

Marine Stewardship Council (MSC) 1st Surveillance Audit

**FROM Nord North Sea and Eastern Channel pelagic trawl herring
fishery**

On behalf of

FROM Nord

Prepared by

Control Union (UK) Limited

December 2021

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QA

Role	Signature	Date
Originator:	HE	09 th November 2021
Reviewer:	HJ	25 th November 2021
Approver:	TT	02 nd December 2021

Glossary

Acronym	Definition
DPMA	Direction des Pêches Maritimes et de l'Aquaculture
ETP	Endangered, Threatened, or Protected
ICES	International Council for the Exploration of the Seas
LTMS	Long Term Management Strategy
MSC	Marine Stewardship Council
PELAC	Pelagic (species) Advisory Council
TAC	Total Allowable Catch
TCA	Trade and Cooperation Agreement
UNCLOS	United Nations Convention on the Law of the Sea
UoA	Unit of Assessment
UoC	Unit of Certification

1 Executive Summary

This report presents the findings of the first annual surveillance of the FROM Nord North Sea and Eastern channel pelagic trawl herring fishery undertaken by Control Union UK against the MSC Standard (v2.01) and Process (v2.2). The certificate covers the activity of FROM Nord member vessels targeting North Sea Autumn spawning herring in ICES Divisions 7d and 4c.

The fishery was recertified against the MSC Standard on the 22nd April 2020. This year 1 surveillance audit was conducted remotely by Henry Ernst and Dr. Jo Gascoigne on the 9th of November 2021. Under MSC COVID-19 [derogation 3](#) this is permitted. Stakeholders were informed 30 days prior when the surveillance audit was announced. There were no written comments, and no stakeholders seeking to partake in the year 1 surveillance audit.

Since the recertification, there have been no major changes to the UoA or the fishing practices of the UoA vessels. One vessel has left the UoA and three new vessels have joined as of this surveillance audit.

This fishery remains in conformity with the MSC scope requirements (FCP 7.4), no inseparable or practicably inseparable (IPI) stocks are caught in this fishery, and the fishery is not an Introduced Species Based Fishery as per the MSC FCP 7.4.7.

The surveillance audit did not find any substantive changes to the fishery requiring review of scoring for any performance indicators. Regarding the condition on PI 1.2.2, progress has been made and the fishery is on track as per the Year 1 milestone. The audit team communicated with all overlapping fisheries and all teams considered that closing the condition was a possibility, but that further data and analysis would make a stronger case. It was agreed that the condition should remain open pending completion of the overlapping re-assessments and trilateral management arrangements for 2022. There will need to be further harmonisation discussions at the next audit.

There have been no material changes in the traceability system for this fishery. The surveillance plan has not been revised and remains at Level 6.

The audit team confirms that this fishery continues to conform to the MSC Principles and Criteria for sustainable fishing, and therefore recommends that this fishery should remain certified.

2 Report Details

2.1 Surveillance information

1	Fishery name													
	FROM Nord North Sea and Eastern Channel pelagic trawl herring fishery													
2	Unit(s) of Assessment (UoA)													
	<table border="1"> <tr> <td>Species</td> <td>Atlantic herring (<i>Clupea harengus</i>)</td> </tr> <tr> <td>Stock</td> <td>Herring in Subarea IV and Divisions IIIa and VIII (North Sea autumn spawners)</td> </tr> <tr> <td>Geographical Range of Fishery</td> <td>ICES Divisions 4c and 7d</td> </tr> <tr> <td>Method of Capture</td> <td>Pelagic trawl</td> </tr> <tr> <td>Client Group</td> <td>FROM Nord member vessels fishing for North Sea herring in ICES Divisions 4c and 7d using pelagic trawl. Vessels in the UoC are given in Table 2. Note: some of the initially certified vessels have withdrawn from the certificate at reassessment.</td> </tr> <tr> <td>Other Eligible Fishers</td> <td>None</td> </tr> </table>		Species	Atlantic herring (<i>Clupea harengus</i>)	Stock	Herring in Subarea IV and Divisions IIIa and VIII (North Sea autumn spawners)	Geographical Range of Fishery	ICES Divisions 4c and 7d	Method of Capture	Pelagic trawl	Client Group	FROM Nord member vessels fishing for North Sea herring in ICES Divisions 4c and 7d using pelagic trawl. Vessels in the UoC are given in Table 2. Note: some of the initially certified vessels have withdrawn from the certificate at reassessment.	Other Eligible Fishers	None
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Other Eligible Fishers	None													
3	Date Certified	Date of Expiry												
	22 April 2015 (recertified on the 22 nd April 2020)	21 October 2025												
4	Surveillance Level and Type													
	Surveillance level 3, off-site surveillance audit FCP v2.2 7.28.1-7.28.6 (as Per MSC COVID-19 Derogation 3)													
5	Surveillance Number													
	1st Surveillance	X												
6	Surveillance team leader													
	<table border="1"> <tr> <td>Name</td> <td>Henry Ernst</td> </tr> <tr> <td>Areas of responsibility</td> <td>Team Leader</td> </tr> <tr> <td>Competency criteria (Annex PC)</td> <td>Henry obtained an MSci in marine biology from the University of Southampton. He has a broad background in marine research including inshore fisheries, functional marine ecology and aquaculture research. Prior to joining CU UK he was engaged in benthic invertebrate identification and biomass work with the National Oceanographic Centre, Southampton, United Kingdom. Henry has passed his team leader training course, undertaken</td> </tr> </table>		Name	Henry Ernst	Areas of responsibility	Team Leader	Competency criteria (Annex PC)	Henry obtained an MSci in marine biology from the University of Southampton. He has a broad background in marine research including inshore fisheries, functional marine ecology and aquaculture research. Prior to joining CU UK he was engaged in benthic invertebrate identification and biomass work with the National Oceanographic Centre, Southampton, United Kingdom. Henry has passed his team leader training course, undertaken						
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	<p>multiple MSC surveillance audits as a team member and is a qualified ISO9001 lead auditor.</p> <p>He has participated in the reassessment of the SARPC toothfish fishery, surveillance audits of the Compagnie des Pêches Saint Malo and Euronor cod and haddock and Scapeche, Euronor and Compagnie des Pêches de St Malo saithe. Henry has also undertaken several pre-assessments for CU UK in French-speaking countries. He has passed the traceability module of the online training as well as the MSC Team Leader online training, allowing him to meet competency criterion 6. in Table PC3.</p> <p>He therefore meets the team leader qualifications. Henry is also fluent in French, the language spoken by the fishery and stakeholders. This, combined with the aforementioned assignments with French fisheries meet criterion 5. of Table PC3.</p> <p>Henry has completed the required Fishery Team Leader MSC training modules for the V2.01 Fisheries Standard and V2.2 Fisheries Certification Process.</p>
Conflict of interest in relation to this fishery	No conflict of interest has been identified for this fishery
On-site or off-site	Off-site
CV	CV available on request
7	Surveillance team members
Name	Jo Gascoigne
Areas of responsibility	Principle 1
Competency criteria (Annex PC)	<p>Dr Joanna Gascoigne is a former research lecturer in marine biology at Bangor University, Wales and a shellfisheries expert, with over 20 years' experience working in the fisheries sector. Her experience includes building and reviewing stock assessments. Dr Gascoigne is has a PhD from the Virginia Institute of Marine Science in the USA, which was completed on the Allee effects of the queen conch, <i>Strombus gigas</i>, as such meeting criterion 2 in Table PC3. Jo is an expert on fisheries science and management, with nearly 15 years' experience as a consultant, working mainly on MSC pre-assessments and full assessments, as well as FIP scoping, planning and implementation.</p> <p>Jo has been involved as expert and lead auditor in the majority of MEP's and CU UK's full MSC assessments and numerous preassessments. She regularly participates in the MSC training sessions and workshops, and Jo speaks fluent French, the main language in which the fishery operates (meeting criterion 5 of Table PC3).</p> <p>Dr Gascoigne has completed the required Fishery Team Leader and Team Member MSC training modules for the new V2.01 Fisheries Certification Requirements.</p>
Conflict of interest in relation to this fishery	No conflict of interest has been identified for this fishery
On-site or off-site	Off-site
CV	CV available on request

