and 2019 (Table 6), and with different ray species (Table 7). In terms of overall numbers, slightly more silky shark were caught in 2019 than 2018, but the release rate (alive) was also higher in 2019 (3,540 animals @ 64.0% alive in 2019 compared with 3,116 animals @ 50.9% released alive in 2018). Oceanic whitetip sharks were caught in very small numbers (1 and 8 in 2018 and 2019, respectively), all of which were released alive according to the observer data (Table 6).</p> <p>Catches of rays were very similar from 2018 to 2019, but the proportion of live releases also increased during this period, albeit only slightly from an already high 90.3% to 91.8% (Table 7).</p>
<b>Progress on Condition (Year 3)</b>	<p>PI 2.1.3 is an information PI, and therefore Condition 2-17 <u>is</u> eligible for an extension under Derogation 6. Therefore, the Year 3 milestones are not effective this year. Nevertheless, progress is noted against the Year 3 milestones, and the status as indicated in the following section reflects the status after considering any progress.</p> <p><u>Milestones for Zero Retention of Sharks and Rays (S&amp;R)</u></p> <p><b>M-I S&amp;R A. 11</b></p> <p>With respects to sharks that may be retained inadvertently, the data show that this year there was just a single case (Table 7). For rays, Table 8 shows there was a slight increase in inadvertent retention, with 17 retained (as compared with 6 and 3 for 2018 and 2019, respectively). The Audit Team is satisfied that these retentions are in no way deliberate and was presented with a letter from the IATTC to the client, confirming that the IATTC is also satisfied there was no intentional retention of sharks or rays by PAST vessels (IATTC 2021a). This milestone is met.</p> <p><u>Milestones for Safe-Handling/Live Return of Sharks and Rays</u></p> <p><b>M-I S&amp;R B.4</b></p> <p>Observer data presented in Table 7 show that a smaller number of silky sharks were taken in 2020 (1,815) compared to the previous two years (3,116 in 2018 and 3,540 in 2019), but the Audit Team also noted the data showing that the percentage of the silky sharks recorded as 'released alive' has increased from 50.9% in 2018, to 64.0% in 2019, and then to 76.7% for the latest year. A somewhat higher catch of rays was taken in 2020 (268) in comparison to the previous two years (214 in 2018 and 202 in 2019), with a slightly lower percentage 'released alive' (90.3% in 2018, 91.8% in 2019, to 84.3% in the last year). The Audit Team will continue to monitor the situation, but there is no pattern in the data and no reason to consider that anything has changed in the fishery. This milestone is met.</p>
<b>Status</b>	<p>The data and other information presented to the audit team show that the year 3 milestones for this condition have been met.</p> <p><b>Ahead of target</b> (reflecting that there are no milestones this year under Derogation 6).</p>
<b>Additional information</b>	<p>Condition 2-17 was set as a four-year condition, but is eligible for an extension under Derogation 6<sup>31</sup>. Following interpretation<sup>32</sup>, a revised timeline is set for this Condition to close in year 1 of a new certificate, assuming the fishery is recertified.</p> <p>All Year 3 milestones will be repeated at the Year 4 audit, and progress against the Year 4 milestones will then be considered at the Year 1 audit of a new certificate.</p>

<sup>31</sup> <https://www.msc.org/docs/default-source/default-document-library/for-business/program-documents/chain-of-custody-supporting-documents/msc-derogation-6-covid-19-fishery-conditions-extension.pdf>

<sup>32</sup> <https://mscportal.force.com/interpret/s/article/Derogation-6-Covid-19-Fishery-Conditions-Extension>



**Condition 2-18 (PI 2.1.3 SId – Free School Sets)**

<b>Performance Indicator</b>	2.1.3, SId
<b>Score</b>	65
<b>Justification</b>	<p><u>Silky shark and Mobulid rays:</u></p> <p>Data continue to be collected from logbooks and observer programs in sufficient detail to detect any substantial increase in risk from increased catches of these species. What is not currently available, however, is information on the effectiveness of all the measures contained in the IATTC's Resolutions, which collectively form the strategy for addressing risks to these species. This Scoring Issue is therefore not considered to be met at the SG 80 level.</p>
<b>Condition</b>	<p><u>Silky shark and Mobulid rays:</u></p> <p>By the <del>fourth</del> first year reassessment annual surveillance, provide evidence that sufficient data continue to be collected for free school sets to detect any increase in risk level (e.g. due to changes in the outcome indicator score or the operation of the fishery or the effectiveness of the strategy).</p>
<b>Condition Start</b>	PCR
<b>Condition Deadline</b>	<del>fourth</del> first year reassessment annual surveillance
<b>Milestones</b>	<p><u>Milestones for Zero Retention of Sharks and Rays (S&amp;R)</u></p> <p><b>M-I S&amp;R A.3</b> By the first annual audit, the Alliance will provide evidence of the record keeping format that is being used or will be used to keep records of all interactions with silky sharks) and rays (in particular Mobulid).</p> <p><b>M-I S&amp;R A.4</b> By the first annual audit, the Alliance will provide any available data resulting from the records being kept of interactions with silky sharks, specifically indicating the numbers and condition of their release (live, unknown, injured, dead), as well as any interactions with rays, in particular with Mobulid rays.</p> <p><b>M-I S&amp;R A.7</b> By the second annual audit, the Alliance will provide evidence that information being collected is adequate to support a partial strategy to manage the main retained (or no longer retained) sharks and ray species.</p> <p><b>M-I S&amp;R A.10</b> By the fourth annual audit, the Alliance will provide evidence that sufficient data continues to be collected for both dolphin and free school sets to detect any increase in risk level (e.g. due to changes in the outcome indicator score or the operation of the fishery or the effectiveness of the strategy) as it relates to silky sharks and Mobulid rays.</p> <p><b>M-I S&amp;R A. 11</b> For each of the annual audits, Year One through Year Four, the Alliance will provide evidence showing records of any small sharks and/or rays detected at the time of fish unloading and that could involuntarily have ended up in the vessel fish wells without being noticed by the crew during brailing and/or sorting, as well as documentation showing the donation of these species to a designated food bank.</p> <p><u>Milestones for Safe-Handling/Live Return of Sharks and Rays</u></p> <p><b>M-I S&amp;R B.4</b> For the second, third and fourth annual audits, the Alliance will provide any available data resulting from the records being kept, showing the interactions with all sharks and rays, but specifically with silky sharks and Mobulid rays, indicating the numbers and condition at the time of their release (live, unknown, injured, dead).</p> <p><b>M-I S&amp;R B.10</b> By the fourth annual audit, the Alliance will provide evidence that sufficient data continues to be collected for both dolphin and free school sets to detect any increase in risk level (e.g. due to changes in the outcome indicator score or the operation of the fishery or the effectiveness of the strategy) as it relates to the Safe-Handling/ Live Return policy for silky sharks and Mobulid rays.</p>
<b>Client Action Plan</b>	<p>Refer to the following section(s) of Client Action Plan in the PCR:</p> <p>Section I. Comprehensive Strategy for Sharks and Rays. The Alliance will design and implement a comprehensive strategy that includes</p> <p>A. Proposed Action Plan on Implementation of Zero Retention of Sharks and Rays.</p>



	<p>Goal: To ensure that no sharks incidentally caught during regular tuna fishing operations (Dolphin sets and/or Free School sets), are voluntarily retained by any of the Alliance vessels.</p> <p>B. Proposed Action Plan on Implementation of the Alliance Safe-Handling/Live Return for Sharks and Rays.</p> <p>Goal: To implement on all Alliance vessels a Safe-Handling/Live Return policy to maximize the number of sharks released alive at sea, to the extent practical and without compromising the safety of any persons on board; and to keep records of all these interactions</p>																																																																													
Consultation on condition	Letters of Support below from CONAPESCA and IATTC were provided to SCS Global Services as the fishery's Conformity Assessment Body (CAB) when the fishery was certified (Morgan et al. 2017).																																																																													
Progress on Condition (Year 2)	<p><u>Milestones for Zero Retention of Sharks and Rays (S&amp;R)</u></p> <p><b>M-I S&amp;R A.7, M-I S&amp;R A. 11</b></p> <p>As noted in the P2 introduction and in commentaries against the conditions relevant to sharks and rays, there is a range of information and substantial quantities of data now available on the fishery with respect to these species. There is 100% observer coverage on the fishery, and the data collected on catches including fate for sharks (Table 7) and rays (</p> <table><tr><th rowspan="2">Common name</th><th colspan="3">Retained</th><th colspan="3">Discarded (Dead)</th><th colspan="3">Other/Unknown</th><th colspan="3">Released (Alive)</th></tr><tr><th>2018</th><th>2019</th><th>2020</th><th>2018</th><th>2019</th><th>2020</th><th>2018</th><th>2019</th><th>2020</th><th>2018</th><th>2019</th><th>2020</th></tr><tr><td>Oceanic whitetip</td><td>0</td><td>0</td><td>0</td><td>0</td><td>0</td><td>0</td><td>0</td><td>0</td><td>0</td><td>1</td><td>8</td><td>3</td></tr><tr><td colspan="10">Released proportion of total, oceanic whitetip shark</td><td>100%</td><td>100%</td><td>100%</td></tr><tr><td>Silky shark</td><td>7</td><td>1</td><td>1</td><td>1522</td><td>1272</td><td>422</td><td>0</td><td>0</td><td>0</td><td>1587</td><td>2267</td><td>1392</td></tr><tr><td colspan="10">Released proportion of total, silky shark</td><td>50.9%</td><td>64.0%</td><td>76.7%</td></tr></table> <p>Table 8Table 8) provide overall catch quantities and changes in live release rate over time consistent with the completion of eleven training events for skippers and crew on the PAST guide to good practices to reduce the mortality of sharks and rays captured incidentally by purse seine vessels (PAST 2019a) and the PAST workshop training manual on the commitment to zero retention, zero finning and 100% release of sharks and rays (PAST 2019b). There are also data available from unannounced inspections to check for illegal retention of shark and ray species, showing that no deliberate retention is occurring. Information is clearly being collected that is adequate to support a partial strategy to manage the main shark and ray species.</p> <p>Seven silky sharks and six pelagic stingrays (2018) and a single silky shark and three Mobulid rays (2019) were recorded as 'retained' during routine observer processes. With respect to the 2019 occurrences, CONAPESCA (2020) noted that these were considered to be possible cases of non-compliance with IATTC Resolution C-19-04 on silky shark and Resolution C-15-04 on Mobulid rays which prohibit the retention of these species by purse seine vessels operating in the Eastern Pacific Ocean. The audit team questioned CONAPESCA and INAPESCA staff with the client on this matter during the site visit and were informed that these appeared to be small animals that had accidentally progressed through the catch handling systems aboard the vessels. The audit team notes the very small number and that the explanation is consistent with a lack of deliberate intent, and have no reason to doubt that these animals were retained accidentally; we will consider any further evidence if available at the next audit.</p> <p><u>Milestones for Safe-Handling/Live Return of Sharks and Rays</u></p> <p><b>M-I S&amp;R B.4</b></p> <p>As noted for Condition 2-1, above, the audit team was provided with detailed observer data for the PAST fishery showing the number and nature of interactions with oceanic whitetip and silky sharks in 2018 and 2019 (Table 6) and with different ray species (Table 7). In terms of overall numbers, slightly more silky shark were caught in 2019 than 2018, but the release rate (alive) was also higher in 2019 (3,540 animals @ 64.0% alive in 2019 compared with 3,116 animals @ 50.9% released alive in 2018). Oceanic whitetip sharks were caught in very small number (1 and 8 in 2018 and 2019, respectively), all of which were released alive according to the observer data (Table 6).</p>	Common name	Retained			Discarded (Dead)			Other/Unknown			Released (Alive)			2018	2019	2020	2018	2019	2020	2018	2019	2020	2018	2019	2020	Oceanic whitetip	0	0	0	0	0	0	0	0	0	1	8	3	Released proportion of total, oceanic whitetip shark										100%	100%	100%	Silky shark	7	1	1	1522	1272	422	0	0	0	1587	2267	1392	Released proportion of total, silky shark										50.9%	64.0%	76.7%
	Common name		Retained			Discarded (Dead)			Other/Unknown			Released (Alive)																																																																		
		2018	2019	2020	2018	2019	2020	2018	2019	2020	2018	2019	2020																																																																	
	Oceanic whitetip	0	0	0	0	0	0	0	0	0	1	8	3																																																																	
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	Catches of rays were very similar from 2018 to 2019, but the proportion of live releases also increased during this period, albeit only slightly from an already high 90.3% to 91.8% (Table 7).
<b>Progress on Condition (Year 3)</b>	<p>PI 2.1.3 is an information PI, and therefore Condition 2-17 is eligible for an extension under Derogation 6. Therefore, the Year 3 milestones are not effective this year. Nevertheless, progress is noted against the Year 3 milestones, and the status as indicated in the following section reflects the status after considering any progress.</p> <p><u>Milestones for Zero Retention of Sharks and Rays (S&amp;R)</u></p> <p><b>M-I S&amp;R A. 11</b></p> <p>With respects to sharks that may be retained inadvertently, the data show that this year there was just a single case (Table 7). For rays, Table 8 shows there was a slight increase in inadvertent retention, with 17 retained (a compared with 6 and 3 for 2018 and 2019, respectively). The Audit Team is satisfied that these retentions are in no way deliberate, and was presented with a letter from the IATTC to the client, confirming that the IATTC is also satisfied there was no intentional retention of sharks or rays by PAST vessels (IATTC 2021a). This milestone is met.</p> <p><u>Milestones for Safe-Handling/Live Return of Sharks and Rays</u></p> <p><b>M-I S&amp;R B.4</b></p> <p>Observer data presented in Table 7 show that a smaller number of silky sharks were taken in 2020 (1,815) compared to the previous two years (3,116 in 2018 and 3,540 in 2019), but the Audit Team also noted the data showing that the percentage of the silky sharks recorded as 'released alive' has increased from 50.9% in 2018, to 64.0% in 2019, and then to 76.7% for the latest year. A somewhat higher catch of rays was taken in 2020 (268) in comparison to the previous two years (214 in 2018 and 202 in 2019), with a slightly lower percentage 'released alive' (90.3% in 2018, 91.8% in 2019, to 84.3% in the last year). The Audit Team will continue to monitor the situation, but there is no pattern in the data and no reason to consider that anything has changed in the fishery. This milestone is met.</p>
<b>Status</b>	<p>The data and other information presented to the audit team show that the year 3 milestones for this condition have been met.</p> <p><b>Ahead of target</b> (reflecting that there are no milestones this year under Derogation 6).</p>
<b>Additional information</b>	<p>Condition 2-18 was set as a four-year condition, but is eligible for an extension under Derogation 6<sup>33</sup>. Following interpretation<sup>34</sup>, a revised timeline is set for this Condition to close in year 1 of a new certificate, assuming the fishery is recertified.</p> <p>All Year 3 milestones will be repeated at the Year 4 audit, and progress against the Year 4 milestones will then be considered at the Year 1 audit of a new certificate.</p>

### Condition 2-19 (PI 2.1.3 SId – Free School Sets)

<b>Performance Indicator</b>	2.1.3, SId
<b>Score</b>	65
<b>Justification</b>	<p><u>Bonito:</u></p> <p>Data continue to be collected from logbooks and observer programs in sufficient detail to detect any substantial increase in risk from increased catches of these species. What is not currently available, however, is information on the effectiveness of all the measures contained</p>

<sup>33</sup> <https://www.msc.org/docs/default-source/default-document-library/for-business/program-documents/chain-of-custody-supporting-documents/msc-derogation-6-covid-19-fishery-conditions-extension.pdf>

<sup>34</sup> <https://mscportal.force.com/interpret/s/article/Derogation-6-Covid-19-Fishery-Conditions-Extension>

	in the IATTC's Resolutions, which collectively form the strategy for addressing risks to these species. This Scoring Issue is therefore not considered to be met at the SG 80 level.
<b>Condition</b>	<u>Bonito:</u> By the <del>fourth</del> first year reassessment annual surveillance, provide evidence that sufficient data continue to be collected for free school sets to detect any increase in risk level (e.g. due to changes in the outcome indicator score or the operation of the fishery or the effectiveness of the strategy).
<b>Condition Start</b>	PCR
<b>Condition Deadline</b>	<del>fourth</del> first year reassessment annual surveillance
<b>Milestones</b>	<u>Milestones for Bonito</u> <b>M-II BON 1</b> For annual audits first through fourth, the Alliance will provide evidence showing all catch records of bonito registered by the Alliance vessels and that the data being collected is sufficient to detect any increase in risk level (e.g. due to changes in the outcome indicator score or the operation of the fishery or the effectiveness of the strategy).
<b>Client Action Plan</b>	Refer to the following section(s) of Client Action Plan in the PCR: Section II. Commitments to Bonito Goal: To continue to collect sufficient data and to commission an evaluation to determine if the harvest of this stock is within or outside of biological limits, and to identify potential measures to reduce possible risks to this stock.
<b>Consultation on condition</b>	Letters of Support below from CONAPESCA and IATTC were provided to SCS Global Services as the fishery's Conformity Assessment Body (CAB) when the fishery was certified (Morgan et al. 2017).
<b>Progress on Condition (Year 2)</b>	<b>M-II BON 1</b> For this Year 2 audit, the Assessment Team was provided with discharge totals for bonito from PAST Fishery vessels over the period 2017-2019 in a letter from the CONAPESCA General Directorate of Planning, Programming and Evaluation (CONAPESCA 2020). This letter confirmed that discharges of bonito in the PAST Fishery equated to 985.8 t in 2017, 0 t in 2018 and 2125.0 t in 2019 (Table 8). We note that Ortega-García & Jakes-Cota 2019 is a new report that provides an overview of the Pacific bonito stock and fishery. Catches have been variable over time but were low and averaged less than 1,000 t from the mid-1990s to the mid-2000s, before increasing to a recent maximum in 2007 of 14,000 t and then declining thereafter; in 2018, the total catch was essentially zero. Ortega-García & Jakes-Cota 2019 note that there is high variability in total landings over time due to factors including market demand and price, as well as to the migratory movements of the fish and oceanic conditions. This study reported that production and yield-per-recruit models may overestimate MSY, but that they indicate MSY to be about 13,000 t. Recommendations on work to take forward include an improved stock assessment methodology based on comparing current values of several simple indicators to explain the available information about stock status, such as total catch, catch per set or catch per day for purse seine and for other fishing gear
<b>Progress on Condition (Year 3)</b>	PI 2.1.3 is an information PI, and therefore Condition 2-19 <u>is</u> eligible for an extension under Derogation 6. Therefore, the Year 3 milestones are not effective this year. Nevertheless, progress is noted against the Year 3 milestones, and the status as indicated in the following section reflects the status after considering any progress.

	<p><u>Milestones for Bonito:</u></p> <p><b>M-II BON 1</b></p> <p>Catches of bonitos in the PAST fishery (free school sets) have varied over recent years, from 0t in 2018 to a maximum of 2,125 t in 2019; the average annual catch in the last five years has been 787 t (Table 9). This variability is consistent with the variability highlighted in the report by Ortega-García &amp; Jakes-Cota 2019, who demonstrated catches in total have varied historically due to factors including market demand and price, as well as to the migratory movements of the fish and oceanic conditions. These authors showed that total catches from the stock were low and averaged less than 1,000 t from the mid-1990s to the mid-2000s, before increasing to a recent maximum in 2007 of 14,000 t and then declined thereafter; in 2018, the total catch was essentially zero, mirroring the situation with the PAST fishery.</p> <p>The fact that bonitos are considered as main species in the free school UoCs is because they represented 15% of the total catch for the 2009-2013 period that was considered at assessment. However, over the most recent five years, the bonitos have averaged 3.9% of the free school catch (see table below). At this level, bonito would not be considered a main species, and instead they would be assessed as minor species.</p> <table><tr><th>Year</th><th>Total Catch (t)</th><th>Bonito Catch (t)</th><th>Bonito as % of Total</th></tr><tr><td>2016</td><td>26,058</td><td>108</td><td>0.4</td></tr><tr><td>2017</td><td>33,461</td><td>1,354</td><td>4.0</td></tr><tr><td>2018</td><td>10,809</td><td>-</td><td>0.0</td></tr><tr><td>2019</td><td>18,353</td><td>2,171</td><td>11.8</td></tr><tr><td>2020</td><td>9,833</td><td>303</td><td>3.1</td></tr><tr><td>Mean</td><td>19,702</td><td>787.2</td><td>3.9</td></tr></table> <p>There is limited specific targeting of bonitos by the PAST fleet, and catch data for these species are collected and collated routinely, together with VMS data. All vessels are 100% covered by onboard observers. It is noted that the status of bonitos has not been assessed by the IATTC but they are short-lived and productive species and are classified by the IUCN as being of least concern.</p> <p>In the context of the variable but low catches of bonito by the PAST fleet in recent years, the nature of the fishery overall, their productivity and the limited targeting, it is determined appropriate this year to close this condition. It is considered that <i>“sufficient data continue to be collected for free school sets to detect any increase in risk level (e.g. due to changes in the outcome indicator score or the operation of the fishery or the effectiveness of the strategy)”</i>. This condition is closed.</p>	Year	Total Catch (t)	Bonito Catch (t)	Bonito as % of Total	2016	26,058	108	0.4	2017	33,461	1,354	4.0	2018	10,809	-	0.0	2019	18,353	2,171	11.8	2020	9,833	303	3.1	Mean	19,702	787.2	3.9
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	Mean	19,702	787.2	3.9																									
	<b>Status</b>	<b>Closed</b>																											
	<b>Additional information</b>	Rescoring for this PI is provided in Section 4.6.																											

