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Marine Stewardship Council fisheries assessments

FFA Finland Baltic herring & sprat

4th Surveillance Report

Conformity Assessment Body (CAB)	Acoura Marine t/a LRQA
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Fishery client	Finland Fishermen's Association / Suomen Ammattikalastajaliitto R.Y.
Assessment Type	Fourth Surveillance
Date	March 2023

Assessment Data Sheet

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	Principle 1	Giuseppe Scarcella
	Principle 2	Fiona Nimmo
	Principle 3	Jim Andrews

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Glossary

ASCOBANS	(Bonn Convention's) Agreement on the Conservation of Small Cetaceans in the Atlanto-Scandian and Baltic.
ACOM	ICES Advisory Committee
ACFA	ICES Advisory Committee on Fisheries and Aquaculture
BALTFISH	Baltic Sea Fisheries Forum (established by HELCOM)
BalticSTERN	Baltic Systems Tools and Ecological-economic evaluation – a Research Network
BITS	Baltic International Trawl Survey
Bpa	Precautionary reference point for spawning stock biomass
Blim	Limit biomass reference point, below which recruitment is expected to be impaired.
Bmsy	Biomass reference point associated with MSY for a fish stock.
CEFAS	Centre for Environment, Fisheries and Aquaculture Science (UK)
CFCA	EU Community Fisheries Control Agency
CFP	EU Common Fisheries Policy
CR	Council Regulation
DDES	Denmark, Estonia, Germany, Sweden Baltic Herring & Sprat fishery
EC	European Commission
EEZ	Exclusive Economic Zone
EFF	European Fisheries Fund
ELY	*Elinkeino-, liikenne- ja ympäristökeskus* (Centre for Economic Development, Transport and the Environment)
ETP	Endangered, threatened and protected species
EU	European Union
F	Fishing Mortality
Flim	Limit reference point for fishing mortality that is expected to drive the stock to the biomass limit
Fpa	Precautionary reference point of fishing mortality expected to maintain the SSB at the precautionary reference point
Fmsy	Reference point of fishing mortality expected to maintain the SSB at MSY
FAM	MSC's Fisheries Assessment Methodology
FAO	United Nations Food and Agriculture Organisation
HAWG	ICES Herring Assessment Working Group
HCR	Harvest Control Rule
HELCOM	Helsinki Commission
IBSFC	International Baltic Sea Fishery Commission (ceased to exist on 1st Jan 2007)
ICES	International Council for the Exploration of the Sea

ITQ	Individual Transferable Quota
IUU	Illegal, unreported and unregulated fishing
LOA	Length Over All (of fishing vessels
LUKE	*Luonnonvarakeskus* (Natural Resources Institute Finland)
MAF	Ministry of Agriculture & Forestry
MAP	Multi-Annual Plan
MCS	Monitoring, Control and Surveillance
MSC	Marine Stewardship Council
MSY	Maximum Sustainable Yield
NEAFC	The North East Atlantic Fisheries Commission
NEA	North East Atlantic
NGO	Non-Governmental Organisation
OSPAR	Oslo-Paris Convention (Convention for the Protection of the Marine Environment of the North-East Atlantic)
PI	MSC Performance Indicator
PO	Producer Organisation
RAC	Regional Advisory Council
RSW	Refrigerated Sea Water
SAWG	ICES Stock Assessment Working Group
SI	Scoring Issue (MSC)
SSB	Spawning Stock Biomass
SLU	Sveriges Lantbruksuniversitet (Swedish University of Agricultural Sciences)
TAC	Total Allowable Catch
TFC	Transferable Fishing Concession
UoC	Unit of Certification
UNCLOS	United Nations Convention on the Law of the Sea
VMS	Vessel Monitoring System
VPA	Virtual Population Analysis
WKBALT	ICES Benchmark Workshop on Baltic Multispecies
WKPELA	ICES Benchmark Workshop on Pelagic stocks
WGBFAS	ICES Baltic Fisheries Assessment Working Group
WGECO	ICES Working Group on the ecosystem effects of Fishing Activities
WGMME	ICES Working Group on Marine Mammal Ecology
WGRED	ICES Working Group on Ecosystem Description

WGWIDE	ICES Working Group on Widely Distributed Stocks
WWF	World Wide Fund for Nature