8	Audit/review time and location
	<p>9th November 2021, remote</p> <p>Stakeholders are 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.</p>
9	Assessment and review activities
	<p>During the audit, Control Union (UK) Limited (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"> • Any changes to the fishery and its management including those to management systems, regulation and relevant personnel assessments; • Any changes to the scientific base of information such as stock; • Progress against the one condition associated with this fishery (PI 1.2.2). • Harmonization against the other fisheries certified on the MSC program • Any developments or changes within the fishery impact may impact on traceability and the ability to segregate MSC from non-MSC products; • Any other significant changes in the fishery.
10	Stakeholder Opportunities
	<p>Comments must be made using the “MSC Template for Stakeholder Input into Surveillance Audits V1.0” available for download here: https://www.msc.org/for-business/certification-bodies/supporting-documents. Remote meetings with all team members can be arranged via telephone conferencing or Skype, or written submissions made to the email address mentioned below.</p> <p>Please note that comments should be factual and should be supported by data or other evidence. Comments may remain unattributed. Furthermore, information that cannot be shared with any other stakeholder will not be referenced in the surveillance report and cannot be used in determining conformity of the fishery with the MSC Standard. Information can be kept confidential if it is restricted to financial transactions about certification, the financial affairs of individual companies or information that may lead to this information being known, or information that is the subject of relevant national privacy or data protection legislation in the assessed fishery’s country.</p>

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 2.01
MSC General Certification Requirements	Version 2.4.1
MSC Reporting Template	Version 2.1

3.2 Unit(s) of Assessment (UoA)

Control Union (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 v2.2):

- The target species is 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 and submitted a completed forced and child labour policy statement;
- The client or client group does not include an entity that has been convicted for shark finning violations within 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 v.2.2 7.4.6; and
- The fishery is not an introduced species-based fishery as per the MSC FCP v2.2 7.4.7.

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 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.

The current Unit of Assessment (UoA) is given in Table 2.

Table 2. Unit of Assessment (UoA)

Species	Atlantic herring (<i>Clupea harengus</i>)
Stock	Herring in Subarea IV and Divisions IIIa and VIId (North Sea autumn spawners)
Geographical Range of Fishery	ICES Divisions 4c and 7d
Method of Capture	Pelagic trawl
Client Group	FROM Nord member vessels fishing for North Sea herring in ICES Divisions 4c and 7d using pelagic trawl. Vessels in the UoC are given in Table 2. Note: some of the initially certified vessels have withdrawn from the certificate at reassessment.
Other Eligible Fishers	None

3.3 Vessel list

Table 3. FROM Nord UoA pelagic trawler vessels

Name	Registration	LOA (m)	Engine power (kW)	Main port of landing
Glorieuse Immaculée	BL 925605	23.1	419	Boulogne-sur-Mer, Dieppe, Fécamp
Glorieuse Vierge Marie	BL 925607	32.1	442	Boulogne-sur-Mer, Dieppe, Fécamp
Tiger's III	DP 933780	24.95	526	Boulogne-sur-Mer, Dieppe, Fécamp
Precurseur	BL 899829	22.5	455	Boulogne-sur-Mer, Dieppe, Fécamp
Ludovic Geoffray	DP 936192	24.95	550	Boulogne-sur-Mer, Dieppe, Fécamp
Jean-Paul II	BL 644260	17.20	280	Boulogne-sur-Mer
Mère du Christ	BL 735383	18.13	323	Boulogne-sur-Mer
Salut des Pêcheurs	BL 900461	18.40	398	Boulogne-sur-Mer
Vicomte*	FC 735033	20.85	330	Boulogne-sur-Mer, Dieppe, Fécamp
Madeleine*	BL 936072	23.88	500	Boulogne-sur-Mer, Dieppe, Fécamp
Sainte Marie de la Mer*	DP 933781	24.95	526	Boulogne-sur-Mer, Dieppe, Fécamp

*vessels added during the Year 1 surveillance audit (the vessel SPES, previously on the certificate, has been removed at the request of the client)

3.4 Principle 1

3.4.1 Stock assessment update

The ICES working group on multispecies assessment methods (WGSAM, (ICES, 2021d)) has used multispecies models to provide estimates of natural mortality for a range of species. The working group covering the North Sea herring stock (HAWG) noted that for this stock, these natural mortality estimates were different from those used as an input (assumption) in the stock assessment and concluded that a 'interbenchmark' (emergency revision) of the stock assessment was required (see HAWG report,(ICES, 2021a)).

ICES published scientific advice for the stock in September 2021, following the interbenchmark process (ICES, 2021b). The interbenchmark integrated the new natural mortality estimates into the assessment, and ICES regards the assessment as improved as a result. The new assessment results in a lower estimate of stock biomass and a higher estimate of fishing mortality than the previous model; however the reference points also changed, resulting in a lower $MSYB_{trigger}$ and a higher F_{MSY} – so that overall the new assessment results in higher catch advice for 2022 than for 2021.

The estimated trajectories of spawner biomass, fishing mortality and recruitment from the new assessment, compared to previous estimates, are given in Figure 1.

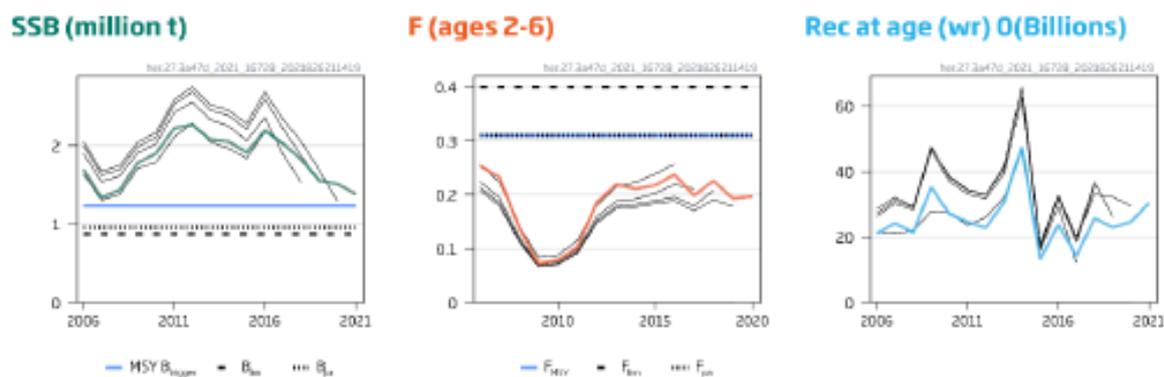


Figure 1. Trajectories of spawner biomass (left), fishing mortality (middle) and recruitment (right) from the 2021 stock assessment (coloured line) relative to previous assessments (black lines), showing the lower estimate of biomass and higher estimate of fishing mortality from the new model (Figure 2 in (ICES, 2021b)).

3.4.2 Reference points

The new assessment re-estimated the reference points as follows:

- B_{lim} – 874 198 t
- $MSY_{trigger}$ – 1 232 828 t
- F_{MSY} – 0.31

3.4.3 Stock status

Although the biomass is estimated to be lower and the fishing mortality higher, the stock status relative to reference points is estimated as improved under the new assessment, because the reference points are also re-estimated. Trends in catch, recruitment, fishing mortality and spawner biomass over the assessment time series are given in Figure 2.