#### 4.4 Principle 3 Conditions

MSC derogation 6 is applied to all open Principle 3 conditions. Details are provided in the 'Additional information' section of each Condition to show how the derogation will impact the milestones and deadlines going forward.

##### Condition 3-1 (PI 3.2.1 Sla – All UoCs)

<b>Performance Indicator</b>	3.2.1, Sla
<b>Score</b>	75
<b>Justification</b>	NOM-001-SAG/PESC-2013 facilitates the adoption of resolutions concerning closures, catch quotas and other instruments that are of more specific than the broad goals of sustainability. The recently introduced Mexican management plan for yellowfin tuna (SAGARPA 2014) outlines a number of actions aligned with the overall objectives for the fishery. The effectiveness of the plan in adding to existing management tools is not yet evident. The existence of regulatory documents such as the NOM-001-SAG/PESC2013 and implicit nature of statements of long and short term management objectives are sufficient to meet SG60. The adoption of the yellowfin management plan indicates progress towards meeting SG 80, however given that the effectiveness of the plan is not yet evident and that there is a lack of explicit short-term objectives for skipjack tuna suggest SG 80 requirements are only partially met. Overall, a score of 75 is given for this PI due to SG 80 being partially met at the national level.
<b>Condition</b>	By the third annual surveillance, demonstrate that short term objectives are in place at the national level, consistent with achieving the outcomes expressed by MSC's Principles 1 and 2 and explicit within the fishery's management system.
<b>Milestones</b>	<p><u>Milestones for Skipjack Short-Term Objectives</u></p> <p><b>M-I P3 1</b> By the first annual audit, the Alliance will provide evidence that it has formally requested (in writing) that CONAPESCA and INAPESCA include short-term objectives for the sustainable management of Skipjack in the Pacific Ocean - either in the Carta Nacional de Pesca or through an amendment to the Plan de Manejo para la Pesquería Mexicana del Atún Aleta Amarilla del Pacífico.</p> <p><b>M-I P3 2</b> By the second annual audit, the Alliance will provide evidence of CONAPESCA and/or INAPESCA response to the Alliance request regarding the inclusion of short-term management objectives for the Skipjack fishery and any additional information that indicates the status of the original request and its implementation. In case short-term management objectives for skipjack tuna have been established, the Alliance will provide the necessary documentation to demonstrate this to the auditors.</p> <p><b>M-I P3 3</b> By the third annual audit, the Alliance will provide documentation demonstrating that short-term management objectives are in place at the national level, consistent with achieving the outcomes expressed by MSC's Principles 1 and 2 and explicit within the fishery's management system.</p>
<b>Client Action Plan</b>	<p>Refer to the following section(s) of Client Action Plan in the PCR:</p> <p><i>Section I. Commitment to Ensure that Short-term Objectives for Skipjack Tuna Fishery are Included for the Pacific Mexican Exclusive Economic Zone.</i></p> <p><b>Goal:</b> To ensure that the skipjack fishery in the Mexican Pacific Exclusive Economic Zone is regulated by clear, specific short-term objectives at the national level which ensure the sustainable management of the species.</p>

<b>Consultation on condition</b>	Letters of Support below from CONAPESCA and IATTC were provided to SCS Global Services as the fishery's Conformity Assessment Body (CAB) when the fishery was certified (Morgan et al. 2017).
<b>Progress on Condition (Year 1)</b>	<p>After closely reviewing the justification for this PI and the management, the assessment team revised the emphasis of the evaluation of this PI to focus on the regional level arrangements. The key focus for the short-term objectives is on the regional level arrangements, as this is where fisheries management arrangements of the fishery are established. The IATTC is responsible for the sustainability and management of target stocks and for considering and minimizing the impact of the fishery on ecosystem components.</p> <p>On June 4, 1999, the Mexican State adhered to the Convention for the establishment of the Inter-American Tropical Tuna Commission (IATTC). According to the decree published in the Official Gazette of the Federation of July 19, 1999, the Mexican State has the rights and obligations granted and imposed by the Convention as if it were one of its original signatories, for which the recommendations issued by the IATTC are binding in the decisions of the fishing authority. Thus, the objectives of the IATTC Convention are applicable to the national level management.</p> <p>This PI has been rescored, the new score awarded is 80, closing the condition. A Re-Scoring Table (See 10.1.1 Evaluation Table for PI 3.2.1) is available under Appendix 1.</p> <p><b>Condition is closed</b></p>

### Condition 3-2 (PI 3.2.2 Sib – All UoCs)

<b>Performance Indicator</b>	3.2.2, Sib
<b>Score</b>	75
<b>Justification</b>	At the national level the decision process is also well established. Mexico responds to IATTC decisions, with the flow of resolutions to fisheries authorities, to its scientific staff and then to Congress for approval and publication as a document that acts as a law. Procedures or documents that do not derive from IATTC agreements such as management plans or NOMs are first proposed to INAPESCA which reviews the technical details, content and structure of the proposal before forwarding the proposal to CONAPESCA. If approved by CONAPESCA the Federal Commission for Regulatory Improvement (COFEMER) verifies the legal consistency and validity of the proposal prior to the proposal being sent to Congress for approval and publication in the Official Gazette. However, although there are consultation processes established through Mexico's fisheries legislation, it is not clear that issues identified through research and monitoring outside IATTC processes are responded to in a transparent and timely manner. SG 60 requirements are met but further evidence is required to meet SG 80.
<b>Condition</b>	By the third annual surveillance, demonstrate that at the national level decision processes respond to serious and other important issues identified in relevant research, monitoring, evaluation and consultation, in a transparent, timely and adaptive manner.
<b>Milestones</b>	<p>Milestones for an Effective, Transparent, Inclusive and Responsive Decision-Making Process for the Fishery</p> <p><b>M-II P3 1</b> By the first annual audit, the Alliance will provide evidence showing communications submitted to CONAPESCA requesting the implementation of decision-making processes at the national level that is effective, transparent, inclusive and responsive, taking into consideration all relevant information (including relevant research, monitoring, evaluation and consultations), the concerns of other stakeholders and the wider implications of such decisions.</p> <p><b>M-II P3 2</b> By the second annual audit, the Alliance will provide evidence of CONAPESCA's response to the Alliance request, and of any other relevant documentation demonstrating</p>



	<p>that CONAPESCA has agreed to improve their system at the national level and that it has initiated actions to achieve this goal.</p> <p><b>M-II P3 3</b> By the third annual audit, the Alliance will provide evidence that CONAPESCA has implemented an effective, transparent and inclusive decision-making process that is responsive in time and adapts to the needs of the fishery. (Will provide actual examples of minutes and/or cases in which this process has been followed by the fishery).</p>
<b>Client Action Plan</b>	<p>Refer to the following section(s) of Client Action Plan in the PCR:</p> <p><i>Section II. Commitment to Ensure that CONAPESCA's Decision-making Process at the National Level is Effective, Transparent, Inclusive and Responsive to Serious and Important Research, Monitoring, Evaluation and Consultation Issues, and that it Takes into Account the Wider Implications of the Decisions.</i></p> <p><b>Goal:</b> To ensure that CONAPESCA implements more effective, transparent, inclusive, and responsive decision-making processes for the fishery that include and account for stakeholder views.</p>
<b>Consultation on condition</b>	<p>Letters of Support below from CONAPESCA and IATTC were provided to SCS Global Services as the fishery's Conformity Assessment Body (CAB) when the fishery was certified (Morgan et al. 2017).</p>
<b>Progress on Condition (Year 1)</b>	<p>The client provided evidence that the year 1 milestone was met. In a letter directed to the National Commissioner Of Aquaculture And Fisheries, Mario Aguilar Sánchez, on May 2018 ( See Appendix 4.2), PAST requests " CONAPESCA provide evidence that the "[...] national decision-making processes are effective, transparent, inclusive and responsive, taking into consideration all relevant information (including relevant research, monitoring, evaluation and consultation), and the issues of interest of other actors of interest and the broader implications of such decisions. In these decision-making processes, it is requested that civil society actors be included."</p> <p>During the onsite visit CONAPESCA staff provided an overview and accompanying evidence on how the process of elaboration of Official Mexican Standard (NOM in Spanish), to illustrate decision making processes in the fishery information on the development of the current NOM for the tuna fishery (NOM-001-SAG/PESC-2013) was reviewed. A detailed account can be found in the Background section (6.2 Updates on the management system and regulations). The information provided indicates that the decision-making process pertaining to the creation of Nom, technically should respond to any proposals brought up by government, industry, NGOs and other stakeholders, and it takes into account INAPESCA's technical opinion. There are also opportunities for public consultation, and there is evidence that these comments are responded and incorporated into the NOM (Condition 3-3). However, public access to information on the details of the decision making process remains limited. The assessment team did not receive INAPESCA's technical opinion, or details of the analysis and developing stages, such as meeting minutes, of the NOM within the Subcommittee of Responsible Fisheries (SCPR). It remains unclear how issues identified through research and monitoring (outside of IATTC's processes) are incorporated into the NOM Draft process. A review of the current NOM is expected to start in 2019. Providing an opportunity for CONAPESCA to present evidence for the Year 2 milestone, on how the current decision-making process will be improved, or evidence provided, to clearly demonstrate how issues identified in research, monitoring and evaluation are taken into account (Condition 3-2) and explanations are provided for any actions or lack of action associated with these issues (Condition 3-3)</p> <p>During 2016 PAST participated in several meetings and a workshop led by the initiate 'Barco Abierto', a multi-stakeholder group including civil society, industry and government representatives, working to reform legislation in order to strengthen citizen participation in the fisheries and aquaculture sector. As a result of this initiative a proposal to reform the General Law of Sustainable Fisheries and Aquaculture to strengthen citizen participation in the sector fishing and aquaculture was presented to the Senate on November 2017. The proposed reform includes the following considerations; strengthening of the National Council</p>



	<p>of Sustainable Fisheries and Aquaculture is strengthened, by adding new members for greater representation and inclusion of the sector, the State Fisheries and Aquaculture Councils as spaces for citizen participation to promote local level of dialogue and consensus to propose the creation of public policies in fisheries (Condition 3-2). Regarding transparency the project proposes that the Technical Secretariat of the Council must publish on the Internet portal of the SAGARPA the list of members, work agenda, minutes of sessions, report of activities and results, among other documents generated by the National Council as far as the General Law of Transparency and Access to Public Information and other applicable regulations permit (Condition 3-2 and Condition 3-3). The current status of this proposed reform is pending.</p> <p><b>Status of Condition: On target.</b></p>
<p><b>Progress on Condition (Year 2)</b></p>	<p><b>M-II P3 2</b></p> <p>The Alliance provided evidence that the second year milestone was met with the provision of a letter to the National Commissioner of Aquaculture and Fisheries, Raul Elenes Angulo, on 10<sup>th</sup> February 2020. The Alliance requested that CONAPESCA provide data and other relevant information that are required to meet the second year milestones for each the Principle 3 Conditions including Condition 3.2. The letter stipulated the following for Condition 3.2: “a response from CONAPESCA to the request of the Alliance with regard to demonstrating that actions taken at the national level ensure effective, transparent, inclusive and responsive decision-making processes, which take into account issues identified through scientific research, monitoring, evaluation and consultation”.</p> <p>CONAPESCA responded to the Alliance request with the following:</p> <ol style="list-style-type: none"> <li>1) Meeting minutes of the First Session of the Subcommittee for Sustainable Fisheries in June 2019 which included discussions concerning the ratification of the Official Mexican Standard, NOM-001-SAC/PESC-2013, which establishes management measures for the fishing of tuna with specifications for purse seine fishing operations. Also, attendance records and letters of acceptance to invitations to attend the subcommittee meeting from stakeholders including CONAPESCA, CONACOP, La Union de Aronadores de Litoral de Oceano Pacific Mexicano etc.</li> <li>2) Meeting minutes of the Second Session of the National Advisory Committee for Food Standardization on 25<sup>th</sup> July 2020 which included discussions concerning: a draft amendment to the Official Mexican Standard NOM-049-SAG/PESC-2014 which determines procedures for establishing, evaluating and monitoring protected areas for fishery resources in waters of federal jurisdiction in the Mexican states, the ratification of the Mexican Official Standard for Responsible Fisheries and the completion of the five year review of NOM-001-SAG/PESC-2013 and other NOMs.</li> <li>3) The Agreement by which the Fisheries Management Plan for Yellowfin Tuna is implemented in the Pacific Ocean of Mexico (2014). The purpose of the Agreement was to publicize the actions that were established to manage the yellowfin tuna fishery in a balanced, comprehensive and sustainable manner, based on updated knowledge of biological aspects, ecological, environmental, economic, cultural and social aspects of the fishery. This Agreement provides evidence that the management system decision-making processes responded to issues identified through research and monitoring in a transparent manner. The preparation of this Management Plan was the responsibility of INAPESCA using the best available scientific information in developing measures to manage the yellowfin tuna fisheries. In developing this Agreement INAPESCA utilized existing biological and catch and effort data for yellowfin from the Mexico purse seine and longline fisheries. Multiple stakeholders including cooperative societies, fishers, fishing vessel owners, CANAINPESCA, CANACINTRA and CANACO were involved in the evaluation process.</li> </ol> <p>Discussions during the Second Year Surveillance Audit and evidence provided by the Alliance and CONAPESCA indicated that the national management system decision-making processes</p>

	<p>responded to issues identified through research and monitoring, outside IATTC processes, in a transparent and timely manner.</p> <p>The following documents were provided to the audit team by the Alliance and CONAPESCA:</p> <ul style="list-style-type: none"> <li>• Communication to CONAPESCA following up on the request on evidence that demonstrates compliance with a more inclusive review process (Oficio a CONAPESCA Plan de Accion MSC20200204.pdf). <ul style="list-style-type: none"> <li>- The Alliance has followed up on the documentary evidence requested from CONAPESCA via emails and videoconferences.</li> </ul> </li> <li>• Response from CONAPESCA (OFICIO_DAI_00291_MSC_ATUN.pdf).</li> <li>• Information related with NORMA Oficial Mexicana NOM-001-SAG/PESCA-2013, Pesca responsable de túnidos. Especificaciones para las operaciones de pesca con red de cerco.</li> </ul>
<b>Status CLOSED</b>	<p>To meet SG80 for PI3.2.2b the fishery management system decision-making processes are required to respond to serious and other important issues identified in relevant research, monitoring, evaluation and consultation in a transparent, timely and adaptive manner and take account of the wider implications of decisions. The Alliance and CONAPESCA have provided the Official Mexican Standard, NOM-001-SAC/PESC-2013, Agreement by which the Fisheries Management Plan for Yellowfin Tuna is implemented in the Pacific Ocean of Mexico (2014) and meeting minutes of the First Session of the Subcommittee for Sustainable Fisheries in June 2019 and Second Session of the National Advisory Committee for Food Standardization on 25<sup>th</sup> July 2020, which included discussions concerning the ratification of the Official Mexican Standard, NOM-001-SAC/PESC-2013, as evidence that the fishery management system has responded to issues in a transparent and timely manner. Also, attendance records and letters of acceptance to invitations to attend the meetings from stakeholders were provided. The information provided indicates that decision-making processes pertaining to the creation and review of the Official Mexican Standard, NOM-001-SAC/PESC-2013, respond to issues raised by government and other stakeholders. There are also opportunities for public consultation, and there is evidence that these comments were responded and incorporated into the NOM.</p> <p>Based on the above, the audit team has concluded that this condition is <b>CLOSED</b>. The score for SIb will be revised to SG80.</p>
<b>Additional information</b>	<p>Please note that while SIb now meets SG80, the score for PI 3.2.2 overall cannot be revised to SG80 or above until Condition 3-3 is also met. As such, because Condition 3-3 remains open from the Year 2 audit, the score for PI 3.2.2 remains at 75.</p>

### Condition 3-3 (PI 3.2.2 SIb – All UoCs)

<b>Performance Indicator</b>	3.2.2, SIb
<b>Score</b>	75
<b>Justification</b>	<p>At the national level, there are formal stakeholder meetings. However, the representation at these meetings and the level of reporting to all interested stakeholders is not clear from the information available. The recently introduced Mexican management plan for yellowfin tuna (SAGARPA 2014) outlines a number of actions, the implementation of which can be evaluated. However, the effectiveness of the plan in adding to existing management tools is not yet evident. The level of influence of the fishing industry in decision making is not clear and overall there is also a lack of transparency in decision making. SG 60 is met. Overall, SG60 is met but SG 80 is not.</p>

<b>Condition</b>	By the <del>third</del> fourth annual surveillance, demonstrate at the national level that explanations are provided for any actions or lack of action associated with findings and relevant recommendations emerging from research, monitoring, evaluation and review activity.
<b>Condition Start</b>	PCR
<b>Condition Deadline</b>	fourth annual surveillance
<b>Milestones</b>	<p><u>Milestones to Ensure CONAPESCA's Compliance for Inclusive Review Process</u></p> <p><b>M-III P3 1</b> By the first annual audit, the Alliance will provide evidence showing its request for CONAPESCA to comply with an inclusive national review process that provides clear explanations for actions or lack of actions taken based on findings, research recommendations or evaluations concerning the fishery, including documentation (minutes) showing stakeholder participation and the consideration of their input in the decision making process.</p> <p><b>M-III P3 2</b> By the second annual audit, the Alliance will provide evidence that CONAPESCA has responded to the Alliance's request and any initiative(s) undertaken towards this goal, including examples of CONAPESCA's compliance with an inclusive review processes (i.e. Review Process of the <i>Plan de Manejo para el Atún Aleta Amarilla del Pacífico</i> which is due in 2017).</p> <p><b>M-III P3 3</b> By the second annual audit, the Alliance will provide the written review process associated with the Plan de Manejo para el Atún Aleta Amarilla del Pacífico, including any documentation that provides indications of deviations from the proposed goals and objectives contained in the Plan; any proposed corrective actions proposed or undertaken by CONAPESCA with the corresponding explanations; and information demonstrating the consideration and inclusion of stakeholder in the process.</p> <p><b>M-III P3 4</b> By the third annual audit, the Alliance will provide documentation that demonstrates that CONAPESCA has a process and is providing explanations for any action or lack of action associated with findings and relevant recommendations emerging from research, monitoring evaluation, and review activity.</p>
<b>Client Action Plan</b>	<p>Refer to the following section(s) of Client Action Plan in the PCR:</p> <p><i>Section III. Commitment to Ensure that CONAPESCA Complies, at the National Level, with Inclusive Review Processes Associated with Findings, Relevant Recommendations Emerging from Research, Monitoring, Evaluation and Review Activities Relative to the Fishery.</i></p> <p><b>Goal:</b> To ensure that CONAPESCA complies with its review and dispute process including accounting for the perspective of relevant stakeholders and all information for the fishery. Clear explanations for action or lack of action for each case will be published.</p>
<b>Consultation on condition</b>	Letters of Support below from CONAPESCA and IATTC were provided to SCS Global Services as the fishery's Conformity Assessment Body (CAB) when the fishery was certified (Morgan et al. 2017).
<b>Progress on Condition (Year 2)</b>	<p><b>M-III P3 2</b></p> <p>The Alliance provided evidence that the second year milestone was met with the provision of a letter to the National Commissioner of Aquaculture and Fisheries, Raul Elenes Angulo, on 10th February 2020. The Alliance requested that CONAPESCA provide data and other relevant information that are required to meet the second year milestones for each the Principle 3 Conditions including Condition 3.3. Also a letter was sent to Dr. Pablo Arenas, Chief Director, National Institute of Fisheries and Aquaculture on 28th July, 2020 requesting the status of the review of the Management Plan for Pacific Yellowfin Tuna.</p> <p>Although, the Alliance requested information on the status of the review of the Management Plan for Yellowfin Tuna which was scheduled to be completed in 2017, INAPESCA has not responded. At the Second Regular Meeting of the FIDEMAR Technical Committee 2019 it was requested that if the review of the Plan had not been completed that the process be initiated.</p>