1 Executive Summary

1. The FFA Finland Baltic herring & sprat fishery was certified against the MSC Standard in June 2018. This is the third annual surveillance audit for the certified fishery. The audit was carried out remotely on the 2nd December 2022, by a team of three expert assessors from LRQA.
2. During the course of this surveillance audit the client and fishery scientists from LUKE reported that progress with some aspects of the client action plans for the fishery (notably monitoring catch composition aboard fishing vessels) had been necessarily delayed by the Covid-19 restrictions implemented in Finland. These delays were noted, and the assessment team has taken them into account in its evaluation of progress.
3. The certified fishery comprises 5 different units of certification (UoCs) as follows:-
    a. UoC 1: Baltic sprat trawl fishery
    b. UoCs 2 & 3: Gulf of Bothnia herring trawl (UoC2) and trap (UoC3) fishery.
    c. UoCs 4 & 5: Central Baltic herring trawl (UoC4) and trap (UoC5) fishery.
4. The purpose of this surveillance audit was to review any changes to the fishery which have occurred since it was certified; to monitor progress with the conditions of certification that were set for the fishery; and to ensure that the assessment outcomes remain harmonised with those of overlapping fisheries.
5. Following a change in the perception of the Central Baltic herring stock that is summarised in the ICES 2021 advice, the client group elected to self-suspend UoCs 4 & 5. This course of action was harmonised with other MSC-certified UoCs for this stock, with the suspension becoming effective on 15th September 2021 At this surveillance audit the audit team has reviewed the current status of this stock and has also reviewed progress against the conditions of certification for these suspended UoCs.
6. The assessment team found that there have been some changes in the scientific base of information for the fishery. In particular:-
    a. The stock assessment available for the Gulf of Bothnia has resulted in a reduction of the TAC from this stock by 28% to 80,047t. Fishing mortality (F) remains below F_{msy}.
    b. The ICES advice for the Central Baltic herring and Baltic sprat fisheries indicates that the agreed TAC has resulted in a level of fishing mortality (F) that is above F_{msy}.
7. The assessment team noted with concern that the Russian Federation has been suspended from ICES in response to the war in Ukraine (ICES, 2022d). ICES officials indicate that this suspension has not affected the sharing of information needed for the scientific advice that has been considered at this surveillance audit, and hence no scoring response is appropriate. This situation will be kept under review, since the sharing of information for shared stocks is a fundamental SG60 requirements for MSC Principle 3, and could thus affect scoring for the Central Baltic herring and Baltic sprat Units of Certification in future.
8. This fishery overlaps with three other MSC-certified fisheries. Harmonisation discussions with other CABs started prior to the site visit and have continued into March 2023. These have ensured a harmonised assessment outcome. A full list of harmonisation activities is provided in Section 4.4.
9. In response to these changes the assessment team has taken the following actions at this surveillance audit:-

a. Performance Indicator 1.1.1A (Stock status) has been re-scored for the Central Baltic Herring stock, and now scores <60. The condition of certification that was raised at the last surveillance audit has therefore been withdrawn.

b. Performance Indicator 1.2.2 (harvest control rules & tools) has been re-scored for both the Baltic sprat and Central Baltic herring stocks, and new conditions of certification have been raised in response. Both the scoring and the conditions have been harmonised with overlapping MSC certified and in-assessment herring and sprat fisheries.

10. When the fishery was certified a total of 21 conditions of certification were raised for the 7 Units of Certification. Over time, the number of UoCs has been reduced (following the merging of the Bothnian Sea and Bothnian Gulf stocks by ICES to form as single Gulf of Bothnia stock), and various conditions have been raised, closed, and modified. At the start of this surveillance audit there were a total of 22 conditions in place. Progress against the milestones set for each of these conditions has been reviewed at this surveillance audit and is explained in detail in this report. Their status is summarised below:-

    a. **Conditions 1-5 - Primary species information**: evidence has been presented to show that work has continued on the implementation of the catch monitoring plan that was submitted in Year 1. Progress is considered to be **on target** against the milestone deadlines.

    b. **Conditions 6-10 - Secondary species information**: evidence has been presented to show that work has continued on the implementation of the catch monitoring plan that was submitted in Year 1. Progress is considered to be **on target** against the milestone deadlines

    c. **Conditions 11-15 - ETP species information**: progress with the milestone of the revised condition of certification adopted at the Year 1 surveillance audit has been evaluated. There is evidence that a plan has been developed for recording interactions with ETP species and that this plan is already being implemented. Progress is therefore considered to be **on target**.

    d. **Conditions 16 & 17 - ETP species outcome**: the evidence presented at this surveillance audit shows that there is a plan in place for recording the incidental capture of harbour porpoise at the UoA level, and that this plan is being implemented by the client group for this fishery. There is, however, no evidence that the plan is being implemented across all MSC UoAs, and progress is therefore considered to be **behind target**.