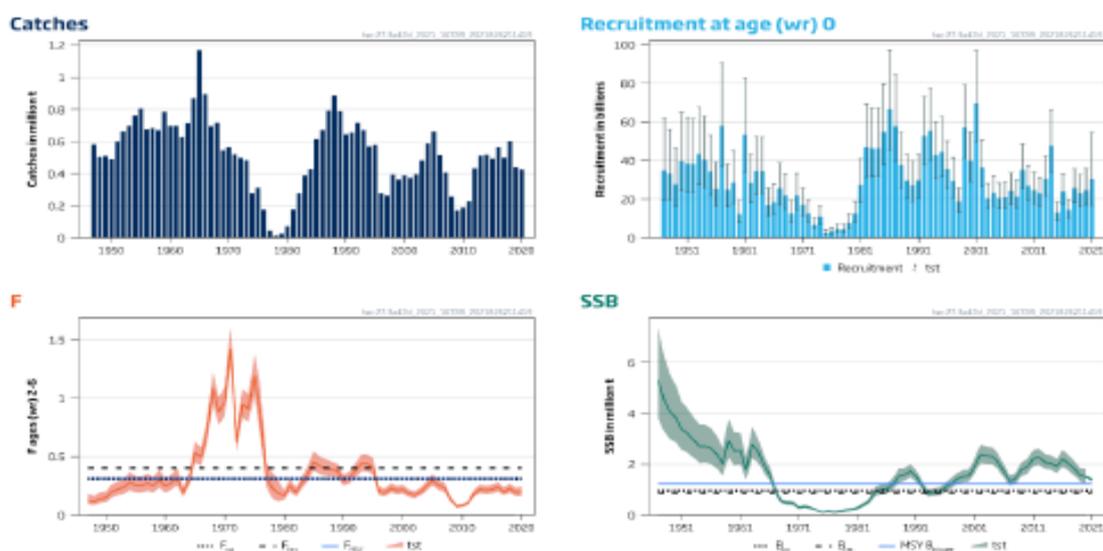


Figure 2. Trends from 1947-2020: Top left – catch (t), top right – recruitment (billion individuals with 95% CIs), bottom left – fishing mortality (F_{msy} horizontal blue line); bottom right – spawner biomass (million t, $MSY_{trigger}$ – horizontal blue line) (Figure 1 in (ICES, 2021b)).

3.4.4 Harvest strategy

There is no formal long term management plan (LTMS) for the stock between the EU-Norway-UK. Therefore ICES provides advice based on the MSY approach (fishing at F_{MSY}) with the HCR defined within ICES annual advice book (ICES, 2021c). For 2022 ICES note that given the downward biomass trajectory (Figure 2) it might be wise for managers not to translate the entire increase in catch advice (a result of the revised reference points) into a TAC increase.

The EU-Norway-UK agreement from March 2021¹ agreed quotas for each fleet in line with ICES advice based on the MSY approach (Table 4). TACs and quotas for 2022 (which would be based on the revised assessment) have not yet been agreed between the three parties this is expected in late 2021, early 2022. Note that because of the overlap of the North Sea and Baltic stocks and different fleets, it is exceedingly complicated to translate the four fleet quotas into removals from the stock – they are not additive because of intermixing of the western Baltic stock in both 3a and eastern reaches of division 4a. ICES' so-called 'Wonderful Table' ((ICES, 2021a)Table 11) attempts to do this.

Unlike with some other EU pelagic stocks (blue whiting and mackerel), the proportional division of the TAC between the three parties is agreed: based on previous EU-Norway agreements the Norwegian share is unchanged at 29 %. The remaining 71 % is divided between the EU and UK based on agreed percentages which change (slightly) over time – this is set out in annex to the Brexit Agreement² (Table 5).

Table 4. Agreed TACs and quotas for 2021 (EU-Norway-UK agreement), and ICES advice following MSY approach (ICES 2021c) (t) (A-fleet – directed fishery in the North Sea and 7d, B-fleet – bycatch in North Sea industrial fisheries, C-fleet – directed fishery in 3a, D-fleet – bycatch in 3a)

TAC 2021				ICES advice
A fleet	B fleet	C fleet	D fleet	
356 357 t	7750 t	21 604 t	6659 t	365 792 t

Table 5. Agreed proportional division of the former EU quota allocation for this stock (71%), as per the Trace and Co-operation Agreement (Annexe-Fish-2)

Year	% EU	% UK
2021	88.76	11.24
2022	88.48	11.52
2023	88.21	11.79
2024	87.87	12.13
2025	87.65	12.35
2026 and future	87.65	12.35

The tripartite talks also agreed that a new mechanism is needed for TAC setting for this stock; the need for sustainability, the tendency for large and unpredictable variations in the TAC and the practice

¹ https://ec.europa.eu/oceans-and-fisheries/fisheries/international-agreements/northern-agreements_en - see 'European Union, United Kingdom and Norway for 2021'

² http://www.fromnord.fr/docs/BREXIT/jo_ue31122020annexes.pdf

of allowing for bycatch by setting separate TACs (Fleets B and D). They agreed terms of reference for a working group to start working on this issue during 2021, but it is reported that since relations between all three parties are currently bad in the sphere of fisheries, the work has been put back into 2022.

The Pelagic Advice Council (PELAC) has been pushing for a new LTMS for this stock for a while (e.g. meeting minutes 6 July 2021) and intends to hold a workshop on the issue in March 2022 (see agenda for PELAC Working Group 1 meeting, 5 October 2021³). However, their work has been hampered by the withdrawal of the UK participants. They also note that the development of a long-term management approach is difficult when the stock is subject to abrupt revisions of the reference points, as in 2021 from the interbenchmark (ICES, 2021a).

3.4.5 Wider changes to North Sea fisheries management

There have been considerable changes to the management of North Sea fisheries since 2017. These changes are mainly related to: a) the agreement of EU Multiannual Management Plans (North Sea – NSMAP in 2018 (EU, 2018), and Western Waters – WWMAP in 2019) (EU, 2019); b) the UK leaving the European Union on the 31 January 2020. The UK has since drawn its Fisheries Bill to manage UK fisheries and stocks as an independent coastal state, and has agreed on a Trade and Cooperation Agreement (TCA) with the EU at the end of 2020 (EU-UK, 2020).

This fishery stock is now under shared management between the UK, EU and Norway (regardless of the percentage of share) and several aspects of the UK Fisheries Act (UK, 2020), the TCA and the 2021 TACs negotiations need to be considered.

The UK Fisheries Act “sustainability objective” is for fish and aquaculture activities to be: “(i) environmentally sustainable in the long term, and (ii) managed so as to achieve economic, social and employment benefits and contribute to the availability of food supplies; and the fishing capacity of fleets is such that fleets are economically viable but do not overexploit marine stocks”. The “precautionary objective” refers that “exploitation of marine stocks restores and maintains populations of harvested species above biomass levels capable of producing maximum sustainable yield” (UK 2020). Therefore in the UK Fisheries Act there is an explicit MSY management objective. However, there is no specific timeframe for the MSY objective to be reached, as exists in the EU Common Fisheries Policy (CFP) (EU, 2013). The UK Fisheries Act also refers to future fisheries management plans, but there are no details if these plans will include specific HCRs in line with the Fisheries Act MSY objectives. In addition, significant CFP provisions such as the Landing Obligation (LO) were not taken up in the UK Fisheries Act.

On the TCA agreement reached between the UK and EU, it includes explicit MSY objectives and specific provisions to set fishing opportunities in line with MSY, but again has no specific timeframe for the objectives to be reached. Nevertheless, the TCA constitutes a common harvest strategy for UK-EU shared stocks, and jointly with the new UK MoU with ICES, there is also monitoring in place for shared stocks.