	<p>Also, INAPESCA has not provided any documentation that provides indications of deviations from the proposed goals and objectives contained in the Plan; any proposed corrective actions proposed or undertaken by CONAPESCA with corresponding explanations; and information demonstrating the consideration and inclusion of stakeholder in the process.</p> <p><b>M-III- P3 3</b></p> <p>See the Progress for M-III-3.2 (above)</p> <p><b>Status of Condition (Year 2): Behind target.</b></p>
<p><b>Progress on Condition (Year 3)</b></p>	<p><u>Under MSC Derogation<sup>35</sup>, Condition 3-3 is eligible for an extension due to Covid-19. The derogation means that this condition is extended, and there is no milestone this year for this condition. Because this condition was set originally for three years, the condition timeline is now extended to Year 4.</u></p> <p><b>M-III P3 2</b></p> <p>The Alliance sent a letter to Dr. Pablo Arenas Fuentes, Director General, INAPESCA on 28 July 2020 requesting information on the status of the review of the <i>Plan de Manejo para el Atun Aleta Amarilla del Pacifico</i>. The Director General of INEPESCA replied to the letter on the 25 September 2020 stating that due to COVID-19 restrictions INAPESCA was not able to meet with its scientific and management partners to conduct the review. However, it was expected that the review would be completed by May 2021. The Alliance sent another letter to the Director General of INEPESCA on 27 April 2021, requesting an update on the status of the review. However, the Alliance had not received a reply to this request as of the remote site visit conducted for the Third Surveillance Audit in September 2021. It was reported that the staff of INAPESCA had only recently returned to work at its headquarters and this was likely the reason for the delay in the review of the Plan.</p> <p>The following documents concerning the review of the Management Plan for Yellowfin Tuna were provided by the Alliance to the audit team:</p> <ul style="list-style-type: none"> <li>• Communication from the Alliance to Dr. Pablo Fuentes, Director General, INEPESCA, on 28 July 2020 requesting information on the status of the review of the Management Plan for Yellowfin Tuna.</li> <li>• Communication from the Director General, INEPESCA to the Alliance on 25 September 2020 explaining that the review has not been conducted due to COVID-19 restrictions.</li> <li>• Communication from Alliance to the Director General, INEPESCA on 27 April 2021 requesting an update on the status of the review of the Management Plan for Yellowfin Tuna.</li> </ul> <p>In summary, so this milestone, INAPESCA has not been able to conduct a review of the <i>Plan de Manejo para el Atun Aleta Amarilla del Pacifico</i> due to COVID-19 restrictions that have been implemented since the Second Year Surveillance Audit. It was expected that the review of the Plan would be completed by May 2021 but INAPESCA has not responded to a request for an update on the status of the review. This milestone is not met.</p> <p><b>M-III P3 3</b></p> <p>As above – INAPESCA has not been able to conduct a review of the <i>Plan de Manejo para el Atun Aleta Amarilla del Pacifico</i> due to COVID-19 restrictions the Alliance was not able to provide a report concerning the review process for the Plan, that included documentation of deviations (if any) from the proposed goals and objectives contained in the Plan; and corrective actions proposed or undertaken by CONAPESCA with corresponding explanations; and information demonstrating the consideration and inclusion of stakeholder in the process. This milestone is not met.</p>

<sup>35</sup> <https://www.msc.org/docs/default-source/default-document-library/for-business/program-documents/chain-of-custody-supporting-documents/msc-derogation-6-covid-19-fishery-conditions-extension.pdf>

	<p><b>M-III P3 4</b></p> <p>During the Third Year Surveillance Audit it was reported that due to COVID-19 restrictions CONAPESCA and other relevant government agencies were restricted in their abilities to conduct research, monitoring and review activities. Therefore, CONAPESCA was unable to provide current documentation concerning decision-making processes. However, in the Second Year Surveillance Audit CONAPESCA provided the Official Mexican Standard, NOM-001-SAC/PESC-2013, Agreement by which the Fisheries Management Plan for Yellowfin Tuna was implemented in the Pacific Ocean of Mexico (2014) and meeting minutes from the First Session of the Subcommittee for Sustainable Fisheries in June 2019 and Second Session of the National Advisory Committee for Food Standardization on 25th July 2020, which included discussions concerning the ratification of the Official Mexican Standard, NOM-001-SAC/PESC-2013. The information provided demonstrated that CONAPESCA has a decision-making process and provides explanations for actions taken or not taken.</p> <p>As mentioned previously, however, the review of the <i>Plan de Manejo para el Atun Aleta Amarilla del Pacifico</i> was not conducted INEPESCA and its partners since the last surveillance audit due to COVID-19 restrictions. This milestone is not met.</p>
<b>Status</b>	<p>Although the timeline for this condition as set originally was for it to be met this year, Derogation 6 means that there are effectively no milestones this year for Principle 3 conditions. Condition 3-3 was behind target at the last audit, and no change is registered this year. Based on the above, the audit team concluded that Condition 3-3 is still <b>behind target</b> due to the requirements for Milestone-III-P3.2 and Milestone-III-P3.3 not being met.</p>
<b>Additional information</b>	<p>Although Derogation 6 means that the timeline is extended, the existing milestones for Condition 3-3 remain relevant. As such, the Audit Team has not revised the milestones this year. Instead, at the Year 4 audit we will consider evidence that the original Year 2 and Year 3 milestones have been met.</p>

#### Condition 3-4 and 3-5 (PI 3.2.3 Sla and Sib – All UoCs)

<b>Performance Indicator</b>	3.2.3, Sla and Sib
<b>Score</b>	65
<b>Justification</b>	<p><u>Sla</u></p> <p>The system is not comprehensive and the ability to consistently enforce relevant management measures is not apparent. Whilst MCS mechanisms are in place, there are shortcomings in the ability to demonstrate that relevant management measures and rules are fully enforced. SG 60 requirements are met but SG 80 are not. Overall, SG 60 requirements are met.</p> <p><u>Sib</u></p> <p>Overall, there are sanctions to deal with non-compliance and there is at least <b>some evidence</b> that they are applied, meeting SG60. However, as cited above the assessment team also found evidence of cases in which sanctions were not clearly, <b>consistently</b> or systematically applied at both the national and regional levels. Therefore, the SG 80 is not met.</p>
<b>Condition</b>	<p>By the <del>fourth</del> first year reassessment annual surveillance, demonstrate that the MCS system implemented in the fishery under assessment has a demonstrated ability to enforce relevant management measures, strategies and/or rules, and that sanctions to deal with non-compliance are consistently applied at the national levels.</p> <p><i>Surveillance Y1 Note: Condition 3-4 and condition 3-5 are now joined as a single condition. Explanation provided in the original table for Condition 3-5.</i></p>

<b>Condition Start</b>	PCR
<b>Condition Deadline</b>	<del>fourth</del> first year reassessment annual surveillance
<b>Milestones</b>	<p><u>Milestones to Improve MCS at the National and International Level</u></p> <p><b>Year 1</b></p> <p><b>M-IV P3 1</b> By the first annual audit, the Alliance will request that CONAPESCA evaluate mechanisms within its MCS system and ensure they are consistent with the IATTC procedures in order to increase transparency in reporting of violations and/or sanctions incurred by Mexican tuna purse seiners in the fishery.</p> <p><b>M-IV P3 2</b> By the first annual audit, the Alliance will provide evidence requesting that CONAPESCA promptly enforce sanctions for any violations to the MCS system by Mexican tuna purse seiner vessels including a request that violations are reported to the IRP of the IATTC and that the corresponding sanctions are applied at both the national and international levels.</p> <p><b>M-IV P3 3</b> By the first annual audit, the Alliance will request that CONAPESCA implements improvements to its MCS/VMS system by either reducing the gaps between “pings” in the VMS (so that any vessel entering into a prohibited area is promptly detected if conducting prohibited fishing operations) and/or utilizing the information collected by both the national observer program and IATTC observer program to cross reference the MCS/VMS system in order to identify and effectively deal with potential violations.</p> <p><b>M-IV P3 7</b> By the first annual audit, the Alliance will request that CONAPESCA submit a proposal asking the IATTC Secretariat to identify the best way to initiate a review of the IRP process that will ensure that any infractions in the fishery are identified and sanctioned. CONAPESCA’s request will specify the need that any recommended changes to improve transparency, compliance and consistency in the application of sanctions to violations are implemented by 2020.</p> <p><b>Year 2</b></p> <p><b>M-IV P3 4</b> By the second annual audit, and in result from year 1 milestone M-IV P3 1, the Alliance and CONAPESCA will present the report evaluating the MCS mechanisms (including VMS), and if necessary any proposed modifications to the national MCS system to be consistent with the IATTC and national procedures.</p> <p><b>M-IV P3 5</b> By the second annual audit, the Alliance will provide the auditor with information on potential infractions by vessels of the UoA identified in the last six years by the IATTC IRP, CONAPESCA or other relevant authorities, and provide information on the status of the resolution of the potential infraction and when applicable evidence of sanctions implemented.</p> <p><b>Year 3</b></p> <p><b>M-IV P3 9</b> By the third annual audit, the Alliance will provide evidence that CONAPESCA and other relevant authorities have made demonstrable improvements to address any deficiencies previously identified to ensure that sanctions to deal with non-compliance are consistently applied and are adopted in a timely, transparent and clearly traceable way.</p> <p><b>Year 4</b></p> <p><b>M-IV P3 10</b> By the fourth annual audit, the Alliance will demonstrate that an MCS system in place has the ability to enforce relevant management measures, strategies and rules in a transparent manner.</p> <p><b>M-IV P3 10-b</b> By the fourth annual audit, the Alliance will provide evidence that the Mexican government has in place an effective national system of sanctions that can demonstrate timely and consistent resolution of sanctions.</p>



<b>Client Action Plan</b>	<p>Refer to the following section(s) of Client Action Plan in the PCR:  <i>Section IV. Commitments to Improve Monitoring, Control and Surveillance (MCS) of the Fishery at national and international levels</i></p> <p><b>Goal:</b> To seek improvements in MCS enforcement mechanisms at the national and the international level.</p> <p><u>Action Plan Year 2, Activities:</u></p> <ul style="list-style-type: none"> <li>• The Alliance will work with CONAPESCA and PROFEPA to conduct an evaluation of the enforcement system, including timely and consistent resolution of sanctions, adequacy of deterrence, and any relevant risk issues/areas.</li> <li>• The Alliance will request CONAPESCA and PROFEPA to provide evidence of infractions and (if any) sanction applied between 2013 and 2019 for vessels in the UoA.</li> </ul> <p><u>Action Plan Year 3, Activities:</u></p> <ul style="list-style-type: none"> <li>• The Alliance will work with CONAPESCA to ensure progress on formalizing proposals to address any deficiencies identified in the evaluation presented in year two, and improve the MCS system and consistent and timely application of sanctions.</li> </ul> <p><u>Action Plan Year 4, Activities:</u></p> <ul style="list-style-type: none"> <li>• The Alliance will work with CONAPESCA and PROFEPA to summarize the evidence of application of any outstanding and new sanctions between 2014 and 2020 in order to allow SCS to evaluate demonstrable improvement in enforcement in problem/risk areas.</li> <li>• The Alliance will work with CONAPESCA and PROFEPA to adopt proposed modifications to the national MCS/VMS system to be consistent with the IATTC and national procedures.</li> </ul>
<b>Consultation on condition</b>	<p>Letters of Support below from CONAPESCA and IATTC were provided to SCS Global Services as the fishery's Conformity Assessment Body (CAB) when the fishery was certified (Morgan et al. 2017).</p>
<b>Progress on Condition (Year 2)</b>	<p><b>M-IV P3 4</b></p> <p>The original scoring rationale for <b>PI 3.2.3a</b> (Morgan et al. 2017) noted that the Mexican Government has implemented an MCS system to support fisheries management measures through its fisheries legislation and NOM-062-PESC-2007 which requires the use of VMS. In addition, it was noted that CONAPESCA has implemented sophisticated systems for tracking fishing vessels, that Federal Fisheries Officers are responsible for verifying compliance, and that strong sanctions for non-compliance have been established that provide an effective deterrent. However, it was deemed that the MCS system was not comprehensive [Year 2 audit note – a 'comprehensive' MCS system is required only at SG100], and it was considered that there were shortcomings in the ability to demonstrate that relevant management measures and rules were fully enforced. Therefore, the original team considered that SG 60 requirements were met but SG 80 was not.</p> <p>In essence, the original assessment determined that '<i>a monitoring, control and surveillance system has been implemented in the fishery under assessment</i>' (meeting the first part of the SG80 requirement) but not that it had met the second part at SG80 that the fishery had '<i>demonstrated an ability to enforce relevant management measures, strategies and/or rules</i>'.</p> <p>Milestone <b>M-IV P3 4</b> stipulates that the Alliance and CONAPESCA are required to 'present a report evaluating the MCS mechanisms (including VMS), and if necessary any proposed modifications to the national MCS system to be consistent with the IATTC and national procedures'. However, the year 2 audit team concluded that such a report does not address the concern outlined in the rationale, given that the MCS system is implemented and (as noted under the scoring for PI 3.2.3b) that "<i>there have been no recent (last 5 years) serious violations for the tuna fishery</i>". As such, this milestone, and the follow-up requirement at year 3 under Milestone <b>M-IV P3 9</b> to have '<i>made demonstrable improvements to address any deficiencies previously identified</i>', together are rescinded.</p>



	<p>The year 2 audit team does note, however, that the requirements of M-IV P3 5 remain appropriate (see comments below) and have identified a new Year 3 milestone for the Conditions 3-4 and 3-5 (<b>M-IV P3-9 revised</b>). This follows the narrative of the existing Year 2 milestone <b>M-IV P3 5</b> to show progression towards the Year 4 milestones (<b>M-IV P3 10</b> and <b>M-IV P3 10-b</b>) that are retained and are unchanged. Please see the 'status' and 'other information' sections, below for more details.</p> <p><b>M-IV P3 5</b></p> <p>The Alliance provided a letter to the National Commissioner of Aquaculture and Fisheries, Raul Elenes Angulo, on 10th February 2020. The Alliance requested that CONAPESCA provide data and other relevant information that are required to meet the second year milestones for each the Principle 3 Conditions including Condition 3.5. The letter stipulated that, "CONAPESCA is requested to provide information on potential infractions by vessels of the UoA identified in the last six years by the IATTC IRP, CONAPESCA or other relevant authorities, and provide information on the status of the resolution of potential infractions and when applicable evidence of sanctions implemented".</p> <p>Reports from the International Review Panel (IRP) of the Inter-American Commission for Tropical Tuna (IATTC) concluded that after reviewing information regarding trips completed by vessels under the jurisdiction of Mexico that not any infractions had been committed from 2016-2019.</p> <p>With respect to Condition 3-5 at the national level, there is only one pending case of a possible violation of an Alliance vessel that is suspected of making a night set, which is not confirmed. The case is now being assessed by the CONAPESCA Legal Affairs Unit.</p> <p>PROFEPA reported that Mexican-flagged purse seine vessels (both Alliance and others) entered into MPA waters 8 times in 2016 and 71 times in 2017. It is not considered a violation for fishing vessels to transit through a MPA, however, 14 cases in 2017 presented potential irregularities that were under investigation by PROFEPA. The reasons for the increase in the number of incidents of fishing vessels entering MPA areas reported to PROFEPA from 2016-2017 is unclear. The assessment team for the expedited audit in 2019 stated that it could not determine whether the reasons for the substantial increase in fishing vessel entries into the MPA areas in 2017 was associated with illegal fishing or with the creation of new MPAs that fishers were simply unaware they were entering a newly protected area.</p> <p>A list of possible cases of tuna fishing vessels conducting illegal fishing activities in MPA waters from 2012-2020 was submitted by PROFEPA. The list contained two cases that were investigated: Cartededeces (ceased fishing with the Alliance on 26 August 2019) was suspected in 2012 of fishing in MPA waters, however, PROFEPA determined that no infraction had been committed. AZTECA 6 was suspected in 2017 of fishing in MPA waters, and it was determined that an infraction had been committed resulting in a fine of \$3,623,520 Mexican pesos.</p> <p>The Second Year Surveillance Audit team was informed by CONAPESCA that remaining cases from 2016-2019 of vessels entering into MPA waters were still under investigation by PROFEPA. If it is determined that some of these cases did indeed involve illegal fishing activities formal procedures to implement sanctions will be followed. Data concerning the status of the cases concerning the UoA vessels entering MPA waters was not submitted to the audit team by CONAPESCA or PROFEPA.</p> <p>We note that possible infractions relating to fishing in MPAs are addressed specifically in Condition 3-7, below; that condition was introduced previously at the 2019 expedited audit (Morgan et al. 2018).</p> <p>The following documents were provided by the Alliance, CONAPESCA and PROFEPA.</p> <ul style="list-style-type: none"> <li>• Communication to CONAPESCA requesting for a list of potential infractions by Alliance vessels from the last six years until 2019 and their status of resolution and sanctions implemented, when applicable (Oficio a CONAPESCA Plan de Accion MSC20200204.pdf).             <ul style="list-style-type: none"> <li>- The Alliance has followed up on the documentary evidence requested from CONAPESCA via emails and videoconferences.</li> </ul> </li> </ul>
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	<ul style="list-style-type: none"> <li>• Response from CONAPESCA: (OFICIO_DAI_00291_MSC_ATUN.pdf, 19_0342-537 Vazquez,J-MEX re Possible Infractions IRP-61.pdf, 19_0384-537 Munoz,B-MEX re Possible Infractions IRP-65.pdf, 19_0404-537 Aguilar,M-MEX re Possible Infractions IRP-63.pdf, 19_0471-537 Aguilar,M-MEX re Possible Infractions IRP-64.pdf, 19_0492-551 Munoz, B-MEX re Possible Infractions IRP-66.pdf, 19_0511-537 Vazquez,J-MEX re Possible Infractions IRP-62.pdf, 19_0587-537 Ceceña,A-MEX re Possible Infractions IRP-60.pdf).</li> <li>• Videoconference between PROFEPA, CONAPESCA and PAST to sharing information about the monitoring and surveillance of fishing fleets and potential infractions by Alliance vessels on Marine Natural Protected Areas: <ul style="list-style-type: none"> <li>- Minutes of the videoconference (Minuta_reunión_PROFEPA-CONAPESCA-PAST_20200807.pdf).</li> </ul> </li> <li>• Communication to PROFEPA requesting for a list of potential infractions by Alliance vessels from the last six years until 2019 and their status of resolution and sanctions implemented, when applicable.</li> <li>• Videoconference between CONANP, CONAPESCA and PAST to sharing information about the monitoring and surveillance of fishing fleets and potential infractions by Alliance vessels on Marine Natural Protected Areas: <ul style="list-style-type: none"> <li>- Minutes of the videoconference (Minuta_reunión_CONANP-CONAPESCA-PAST_20200807.pdf).</li> <li>- Communication to CONANP to follow-up the agreements of the meeting (Comunicación CONANP-CONAPESCA-Alianza seguimiento acuerdos.pdf).</li> </ul> </li> <li>• Communication to CONANP to follow-up the agreements of the meeting (Comunicación CONANP-CONAPESCA-Alianza seguimiento acuerdos.pdf).</li> </ul>
<b>Progress on Condition (Year 3)</b>	<p><u>Under MSC Derogation<sup>36</sup>, Conditions 3-4 and 3-5 are eligible for extension due to Covid-19. The derogation means that these conditions are extended, and there are effectively no milestones this year. Because these conditions were set originally for four years, following MSC interpretation<sup>37</sup> the timelines are now extended to Year1 of a new certificate, if the fishery is recertified. Nevertheless, an update on progress is provided.</u></p> <p><b>M-IV P3 5, M-IV P3-9 revised</b></p> <p>The Alliance provided the audit team with reports from the International Review Panel (IRP) of the Inter-American Commission for Tropical Tuna (IATTC). The IRP concluded that after reviewing information regarding trips completed by vessels under the jurisdiction of Mexico that not any infractions had been committed from 2016-2019. At the national level, it was reported that there is one pending case of a possible violation of an Alliance vessel that is suspected of making a night set, which is not confirmed. The case is now being assessed by the CONAPESCA Legal Affairs Unit.</p> <p>With regard to potential infractions related to fishing in closed areas, out of a total of 71 cases identified in 2017, 14 cases presented potential irregularities, which were sent to PROFEPA to determine whether there was an infraction. PROFEPA's investigations into fishing vessel entries into MPA waters confirmed that the tuna fishing vessel AZTECA 6 had illegally fished within MPA boundaries in 2017 and imposed a fine of \$3,623,520 Mexican pesos. The audit team during the remote on-site visit for the Second Year Surveillance Audit was informed by CONAPESCA that the other cases from 2016-2019 of vessels entering into MPA waters were still under investigation by PROFEPA.</p> <p>Although, the Alliance provided the audit team with information on potential infractions by vessels of the UoA identified in the last six years by the IATTC IRP, CONAPESCA and PROFEPA,</p>

<sup>36</sup> <https://www.msc.org/docs/default-source/default-document-library/for-business/program-documents/chain-of-custody-supporting-documents/msc-derogation-6-covid-19-fishery-conditions-extension.pdf>

<sup>37</sup> <https://mscportal.force.com/interpret/s/article/Derogation-6-Covid-19-Fishery-Conditions-Extension>

	<p>it did not provide information on the status of resolutions for potential infractions and evidence of sanctions implemented for the cases concerning the incidents of UoA or other fishing vessels tracked inside MPA limits (other than sanctions for the one incident in 2017 mentioned above).</p> <p>The Alliance provided the Third Year Surveillance audit team with evidence from IATTC IRP, CONAPESCA and PROFEPA that there were not any infractions committed by the UoA vessels 2018 - 2020. This high level of compliance by the UoA fleet was supported by at-sea surveillance data from the Navy and dockside inspection data for the UoA vessels from CONAPESCA (to be sent). Both agencies confirmed that no infractions were identified for the UoA vessels from 2018-2020.</p> <p>The Alliance did not provide the audit team with information concerning the status of resolutions for potential infractions for the 14 cases of UoA or other vessels tracked inside MPA waters. CONAPESCA reported to the Third Year Surveillance audit team that CONAPESCA and PROFEPA in 2020 were required to conduct face-to-face investigations with the captains and crew of the vessels that allegedly committed the potential infractions within the MPA waters. However, due to COVID-19 restrictions it was not possible to conduct these investigations and resolve the cases.</p> <p>The following documents concerning infractions committed by UoA vessels were provided:</p> <ul style="list-style-type: none"> <li>• Communication from the Alliance to Director General of CONAPESCA on 04 May 2021 requesting information concerning infractions and sanctions applied, if any, committed by UoA vessels from 2012-2020.</li> <li>• Communication from Director General of CONAPESCA Planning, Programming and Evaluation on 26 May 2021 concerning the infractions committed by "Azetca 6" in 2017 and the sanction of \$3,623,520 awarded for the offence.</li> <li>• Communication from Alliance to Dr. Blanca Mendoza Vera PROFEPA on 04 May, 2020 requesting information concerning infractions and sanctions given to UoA vessels from 2012-2020.</li> </ul> <p>Overall, these milestones are not met.</p>
<b>Status BEHIND TARGET</b>	<p>Based on the above, the audit team concluded that the milestones for this Condition are <b>behind target</b> due to the requirements for Milestone-IV-3 5 and M-IV P3-9 revised. not being met.</p> <p>We note that milestone M-IV-3 5 remains relevant, so we have not revised this milestone at this audit. Instead, and following Derogation 6, at the Year 4 audit we will consider evidence that the Year 2 (M-IV-3 5) and new Year 3 (M-IV P3 9 revised) milestones have been met.</p>
<b>Additional information</b>	<p><u><b>Changes undertaken at Year 2</b></u></p> <p>Milestones <b>M-IV P3-4</b> and <b>M-IV P3-9</b> are rescinded, and a revised Year 3 milestone is set for this condition, as follows:</p> <p><b>M-IV P3-9 revised</b> (Year 3 audit). By the third annual audit, the Alliance will provide the auditor with information on potential infractions by vessels of the UoA identified in the last year by the IATTC IRP, CONAPESCA or other relevant authorities, as well as any outstanding cases from the last six years, and provide information on the status of the resolution of the potential infractions and, when applicable, evidence of sanctions implemented.</p> <p><u><b>Changes undertaken at Year 3</b></u></p>

	<p>Conditions 3-4 and 3-5 were set as a four-year conditions, but is eligible for an extension under Derogation 6<sup>38</sup>. Following interpretation<sup>39</sup>, a revised timeline is set for this Condition to close in year 1 of a new certificate, assuming the fishery is recertified.</p> <p>All Year 3 milestones will be repeated at the Year 4 audit, and progress against the Year 4 milestones will then be considered at the Year 1 audit of a new certificate.</p>
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### Condition 3-6 (PI 3.2.5 S1b – All UoCs)

<b>Performance Indicator</b>	3.2.5, S1b
<b>Score</b>	70
<b>Justification</b>	<p>At the national level, National Fisheries Charter provides a level of internal review. CONAPESCA provided evidence of a range of internal review processes (CONAPESCA pdf2). Within government but external to CONAPESCA, the Superior Audit Office (ASF) is responsible for overseeing the use of federal public resources in the three branches of government; autonomous constitutional bodies; states and municipalities; as well as public or private persons who have collected, managed, operated or exercised federal public resources. In 2006, the OECD prepared a report on Agricultural and Fisheries Policies in Mexico (OECD 2006). Although there is some level of internal review, it is not evident that this review is regular. External review is very limited. SG 60 requirements are met and SG 80 requirements are not fully met. Overall, SG 60 requirements are met at the national and regional levels.</p>
<b>Condition</b>	By the third annual surveillance demonstrate that external review at the regional and national level is undertaken (as proposed under Resolution C-14-09).
<b>Milestones</b>	<p>The condition and milestones have been extended, to also cover the national level management, a justification is provided in the Progress Section.</p> <p><u>Milestones Regarding External Review of IATTC Performance</u></p> <p><b>M-V P3 1</b> By the first annual audit, the Alliance will provide a copy of the report produced by the external consultant summarizing the findings of the external performance review conducted on the IATTC.</p> <p><b>M-V P3 2</b> By the third annual audit, the Alliance will provide an evidence of external review at the national level.</p>
<b>Client Action Plan</b>	<p>Refer to the following section(s) of Client Action Plan in the PCR: <i>Section V. Actions Regarding External Review of IATTC Performance.</i></p> <p><b>Goal:</b> Commitment to an external performance review of the IATTC and national management.</p>
<b>Consultation on condition</b>	Letters of Support below from CONAPESCA and IATTC were provided to SCS Global Services as the fishery's Conformity Assessment Body (CAB) when the fishery was certified (Morgan et al. 2017).
<b>Progress on Condition (Year 2)</b>	The Alliance and CONAPESCA have communicated via videoconference and exchanged emails concerning the external performance review of the national management system. Performance reviews of Mexican agencies, such as CONAPESCA, INAPESCA or CONANP, are under the control of the Mexican government. Since the election of a new administration for

<sup>38</sup> <https://www.msc.org/docs/default-source/default-document-library/for-business/program-documents/chain-of-custody-supporting-documents/msc-derogation-6-covid-19-fishery-conditions-extension.pdf>

<sup>39</sup> <https://mscportal.force.com/interpret/s/article/Derogation-6-Covid-19-Fishery-Conditions-Extension>

	<p>the national government in 2018, government agencies have undergone a restructuring process and funds for projects including external reviews are currently not available. Also, the Alliance and CONAPESCA have requested that the wording of this milestone be changed to clarify which specific elements of the management system need to be reviewed and the expected results of the review. Unfortunately, the audit team cannot provide specific advice or commentary in this regard because it may be construed as consultancy. However, the Alliance and CONAPESCA are investigating various options to meet this milestone. These options include: the collection documents that provide evidence of external reviews that have been conducted in the past of specific components of the management system, and/or recruiting a national NGO that specializes in to conducting performance reviews of government agencies etc.</p>
<b>Progress on Condition (Year 3)</b>	<p><u>Under MSC Derogation<sup>40</sup>, Condition 3-6 is eligible for extension due to Covid-19. The derogation means that these conditions are extended, and there are effectively no milestones this year. Nevertheless, an update on progress is provided.</u></p> <p><u>Milestones Regarding External Review of IATTC Performance</u></p> <p><b>M-V P3 2</b></p> <p>The Alliance has provided evidence through the provision of the following reports to the audit team that external reviews of the fisheries management system have been conducted:</p> <ul style="list-style-type: none"> <li>• Sustainable Fisheries in Mexico (Diagnosis and Opportunities for Improvement) Report (Flores et al. 2020). This report is a comparative analysis of various Mexican fisheries and their respective fisheries management systems that were subjected to evaluation based on the MSC standard.</li> <li>• Oceana Mexico – Fisheries Audit (2019). Oceana’s audit report details the first independent audit of Mexico’s fisheries which includes an analysis of the data concerning major target fish stocks, fisheries laws, and management strategies.</li> <li>• Identifying Areas for Policy Action to Improve Sustainability Performance of Mexican Fisheries, Sustainable Fisheries Partnership, (Sanchez De Boch et al., 2019). This report presents the results from two analytical exercises comprising an analysis of improvement recommendations from fish-source profiles for Mexican fisheries and an analysis of the conditions set for Mexican fisheries through the Marine Stewardship Council (MSC) certification process.</li> <li>• Global Evaluation of Fisheries Monitoring, Control and Surveillance in 84 countries (Mexico) (Pramod G. 2021). This report evaluates the fisheries regulations, enforcement capabilities, monitoring and surveillance capacity of the Mexico fisheries management system to address Illegal, Unreported and Unregulated (IUU) fishing.</li> </ul> <p>The condition was originally set with just a one year timeline (Morgan et al. 2017) but the timeline was extended to three years at the Year 1 audit (Morgan et al. 2018). At that point, no Year 2 milestone was set for this condition, so there is no specific requirement to be set at that audit and was considered that the condition is on target. For Year 3 the milestone must be met in order to close the condition.</p> <p>At the regional level, IATTC has extensive mechanisms in place to evaluate the management system as demonstrated by the various committees and working groups of IATTC that meet regularly and report their findings to the Commission. As well as the annual Commission meetings, regular meetings of the Scientific Advisory Committee, the Committee for the Review of Implementation Measures and the International Review Panel are held. Reports from the meetings are available on the IATTC website. IATTC carried out an external performance review in 2016.</p>

<sup>40</sup> <https://www.msc.org/docs/default-source/default-document-library/for-business/program-documents/chain-of-custody-supporting-documents/msc-derogation-6-covid-19-fishery-conditions-extension.pdf>

	At the national level, the National Fisheries Charter provides a level of internal review. CONAPESCA provided evidence of a range of internal review processes (CONAPESCA pdf2). At the third annual audit, the Alliance provided evidence of external reviews of the national fisheries management system.
<b>Status CLOSED</b>	Based on the above, the audit team concluded that this condition is <b>CLOSED</b>
<b>Additional information</b>	Rescoring for this PI is provided in Section 4.6.

**Condition 3-7 (PI 3.2.3 SId – All UoCs, introduced at expedited audit [Morgan et al. 2018]).**

<b>Performance Indicator</b>	3.2.3, SId
<b>Score</b>	65
<b>Justification</b>	<p><u>Findings at expedited audit (Morgan et al. 2018).</u></p> <p>The number of media reports of fishing/no movement within closed areas is very concerning but it is difficult for us to evaluate their veracity with the information available to the assessment team, particularly in the face of contradictory information received by SCS between April 2018 and September 2018. Regardless, reports are consistent with the increase in reported incidents of activity in closed areas. Although we are unable to establish the reasons for this increase and the inconsistency in the protocols we received, this information is indicative of a situation that requires a management response. There is no formal definition of what constitutes systematic non-compliance, but we consider that a report of over 29 cases of fishing/no movement (sensu protocol in Box 1) in closed areas does constitute evidence of systematic non-compliance by the fishery or inconsistent internal procedures relevant to MCS systems. Therefore, the SG 80 requirements are no longer considered to be met and a new condition is imposed.</p>
<b>Condition</b>	By the <del>3rd</del> fourth surveillance audit (SA), assure that there is no evidence of systematic non-compliance such that the MSC mechanisms ensure the fishery's management measures are coherent, enforced and complied with.
<b>Condition Start</b>	Expedited audit 2018
<b>Condition Deadline</b>	Fourth annual surveillance
<b>Milestones</b>	<p><u>Milestones Regarding External Review of IATTC Performance</u></p> <p><b>Year 1</b></p> <p>The client shall demonstrate that a written plan with criteria, auditable metrics and targets has been designed to address deficiencies related to the gap in the management system that led to 29 potential infractions related to purse seine vessel fishing inside MPAs. The plan will allow auditors to verify the effective and timely compliance with all aspects of the MSC system (see scoring issues a-d). Other actions may also be included.</p> <p><b>Year 2</b></p> <p>The client shall demonstrate the plan designed in Year 1 was put into place and began to collect verifiable data of both a) implementation and b) efficacy as of January 2019. Data shall be presented at the surveillance audit.</p>



	<p><b>Year 3</b></p> <p>The client shall demonstrate that targets in the plan have been met, demonstrating full compliance with the condition.</p>
<b>Client Action Plan</b>	<p>Refer to the following section(s) of Client Action Plan in the Expedited Assessment: <i>Section V. Actions Regarding External Review of IATTC Performance.</i></p> <p><b>Goal:</b> Commitment to an external performance review of the IATTC.</p> <p><b>M-IV P3 3</b> By the first annual audit, the Alliance will request that CONAPESCA implements improvements to its MCS/VMS system by either reducing the gaps between “pings” in the VMS (so that any vessel entering into a prohibited area is promptly detected if conducting prohibited fishing operations) and/or utilizing the information collected by both the national observer program and IATTC observer program to cross reference the MCS/VMS system in order to identify and effectively deal with potential violations.</p> <p><b>(M-IV P3 3.1)</b> By the first annual audit, a report will be produced with auditable metric and targets in which the vessels of the Alliance commit to voluntarily providing public reports of their AIS data on the PAST website (which is currently publicly available in the Global Fishing Watch system).</p> <p><b>(M-IV P3 3.2)</b> By the first annual surveillance, the Alliance will have contacted Global Fishing Watch (GFW) to understand the feasibility of them including VMS data from the Alliance’s vessels in their system. Depending on feasibility, publicizing VMS data via GFW may be added into the Action Plan at a future date. Reports of fishing data will be presented at the surveillance audit. If this is not possible, the Alliance will obtain records from CONAPESCA and/or PROFEPA as appropriate, for SCS, to ascertain the nature of the 29 incidents in question.</p> <p><b>(M-IV P3 6.1)</b> By the second annual surveillance, the Alliance, in conjunction with appropriate authorities from the Mexican government, will conduct seminars with vessel crew to review the extensive new protected areas that were declared recently in Mexico and ensure that all are aware of the boundaries of new areas and the appropriate regulations.</p> <p><b>(M-IV P3 6.2)</b> By the second annual surveillance, the Alliance will provide reports containing their vessel data, downloaded from the GFW site, at the surveillance audit, as an independently verifiable mechanism run by an independent 3rd party to ensure proper compliance with regulations applying to natural protected areas.</p> <p><b>(M-IV P3 6.3)</b> By the third annual audit, the Alliance will continue with developing reports of its fishing data to prove that their vessels were operating legally including that they were not fishing in protected areas and provide reports that these data align with data from the national monitoring system at CONAPESCA/PROFEPA. Reports of fishing data will be presented at the surveillance audit. The client shall demonstrate that targets in the plan have been met, demonstrating full compliance with the condition.</p>
<b>Consultation on condition</b>	<p>Letters of Support below from CONAPESCA and IATTC were provided to SCS Global Services as the fishery’s Conformity Assessment Body (CAB) when the fishery was certified (Morgan et al. 2017).</p>
<b>Progress on Condition (Year 2)</b>	<p><b>M-IV P3 6.1</b></p> <p>CONAPESCA provided vessel tracking data from the SISMEP satellite monitoring system for the UoA vessels from 2017-2019. The data information included: vessel name, date of transmission, latitude and longitude, and port base.</p> <p>The VMS upgrade that was scheduled to be completed in 2019 was delayed due to the restructuring of national government agencies after the election of a new government in 2018 which has resulted in the funding for this project being reallocated.</p> <p>During the First Surveillance Audit the Alliance presented a satellite monitoring system plan that outlined the following:</p>



- Alliance members voluntarily agreeing to contract with CLS, a global satellite monitoring company.
- The Alliance providing information and reports to the auditors at each subsequent annual audit about fishing activities. These reports will provide further transparency to fishing activities and ensure proper independent monitoring of the fishery
- CLS will provide annual reports to the auditors demonstrating any possible violations within MPAs and/or violations. These reports will have the benefit of relying on even more detailed VMS data with a minimum ping rate of 15 minutes.
- The service will provide VMS vessel tracking data that includes: vessel ID, vessel name, latitude and longitude, timestamp, speed and course.
- By the second annual audit, all members of the Alliance will have contracted with CLS and provide the auditors with an independent report of fishing activity. This report will include information of activity inside MPAs borders,

In 2020, the Alliance members agreed to sign a contract with the global satellite monitoring company, CLS, to track and monitor all UoA vessels while conducting fishing activities. The CLS system has been programmed to trigger an alarm that alerts the Alliance if a UoA vessel enters MPA waters. The Alliance once alerted will contact the captain of the vessel with instructions to exit MPA waters. If it is determined that the vessel was conducting fishing activities within the MPA waters the Alliance will terminate the captain's contract. As the contract with CLS was signed on 07/02/2020, there was limited vessel tracking data to present to the audit team.