For most of the stocks (including North Sea herring) that are jointly managed between the EU, UK and Norway, the TACs are set in the context of annual negotiations. Before 2019, the TACs were decided through annual negotiation between EU Member States (MS) during the December Fisheries Council,

³ <https://www.pelagic-ac.org/media/pdf/Agenda%20PelAC%20WG%201%2005.10.2021.pdf>

or for shared stocks through bilateral annual agreements between the EU and Norway. In 2018-2019, the EU Multiannual Plans were agreed, and species specified in Art. 1 were considered target species and as such had their TACs set within an HCR: fishing mortality ranges around FMSY. These MAPs are still in effect for EU fisheries. However, Norway has never agreed to the MAPs HCRs provisions, while the UK since leaving the EU has also not officially endorsed them. Presently (2021) the TAC for herring is still set in the context of annual trilateral negotiations. The TACs for 2021 were set through the trilateral agreement (EU, 2021b).

3.4.6 Principle 1 conclusion

A condition was imposed on this assessment at the 4th surveillance audit prior to re-certification in 2020, as follows:

Within 4 years, well defined HCRs should be in place that ensure that the exploitation rate is reduced as the PRI is approached and that are expected to keep the stock fluctuating around a target level consistent with (or above) MSY. Evidence should be provided to demonstrate that the TAC setting mechanism is appropriate and effective in achieving the exploitation levels required under the HCR.

This condition is mainly driven by concern that the EU-Norway TAC setting process (now the tripartite process following the UK's withdrawal from the EU) did not always follow ICES advice, or indeed the EU's own rules on applying the MSY approach. This was the case in 2018, and again in 2019 when the transition from the 2014 management plan to the MSY approach resulted in a big drop in catch advice. Since then (2020, 2021) the TAC has been set consistent with ICES advice.

Although Brexit has been a huge upheaval for the fishery, it has not impacted much on the management of this stock, in terms of the stock itself. In 2021 all three parties agree i) that a new LTMS is needed but ii) until then they will continue setting the TAC following the MSY approach. Since the condition was imposed, TAC setting has followed ICES advice on this basis. Work on the LTMS has been slowed by Brexit and other factors but will hopefully resume in 2022.

3.5 Principle 2

3.5.1 Primary and secondary species

The fishery has remained unchanged with respect to fishing strategy, and gears used. The main difference in the UoA is the removal of one vessel, and the addition of three vessels to the certificate. Non-herring catches remain very low, no main species have been identified at this surveillance audit, as identified in the Re-assessment (Sieben et al., 2020). Interactions with ETP species continues to be exceptionally low – certain ETP species appeared on the logbook data provided by FROM Nord, but these interactions occurred in non-UoA fishing trips (targeting different species entirely). There have been no reported incidents of gear loss, and it was highlighted that if any gear were to malfunction or get lost, the captains would make best efforts to retrieve it.

There has been a slight change to the method for assigning observers to vessels since July 2020. Whereas before the observer scheme sampled the French fleet following a risk-based approach, vessels are now divided across the following categories: (1) EURONOR member vessel; (2) netters under 12 meters; (3) trawlers under 12 meters; (4) vessels 12-15 metres, all metiers; and (5) vessels great than 15 metres, all metiers. The observer scheme now randomly selects vessels from these 5 categories. The approach followed is now random sampling rather than risk-based. For the FROM Nord UoA vessels, 7 observer trips were held in 2019, and one was held in 2020 (due to the disruptions incurred by the COVID-19 pandemic). By the 30th October 2021, 6 observer trips were held on UoA vessels. A request was sent to the Direction des Pêches Maritimes et de l’Aquaculture (DPMA) for the observer reports on the UoA fleet, and the captains were contacted in case they had the reports on file. The team was able to review four observer reports provided by vessel captains (three observer trips from 2019 on the Précurseur, the Glorieuse Vierge Marie, and the Glorieuse Immaculée; and one from 2020 on the Glorieuse Immaculée). These reports showed that for fishing activities targeting herring, the catch profiles were 100 % herring every time, with all catch retained.

Table 6. Catch profile of the UoC vessels shown as live weight and % composition for 2019 (data provided by FROM Nord extracted from the SIOP database). Data for catches < 0.01% is not shown here.

Species		2019	
		Tonnes	% of total
Herring	<i>Clupea harengus</i>	2,895	96.39
Horse mackerel	<i>Trachurus trachurus</i>	52	1.73
Mackerel	<i>Scomber scombrus</i>	38	1.27
Sardine	<i>Sardina pilchardus</i>	16	0.53
Whiting	<i>Merlangius merlangus</i>	0.97	0.03
European squid	<i>Loligo vulgaris</i>	0.80	0.03

Species		2019	
		Tonnes	% of total
European seabass	<i>Dicentrarchus labrax</i>	0.57	0.02

Table 7. Catch profile of the UoC vessels shown as live weight and % composition for 2020 (data provided by FROM Nord extracted from the SIOP database). Data for catches < 0.01% is not shown here.

Species		2020	
		Tonnes	% of total
Herring	<i>Clupea harengus</i>	1,986	98.11
Mackerel	<i>Scomber scombrus</i>	19	0.97
Sardine	<i>Sardina pilchardus</i>	12	0.63
Horse mackerel	<i>Trachurus trachurus</i>	4	0.20
Whiting	<i>Merlangius merlangus</i>	1	0.06

3.5.2 ETP species

In terms of new management measures or initiatives that are pertinent to Principle 2; a draft decree making the installation of “pingers” or acoustic devices in pelagic fisheries mandatory has been circulating since late 2019. There is no news on whether or not this will be formalised. In 2020, FROM Nord contracted SINAY to conduct a study to determine the options available for acoustic devices, in order to provide the best possible advice to its members, with different pingings/acoustic devices being recommended for each metier.

FROM Nord is also closely following several national and regional projects around the limitation of ETP species impacts. These include the LICADO and DOLPHINFREE projects. While the LICADO project is not directly relevant to the UoA fishery (LICADO takes place in the Bay of Biscay), the attention of FROM Nord ensures that any outcomes of this project that may be relevant to the UoA will be immediately assimilated if necessary. The objective of DOLPHINFREE is to limit the capture of dolphins as much as possible through the use of pingings, and by improving pingings themselves to facilitate their use by fishers.

Further FROM Nord action since the reassessment audit includes continued training sessions the use of the catch reporting software to better describe ETP species interactions.

3.5.3 Habitats and ecosystem

There have been no changes to the gears, gear loss (still nil), and the ecosystem structure since the reassessment audit. A continued development in this area is the participation of FROM Nord in the management council of the Parc Naturel Marin des estuaires picards et de la mer d'Opale (a marine reserve in the region). Their input mainly relates to promoting and adding value to sustainable practices on the Parc Naturel Marin's territory. Aside from their participation in the management of the Parc Naturel Marin, FROM Nord is also involved in the TEFIBIO project, which is centred around the development and testing of compostable and biodegradable fishing nets. TEFIBIO is scheduled to come to an end at the end of this year, and the outcomes of this project will be reported on in the next surveillance report.

3.5.4 Principle 2 overall conclusion

There have been no significant changes relating to Principle 2 for this fishery. The assessment team believes that the fishery remains in conformity with the MSC Standard and Criteria.

3.6 Principle 3

Regarding the institutions involved in fishery management, there have been significant changes to the Norwegian-EU-UK management framework since the reassessment audit. French enforcement and control remain in place, though the Direction de la Mer et du Littoral (DML) was not able to provide a response to the team. If this is to become a trend then there would be cause for concern, and PI 3.2.2d would require rescoreing. Given that in the reassessment the DML met with the team, and that in the past the team has been able to gather inspection and compliance data for the UoA, the team will not undertake rescoreing at this audit. However, if the team is not able to meet with the relevant authorities, or at the very least gather information from the monitoring, control and surveillance agencies at the next surveillance audit, the relevant PI will be rescored to reflect the change in information availability. Moreover, the EU landing obligation is still being implemented gradually through annual discard plans.

The overarching management and legal framework in place for this fishery at the time of the Full Assessment was the Common Fisheries Policy. In the subsequent months of 2019 and 2020, herring continued to be managed under the EU-Norway cooperation on fisheries management, and stocks were regulated through EU and Norway annual fishery consultations. More recently, the Regulation (EU) 2019/124 of the European Parliament and of the Council was adopted in June 2019, on the conservation of fisheries resources and the protection of marine ecosystems through technical measures (TM). This regulation explained the technicalities of taking and landing fisheries resources, as well as operating fishing gear and fishery interactions with marine ecosystems. More specifically, it aimed to "facilitate the possibility to have technical measures that can be aligned between the EU and Norway" (EU-Norway, 2019).

3.6.1.1 Brexit

A more large-scale change that has affected the fishery since the Full Assessment audit is that of Brexit. The impacts of this change on fishery management objectives are discussed in section 3.4.5. As of 2021, the transition of the UK leaving the EU (Brexit) was complete. The UK and EU agreed to a Trade and Cooperation Agreement (TCA (EU-UK, 2020)), beginning the 1st January 2021, to address fishery domains, quota divisions, and water access, that previously occurred in EU waters. The TCA was

published on the 31st December 2020 (Heading 5 – Fisheries), establishing a transitional period with a review every five years (art. 179). Key sections of this agreement include:

- Part 2 – Trading arrangements for mutual fisheries access;
- Chapter 7 – reciprocal commitments to not reduce the degree of environmental or climate protection;
- Chapter 8 – a confirmation of both parties to the pre-existing commitments to international conventions and labour, environment, and climate commitments, including effective implementation of the Paris Agreement.

During this TCA transition period, which will end on the 30th June 2026, the UK and EU have agreed that vessels will be granted full access to each Party's waters to fish the allocated TAC. If the new measures will deliver at a minimum the same conservation benefit to previous measures, the management measures in UK waters may be replaced or simplified from the 1st January 2022.

Brexit, and the withdrawal of the UK from the UK, meant that previous EU-stocks had become UK-EU shared stocks. Leading up to 2021, the EU, Norway and the UK engaged in bilateral and trilateral negotiations and consultations to create new fishery management arrangements, on the basis of the draft Union position to be endorsed by the Council. Up until the consultations were concluded, "the Council should, in a manner that fully respects the United Nations Convention on the Law of the Sea (UNCLOS) and the rights and obligations of the coastal States as well as their sovereignty and jurisdiction, establish provisional TACs to be fished in Union and international waters, and waters to which the Union vessels are granted access by third countries" (EU, 2021a). A Framework Agreement on Fisheries with Norway was signed in September 2020 (EU-Norway, 2019).

A trilateral agreement between the EU, Norway, and the UK, was eventually signed in March 2021. Resulting from this agreement, Norway will maintain its shares of jointly managed stocks, such as herring, and the parties will cooperate in the monitoring, control, and surveillance of these stocks, which will be essential for the application of the landing obligation. It was also agreed that the parties will start negotiating a trilateral framework agreement for the North Sea. The agreement signed in March was therefore provisional as further action is intended to be taken from 2022 onwards, to agree on joint measures. However, in June 2021 the EU and UK agreed on a comprehensive fisheries consultation agreement, addressing 2021 mutual quota arrangements for North Sea stocks (UK-EU, 2021). The bilateral agreements between EU and UK established quota sharing between these parties, but only for 2021, and there is still no mutual-access agreement between the UK and Norway.

3.6.1.2 Producer Organisation

FROM Nord continues to participate in European-level decision-making processes through PELAC (the pelagic species management council), which issues recommendations for annual fishing opportunities, technical measures amongst others. Following its exit from the EU, the UK is no longer part of this council. PELAC working groups meet three times per year.

Aside from the largescale changes to the management framework in North Sea and adjacent waters, there have also been some changes relating to Principle 3 on a smaller scale. FROM Nord has participated in initiatives to support the economic development of marine harvesting activities on the "Côte d'Opale" and the "Côte d'Emeraude" through local action groups. As always, FROM Nord has been proactive in communicating new regulations to its members, and has ensured that the new laws are captured and communicated to the captains effectively via regular meetings, and the production

of info sheets. In terms of actions that the Producer Organisation is undertaking to improve the management of the fishery, and secure fishing rights for its members, a major development has been the purchase and analysis of VMS data (from 2016 to the present). This will allow for closer monitoring of fishing areas for UoC vessels.

As in previous years, FROM Nord is extremely vigilant of quota uptake, with weekly follow ups on the quota uptake of individual vessels. This has proven to be particularly important with recent regulations (Decision 02/2019 and Decision 02/2020) requiring a surcharge to be applied as soon as the quota is overshot. The UoA vessels now all fall into the category of “pêche côtière” (coastal fishery – with trips of 24 to 96 hours long)

A client representative reached out to the Centre National de Surveillance des Pêches (CNSP) for a report on the inspections and outcomes for UoA vessels a month ahead of the year 1 surveillance audit meetings, and at the time of writing, has yet to hear back on this matter.

3.6.2 Principle 3 overall conclusion

There have been significant changes to Principle 3 since the reassessment, requiring the rescoring of PI 3.1.1 to reflect these changes. While the information in this PI has been updated, the score remains the same. The team was not able to meet with, or receive information from a monitoring, control and surveillance representative for this surveillance audit. This is considered to be an exception, as there have never been such issues in the past. For this reason, rescoring will not be undertaken at this surveillance audit. However, should the team fail to get a response again at the next surveillance audit, rescoring will be required. The team believes that at the time of writing, the fishery remains in line with the Principle 3 requirements, and should remain certified.

3.7 Traceability

Some of the UoA vessels now also operate Danish seine nets when targeting other species. Accurate catch reporting per gear type (OTM vs SDN) and compartmentalised storage of the catch onboard (as described in Sieben et al., 2020) ensures that there is no traceability risk with the addition of this gear type. The robust traceability procedures that FROM Nord had in place at the reassessment are still in place. A traceback exercise will be conducted at the next surveillance audit for all three new UoA vessels to ensure that the traceability procedures set out by FROM Nord have been effectively put in place on these vessels.

4 Results

4.1 Surveillance results overview

4.1.1 Total Allowable Catch (TAC) and Catch Data

The TAC and catch data are shown in Table 8.

Table 8. TAC and Catch Data

TAC	Year	2020	Amount	385 008 t (A-fleet TAC)
EU quota 4bc-7d (final)	Year	2020	Amount	43 628 t
French quota 4bc-7d (final)	Year	2020	Amount	7 687 t
FROM Nord quota 4bc-7d (final)	Year	2020	Amount	7 161 t
UoA share of TAC	Year	2020	Amount	0.2%
UoC share of total TAC	Year	2020	Amount	0.2%
Total green weight catch by UoC	Year	2020	Amount	1 986
	Year	2019	Amount	2 895

4.1.2 Summary of conditions

Table 9. Summary of conditions

Condition number	Condition	PI	Status	PI original score	PI revised score
1	Within 4 years, well defined HCRs should be in place that ensure that the exploitation rate is reduced as the PRI is approached and that are expected to keep the stock fluctuating around a target level consistent with (or above) MSY. Evidence should be provided to demonstrate that the TAC setting mechanism is appropriate and effective in achieving the exploitation levels required under the HCR.	1.2.2	On target	65	Not revised

4.1.3 Recommendations

Recommendation 1: The EwE trophic model is based on a long time series using data over 11 years old. Updating it with last available data of abundance, catches and diet would therefore be advisable. It would be interesting to fit the data not only to the whole time series but also to the last decades in order to see if fitting is improved. Special attention should be paid to the possible wasp-waisted structure of the North Sea ecosystem using ecosim. Finally, the Ecospace model could be used to address the issue of local depletion and local wasp-waistedness. The client is recommended to suggest to the relevant scientific authorities that this work be carried out.