The following documents were provided to the audit team:

- Communication to CONANP to ask for collaboration to conduct seminars (Emails\_from\_PAST\_to\_CONANP\_for\_conduct\_seminars\_to\_new\_Protected\_Areas.pdf).
- Meeting between CONANP and PAST to collaborate in the exchange of information and in material for sharing about initiatives of Marine Natural Protected Areas:
  - Minutes of the meeting (Minuta\_reunión\_CONANP-PAST\_20200119.pdf).
  - PPT "Communication of Marine Natural Protected Areas with the purse seine tuna fishery on the Mexican Pacific Ocean (Reunión\_CONANP-PAST\_20200219.pptx).
  - Communication to CONANP to follow-up the agreements of the meeting (Communication exchanged between CONANP-Alianza.pdf).
- Videoconference between PROFEPA, CONAPESCA and PAST to sharing information about initiatives for the publicizing of boundaries and regulations of Marine Natural Protected Areas:
  - Minutes of the videoconference (Minuta\_reunión\_PROFEPA-CONAPESCA-PAST\_20200807.pdf).
- Videoconference between CONANP, CONAPESCA and PAST to collaborate in the exchange of information and in material for sharing about initiatives of Marine Natural Protected Areas:
  - Minutes of the videoconference (Minuta\_reunión\_CONANP-CONAPESCA-PAST\_20200807.pdf).
  - Communication to CONANP to follow-up the agreements of the meeting (Comunicación CONANP-CONAPESCA-Alianza seguimiento acuerdos.pdf).
- Tuna company personnel communicate the boundaries and regulations of Marine Natural Protected Areas on Pacific Ocean by:

	<ul style="list-style-type: none"> <li>- Notification based on Official Journal of the Federation (Diario Oficial de la Federación -DOF-).</li> <li>- Hold seminars with the crews of their vessels to inform the commitments of MSC, including the publicizing of boundaries and regulations of Marine Natural Protected Areas on Pacific Ocean (COMPROMISOS CON LA CERTIFICACION.pdf, Catalogo Areas Naturales Protegidas.pdf).</li> <li>- Meeting with captain and fishing technician previous each fishing trip.</li> <li>• Draft PPT to conduct seminars: “Communication workshop Marine Natural Protected Areas” (Taller_Comunicacion_ANP_marinas_20200121.pptx).</li> </ul> <p><b>M-IV P3 6.2</b></p> <p>The Alliance provided reports to the audit team containing UoA vessel data, downloaded from the GFW site as an independently verifiable mechanism that is operated by an independent 3rd party to ensure proper compliance with regulations for MPAs.</p> <p>The following information was provided to the audit team:</p> <ul style="list-style-type: none"> <li>• Communication to CONAPESCA requesting for a report on routes of the Alliance vessels (Oficio a CONAPESCA Plan de Accion MSC20200204.pdf).             <ul style="list-style-type: none"> <li>- The Alliance has followed up on the documentary evidence requested from CONAPESCA via emails and videoconferences.</li> </ul> </li> <li>• Response from CONAPESCA (OFICIO_DAI_00291_MSC_ATUN.pdf, 18_NOM_062_SAG_PESC_2014_SISMEP_DOF_030715.pdf).             <ul style="list-style-type: none"> <li>- Vessels routes 2017 (subfolder SISMEP).</li> <li>- Vessels routes 2018 (subfolder SISMEP).</li> <li>- Vessels routes 2019 (subfolder SISMEP).</li> </ul> </li> <li>• Contract between the Alliance companies with an independent third parties for the satellite monitoring of vessels (Collecte Localization Satellites -CLS-. Example of:             <ul style="list-style-type: none"> <li>- Herdez (Contratación de servicio de monitoreo CLS.pdf);</li> <li>- Procesa Chiapas (PO18237.pdf, PO18325.pdf, Contrato CLS.pdf, CLS firmado.pdf).</li> </ul> </li> <li>• Communication requesting PAST member companies to request for a report on the routes of their vessels by CLS. Data requested: vessel name, vessel ID, timestamp, latitude, longitude, speed, course.</li> <li>• Routes of the Alliance vessels by CLS:</li> </ul> <p><b>(M-IV P3 6.1)</b></p> <p>The Alliance, in conjunction with CONANP, are developing videos and info-graphics to raise the awareness of the vessel captains and crew about the MPA boundaries and fisheries regulations that will be viewed aboard the UoA vessels during fishing operations. Seminars will be conducted with vessel crews to review the extensive new protected areas that were declared recently in Mexico and ensure that all are aware of the boundaries of these new areas and the appropriate regulations.</p> <p><b>(M-IV P3 6.2)</b></p> <p>The Alliance has provided reports containing their vessel data, downloaded from the GFW site, as an independently verifiable mechanism run by an independent 3<sup>rd</sup> party to ensure proper compliance with regulations for MPAs.</p>
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<p><b>Progress on Condition (Year 3)</b></p>	<p><u>Under MSC Derogation<sup>41</sup>, Condition 3-7 is eligible for an extension due to Covid-19. The derogation means that this condition is extended, and there is no milestone this year for this condition. Because this condition was set originally for three years, the condition timeline is now extended to Year 4.</u></p> <p><b>(M-IV P3 6.3)</b></p> <p>The national SISMEP VMS system which is monitored and maintained by CONAPESCA continues to operate efficiently and effectively with 100% of the tuna purse seine vessels meeting the requirement to install a VMS. The VMS upgrade that was scheduled to be completed in 2019 was delayed due to the restructuring of national government agencies after the election of a new government in 2018 which has resulted in the funding for this project being reallocated. However, the VMS system is regularly updated to ensure that accurate and timely tracking data is recorded. In 2020, the Alliance members agreed to sign a contract with the global satellite monitoring company, CLS, to track and monitor all UoA vessels while conducting fishing activities. The CLS system has been programmed to trigger an alarm that alerts the Alliance if a UoA vessel enters MPA waters. The Alliance once alerted will contact the captain of the vessel with instructions to exit MPA waters.</p> <p>CONAPESCA provided vessel tracking data from the SISMEP satellite monitoring system for the UoA vessels from 2020 - 2021. The data information included: vessel name, date of transmission, latitude and longitude, and port base. CLS also provided tracking data from its satellite monitoring system for the UoA vessels from 2020-2021.</p> <p>The Alliance, in conjunction with CONANP, have developed a power point presentation and info-graphics to raise the awareness of the vessel captains and crew about the MPA boundaries and fisheries regulations. A total of 41 awareness raising workshops concerning the boundaries and rules and regulations of MPAs have conducted since May 2020 with over 1000 captains and crew attending. Further information on the workshops can be found at: <a href="https://www.pacifictunaalliance.org/es/el-blog/medidas-para-el-desarrollo-de-una-pesca-sostenible-en-la-pescqueria-mexicana-de-atun-en-el-oceano-pacifico-html">https://www.pacifictunaalliance.org/es/el-blog/medidas-para-el-desarrollo-de-una-pesca-sostenible-en-la-pescqueria-mexicana-de-atun-en-el-oceano-pacifico-html</a>.</p> <p>The following information was provided to the audit team:</p> <ul style="list-style-type: none"> <li>• Communication to CONAPESCA requesting for a report on routes of the Alliance vessels (19 February 2021).</li> <li>• Response from CONAPESCA <ul style="list-style-type: none"> <li>- Vessels routes 2020 (subfolder SISMEP).</li> <li>- Vessels routes 2021 (subfolder SISMEP).</li> </ul> </li> <li>• Information from CLS: <ul style="list-style-type: none"> <li>- Vessel routes 2020 (subfolder CLS)</li> <li>- Vessel routes 2021 (subfolder CLS)</li> </ul> </li> </ul> <p>Overall, the Audit Team is very encouraged by the approach being taken by the client, and will monitor progress for a further year before considering closing the condition.</p>
<p><b>Status</b></p>	<p>Based on the above, the audit team concluded that the milestones for this Conditions are <b>Ahead of target</b></p>
<p><b>Additional infotion</b></p>	<p>Although Derogation 6 means that the timeline is extended, the existing milestones for Condition 3-7 remain relevant. As such, the Audit Team has not revised the milestones this year. Instead, at the Year 4 audit we will consider evidence that the original Year 3 milestone has been met.</p>

<sup>41</sup> <https://www.msc.org/docs/default-source/default-document-library/for-business/program-documents/chain-of-custody-supporting-documents/msc-derogation-6-covid-19-fishery-conditions-extension.pdf>

## 4.5 Client action plan

Under Derogation 6, the timelines for several conditions were extended. However, no changes were made to the substance of the conditions or milestones, and so there has been no requirement to modify the Client Action Plans (CAPs).

## 4.6 Rescoring Performance Indicators

For UoCs 2 and 4, Principle 2 Conditions 2-13, 2-13b (set on PI 2.1.1) 2-15 (set on PI 2.1.2) and 2-19 (set on PI 2.1.3) were closed at this year's audit. The Principle 3 Condition 3-6 (set on PI 3.2.5) was also closed at this year's audit.

As such, the scoring text is required to be updated as shown in the following tables. Here, the original text is shown in black, updated text is shown in green, and deleted text is shown in ~~double strike-through~~.

### Year 3, Revised Scoring Table for PI 2.1.1, UoCs 2 and 4

PI 2.1.1		The fishery does not pose a risk of serious or irreversible harm to the retained species and does not hinder recovery of depleted retained species		
Scoring Issue		SG 60	SG 80	SG 100
a	Guidepost	Main retained species are likely to be within biologically based limits (if not, go to scoring issue c below).	Main retained species are highly likely to be within biologically based limits (if not, go to scoring issue c below).	There is a high degree of certainty that retained species are within biologically based limits and fluctuating around their target reference points.
	Met?	Y (BON), N (SSH, PBF, RAY)	N (BON)	
	Justification	<p>As outlined in Table 12, the main retained species for free school sets are eastern Pacific and striped bonito tuna, Pacific bluefin tuna, and Mobulid rays.</p> <p><u>Eastern Pacific and striped bonito tuna:</u></p> <p>The catch from free school sets has represented 15% of the total catch on average from 2009 to 2013 but was as high as 34% in 2009. The status of bonitos has not been assessed by the IATTC but they are short-lived and productive species and are classified by the IUCN as being of least concern. They are therefore likely to be with biologically based limits but, in the absence of any formal assessment, and given potential complexity in stock structuring and probable relatively high susceptibility, this status could not be asserted to be highly likely. This meets the requirements of the SG 60 but not the SG 80 level and bonito the SG80 level is evaluated under Scoring Issue c below.</p> <p><u>Silky sharks:</u></p> <p>The catch from free school sets has represented 11% of the total catch of silky shark by purse seines. Despite this low level of catch, they are evaluated here as a main retained species for free school sets because they are considered to be a potentially vulnerable species and to assess the issue of shark finning. There is no accepted stock assessment for the ETPO stock but an evaluation of a range of indicators (Aires-de-Silva et al. 2014) found that stocks have been depleted, particularly the southern stock, and that it was critical that precautionary measures be implemented to allow silky shark populations to rebuild in the ETPO. On the basis of the decline in the southern stock, it is not considered likely that the species is within biological limits. The northern stock may be larger, and most of the catch is taken north of the equator, but the more depleted state of the southern stock is the key concern. Results from a recent ecological risk assessment (IATTC-SAC 2015) also indicate</p>		

<b>PI 2.1.1</b>		<b>The fishery does not pose a risk of serious or irreversible harm to the retained species and does not hinder recovery of depleted retained species</b>		
		<p>that silky sharks are among the species with the highest relative risk, although the risk from dolphin sets is lower than for object sets.</p> <p>This is consistent with the conclusions of Shark Specialist Group (Kyne et al.2012) and the findings of a stock assessment for the WCPO (Rice and Harley 2013). More details on the stock status are provided in the background section but the concerns have been sufficient for a series of precautionary recommendations by the IATTC (IATTC 2013).</p> <p>The requirements of the SG 60 level are therefore not met and this species is evaluated under Scoring Issue c, below.</p> <p><u>Pacific bluefin tuna:</u></p> <p>Pacific bluefin stocks are estimated to be down to 6% of their unfished biomass and are designated as overfished. The requirements of the SG 60 level are therefore not met and this species is evaluated under Scoring Issue c, below.</p> <p><u>Rays:</u></p> <p>Catch of Mobulid rays is estimated at &lt;0.5% of the total catch from free school sets, which contributes approximately 70% of the catch between all set types between 2009 and 2013. Despite the low catch rates, they are evaluated as main retained due to their vulnerable nature and inclusion in national and international regulations. The Mobulid species are considered near threatened to vulnerable by the IUCN. There has been no assessment of their status and we could not be confident that these species are within biologically based limits. The requirements of the <b>SG 60 level are therefore not met</b> and this species is evaluated under Scoring Issue c, below.</p>		
<b>b</b>	<b>Guide post</b>			Target reference points are defined for retained species.
	<b>Met?</b>			Not scored
	<b>Justification</b>	Not scored as not all SG80 requirements have been met.		
<b>c</b>	<b>Guide post</b>	If main retained species are outside the limits there are measures in place that are expected to ensure that the fishery does not hinder recovery and rebuilding of the depleted species.	If main retained species are outside the limits there is a partial strategy of demonstrably effective management measures in place such that the fishery does not hinder recovery and rebuilding.	
	<b>Met?</b>	Y (PBF), Y (SSH), Y (RAY), N/A (BON)	Y (PBF, BON), N (SSH), N (RAY)	
	<b>Justification</b>	<p><u>Pacific bluefin tuna:</u></p> <p>There are measures implemented by the IATTC through the resolution C-14-06. Purse seines are responsible for the majority of the catch of this species in the ETPO (IATTC 2014a) but the majority of the impact on the stock comes from fisheries in the WPO (Pacific Tuna Working Group 2014). Of more importance for this Scoring Issue, however, is the undertaking by the companies in the UoA to cease taking any Pacific bluefin tuna during future fishing operations. This is a measure that is in place and would ensure that the UoA</p>		

PI 2.1.1	The fishery does not pose a risk of serious or irreversible harm to the retained species and does not hinder recovery of depleted retained species
	<p>does not hinder the recovery and rebuilding of this depleted species. SG60 is met <del>As it is a new measure there is not yet any evidence of its effectiveness.</del> The PAST fleet has now provided data showing that catches of Pacific bluefin tuna have been zero since 2017. The 2020 Pacific bluefin tuna stock assessment (IATTC 2020a) also presented information indicating that SSB declined steadily from 1996 to a historical low in 2010, but has been increasing slowly since then, with the 2018 Pacific bluefin tuna biomass exceeding the historical median. This includes an increase in young fish (age 0-2 years) in 2016-2018, which is expected to accelerate the recovery of SSB in the future. It is evident that there is at least a partial strategy of demonstrably effective management measures in place such that the fishery does not hinder recovery and rebuilding, and <b>SG80 is met</b> for this species. <del>This meets the requirements of the SG 60 level but not of the SG 80 level.</del></p> <p><u>Silky shark:</u></p> <p>There are a range of measures in place that are directed at the conservation of sharks and constitute at least a partial strategy. As detailed in Section 3.4 these include IATTC Resolution C-05-03 which concerns the conservation of sharks (including silky sharks) and IATTC Resolution C-04-05 which mandates the live release of sharks when possible. These measures are expected to ensure that purse sets on free schools do not hinder recovery and rebuilding of silky sharks. The low level of catch of silky sharks by sets on free schools also indicates that this fishing method is not hindering this recovery. <b>This meets the requirements of the SG 60 level.</b></p> <p>NOM-001 for tuna fisheries in Mexico is aligned with the IATTC mandatory release requirements and clause 4.1.4.3 states “It is <b>prohibited for purse seine tuna vessels to retain on board</b>, hold, transship, unload, or transport specimens live or dead, whole or pieces, of oceanic whitetip sharks”. However, NOM 029 (Responsible Fishing of Sharks and Rays), which is mandatory for holders of permits, licenses and authorizations for directed fishing of sharks and rays, as well as for those who catch these species as bycatch, states under Clause 4.2.1. that “all shark individuals <b>must be retained</b> on board commercial fishing vessels for full use except for the species listed in paragraph 4.2.2. (this does not include silky sharks). Therefore, there remain disconnects in the existing national measures articulated in NOMs, which represents a potential impediment to effective enforcement of the existing conflicting regulations. Overall, conflicting national measures aside, the effectiveness of the conservation measures has not been demonstrated, so the requirements of the SG 80 level are not met.</p> <p><u>Mobulid Rays:</u></p> <p>These require special protection as detailed in NOM-029. The recent IATTC resolution (C-15-04) also contains a range of measures, including a prohibition on the retention of Mobulid rays (whole or parts) and requires that Mobulid rays be released alive whenever possible. These measures are expected to ensure that the fishery does not hinder rebuilding or recovery. This meets the requirements of the SG 60 level. As a new measure, however, the effectiveness of CMM C-15-04 has not yet been demonstrated so the requirements of the <b>SG 80 level are not met.</b></p> <p><u>Eastern Pacific and striped bonito tuna:</u></p> <p>Bonito have been assessed above as likely, but not highly likely, to be within biologically based limits. To achieve a pass at the SG 80 level therefore requires there to be “a partial strategy of demonstrably effective management measures in place such that the fishery does not hinder recovery and rebuilding”. There are no management measures that are specifically directed at bonito. <del>However, recent data shows that the catches of bonitos in the PAST fishery have been much reduced, and the catch has comprised only 3.9% over the last five years. This means that the bonitos would be assessed as minor species, only. Nevertheless, a report by Ortega-García &amp; Jakes-Cota 2019 demonstrated that catches in</del></p>

PI 2.1.1		The fishery does not pose a risk of serious or irreversible harm to the retained species and does not hinder recovery of depleted retained species		
		<p>total have varied historically due to factors including market demand and price, as well as to the migratory movements of the fish and oceanic conditions. These authors showed that total catches from the stock were low and averaged less than 1,000 t from the mid-1990s to the mid-2000s, before increasing to a recent maximum in 2007 of 14,000 t and then declined thereafter; in 2018, the total catch was essentially zero, mirroring the situation with the PAST fishery. Overall, while there is no stock assessment available for the bonitos, it is considered that the species would now be assessed as a minor species, and so it is considered that there is a partial strategy of demonstrably effective management measures in place such that the fishery does not hinder recovery and rebuilding, and <b>SG80 is met</b>. Measures for the main target species, such as Resolution C-13-01, may provide some level of protection for the other retained species but it is also possible that restrictions on fishing effort for yellowfin and skipjack could redirect fishing effort towards bonito. In the absence of direct estimates of stock status, of the risks posed to the stocks by the fishery, or of specific management measures for these species, the requirements of the SG 80 level are not considered to be met.</p>		
d	Guide post	If the status is poorly known there are measures or practices in place that are expected to result in the fishery not causing the retained species to be outside biologically based limits or hindering recovery.		
	Met?	Y (RAY), Not scored (BON, PBF, SSH)		
	Justification	<p>The status of Mobulid rays are poorly known, but the measures of zero retention in place and low catch rates are expected to prevent the UoA from hindering recovery of these species.</p> <p>The status of bonito tunas, although not formally assessed, is likely to be within biologically based limits and is therefore not considered to be poorly known.</p> <p>The status of silky sharks and Pacific bluefin are not poorly known either.</p>		
References		IATTC 2020a, Ortega-García & Jakes-Cota 2019		
OVERALL PI SCORE:		UoCs 2 and 4 (Unassociated / Free school)		<b>60 70</b>
CONDITION NUMBER (if relevant):		UoCs 2 and 4 (Unassociated / Free school)		2-12, 2-13, 2-13b

#### PI 2.1.1 Scoring calculation

Element	Sl a	Sl b	Sl c	Sl d	Element Score	PI
Bonitos	-	-	80	-	80	70
Silky shark	-	-	60	-	60	
Pacific bluefin tuna	-	-	80	-	80	
Rays	-	-	60	60	60	

#### Year 3, Revised Scoring Table for PI 2.1.2, UoCs 2 and 4



PI 2.1.2		There is a strategy in place for managing retained species that is designed to ensure the fishery does not pose a risk of serious or irreversible harm to retained species		
Scoring Issue		SG 60	SG 80	SG 100
a	Guide post	There are measures in place, if necessary, that are expected to maintain the main retained species at levels which are highly likely to be within biologically based limits, or to ensure the fishery does not hinder their recovery and rebuilding.	There is a partial strategy in place, if necessary, that is expected to maintain the main retained species at levels which are highly likely to be within biologically based limits, or to ensure the fishery does not hinder their recovery and rebuilding.	There is a strategy in place for managing retained species.
	Met?	Y (BON, SSH, PBF, RAY)	Y (BON, SSH, PBF, RAY)	N (BON) Y (PBF)
	Justification	<p><u>Eastern Pacific and striped bonito tuna:</u></p> <p>There are no measures adopted by the IATTC that are specifically directed at bonito tunas, but current knowledge of their status is insufficient to determine whether any are required. There are measures that have been adopted by the IATTC, however, which could assist in maintaining these bonitos within biologically based limits. Resolution C-13-01 is primarily aimed at the main target species but also includes specific time and area closures (which are designed to constrain effort) and a direction “to continue the experiments with sorting grids for juvenile tunas and other species of non-target fish in the purse seine nets of vessels that fish on FADs and on unassociated schools”. If eventually developed and used, such sorting grids could reduce the catch of bonitos.</p> <p>The process for regular updates of catches, overviews of fishery developments and the adoption of Resolutions for other tuna species by the IATTC is indicative of a strategy that would be responsive and lead to appropriate measures if they became required for bonito tunas. This <b>meets the requirements of the SG 60 and SG 80 levels</b>. Nevertheless, because these measures are not specifically designed to manage the impacts of the fishery on bonitos, following GCB3.3 we do not consider them to constitute more than a partial strategy and the requirements of the SG 100 level are therefore not met.</p> <p><u>Silky shark:</u></p> <p>The IATTC has introduced a range of measures for the conservation of sharks (including silky sharks) under Resolution C-05-03 and C-04-05 that are directed at the conservation of sharks (and bycatch in the case of C-04-05) and these are considered to constitute a strategy. The IATTC measures include improved data collection and assessments, encouragement for the live release of sharks, the establishment and implementation of national plans of action for sharks, and bans on shark finning. Additional measures introduced by the Mexican Government involved several 2–4 month area closures intended to protect sharks during the pupping season. Collectively, such measures are expected to ensure that sets on free schools do not hinder the recovery and rebuilding of silky sharks, but confidence in this outcome is also dependent on a continuation of the current low level of catch of silky sharks by this set type. The requirements of the <b>SG 60 and SG 80 levels are therefore considered to be met</b> for silky shark.</p> <p><u>Pacific bluefin tuna:</u></p> <p>As outlined under PI 2.1.1 the key measure that is in place for the UoA is its agreement to refrain from taking any Pacific bluefin tuna. <b>There are also measures implemented by the IATTC through the resolution C-14-06. On the basis of evidence of its effectiveness and implementation (see Sib and Sic), this is considered to be a partial strategy for Pacific bluefin tuna – SG60, SG80 and SG100 are met for this element and makes the other measures implemented by IATTC redundant as far as the UoA is concerned. This meets the requirements of the SG 60 and SG 80 levels for Pacific bluefin tuna.</b></p>		

PI 2.1.2		There is a strategy in place for managing retained species that is designed to ensure the fishery does not pose a risk of serious or irreversible harm to retained species		
		<p><u>Mobulid Rays:</u></p> <p>The IATTC currently enacts a number of measures directed at rays which include improved data collection and assessments, encouragement for the live release of rays, the establishment and implementation of national plans of action for rays (see summary in Section 3.4 background). Furthermore, NOM 029 Clause 4.2.2 states that “Under no circumstances shall there be capture and retention of individuals of any of the following species... Giant Manta ray (<i>Manta birostris</i>, <i>Mobula japanica</i>, <i>M. thurstoni</i>, <i>M. munkiana</i>, <i>M. hypostomata</i> and <i>M. tarapacana</i>). Any of these species caught incidentally must be returned to the water. These species may not be retained, live, dead, whole or some of its parts and therefore may not be subject to human consumption or marketing. Further, the IATTC recently passed Resolution C-15-04 (June 2015), similarly requiring zero retention of Mobulid rays and increasing demands on observers to record retention versus discard of these species.</p> <p>Collectively, this partial strategy is expected to ensure that free school sets do not hinder the recovery and rebuilding of Mobulid rays: outcome scores in 2.1.1 will remain dependent on a continuation of the current low level of catch of Mobulid rays. The requirements of the <b>SG 60 and SG 80 levels are therefore considered to be met.</b></p>		
b	Guide post	The measures are considered likely to work, based on plausible argument (e.g., general experience, theory or comparison with similar fisheries/species).	There is some objective basis for confidence that the partial strategy will work, based on some information directly about the fishery and/or species involved.	Testing supports high confidence that the strategy will work, based on information directly about the fishery and/or species involved.
	Met?	Y (BON, SSH, PBF, RAY)	Y (BON, SSH, PBF, RAY)	N (BON), Y (PBF) Not scored (SSH, RAY)
	Justification	<p><u>Eastern Pacific and striped bonito tuna:</u></p> <p>The strategy identified for bonito tunas is the IATTC monitoring and assessment framework that is considered to be able to identify the need for measures should they be required and lead to their implementation. Experience with other tuna conservation measures in the ETPO provides some objective basis for confidence that this would work. This meets the requirements of the SG 60 and SG 80 levels. Without specific measures to evaluate, however, there can be no guarantee that the current level of mortality of bonito tunas in free school sets would be maintained. Therefore there is not a high confidence that this strategy will work and therefore the requirements of the SG 100 level are not considered to be met.</p> <p><u>Pacific bluefin tuna:</u></p> <p>There can be confidence that the strategy of a zero catch of Pacific bluefin for vessels in the UoA will work based on the simplicity of its implementation (given that the species occurs in known areas at known times and is readily identifiable prior to setting the net), the ease of monitoring and the strong incentives to comply. Further objective comes from the absence of catches of Pacific bluefin tuna by PAST vessels since 2017. Together with evidence from the 2020 Pacific bluefin tuna stock assessment (IATTC 2020a) which shows that SSB has been increasing slowly since 2010, and an increase in young fish (age 0-2 years) in 2016-2018, which is expected to accelerate the recovery of SSB in the future, this is considered to comprise testing that supports high confidence that the strategy will work, based on information directly about the fishery and/or species involved. This meets the requirements of the <b>SG60, SG80 and SG100 for Pacific bluefin tuna</b>. <del>This meets the requirements of the SG60 and SG 80 levels for Pacific bluefin.</del></p> <p><u>Silky shark and Mobulid Rays:</u></p>		

PI 2.1.2		There is a strategy in place for managing retained species that is designed to ensure the fishery does not pose a risk of serious or irreversible harm to retained species		
		There is plausible argument that the strategies identified in Scoring Issue a will work to ensure the fishery does not pose a risk of serious or irreversible harm. Confidence that the partial strategy will work is based on evidence from the fishery. This includes data from the observer program about the low level of catch of these species, and evidence that IATTC measures introduced to reduce mortality of other species have been successfully implemented. This meets the requirements of the SG 60 and SG 80 levels.		
c	Guide post		There is some evidence that the partial strategy is being implemented successfully.	There is clear evidence that the strategy is being implemented successfully.
	Met?		Y (BON, PBF), N (SSH, RAY)	N (BON) Y (PBF)
	Justification	<p><u>Eastern Pacific and striped bonito tuna:</u></p> <p>The IATTC monitoring and assessment framework has been implemented for many years. Reports on results of this broad program of work provide clear evidence that the partial strategy is being implemented. This meets the requirements for the SG 80 level. As we have not considered there to be a full strategy, the requirement so of the SG 100 level are not met.</p> <p><u>Silky shark and Mobulid rays:</u></p> <p>The assessment team was not provided with data or analyses or evidence to demonstrate that the measures adopted by the IATTC or Mexican Government are being implemented successfully in regards to requirements for zero retention. The requirements of the SG 80 level are therefore not met.</p> <p><u>Pacific bluefin tuna:</u></p> <p>The PAST fleet has now provided data showing that catches of Pacific bluefin tuna have been zero since 2017. The 2020 Pacific bluefin tuna stock assessment (IATTC 2020a) also presented information indicating that SSB declined steadily from 1996 to a historical low in 2010, but has been increasing slowly since then, with the 2018 Pacific bluefin tuna biomass exceeding the historical median. This includes an increase in young fish (age 0-2 years) in 2016-2018, which is expected to accelerate the recovery of SSB in the future. There is considered to be clear evidence that the strategy is being implemented successfully, and <b>SG80 and SG100 are met</b>. <del>As the strategy has only recently been implemented there is as yet no evidence that it has been implemented successfully. The requirements of the SG 80 level are therefore not met.</del></p>		
d	Guide post			There is some evidence that the strategy is achieving its overall objective.
	Met?			N (BON), Y (PBF) Not scored (SSH, RAY)
	Justification	<p><u>Eastern Pacific and striped bonito tuna:</u></p> <p>Bonito have been regarded as being within biological limits, which is a key requirement. Nevertheless, without a full strategy in place the requirements of the SG 100 level cannot be considered to be met.</p> <p><u>Silky shark, Mobulid rays, and Pacific bluefin tuna:</u> Not scored. Other SG 80 levels not met.</p> <p><u>Pacific bluefin tuna:</u></p>		

<b>PI 2.1.2</b>		<b>There is a strategy in place for managing retained species that is designed to ensure the fishery does not pose a risk of serious or irreversible harm to retained species</b>		
		Catches of Pacific bluefin have been zero in the PAST fishery since 2017. The 2020 Pacific bluefin tuna stock assessment (IATTC 2020a) also presented information indicating that SSB declined steadily from 1996 to a historical low in 2010, but has been increasing slowly since then, with the 2018 Pacific bluefin tuna biomass exceeding the historical median. This includes an increase in young fish (age 0-2 years) in 2016-2018, which is expected to accelerate the recovery of SSB in the future. For Pacific bluefin tuna, there is some evidence that the strategy is achieving its overall objective, and <b>SG100 is met</b> .		
<b>e</b>	<b>Guide post</b>	It is likely that shark finning is not taking place.	It is highly likely that shark finning is not taking place.	There is a high degree of certainty that shark finning is not taking place.
	<b>Met?</b>	Y (SSH), N/A (BON, PBF, RAY)	N (SSH), N/A (BON, PBF, RAY)	
	<b>Justification</b>	<p><u>Silky shark:</u></p> <p>As outlined in the background section on silky sharks, there is evidence from both the reports to the COR and the results from the observer survey that shark finning is not taking place in any systematic way. The number of instances in the UoA are small. CONAPESCA provided evidence of a case of shark finning infractions by a vessel. The vessel, not from the UoA, was found guilty, however the case is subject to appeal and ongoing (CONAPESCA 2015b). On this basis, and following the revised guidance with regard to shark finning, we have concluded that it is likely that shark finning is not taking place. There are no recent data from the Compliance Committee, however, on the level of compliance with C-05-03 and no information through the IRP on sanctions for any non-compliance. We therefore do not consider it to be highly likely that shark finning is not taking place.</p> <p>We note the information from observers that shark finning was previously more common in catches from object sets but given that silky sharks are caught in all set types, and in the absence of any data specific to other set types, have applied the same rationale and score to both these set types. This meets the requirements of the SG 60 level but not of the SG 80 level.</p>		
<b>References</b>		IATTC 2020a		
<b>OVERALL PI SCORE:</b>		<b>UoCs 2 and 4 (Unassociated / Free school)</b>		<b><del>65</del> 75</b>
<b>CONDITION NUMBER (if relevant):</b>		<b>UoCs 2 and 4 (Unassociated / Free school)</b>		2-14, 2-15, 2-16

#### PI 2.1.2 Scoring calculation

Element	Sl <sub>a</sub>	Sl <sub>b</sub>	Sl <sub>c</sub>	Sl <sub>d</sub>	Sl <sub>e</sub>	Element Score	PI
Bonitos	80	80	80	-	-	80	75
Silky shark	80	80	60	-	60	75	
Pacific bluefin tuna	100	100	100	100	-	100	
Rays	80	80	60	-	-	75	

#### Year 3, Revised Scoring Table for PI 2.1.3, UoCs 2 and 4

<b>PI 2.1.3</b>	<b>Information on the nature and extent of retained species is adequate to determine the risk posed by the fishery and the effectiveness of the strategy to manage retained species</b>		
<b>Scoring Issue</b>	SG 60	SG 80	SG 100

PI 2.1.3		Information on the nature and extent of retained species is adequate to determine the risk posed by the fishery and the effectiveness of the strategy to manage retained species		
a	Guide post	Qualitative information is available on the amount of main retained species taken by the fishery.	Qualitative information and some quantitative information are available on the amount of main retained species taken by the fishery.	Accurate and verifiable information is available on the catch of all retained species and the consequences for the status of affected populations.
	Met?	Y (BON, SSH, PBF, RAY)	Y (BON, SSH, PBF, RAY)	Not scored (BON, SSH, RAY), N (PBF)
	Justification	<p>The catch of all retained species is recorded in logbooks and verifiable from observer records so quantitative information is available on the amount of Eastern Pacific and striped bonito, silky shark, Mobulid rays, and Pacific bluefin tuna which are the main retained species taken by free school sets in the fishery. This meets the requirements of the <b>SG 60 and SG 80 levels for bonitos, rays, and silky shark.</b></p> <p>There is not accurate and verifiable information on all retained species such that the consequences for affected populations can be assessed. Data on retained catch are recorded but assessments of status are not attempted for many of these species so it has not been demonstrated whether the information collected is sufficient to determine their status. The requirement of the <b>SG 100 level is therefore not met</b> for Pacific bluefin tuna.</p>		
b	Guide post	Information is adequate to qualitatively assess outcome status with respect to biologically based limits.	Information is sufficient to estimate outcome status with respect to biologically based limits.	Information is sufficient to quantitatively estimate outcome status with a high degree of certainty.
	Met?	Y (BON, SSH, PBF, RAY)	Y (BON, SSH, PBF, RAY)	Not scored (BON, SSH, RAY), Y (PBF)
	Justification	<p><u>Eastern Pacific and striped bonito tuna:</u></p> <p>The information available on bonitos is similar to other species for which assessments against biologically based limits have been made. This meets the requirements of the SG 60 and SG 80 levels.</p> <p><u>Silky shark:</u></p> <p>The information that is currently available is sufficient to allow analyses of trends in some indicators for silky shark (Hinton et al. 2014, Aires-da-Silva et al. 2014). The information has also been considered sufficient by the IUCN to assess their status as vulnerable (Kyne et al. 2012). The basis for their status is described more fully in the background section and in the rationale for PI 2.1.1 and has been considered sufficient to assess the species as not likely to be within biologically based limits. The information on their status has also been considered sufficient for the IATTC to make specific management recommendations for silky sharks (IATTC 2013). The requirements of the <b>SG 60 and SG 80 levels are therefore met.</b></p> <p><u>Pacific bluefin tuna:</u></p> <p>The information available on Pacific bluefin is similar to other species for which assessments against biologically based limits have been made. There are numerous uncertainties with the assessment of Pacific bluefin tuna as outlined in Maunder et al. (2014). Nevertheless the conclusion that this species is overfished is robust to these uncertainties and there is a high degree of certainty about its status. <b>This meets the requirements of the SG 60, SG 80 and SG 100 levels.</b></p> <p><u>Mobulid Rays:</u></p> <p>The small volume of the species retained make it unlikely that UoA catch will directly cause the species to fall outside of biologically based limits. Therefore, despite the lack of retention versus discard data provided to the team, the information provided is sufficient to estimate the</p>		

PI 2.1.3		Information on the nature and extent of retained species is adequate to determine the risk posed by the fishery and the effectiveness of the strategy to manage retained species		
		outcome of the UoA in respect to biologically based limits. <b>The requirements of the SG 60 and SG 80 levels are therefore met.</b>		
c	Guide post	Information is adequate to support measures to manage main retained species.	Information is adequate to support a partial strategy to manage main retained species.	Information is adequate to support a strategy to manage retained species, and evaluate with a high degree of certainty whether the strategy is achieving its objective.
	Met?	Y (BON, SSH, PBF, RAY)	N (SSH, RAY) Y (BON, PBF)	Not scored (BON, SSH, RAY), Y (PBF)
	Justification	<p><u>Eastern Pacific and striped bonito tuna:</u></p> <p>The information on bonito tunas is adequate to support the current strategy for this species. As lower priority species for which there are no concerns about outcome status, however, there is less attention paid to them and consequently a less than high degree of certainty about the success of the default strategy. The requirements of the <b>SG 60 and SG 80 levels are therefore considered to be met.</b></p> <p><u>Silky Shark:</u></p> <p>The information that has been collected has been sufficient to support at least some of the measures that collectively are considered to comprise a strategy to manage silky sharks. However, the absence of retention vs discard (and survivorship) information means that there is not sufficient information to support the partial strategy, which includes national and international regulations prohibiting retention of the species. <b>The SG 60, but not SG 80 Scoring Issue, is therefore met.</b></p> <p><u>Mobulid Rays:</u></p> <p>Data on Mobulid rays provided includes annual catch by set type, but the team was not provided with data on retention versus discard. While the data are sufficient to supports overall management of the species and basic estimates such as abundance, information is currently not adequate to support the main measures of the partial strategy, which hinge on national and international regulations that pertain to prohibited retention of the species. <b>The SG 60, but not SG 80 Scoring Issue, is therefore met.</b></p> <p><u>Pacific bluefin tuna:</u></p> <p>The information on Pacific bluefin tuna is adequate to support the current strategy to manage the impact of the UoA on this species, which will depends only on verifying that there is no future catch by the UoA. The requirements of the <b>SG 60, SG 80 and SG 100 levels are therefore considered to be met.</b></p>		
d	Guide post		Sufficient data continue to be collected to detect any increase in risk level (e.g. due to changes in the outcome indicator score or the operation of the fishery or the effectiveness of the strategy)	Monitoring of retained species is conducted in sufficient detail to assess ongoing mortalities to all retained species.

PI 2.1.3		Information on the nature and extent of retained species is adequate to determine the risk posed by the fishery and the effectiveness of the strategy to manage retained species		
	Met?		N (BON, SSH, RAY), Y (PBF, <b>BON</b> )	Not scored (BON, SSH, RAY), Y (PBF)
	Justification	<p><u>Eastern Pacific and striped bonito tuna, Mobulid rays, Silky Shark:</u></p> <p>Data continue to be collected from logbooks and observer programs in sufficient detail to detect any substantial increase in risk from increased catches of these species. <b>Catch data continue to be collected in high detail, facilitated through the use of 100% observer coverage. However, recent data shows that the catches of bonitos in the PAST fishery have been much reduced, and the catch has comprised only 3.9% over the last five years. This means that the bonitos would be assessed as minor species, only. Nevertheless, a report by Ortega-García &amp; Jakes-Cota 2019 demonstrated that catches in total have varied historically due to factors including market demand and price, as well as to the migratory movements of the fish and oceanic conditions. These authors showed that total catches from the stock were low and averaged less than 1,000 t from the mid-1990s to the mid-2000s, before increasing to a recent maximum in 2007 of 14,000 t and then declined thereafter; in 2018, the total catch was essentially zero, mirroring the situation with the PAST fishery. Overall, in this context, it is considered that sufficient data continue to be collected to detect any increase in risk level (e.g. due to changes in the outcome indicator score or the operation of the fishery or the effectiveness of the strategy) – <b>SG60 and SG80 are met.</b> What is not currently available, however, is information on the effectiveness of all the measures contained in the IATTC's Resolutions, which collectively form the strategy for addressing risks to these species. This Scoring Issue is therefore not considered to be met at the SG 80 level.</b></p> <p><u>Pacific bluefin tuna:</u></p> <p>Data continue to be collected from logbooks and observer programs in sufficient detail to detect whether there is any catch of Pacific bluefin tuna by vessels in the UoA. Unlike for the other species assessed here, information on the effectiveness of all the measures contained in the IATTC's Resolutions is not required. Information also continues to be collected on the catch of all other retained species so the mortalities attributed to the UoA will be able to be assessed. <b>This meets the requirements for the SG 80 and SG 100 levels.</b></p>		
References		Ortega-García & Jakes-Cota 2019		
OVERALL PI SCORE:		UoCs 2 and 4 (Unassociated / Free school)		<del>65</del> <b>75</b>
CONDITION NUMBER (if relevant):		UoCs 2 and 4 (Unassociated / Free school)		2-12, 2-13, 2-13b

#### PI 2.1.3 Scoring calculation

Element	Sl <sub>a</sub>	Sl <sub>b</sub>	Sl <sub>c</sub>	Sl <sub>d</sub>	Element Score	PI
Bonitos	80	80	80	80	80	75
Silky shark	80	80	60	60	70	
Pacific bluefin tuna	80	80	100	100	90	
Rays	80	80	60	60	70	

#### Year 3, Revised Scoring Table for PI 3.2.5, All UoCs

PI 3.2.5		There is a system of monitoring and evaluating the performance of the fishery-specific management system against its objectives There is effective and timely review of the fishery-specific management system		
Scoring Issue	SG 60	SG 80	SG 100	