Year 1: Lately, a large part of the capacity within the PO has been dedicated to navigating the largescale disruptions of recent years (the COVID-19 pandemic, and Brexit), as a result, the team has not been able to note any progress on this recommendation. This will be followed up at the Year 2 surveillance audit.

Recommendation 2: It is recommended to increase the research effort into dynamics of the components of the metapopulation in order to define as soon as possible a future harvest control rule related to these components, with priority given to the Downs herring. The incorporation of component-resolved information of the metapopulation into the assessment model should result in a new management approach that would provide an appropriate balance of F across meta-population components.

Year 1: The current assessment team does not believe that this recommendation is appropriate, as the client can have little to no influence on the above. While it does relate to the MSC assessment of this fishery via the quality and appropriateness of the HCRs, the current assessment team does not believe an MSC assessment to be the appropriate or effective forum, and such questions should be taken up with the relevant research and management bodies directly in the future. The recommendation is considered closed.

4.2 Rescoring Performance Indicators

Following changes to the wider management framework since reassessment, PI 3.1.1 has been rescored (though, while the rationales have been updated, the score remains the same). New rationales are underlined and obsolete information has been stricken through.

Evaluation Table for PI 3.1.1 – Legal and/or customary framework

PI 3.1.1	The management system exists within an appropriate legal and/or customary framework which ensures that it: Is capable of delivering sustainability in the UoA(s); and Observes the legal rights created explicitly or established by custom of people dependent on fishing for food or livelihood; and Incorporates an appropriate dispute resolution framework.		
Scoring Issue	SG 60	SG 80	SG 100
a	Compatibility of laws or standards with effective management		
Guidepost	There is an effective national legal system and a framework for cooperation with other parties, where necessary, to deliver management outcomes consistent with MSC Principles 1 and 2	There is an effective national legal system and organised and effective cooperation with other parties, where necessary, to deliver management outcomes consistent with MSC Principles 1 and 2.	There is an effective national legal system and binding procedures governing cooperation with other parties which delivers management outcomes consistent with MSC Principles 1 and 2.
Met?	Y	Y	N
Justification	<p>The basic legal framework for Principle 1 is as for the initial certification audit, the European Common Fisheries Policy regulation, which is binding for EU member states (EU, 2013). For Principle 2, implementation of the Marine Strategy Framework Directive (MSFD) has progressed for the French Channel/North Sea. The region's programme of measures, last element of the Action Plan, was formally adopted after consultation and published in 2016 (DIRM-MMN, 2016).</p> <p><u>Six North Sea stocks were up until 2021 managed within the context of the EU-Norway cooperation on fisheries management: cod, haddock, saithe, whiting, plaice and herring. Four of these stocks are Principle 1 in this fishery (haddock, saithe, whiting and plaice), whilst two are considered under Principle 2 (cod and herring). The management of these stocks was regulated through annual fisheries consultations between the EU and Norway, based on the framework agreement between the parties on fisheries cooperation from 1980 (in force 1981). The agreement provides the legal basis for the setting of TACs, transfers of fishing possibilities (the parties trade some quota shares and generally allow the other party to take their quota in their respective exclusive economic zones (EEZ)), joint technical measures and issues related to control and enforcement. The North Sea consultations were one among four annual rounds of negotiations where the EU and Norway regularly had the opportunity to agree on quota setting and other regulatory measures, as well as coming to agreement and resolving disputes more generally. The other three were negotiations on</u></p>		

northern shrimp, on fisheries in Skagerrak and Kattegat, as well as the neighbouring agreement negotiations between Norway and the EU on behalf of Sweden.

When the UK left the EU on 31 December 2021, the situation changed radically for the well-established international management regime in the North Sea. To prepare for the new situation, the EU, Norway and the UK engaged in different types of bilateral and trilateral negotiations on future fisheries arrangements in the North Sea during 2020. On 30 September 2020, Norway and the UK concluded a framework agreement on fisheries, which prescribes an annual consultation on quota exchange and mutual access to fishing rights, as well as bilateral cooperation on fisheries management in general and compliance, control and enforcement in particular (UK NOR 2020). The agreement is, notably, a framework agreement and provides no details on quota setting (e.g. distribution keys) or mutual access to each other's EEZs.

The trilateral negotiations were more fruitful, at least as it appeared initially. On 16 March 2021, a trilateral agreement between the EU, Norway and the UK on the North Sea fisheries was signed, whereby Norway maintained its established shares of the jointly managed stocks and the rest was split between the EU and the UK according to the internal EU distribution scheme, based on the principle of relative stability (EU NOR UK 2021). The agreement states that it is without prejudice to possible future arrangements between the parties, and the parties agree to start negotiations on a trilateral framework agreement for the North Sea. This is also the shortcoming of the agreement; in practice, it is no more than an interim arrangement between the parties, awaiting further steps to agree on joint measures from 2022 onwards.

During April 2021, it became clear that the trilateral agreement was not necessarily sufficient to uphold the well-established international management regime in the North Sea even during 2021. Awaiting a trilateral agreement, UK authorities had already set provisional UK quotas at the beginning of the year, and on 14 April, it was announced that these were prolonged for the remainder of the year (Secretary of State determination of fishing opportunities for British fishing boats (publishing.service.gov.uk). In practice, that meant that the UK would not necessarily respect the previously established distribution keys between the UK and (other) EU countries. Furthermore, on 30 April the Norwegian government announced that negotiations with the UK on mutual access and bilateral quota exchange had broken down (<https://www.regjeringen.no/no/aktuelt/norge-og-storbritannia-avslutter-fiskeriforhandler/id2846634/>). On 11 June 2021, however, the EU and the UK concluded a comprehensive agreement on mutual quota arrangements for 2021 which covers the North Sea stocks (EU UK 2021).

Hence, there is a trilateral agreement in place for 2021 which prolongs the former bilateral EU-Norway agreement and confirms the established distribution keys between Norway on the one hand and the EU/UK on the other. Then the bilateral agreement between the EU and the UK confirms the quota sharing between these two actors, but again only for 2021. There is still no agreement in place between Norway and the UK on mutual access, but the quota split is fixed in the trilateral agreement.

Important progress has been made in the implementation of key elements to bring or maintain shared stocks at sustainable levels by 2020 (Principle 1) and improve marine ecosystems status including through a reduction of fisheries impacts (Principle 2). An increasing role played by the EU Parliament through co-decision with the European Commission and co-decision with the Council regarding the conclusion of agreements with third countries, including Norway and increased capacity of the Pelagic Advisory Council (PELAC) have made cooperation increasingly more effective years.

The French primary legislation for the Environment (Code de l'Environnement) and for Fisheries (Code Rural et de la Pêche maritime) enables all CFP and MSFD provisions. Hence, there is an effective national legal system in place and a framework for cooperation with other parties to deliver management outcomes consistent with MSC Principles 1 and 2. SG60 is met. The cooperation between Norway and the EU in the North Sea can be

		<p>characterized as organized and effective. SG80 is met. However, following submission of a joint request to evaluate possible scenarios for a new LTMS, there are presently no binding procedures until an EU-Norway management plan is agreed. SG100 is not met.</p> <p>Hence, there is an effective national legal system and a framework for cooperation between states to deliver management outcomes consistent with MSC Principles 1 and 2; cf. SA4.3.2.3, which states that such cooperation shall at least deliver the intent of the UN Fish Stocks Agreement (UNSA) Article 10 relating to the collection and sharing of scientific data, the scientific assessment of stock status, and development of scientific advice, which in the fisheries under assessment takes place within ICES. SG 60 is met. With the agreed bilateral agreements on mutual access and quota sharing between the UK and the EU, and the UK and Norway, it can be concluded that the cooperation between the parties is organised and effective; cf. SA4.3.3.2, according to which the cooperation shall deliver the intent of UNFSA Article 10 paragraphs relating to, <i>inter alia</i>, the agreement and delivery of management actions consistent with sustainable management advice. SG80 is met.</p> <p><u>At present without a binding trilateral framework there are binding procedures which govern cooperation between all parties, and SG100 is not met.</u></p>		
b	Resolution of disputes			
	Guidepost	The management system incorporates or is subject by law to a mechanism for the resolution of legal disputes arising within the system.	The management system incorporates or is subject by law to a transparent mechanism for the resolution of legal disputes which is considered to be effective in dealing with most issues and that is appropriate to the context of the UoA.	The management system incorporates or is subject by law to a transparent mechanism for the resolution of legal disputes that is appropriate to the context of the fishery and has been tested and proven to be effective.
	Met?	Y	Y	Y
	Justification	<p>The management system has dispute resolution systems at all levels. The EU European Court of Justice provides for dispute resolution between the EU and members states, between member states and between individuals and the EU on the interpretation of EU law, including the CFP in the past. However, formal disputes of CFP legal provisions have decreased through increasing co-decision mechanisms and increasingly more transparent proceedings with an emphasis on shared information and consultation, including through the PELAC.</p> <p><u>With the UK leaving the EU on 31 December 2020 and the subsequent Trilateral and bilateral UK-EU and EU-Norway negotiations, this dispute resolution mechanism appears to continue to be working. There are other mechanisms in place at the global level also. Provided the parties give their consent, disputes can be brought in for settlement at the International Court of Justice (ICJ) or the International Tribunal for the Law of the Sea (ITLOS) in accordance with Part XV of the Law of the Sea Convention (LOSC), or to arbitration under Annex VII of the LOSC.</u></p> <p>There are dispute resolution mechanisms in the French fisheries management system at local, region and national levels (PO “decisions”, CRPEM “deliberations” on gear conflicts and licences, and French administrative decisions from CRPEM recommendations and DIRM-DDTM management measures and enforcement). If a member does not agree with a PO decision, he may appeal it, and is also free to leave and take its vessel(s) quota entitlement to another PO. Similarly, in case of non-compliance with PO rules regarding individual quotas a member will have to provide justifications, may be fined and even be expelled. France has a long-standing legally-established system for the resolution of disputes between</p>		

		<p>individuals and all levels of government through ‘administrative’ courts (similar to the ombudsman system in Scandinavia). The regional and national licensing proposals are examined by mixed government/industry commissions prior to decisions being made, but disputes can be brought up by individuals against the CRPMEM, the PO, and the authorities. Disputes may be resolved through conciliation, or through administrative or criminal (for non-compliance offences) courts. The PO may also appeal a government decision regarding quota distribution in the administrative courts, which has happened in the past. Altogether the system has proved to be effective. SG60, 80 and 100 are met.</p>		
c	Respect for rights			
	Guidepost	<p>The management system has a mechanism to generally respect the legal rights created explicitly or established by custom of people dependent on fishing for food or livelihood in a manner consistent with the objectives of MSC Principles 1 and 2.</p>	<p>The management system has a mechanism to observe the legal rights created explicitly or established by custom of people dependent on fishing for food or livelihood in a manner consistent with the objectives of MSC Principles 1 and 2.</p>	<p>The management system has a mechanism to formally commit to the legal rights created explicitly or established by custom of people dependent on fishing for food and livelihood in a manner consistent with the objectives of MSC Principles 1 and 2.</p>
	Met?	Y	Y	N
	Justification	<p>The European quota system allocates national shares of the TACs to EU member states on the basis of historical track records. The French national administration distributes quota allocations to POs, and in turn the FROM Nord PO allocates vessel quotas to its membership according to pre-agreed rules and track records that observe legal historic rights explicitly. SG60 and SG80 are met.</p> <p>The French management system does not ‘formally commit’ to the customary rights of fishers in relation to quota, because in France the state retains ownership of quota and could, in theory, redistribute quota on any basis. In addition, there has been a number of differences of opinion between Norway and the EU regarding legal rights in small pelagic fisheries (although not this one), which have not yet resulted in an international formal commitment between the parties. SG100 is not met.</p>		
References	DIRM-MMN (2016) EU (2013)			
OVERALL PERFORMANCE INDICATOR SCORE:				85
CONDITION NUMBER (if relevant):				N/a

4.3 Conditions

4.3.1 Closed Conditions

No conditions were closed at this year 1 surveillance audit.

4.3.2 Progress against Conditions

Table 10. Condition 1

Performance Indicator	1.2.2
Score	65
Justification	<p>Sl.a. Because there is no EU–Norway agreed LTMS since 31 December 2017, and because the EU–Norway Agreement did not follow their own HCRs in 2017, 2018 and 2019, one cannot consider that well defined HCRs are in place to keep the stock fluctuating around a target level consistent with (or above) MSY. Hence SG 80 and SG100 are not met.</p> <p>Sl.c. At the EU–Norway meeting in December 2017 the Delegations agreed to use the ICES FMSY value of 0.33 for determining the 2018 TAC, rather than the lowest FMGT value of 0.26 corresponding to the current EU–Norway LTMS, against the PELAC recommendation ((PELAC, 2018). Since that meeting, ICES has revised its perception of FMSY back down to 0.26 (ICES, 2018b) which resulted in a drastic decrease in the advised catch for 2019 at 311,572 t. As a result of the use of the FMSY value of 0.33, the agreed TAC for Fleet A increased dramatically from 481,608 t in 2017 to 600,588 t in 2018 (ICES, 2018). Then, when ICES revised the FMSY value back 0.26, its advised catch for 2019 went down to 311,572 t, whereas the EU–Norway adopted TAC was set at a value of 385,008 t, without justification. This late value is 32% higher than the one resulting from the implementation of the ICES FMSY approach advised by ICES in the absence of agreed LTMS, 22% higher than the TAC based on FMSY and 45% higher than the TAC based on the lapsed LTMS. These inter-annual abrupt changes in the TACs values (+25% and -36% respectively) are stepping over the EU–Norway rule n° 5 of the LTMS stating that inter-annual variations of TAC should not exceed +/- 15%. In summary, EU–Norway’s TAC setting is not always based on the EU–Norway LTMS but in the best of the case on the ICES advice based on the FMSY approach, a situation that occurred even before 2018 when, on several occasions, the EU–Norway harvest strategy was not applied. By definition and conception, a long-term management strategy is not expected to be modified on the short-term.</p> <p>Altogether because no new LTMS was adopted, there is not yet evidence that the tools in use are appropriate and effective in achieving the exploitation levels required under the harvest control rules. Therefore, SG80 is not met.</p>
Condition	Within 4 years, well defined HCRs should be in place that ensure that the exploitation rate is reduced as the PRI is approached and that are expected to keep the stock fluctuating around a target level consistent with (or above) MSY. Evidence should be provided to demonstrate that the TAC setting mechanism is appropriate and effective in achieving the exploitation levels required under the HCR.
Condition Start	The condition was applied at the Y4 surveillance audit of the previous certification cycle. This audit constitutes Year 1 for the condition milestones.
Condition Deadline	Year 4 audit of this certification cycle
Milestones	Year 1 – Year 3 (second certification cycle): Evidence shall be presented to demonstrate that well defined HCRs are in place that ensure that the exploitation rate is reduced as