PI 3.2.5		<b>There is a system of monitoring and evaluating the performance of the fishery-specific management system against its objectives</b> <b>There is effective and timely review of the fishery-specific management system</b>		
a	Guide post	The fishery has in place mechanisms to evaluate some parts of the management system.	The fishery has in place mechanisms to evaluate key parts of the management system	The fishery has in place mechanisms to evaluate all parts of the management system.
	Met?	All UoCs – Y	All UoCs – Y	Not scored
	Justification	<b>IATTC</b> IATTC has extensive mechanisms in place to evaluate the management system as demonstrated by the various committees and working groups of IATTC that meet regularly and report their findings to the Commission. As well as the annual Commission meetings, regular meetings include those for the Scientific Advisory Committee, the Committee for the Review of Implementation Measures and the International Review Panel. Reports from meetings of the various groups are available on the IATTC website. The purse seine fishery is a major component of overall fishing in the ETPO and receives a strong focus in IATTC processes. Mechanisms are in place to evaluate all parts of the management system, meeting SG 60 and SG 80 requirements. SG 100 is not scored due to the score at 3.2.5b. <b>Mexico</b> At a national level, the role of the municipal, state and Federal (CONAPESCA) agencies in assessing the need for policy can be seen as a mechanism to evaluate key parts of the management system through the updating of the National Fisheries Charter. The newly developed Management Plan for yellowfin tuna indicates that it will be reviewed every three years. Mechanisms are in place to review key components of the management system but it is not evident that all parts of the system are evaluated. <b>SG60 and SG80 requirements are met.</b> Overall, SG 80 requirements are met at the national and regional levels.		
b	Guide post	The fishery-specific management system is subject to occasional internal review.	The fishery-specific management system is subject to regular internal and occasional external review.	The fishery-specific management system is subject to regular internal and external review.
	Met?	All UoCs – Y	All UoCs – Y	Not scored
	Justification	<b>IATTC</b> <del>IATTC is subject to regular internal review, as demonstrated by the various committees and working groups that meet regularly and report their findings to the Commission and which are published. However, the IATTC has as yet not carried out an external performance review despite a general agreement by all five RFMOs responsible for tunas and tuna-like species held at their first joint meeting in Kobe, Japan in January 2007. SG 100 requirements are potentially met for internal review, however the failure to undertake an external review means that the IATTC does not meet SG80 with respect to “occasional external” review. Resolution C 14 09 requires the undertaking of an external review to be presented to the Commission in 2015 or 2016.</del> At the regional level, IATTC has extensive mechanisms in place to evaluate the management system as demonstrated by the various committees and working groups of IATTC that meet regularly and report their findings to the Commission. As well as the annual Commission meetings, regular meetings of the Scientific Advisory Committee, the Committee for the Review of Implementation Measures and the International Review Panel are held. Reports from the meetings are available on the IATTC website. IATTC carried out an external performance review in 2016. <b>Mexico</b>		

PI 3.2.5		<b>There is a system of monitoring and evaluating the performance of the fishery-specific management system against its objectives</b> <b>There is effective and timely review of the fishery-specific management system</b>	
		<p>At the national level, National Fisheries Charter provides a level of internal review. CONAPESCA provided evidence of a range of internal review processes (CONAPESCA pdf2). Within government but external to CONAPESCA, the Superior Audit Office (ASF) is responsible for overseeing the use of federal public resources in the three branches of government; autonomous constitutional bodies; states and municipalities; as well as public or private persons who have collected, managed, operated or exercised federal public resources. In 2006, the OECD prepared a report on Agricultural and Fisheries Policies in Mexico (OECD 2006). <del>Although there is some level of internal review, it is not evident that this review is regular. External review is very limited. SG 60 requirements are met and SG 80 requirements are not fully met. Overall, SG 60 requirements are met at the national and regional levels.</del></p> <p>Additional external reviews of the fisheries management system have now been conducted:</p> <ul style="list-style-type: none"><li>• Sustainable Fisheries in Mexico (Diagnosis and Opportunities for Improvement) Report (Flores et al. 2020). This report is a comparative analysis of various Mexican fisheries and their respective fisheries management systems that were subjected to evaluation based on the MSC standard.</li><li>• Oceana Mexico – Fisheries Audit (2019). Oceana’s audit report details the first independent audit of Mexico’s fisheries which includes an analysis of the data concerning major target fish stocks, fisheries laws, and management strategies.</li><li>• Identifying Areas for Policy Action to Improve Sustainability Performance of Mexican Fisheries, Sustainable Fisheries Partnership, (Sanchez De Boch et al., 2019). This report presents the results from two analytical exercises comprising an analysis of improvement recommendations from fish-source profiles for Mexican fisheries and an analysis of the conditions set for Mexican fisheries through the Marine Stewardship Council (MSC) certification process.</li><li>• Global Evaluation of Fisheries Monitoring, Control and Surveillance in 84 countries (Mexico) (Pramod G. 2021). This report evaluates the fisheries regulations, enforcement capabilities, monitoring and surveillance capacity of the Mexico fisheries management system to address Illegal, Unreported and Unregulated (IUU) fishing.</li></ul> <p>Overall, it is apparent that, through a range of different processes, the fishery-specific management system is subject to regular internal and occasional external review – <b>SG60 and SG80 are met.</b></p>	
References			
OVERALL PI SCORE:		All UoCs	<del>78</del> <b>80</b>
CONDITION NUMBER (if relevant):		All UoCs	3-6

## 4.7 Principle level scores

Table 15 and Table 16, below, respectively show the revised Principle level scores and individual Performance Indicator scores following this Year 3 surveillance audit. Note that the Principle 1 scoring for yellowfin tuna (UoCs 1 and 2) reflects the upgrade to CR v.2.01 (see Appendix 5 of the Year 2 audit report). Skipjack tuna will be upgraded to CR v.2.01 separately as per the MEGVAR requirements in the event that the suspension on UoCs 3 and 4 (skipjack tuna) is lifted.

**Table 15. Revised Principle level scores**

Principle	UoC 1 (YFT – Dolphin)	UoC 2 (YFT – Unassoc.)	UoC 3 (SKJ – Dolphin)	UoC 4 (SKJ – Unassoc.)
<b>Principle 1 – Target Species</b>	91.7	91.7	N/A (UoAs suspended)	
<b>Principle 2 – Ecosystem Impacts</b>	82.0	90.3	N/A (UoAs suspended)	
<b>Principle 3 – Management System</b>	82.6	82.6	N/A (UoAs suspended)	

**Table 16. Performance Indicator scores. Note YFT P1 is scored under FCR2.0, whilst P2 and P3 are FR 1.3.**

Principle	Component	Wt	Performance Indicator (PI)			Wt	UoC 1	UoC 2	UoC 3	UoC 4
							P1 CR v.2.01	P1 CR v.1.3		
One	Outcome	0.5	1.1.1	Stock status	0.5	100	100	N/A (UoAs suspended)	N/A (UoAs suspended)	
			1.1.2	Reference points (CR v.1.3 - SKJ) Stock rebuilding (CR v.2.01 -YFT)	0.5	N/A	N/A			
			1.1.3	Stock rebuilding	N/A	N/A	N/A			
	Management	0.5	1.2.1	Harvest strategy	0.25	95	95			
			1.2.2	Harvest control rules & tools	0.25	80	80			
			1.2.3	Information & monitoring	0.25	80	80			
			1.2.4	Assessment of stock status	0.25	95	95			
Two	Retained species	0.2	2.1.1	Outcome	0.33	60	70			
			2.1.2	Management strategy	0.33	70	75			
			2.1.3	Information/Monitoring	0.33	70	75			
	Bycatch species	0.2	2.2.1	Outcome	0.33	80	80			
			2.2.2	Management strategy	0.33	95	95			
			2.2.3	Information/Monitoring	0.33	80	80			
	ETP species	0.2	2.3.1	Outcome	0.33	65	100			
			2.3.2	Management strategy	0.33	65	100			
			2.3.3	Information strategy	0.33	65	100			
	Habitats	0.2	2.4.1	Outcome	0.33	100	100			
			2.4.2	Management strategy	0.33	100	100			
			2.4.3	Information	0.33	100	100			
	Ecosystem	0.2	2.5.1	Outcome	0.33	100	100			
			2.5.2	Management	0.33	85	85			
			2.5.3	Information	0.33	95	95			
Three	Governance and policy	0.5	3.1.1	Legal &/or customary framework	0.33	80	80			
			3.1.2	Consultation, roles & responsibilities	0.33	85	85			
			3.1.3	Long term objectives	0.33	100	100			
			3.1.4	Incentives for sustainable fishing		80	80			
	Fishery specific management system	0.5	3.2.1	Fishery specific objectives	0.2	80	80			
			3.2.2	Decision making processes	0.2	75	75			
			3.2.3	Compliance & enforcement	0.2	70	70			
			3.2.4	Research plan	0.2	90	90			
3.2.5			Monitoring & management performance evaluation	0.2	80	80				

## 5 References

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- Grupomar (2021). Letter from Grupomar to CONAPESCA, informing that a vessel is landing and requesting an inspection, dated 4<sup>th</sup> August 2021.
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- IATTC (2021b). Letter from Jean-Francois Pulvenis, Temporary Director of IATTC to Mariana Ramos, Direcotra Ejecutiva of PAST. Subject: '*Estudio de estimaciones de abundancia de las poblaciones de delfines en el Océano Pacífico Oriental*', dated 14<sup>th</sup> July 2021, 3 pp.
- MSC (2014). MSC fisheries certification requirements and guidance, v.2.0, 1st October 2014. Marine Stewardship Council, London, 528 pp.
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PAST (2019b). Iler de entrenamiento. Compromiso de cero retención, cero aleteo y 100% liberación de tiburones y rayas (Training workshop. Commitment to zero retention, zero finning and 100% release of sharks and rays). Pacific Alliance for Sustainable Tuna, 42 pp.

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PAST (2021c). Letter to Dr. Hugh Jones, Control Union UK Limited. Dated May 17 2021, 1 pp.

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Procesa Chiapas (2021). Letter from Procesa Chiapas to CONAPESCA requesting random inspections of their vessels at landing, dated 21<sup>st</sup> June 2021.

## 6 Appendices

### Appendix 1 Evaluation processes and techniques

#### Appendix 1.1 Site visits

Meetings for the year 3 audit of the PAST fishery were held as described in Table 17, below. It is noted that the site visit was held remotely due to Covid-19 restrictions on travel, as allowed under MSC Derogation 3<sup>42</sup>.

**Table 17. Meetings held during the year 3 audit of the PAST fishery**

Date	Attendee	Affiliation	Key subjects covered
1 <sup>st</sup> September 2021	Rob Blyth-Skyrme	Control Union (CU) - Team Leader (TL) and P2 Assessor	<u>Client Opening</u> Purpose of audit and meeting Audit process and confidentiality Arrangements for meetings and timetable Questions for Audit Team Covid derogation and application for P2 outcome conditions Status of SKJ and YFT Condition milestones and information presented ahead of the site visit
	Carlos Alvarez	Control Union – P1 Assessor	
	Peter Watt	Control Union – P3 Assessor	
	Mariana Ramos	PAST – Client	
	Alvin Suarez	PAST – Client	
	Guillermo Compean	Independent consultant	
	Evaristo Villa Michel	Pesca Azteca (client)	
	Cristina Alvidrez	Procesa Chiapas (client)	
	Juan Miguel Nava	Pesca Azteca (client)	
	Alfonso Rosinol De Vecchi	Groupomar (client)	
1 <sup>st</sup> Sept Client opening			
7 <sup>th</sup> September 2021	Rob Blyth-Skyrme	CU	<u>Client + CONAPESCA – P3</u> Purpose of audit and meeting Audit process and confidentiality Observer coverage with Covid P3 conditions and progress
	Carlos Alvarez	CU	
	Peter Watt	CU	
	Mariana Ramos	PAST – Client	
	Alvin Suarez	PAST – Client	
	Guillermo Compean	Independent consultant	
	Michel Dreyfus	FIDEMAR	

<sup>42</sup> <https://www.msc.org/docs/default-source/default-document-library/for-business/program-documents/chain-of-custody-supporting-documents/msc-derogation-3-covid-19-fishery-and-chain-of-custody-remote-auditing.pdf>



Date	Attendee	Affiliation	Key subjects covered
	Isabel Cristina Reyes Robles	CONAPESCA	
	Karla Rivera	CONAPESCA	
7 <sup>th</sup> Sept CONAPESCA			
7 <sup>th</sup> September 2021	Rob Blyth-Skyrme	CU	<u>Pew and Ocean Foundation</u> Purpose of audit and meeting Audit process and confidentiality Harmonisation of scores between EPO tuna fisheries SKJ suspension rationale and future approach Covid derogation application
	Carlos Alvarez	CU	
	Jamie Gibbon	Pew	
	Grantly Galland	Pew	
7 <sup>th</sup> Sept Pew Meeting			
8 <sup>th</sup> September 2021	Rob Blyth-Skyrme	CU	<u>Client + CONAPESCA/FIDEMAR</u> Purpose of audit and meeting Audit process and confidentiality Catch data for different species P1 and P2 condition progress
	Carlos Alvarez	CU	
	Peter Watt	CU	
	Mariana Ramos	PAST – Client	
	Alvin Suarez	PAST – Client	
	Guillermo Compean	Indepedent consultant	
	Michel Dreyfus	FIDEMAR	
8 <sup>th</sup> Sept CONAPESCA/FIDEMAR			
26 <sup>th</sup> September 2021	Rob Blyth-Skyrme	CU	<u>Client closing</u> Final data requests Update on timeline Draft progress against conditions VR submission for the outcome conditions 2-6 and 2-7
	Carlos Alvarez	CU	
	Peter Watt	CU	
	Mariana Ramos	PAST – Client	
	Alvin Suarez	PAST – Client	
	Guillermo Compean	Independent consultant	
26 <sup>th</sup> Client closing meeting			

## Appendix 2 Stakeholder Input

Written stakeholder inputs were received this year are provided below, but no verbal inputs which resulted in 'material changes' in score were evident. All changes made were as a result of supplied documentation which is referenced accordingly.

### 6.1 ISSF

#### 6.1.1 General comments

General comments	Evidence or references	CAB response to stakeholder input	CAB Response Code
<p>"Skipjack tuna – Full Reassessment</p> <p>ISSF notes that the Pacific Alliance for Sustainable Tuna fishery is required to follow the 'full' upgrade process for the EPO Skipjack stock against the MSC Certification Requirements v.2.0 at its next surveillance audite (SA3) , as detailed in Appendix B to the MEGVAR. In anticipation to the upgrade ISSF is providing for your consideration specific input under section 2 for PIs that would score below 80 according to the independent report of Medley et al. (2021) and advises that the most recent MSC PCDR for the Eastern Pacific Ocean SKJ (e.g. AGAC PCDR), the P1 scored below SG80 and, therefore, failed. This should be harmonized accordingly.</p> <p>ISSF would also request clarification on whether the current suspension of the SKJ UoCs of the fishery does impact in any way the update process and any conditions applying to UoAs 3&amp;4."</p>	<p><a href="#">Medley et al. (2021)</a></p>	<p>As per the announcement for this fishery surveillance and the MSC interpretation on <a href="#">suspended fisheries</a> , CABs do not audit suspended fisheries and therefore there will not be consideration of the SKJ UoA (nor its FCR2.01 upgrade) as part of this audit.</p> <p>As stated in the interpretation - once we have been informed by the client that the cause for self-suspension has been addressed, we will plan an audit to verify this information and will update condition status accordingly. At that point harmonise with all other fisheries which identify the SKJ EPO stock as a target species will take place.</p>	<p>Comment rejected</p>
<p>"Conditions 2-6, 2-7, 2-8, 2-10 and 2-11 and extension request</p>	<p>"Northeastern Tropical Pacific Purse Seine Yellowfin and</p>	<p>Thank you for the comment.</p>	<p>Not accepted (information not relevant to evaluating</p>

General comments	Evidence or references	CAB response to stakeholder input	CAB Response Code
<p>The delays mentioned in the report regarding the actions to carry out a dolphin population survey in the EPO are worrisome. The reasons provided to justify the delays seem that these appear the result of an inadequate or insufficient planning. Additionally, a number other reasons are provided, such as the financial implications to resume the survey using different equipment, to keep the research team together without the ability to proceed with the full survey, or the end of the term of IATTC's Director.</p> <p>We consider the survey organization and its financing are precisely elements falling completely under the clients control, who committed himself to meet the milestones and close the conditions as required to all fisheries adhering to the MSC process. We learned with surprise that the CAB has requested a variation request on these basis. It is to note, that the variation was granted on October 1st, 2020 (i.e. after the 14th August deadline for stakeholder comments to the surveillance audit, preventing stakeholders to provide their views on it. ISSF is concerned that this situation might create a precedent that could be followed by other MSC certified fisheries and requests that verifiable evidence be presented to reasonably justify the delays, as well as the decision to extend the deadline for completing the actions.</p> <p>Additionally, as per the Covid19 pandemic, the MSC issued a first notice of 6 month derogation (the notice was issued before the variation request) followed by a further 12 months which applies to condition milestones and Client Action Plan timelines, an extension of 18 months on itself. Will the granted variation request be applied on top on</p>	<p>Skipjack Tuna Fishery 2nd surveillance report Guidance for MSC Fisheries CABs relating to the Covid-19 Derogation"</p>	<p>We considered progress against Conditions 2-6, 2-7, 2-8, 2-10 and 2-11 extremely carefully at both the previous audit and this one. Of course, the client could not have anticipated the Covid-19 Pandemic at the time the fishery was assessed, nor when the client action plan was drafted, and there is no doubt that it has had and continues to have a dramatic impact on the ability to undertake large-scale, multi-national projects. Our determination is that the client should be allowed the extra time made available based on the efforts made to make progress, the work undertaken, and the difficulty of undertaking work of such a scale during the Covid-19 pandemic.</p> <p>Regarding the process of submitting a Variation Request, and the ability of stakeholders to comment, audit teams are not in a position to consider new information properly until the site visit, and must then draft a VR and wait for the MSC to respond. These processes take time, and we accept that VRs are not something that stakeholders are able to comment on directly at the time.</p> <p>Conditions 2-6, 2-7, 2-8, 2-10 and 2-11 were not extended in line with MSC Derogation 6 this year which would have extended them for another 12 months.</p> <p>In summary, these conditions were subject to the Variation last year and the timelines were not further extended this year. Conditions 2-10 and 2-11 were assessed this year as behind target, with progress required in the coming year in order for the dolphin-set UoCs (1 and 3) to avoid suspension at the next audit.</p>	<p>the progress of the condition)*</p> <p>* MSC do not provide CABs with a response code suitable for the assessment team to use in this instance and therefore we have had to choose the one above. The ISSF comment is relevant and an explanation of the situation has been provided by the team.</p>

General comments	Evidence or references	CAB response to stakeholder input	CAB Response Code
<p>these derogations? If that is the case, we would consider the extension even less justifiable and unfair to the rest of MSC fisheries closing conditions during Covid 19 pandemic, an also an indication that the action plan is much further behind target that as previously assessed.</p> <p>Considering the small progress that has been achieved until date, ISSF is deeply concerned about the feasibility that the relevant actions are completed within deadlines, even with the extension. Potential fishery impacts on Dolphin populations remain unquantified and unmanaged. ISSF considers that unless solid and verifiable evidence is presented explaining the lack of progress, together with a confirmation that the fishery is not accumulating the Covid-19 derogations granted by the MSC in addition to the variation request, then the certification should be suspended due to lack of adequate progress towards addressing conditions.</p> <p>"</p>		<p>The client and stakeholders should be in no doubt that the Audit Team will be looking at these issues closely next year, but the client is afforded the opportunity to address the milestones.</p>	
<p>"HS ADVOCACY ACTIONS</p> <p>The CAB has set conditions towards the implementation by IATTC of robust Harvest Strategies for Eastern Pacific skipjack. As regards the Client Action Plan to meet these conditions, ISSF would like to suggest specific actions for the Client to consider:</p> <p>1) Publicly support the high-level appeals for RFMOs developed by global NGOs that are participants in the NGO Tuna Forum.</p>		<p>As an independent CAB auditing against the MSC standard we cannot direct or require the client to accept stakeholder comments or suggestions.</p> <p>However, we know the client attends IATTC meetings routinely, and is very active in national discussions. We are content that the client group knows it is in their interests to see EPO tuna managed sustainably using the best available information, and we will highlight the ISSF's six</p>	<p>Accepted (condition on target)</p>

General comments	Evidence or references	CAB response to stakeholder input	CAB Response Code
<p>In 2021, companies will have the opportunity to engage in other direct RFMO advocacy tactics to demonstrate market support for specific tuna sustainability asks. NGO participants in the NGO Tuna Forum have begun reaching out to market partners with these opportunities.</p> <p>2) Advocate for accelerated progress on the adoption and implementation of Harvest Strategies through IATTC, such as through continued direct engagement with national delegations to IATTC. ISSF also encourages the PAST to directly engage in alignment and advocacy initiatives with other MSC-certified or MSC-aspiring fisheries which also advocate for harvest strategies for Eastern Pacific tuna stocks.</p> <p>3) Urge the delegations of all parties associated with the PAST to advocate to IATTC members that those members take a strong public position on advancing harvest strategies as part of the deliberations IATTC will undertake virtually this year and at future in-person meetings, including by making proposals for the development of harvest strategies including target reference points and harvest control rules, and to underscore that the MSC has established hard deadlines for P1 conditions for certified tuna fisheries. If these deadlines are not met, the corresponding MSC certifications will be suspended.</p> <p>In particular, specifically, for 2021, advocate for the IATTC to:</p> <p>Accelerate the process and development of Management Strategy Evaluation (MSE) that are shown to be robust to</p>		<p>points as presented to the client group when including these comments in this report.</p>	

General comments	Evidence or references	CAB response to stakeholder input	CAB Response Code
<p>the main uncertainties for bigeye, skipjack and yellowfin. Ensure continued support for tropical tunas MSE.</p> <p>4) Have meetings, calls or other direct contact with all other relevant IATTC delegations where the PAST has business interests to advocate for the adoption of Harvest Strategies.</p> <p>5) Publicly support ISSF Position Statements that contain detailed asks on Harvest Strategies and Harvest Control Rules to the virtual sessions of the IATTC in 2021 and future in-person meetings, and document that support (e.g. by submitting a letter or some other communication citing the Position Statement).</p> <p>6) The PAST could provide further assistance to the ongoing efforts of ISSF, MSC, the NGO Tuna Forum, by engaging in supporting the technical work of IATTC as well as capacity workshops on Management Strategy Evaluation in the EPO so as to increase the leverage of IATTC members for the discussion and adoption of robust Harvest Strategies."</p>			

### 6.1.2 PI Specific comments

PI	1.2.1 - Harvest strategy (EPO YFT)	Input Summary	The independent report by Medley et al. (2021) indicates that SI 1.2.1 f is relevant in this fishery and would receive a score of 80.	Stakeholder input code	Implications unknown
Input detail	"The independent report by Medley et al. (2021) indicates that SI 1.2.1 f is relevant in this fishery and would receive a score of 80.				