	<p>the PRI is approached that are expected to keep the stock fluctuating around a target level consistent with (or above) MSY. It should be demonstrated that the harvest control tools are being used to maintain fishing mortality to a level that is close to or below the value set out in the harvest control rules in force. (Score: 65).</p> <p>Year 4: Evidence shall be presented to demonstrate that the harvest control tools are appropriate and effective in achieving the exploitation levels required under the Harvest Control Rules in place (Score: 80).</p>
<p>Progress on Condition (Year 1)</p>	<p>Year 1</p> <p>The TAC in 2020 was a direct roll-over from 2019, but because ICES catch advice was higher for 2020 than 2019, the same TAC was consistent with (lower than) ICES advice under the MSY approach in 2020. In 2021 a TAC was agreed between the three relevant jurisdictions (EU, Norway, UK) which corresponded to ICES MSY catch advice.</p> <p>Work is underway on a new LTMS (establishment of a tripartite working group – see EU-Norway-UK agreement of March 2021, Annex V). However, it is reported that progress has been hampered by Brexit and other factors, and for now, focus is on agreeing TACs for 2022. It is hoped that work will continue in 2022.</p> <p>PELAC (where FROM Nord is a participant) has been instrumental in pushing for the LTMS work to restart and continue. They will hold a workshop on the topic in March 2022.</p> <p>Overall, regarding the condition milestone, the MSY approach can be considered a well-defined HCR which should ensure that the exploitation rate is reduced as the PRI is approached (since it requires F to be reduced when $B < B_{trigger}$). For 2020 and 2021 the tools (main tool TAC) were set to maintain F at the appropriate level (see ICES advice, ICES 2021c, and Tripartite agreed record of consultations from March 2021). Therefore the Year 1 milestone is met.</p> <p>Regarding the Year 4 milestone (closing the condition), for 2020 and 2021 the tools have been used in an appropriate and effective manner to achieve the relevant exploitation rate (F_{msy}). For 2022 we do not yet have this information but since applying the MSY approach results in a large increase in catch advice, it is highly probable (there would be no reason not to respect it).</p> <p>The team concluded that the fishery is on track towards closing the condition, noting that a LTMS is not of itself a requirement for SG80 to be met. However, firstly we only have one year of concrete evidence of appropriate TAC setting. Secondly, a re-assessment of a harmonised fishery is currently underway, with the site visit expected early next year. Because of harmonisation requirements these fisheries need to be aligned. The surveillance audit team therefore considered it to be appropriate to leave the condition open at the time of writing for the reasons outlined above, and continue the harmonisation discussions with the harmonised fishery as they progress through the reassessment.</p> <p>Though all of the above is indeed in place, and has been considered, the team have elected to apply the MSC COVID-19 Derogation 6, granting all conditions related to management a 12 month extension. The team has applied this derogation to remain harmonised with the other fisheries targeting this herring stock with the same condition (indeed, as part of harmonisation, condition timelines must remain aligned). The progress of this condition against the “year 1” milestone will therefore be checked at the Year 2 surveillance audit.</p>
	<p>Year 2</p>

	Year 3	
	Year 4	
Progress Status	Not checked – progress against the Year 1 milestone will be assessed at the Year 2 surveillance audit.	
Remedial Action	NA	
Additional information	NA	

4.4 Principle level scores

Table 11. Principle level scores

Principle	Score
Principle 1 – Target Species	80.8
Principle 2 – Ecosystem Impacts	87.3
Principle 3 – Management System	91.3

Table 12. Performance Indicator scores

Principle	Component	Wt	Performance Indicator (PI)		Wt	Score
One	Outcome	0.33	1.1.1	Stock status	0.5	80
			1.1.2	Stock rebuilding	0.5	n/a
	Management	0.67	1.2.1	Harvest strategy	0.25	80
			1.2.2	Harvest control rules & tools	0.25	65
			1.2.3	Information & monitoring	0.25	90
		1.2.4	Assessment of stock status	0.25	90	
Two	Primary species	0.2	2.1.1	Outcome	0.33	100
			2.1.2	Management strategy	0.33	85
			2.1.3	Information/Monitoring	0.33	100
	Secondary species	0.2	2.2.1	Outcome	0.33	80
			2.2.2	Management strategy	0.33	80
			2.2.3	Information/Monitoring	0.33	85
	ETP species	0.2	2.3.1	Outcome	0.33	80
			2.3.2	Management strategy	0.33	80
			2.3.3	Information strategy	0.33	80
	Habitats	0.2	2.4.1	Outcome	0.33	80
			2.4.2	Management strategy	0.33	80
2.4.3			Information	0.33	85	

Principle	Component	Wt	Performance Indicator (PI)		Wt	Score
	Ecosystem	0.2	2.5.1	Outcome	0.33	100
			2.5.2	Management	0.33	95
			2.5.3	Information	0.33	100
Three	Governance and policy	0.5	3.1.1	Legal &/or customary framework	0.33	85
			3.1.2	Consultation, roles & responsibilities	0.33	100
			3.1.3	Long term objectives	0.33	100
	Fishery specific management system	0.5	3.2.1	Fishery specific objectives	0.25	90
			3.2.2	Decision making processes	0.25	85
			3.2.3	Compliance & enforcement	0.25	95
			3.2.4	Monitoring & management performance evaluation	0.25	80

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6 Evaluation processes and techniques

6.1 Site visits

The site visit was held remotely on the 9th November 2021. The individuals met during the site visit and their roles in the fishery are listed in the Table below.

Table 13. List of attendees at the on-site meetings.

Name	Position	Type of consultation
Henry Ernst	CU assessment team	Auditor
Dr. Jo Gascoigne	CU assessment team	Auditor
Delphine Roncin	FROM Nord representative	Client
Christophe Radenne	FROM Nord representative	Client

6.2 Stakeholder participation

There were no stakeholder responses to the announcement of this fishery on the 8th October 2021. No written comments were received leading up to the audit meetings, and there were no stakeholders present on the call other than the two aforementioned client representatives.

7 Stakeholder Input

NA

8 Harmonised fishery assessments

Table 14. Overlapping fisheries

Fishery name	Certification status and date	Performance Indicators to harmonise
PFA, SPSG, SPFPO, DFPO and DPPO North Sea Herring	Certified, 17/4/17	P1, P3.1
Norway North Sea herring fishery	Certified 30/04/09	P1, P3.1
Northern Ireland Pelagic Sustainability Group (NIPSG) North Sea herring	Certified 05/12/16	P1, P3.1

Table 15. Overlapping fisheries

Supporting information	
<p>PFA, SPSG, SPFPO, DFPO and DPPO North Sea Herring is starting re-assessment. The assessment teams (Team Leaders and P1 experts) communicated regarding the condition on PI 1.2.2. The P1 experts agreed that there was an argument for closing the condition, but it would be preferable to have additional information to support (or otherwise) this decision (TAC setting for 2022). It was agreed that for this surveillance audit, the condition should be kept open, and this fishery would harmonise with the outcome of the re-assessment at the next annual audit. The abovementioned fishery and the NIPSG fishery (also under reassessment) are also in harmonisation discussions, and it was tentatively decided to continue these in January 2022 once the EU commission meetings and coastal states meetings have taken place.</p>	
Was either FCP v2.2 Annex PB1.3.3.4 or PB1.3.4.5 applied when harmonising?	No
Date of harmonisation meeting	via email, the week of the 9 th November 2021
If applicable, describe the meeting outcome	
Agreement found among teams	

Table 16. Rationale for scoring differences

If applicable, explain and justify any difference in scoring and rationale for the relevant Performance Indicators (FCP v2.2 Annex PB1.3.6)
NA
If exceptional circumstances apply, outline the situation and whether there is agreement between or among teams on this determination
NA