	1.2.1 f: ""Unwanted catch is defined by MSC as catch which is unwanted and not used (i.e., not sold or consumed). Under P1 it refers only to unwanted catch of the target species. A joint meeting of the tuna Regional Fisheries Management Organisations (tRFMOs) in Brisbane 2010 as part of the Kobe process, specifically focused on bycatch and discarding, although this mainly dealt with non-tuna species. Discards are routinely estimated for all target species where possible, but discarding of target tunas is not generally considered significant compared to other mortality and low compared to other fisheries (Gilman et al. 2020). However, whether discards are significant enough to require a review to work out how to reduce them will need to be determined on a case-by-case basis and monitoring depends upon the presence of at-sea observers. The main concern with discards of tuna appears to apply to the purse seine fleet. Under IATTC rules, all bigeye, skipjack and yellowfin brought on board is required to be landed, except that unfit for human consumption (C-17-02; C-20-06). Work is ongoing to try and reduce catch of juvenile tunas and non-target species in the purse seine catch (see C-17-02; C-20-06). On this basis, unwanted catch is clearly subject to review and research and controls are being implemented, meeting SG80. It is not known how frequent the review will be, so SG100 is not met.""				
References	Medley et al., 2021				
CAB response to stakeholder input	The MSC requirements state at GSA 3.5.3 that “where there is negligible unwanted catch of a species, the team may use their discretion as to whether the scoring issue would be scored, but the decision should be made in accordance with a precautionary approach. When determining what is ‘negligible’ the MSC does not specify a set cut-off; the team may consider the significance of the catch in relation to things like the proportion of the unwanted catch as part of the total catch or as part of the total amount of unwanted catch, as well as the regularity of the catch occurring when deciding whether it is negligible”. In this case, and in common with other fisheries, we have determined that the unwanted catch is negligible and have scored accordingly.				
CAB Response code	Not accepted (information for PI score has not changed)				
PI	1.2.1 - Harvest strategy (EPO SKJ)	Input Summary	The independent report by Medley et al. (2021) indicates that SI 1.2.1 f is relevant in this fishery and would receive a score of 80.	Stakeholder input code	Implications unknown
Input detail	"The independent report by Medley et al. (2021) indicates that SI 1.2.1 f is relevant in this fishery and would receive a score of 80.  1.2.1 f: ""Unwanted catch is defined by MSC as catch which is unwanted and not used (i.e., not sold or consumed). Under P1 it refers only to unwanted catch of the target species. A joint meeting of the tuna Regional Fisheries Management Organisations (tRFMOs) in Brisbane 2010 as part of the Kobe process, specifically focused on bycatch and discarding, although this mainly dealt with non-tuna species. Discards are routinely estimated for all target species where possible, but discarding of target tunas is not generally considered significant compared to other mortality and low compared to other fisheries (Gilman et al. 2020). However, whether discards are significant enough to require a review to work out how to reduce them will need to be determined on a case-by-case basis and monitoring depends upon the presence of at-sea observers.The main concern with discards of tuna appears to apply to the purse seine fleet. Under IATTC rules, all bigeye, skipjack and yellowfin brought on board is required to be landed, except that unfit for human consumption (C-17-02; C-20-06). Work is ongoing to try and reduce catch of juvenile tunas and non-target species in the purse seine catch (see C-17-02; C-20-06). On this basis, unwanted catch is clearly subject to review and research and controls are being implemented, meeting SG80. It is not known how frequent the review will be, so SG100 is not met.""				



References	Medley et al., 2021				
CAB response to stakeholder input	As per the announcement for this fishery and the MSC interpretation on <a href="#">suspended fisheries</a> , CABs do not audit suspended fisheries and therefore there will not be consideration of the SKJ UoA (nor its FCR2.01 upgrade) as part of this audit. As stated in the interpretation - once we have been informed by the client that the cause for self-suspension has been addressed, we will plan an audit to verify this information and will update condition status accordingly. At that point harmonise with all other fisheries which identify the SKJ EPO stock as a target species will take place.				
CAB Response code	Not accepted (information for PI score has not changed)				
PI	1.2.2 - Harvest control rules and tools (EPO SKJ)	Input Summary	Based on Medley et al (2021) it is expected that PI 1.2.2 for SKJ (UoA 3 and 4) would score below SG80 thus requiring a condition.	Stakeholder input code	Implications unknown
Input detail	"PI 1.2.2 for SKJ (UoA 3 and 4) Would score below SG80 according to Medley et al thus requiring a condition. 1.2.2.a : In relation to SG80, the HCR is ‘well-defined’ but its detailed application to skipjack is not because for skipjack F mult cannot be estimated. Given that the PRI for skipjack is likely to be at a lower biomass, and given that various indicators, including recruitment, are monitored and have lower reference levels which could trigger management action as per the HCR, it can be argued that the HCR will ensure that the PRI is avoided. In relation to the MSY level, IATTC makes the argument, using a non-quantitative risk-assessment (PSA), that the MSY level for skipjack is at a level at which the MSY reference points for yellowfin and bigeye would be exceeded, and hence will ensure by default that it maintains skipjack at or above a level consistent with MSY, but this also does not provide a ‘well-defined’ HCR. On this basis, SG80 is not met. "				
References	Medley et al., 2021				
CAB response to stakeholder input	As per the announcement for this fishery and the MSC interpretation on <a href="#">suspended fisheries</a> , CABs do not audit suspended fisheries and therefore there will not be consideration of the SKJ UoA (nor its FCR2.01 upgrade) as part of this audit. As stated in the interpretation - once we have been informed by the client that the cause for self-suspension has been addressed, we will plan an audit to verify this information and will update condition status accordingly. At that point harmonise with all other fisheries which identify the SKJ EPO stock as a target species will take place.				
CAB Response code	Not accepted (information for PI score has not changed)				
PI	2.1.1 -2.1.2 Primary species	Input Summary	Conditions 2-1, 2-12, 2-2, 2-14	Stakeholder input code	Progress against the

	outcome and management				condition has not been made
Input detail	<p>"There is a range of measures in place that are directed at the conservation of sharks. These include IATTC Resolution C-05-03 which concerns the conservation of sharks (including silky sharks) and IATTC Resolution C-04-05 which mandates the live release of sharks when possible. The recent IATTC resolution (C-15-04) also contains a range of measures, including a prohibition on the retention of Mobulid rays (whole or parts) and requires that Mobulid rays be released alive whenever possible.</p> <p>However, the action plan aims to evaluate the compliance with existing IATTC measures for these species, without considering post-release mortality rates, which are ultimately the keys elements to determine that the partial strategy is working and that the fishery does not hinder rebuilding or recovery of these species. The success of the partial strategy in improving survival rates of accidentally caught Silky and Whitetip sharks and Mobulid rays is dependent on well designed and implemented handling and release techniques.</p> <p>The rationale provided for the associated conditions should be modified to reflect this and the CAP should be modified accordingly.</p> <p>Recent research on silky shark handling, release techniques and post release mortality has been carried out by an MSC certified tuna fishery in the Indian Ocean and similar work should be undertaken by the PAST. "</p>				
References	<p>"Onandia I, Grande M, Galaz JM, et al (2021) New assessment on accidentally captured silky shark post-release survival in the Indian Ocean tuna purse seine fishery. In: IOTC - 17th Working Party on Ecosystems and Bycatch. IOTC-2021-WPEB17(DP)-13_Rev1, Online</p> <p><a href="https://www.iotc.org/sites/default/files/documents/2021/04/IOTC-2021-WPEB17DP-13_Rev1.pdf">https://www.iotc.org/sites/default/files/documents/2021/04/IOTC-2021-WPEB17DP-13_Rev1.pdf</a>"</p>				
CAB response to stakeholder input	<p>The comments with respect to survival rates for sharks and rays is noted. However, as detailed in the audit report against Conditions 2-1, 2-2, 2-12 and 2-14, there has been a concerted effort by the client to educate skippers and crew on best practice handling techniques for sharks, and to implement those on board the vessels. The effectiveness of this approach appears to be clear in the data showing that the percentage of the silky sharks recorded as ‘released alive’ has increased from 50.9% in 2018, to 64.0% in 2019, and then to 76.7% for the latest year. There are then minimal catches of oceanic whitetips in the fishery, but the same approaches apply. There has been a slight reduction in the percentage of mobulids released alive (90.3% in 2018, 91.8% in 2019, to 84.3% in the last year), and the audit team has made the client aware and has noted that we will continue to monitor the situation. Overall, the client is exceeding the requirements in this regard and the audit team was left in no doubt that the condition will be met. We do not agree that there is a need to modify the milestones at this stage, but will change the rationale for scoring as and when the condition is met.</p>				
CAB Response code	Not accepted (information for PI score has not changed)				

PI	2.3.1 - 2.3.2 - 2.3.3 ETP species (UoCs 1 & 3: Dolphin sets))	Input Summary	Milestones should be reevaluated	Stakeholder input code	Progress against the condition has not been made
Input detail	Milestones should be reevaluated and deadlines adjusted to account for already granted Covid19 derogations/timeline extensions				
References	"Northeastern Tropical Pacific Purse Seine Yellowfin and Skipjack Tuna Fishery 2nd surveillance report Guidance for MSC Fisheries CABs relating to the Covid-19 Derogation"				
CAB response to stakeholder input	Thank you for the comment. The effect of Derogation 6 has now been considered and presented for all conditions. We note that the Derogation is not applied to conditions on outcome PIs.				
CAB Response code	Accepted (no change to scoring, change to rationale).				
PI	2.3.2 - ETP species management (UoCs 1 & 3: Dolphin sets)	Input Summary	Revised milestones have been prepared for this condition.	Stakeholder input code	Implications unknown
Input detail	Revised milestones have been prepared for this condition. No rationale or explanation is provided to justify why deadline has been extended.				
References	"Northeastern Tropical Pacific Purse Seine Yellowfin and Skipjack Tuna Fishery 2nd surveillance report Guidance for MSC Fisheries CABs relating to the Covid-19 Derogation"				
CAB response to stakeholder input	Where modifications were made to the milestones, these were based on the rationales presented. The revised milestones were then detailed in the Additional Information sections for each condition. We believe this is clear and in line with requirements.				
CAB Response code	Not accepted (information not relevant to evaluating the progress of the condition)				

## **Appendix 3 Revised Surveillance Program**

No changes are proposed for the surveillance program at this Year 3 audit.

## Appendix 4 Harmonised fishery assessments

The Eastern Pacific Ocean yellowfin stock overlaps for the following fisheries in the MSC programme:

**Table 18. Overlapping fisheries**

Fishery name	CAB	Certification status and date	P1 Performance Indicators to harmonise
Northeastern Tropical Pacific Purse Seine yellowfin and skipjack tuna fishery (this fishery)	CU UK	Certified since 7 Sept 2017	All
French Polynesia albacore and yellowfin longline fishery	CU UK	Certified since 19 June 2018	All
AGAC four oceans Integral Purse Seine Tropical Tuna Fishery	Lloyds Register	FDR published 28 October 2021	All
Eastern Pacific Ocean tropical tuna - purse seine (TUNACONS) fishery	SCS	ACDR published 2 October 2020	All

**Table 19. Overlapping fisheries**

Supporting information	
<p>A harmonisation meeting on EPO YFT scoring was held on the 3<sup>rd</sup> September 2020 between the following individuals:</p> <p>Carlos Alvarez: Principle 1 assessor, represented CU UK  Rob Blyth-Skyrme: Team leader, represented CU UK  Hugh Jones: Project manager represented CU UK  Mathias Deleau: Project manager represented CU UK  Gerard DiNardo: Principle 1 assessor, represented SCS  Kevin McLoughlin: Principle 1 assessor, represented Lloyds Register  Carola Kirchner: Principle 1 assessor, represented Lloyds Register  Jo Akroyd: Team leader, represented Lloyds Register</p> <p>Close communication between this fishery's assessors and Jo Gascoigne and Chrissie Sieben as the team for the French Polynesia fishery ensured that all views were represented at the meeting. Following discussions, consensus was reached to the extent that no material differences in scoring were identified.</p>	
<b>Was either FCP v2.1 Annex PB1.3.3.4 or PB1.3.4.5 applied when harmonising?</b>	No, see above, consensus was reached following the harmonisation meeting to the extent that no material differences in scoring were identified.
<b>Date of harmonisation meeting</b>	03/09/2020
<b>If applicable, describe the meeting outcome</b>	
Agreement found among teams, there are no scoring differences.	

## Appendix 5 Current PAST vessel list

At the time of publishing this Year 3 audit report, the following companies and vessels are certified as part of the PAST fishery. Please note this list has changed since the original certification. To confirm the current list, please contact the CAB.

**Table 20. Vessels within the UoC (correct as of December 8<sup>th</sup> 2021).**

	IATTC Vessel #	Name	Length (M)	Fish Hold Volume (m <sup>3</sup> )	Carrying Capacity (t)	Company	Parent Company	Registered Landing Port
1	4084	Maria Delia	56.71	1,118	896	Maratún S.A. de C.V.	Grupomar	Manzanillo, Colima
2	4045	Maria Fernanda	71.01	1,416	1,089	Maratún S.A. de C.V.	Grupomar	Manzanillo, Colima
3	15661	Oaxaca	79.05	1,600	1,143	Maratún S.A. de C.V.	Grupomar	Manzanillo, Colima
4	15578	Gijón	79.05	1,600	1,143	Martuna S.A. de C.V.	Grupomar	Manzanillo, Colima
5	3994	María Luisa	71.01	1,260	1,089	Martuna S.A. de C.V.	Grupomar	Manzanillo, Colima
6	15962	Manzanillo	79.05	1,648	1,177	Maratun S.A. de C.V.	Grupomar	Manzanillo, Colima
7	3328	Mazpesca 2	59.86	1,179	1,089	Mazpesca, S.A. de C.V.	Pesca Azteca	Mazatlan
8	4015	Nair II	68.8	1,161	1,089	Pesca Azteca, S.A. de C.V.	Pesca Azteca	Mazatlán
9	4003	Bonnie	70.1	1,312	1,022	Pesca Azteca, S.A. de C.V.	Pesca Azteca	Mazatlán
10	16113	El Duque	79.5	1,648	1,177	Pesca Azteca, S.A. de C.V.	Pesca Azteca	Mazatlán
11	3958	Azteca 1	59.74	1,147	1,090	Pesca Azteca, S.A. de C.V.	Pesca Azteca	Mazatlan
12	4108	Azteca 10	68.58	1,627	1,246	Pesca Azteca, S.A. de C.V.	Pesca Azteca	Mazatlan
13	4012	Azteca 2	61.26	1,304	1,097	Pesca Azteca, S.A. de C.V.	Pesca Azteca	Mazatlan
14	4090	Azteca 3	63.39	1,520	1,202	Pesca Azteca, S.A. de C.V.	Pesca Azteca	Mazatlan
15	4054	Azteca 4	69.18	1,273	1,080	Pesca Azteca, S.A. de C.V.	Pesca Azteca	Mazatlan
16	4036	Azteca 5	69.49	1,273	1,043	Pesca Azteca, S.A. de C.V.	Pesca Azteca	Mazatlan

	IATTC Vessel #	Name	Length (M)	Fish Hold Volume (m <sup>3</sup> )	Carrying Capacity (t)	Company	Parent Company	Registered Landing Port
17	4057	Azteca 6	69.18	1,273	1,089	Pesca Azteca, S.A. de C.V.	Pesca Azteca	Mazatlan
18	3904	Azteca 7	63.39	1,520	1,202	Pesca Azteca, S.A. de C.V.	Pesca Azteca	Mazatlan
19	3988	Azteca 8	60.96	1,358	1,089	Pesca Azteca, S.A. de C.V.	Pesca Azteca	Mazatlan
20	3916	Azteca 9	55.16	806	680	Pesca Azteca, S.A. de C.V.	Pesca Azteca	Mazatlan
21	15641	Camila	79.05	1,648	1,177	Pesca Azteca, S.A. de C.V.	Pesca Azteca	Mazatlan
22	4096	Clipperton	71.01	1,480	1,134	Pesca Azteca, S.A. de C.V.	Pesca Azteca	Mazatlan
23	3577	El Dorado	72.66	1,711	1,542	Pesca Azteca, S.A. de C.V.	Pesca Azteca	Mazatlan
24	12297	Franz	78.33	1,669	1,150	Pesca Azteca, S.A. de C.V.	Pesca Azteca	Mazatlan
25	12355	Hanna	78.33	1,669	1,150	Pesca Azteca, S.A. de C.V.	Pesca Azteca	Mazatlan
26	3928	Mazatun	71.01	1,480	1,134	Pesca Azteca, S.A. de C.V.	Pesca Azteca	Mazatlan
27	15666	Paco C.	79.5	1,648	1,177	Pesca Azteca, S.A. de C.V.	Pesca Azteca	Mazatlan
28	15600	Tamara	79.5	1,648	1,177	Pesca Azteca, S.A. de C.V.	Pesca Azteca	Mazatlan
29	15833	Doña Tere (renamed from 'Titis' as of 20 <sup>th</sup> Dec. 2019)	79.5	1,648	1,177	Pesca Azteca S.A. de C.V.	Pesca Azteca	Mazatlan
30	3982	Jaguar	50.35	1,062	680	Pesca Chiapas S.A. de C.V.	Procesa Chiapas	Puerto Madero
31	3922	Victoria	60.96	1,160	906	Pesca Chiapas S.A. de C.V.	Procesa Chiapas	Puerto Madero
32	3370	Conquista	59.3	1145	1090	Hersea, S.A. de C.V.	Procesa Chiapas	Puerto Madero
33	4018	Nair	71.93	1398	1199	Hersea, S.A. de C.V.	Procesa Chiapas	Puerto Madero
34	4027	Arkos I Chiapas	79.55	1348	1270	Hersea, S.A. de C.V.	Procesa Chiapas	Puerto Madero