    e. **Condition 18 – Sprat Harvest Control Rules & Tools (PI1.2.2 SIc):** this condition was **closed** at the last surveillance audit.

    f. **Conditions 19 & 20 – Central Baltic Herring Harvest Control Rules & Tools (PI1.2.2 SIc):** these conditions were new at the second surveillance audit and progress was considered to be **on target** at this surveillance audit.

    g. **Condition 21 & 22 – Target species outcome (Central Baltic Herring)**: these conditions were **withdrawn** at the last surveillance audit in response to the corresponding PI scoring <60, triggering the self-suspension of this UoC.

    h. **Condition 23 & 24 - Central Baltic Herring Harvest Control Rules & Tools (PI1.2.2 SIa):** these conditions were new at the third surveillance audit. They are similar in their requirements to Conditions 19 & 20 and progress was considered to be **on target** at this surveillance audit.

    i. **Condition 25 – Baltic Sprat Harvest Control Rules & Tools (PI1.2.2 SIa):** this condition was **new** at the last surveillance audit (replacing the existing condition 2a-f)**.** It has been **withdrawn at this surveillance audit** because the corresponding Performance Indicator scores less than 60.

j. **Condition 26 – Target species outcome (Baltic Sprat)**: this condition was raised at the last surveillance audit, with a one year timescale. It required that the Sprat UoAs should meet some key requirements associated with the stock's Low Trophic Level status. These requirements **have not been met**, triggering the suspension of the Baltic Sprat UoA.

11. The assessment team conclude that following this surveillance audit the MSC Certification of the Finland Baltic Herring and Sprat Fishery:

    a. **Baltic Sprat** trawl and purse seine (UoC 1) no longer meets MSC requirements, and at the request of the client group is **self-suspended until further notice.**

    b. **Gulf of Bothnia herring** trawl and traps (UoCs 2 & 3) should **remain certified subject to annual surveillance audits.**

    c. **Central Baltic herring** trawl and traps (UoCs 4-5) should **remain suspended until further notice**.

2 Report Details

2.1 Surveillance information

Information relating to this surveillance is presented in the table below.

Table 1: Surveillance Information

Table 1 – Surveillance announcement

<table>
<tr><td>1</td><td colspan="5">Fishery name</td></tr>
<tr><td></td><td colspan="5">Finland Baltic herring & sprat</td></tr>
<tr><td>2</td><td colspan="5">Unit(s) of Assessment (UoA)</td></tr>
<tr><td></td><td colspan="5">UoC 1
<table>
<tr><td>Species:</td><td>European sprat (Sprattus sprattus)</td></tr>
<tr><td>Geographical area:</td><td>ICES Subdivisions 22-32</td></tr>
<tr><td>Method of capture:</td><td>Pelagic trawl</td></tr>
<tr><td>Stock:</td><td>Baltic Sea (ICES Subdivisions 22-32)</td></tr>
<tr><td>Management System:</td><td>EU and Russian Federation agreement on the joint management of the Baltic Sea. EU Common Fisheries Policy</td></tr>
<tr><td>Client Group:</td><td>Finland Fishermen’s Association / Suomen Ammattikalastajaliitto R.Y.</td></tr>
</table>
UoC 2-5
<table>
<tr><td>Species:</td><td colspan="4">Herring (Clupea harengus (L., 1758) (syn. Clupea harengus membras (Wulf, 1765))</td></tr>
<tr><td>Geographical area:</td><td colspan="2">Bothnian Bay</td><td colspan="2">Central Baltic</td></tr>
<tr><td>Stock:</td><td colspan="2">Gulf of Bothnia (ICES Subdivisions 30 and 31)</td><td colspan="2">Central Baltic (ICES Subdivisions 25, 26, 27, 28.2, 29, 32).</td></tr>
<tr><td>Unit of Certification</td><td>2</td><td>3</td><td>4 (Suspended)</td><td>5 (Suspended)</td></tr>
<tr><td>Method of capture:</td><td>Pelagic trawl</td><td>Fish trap</td><td>Pelagic trawl</td><td>Fish trap</td></tr>
<tr><td>Management System:</td><td colspan="4">EU and Russian Federation agreement on the joint management of the Baltic Sea. EU Common Fisheries Policy</td></tr>
<tr><td>Client Group:</td><td colspan="4">Finland Fishermen’s Association / Suomen Ammattikalastajaliitto R.Y.</td></tr>
</table></td></tr>
<tr><td>3</td><td colspan="2">Date certified</td><td colspan="3">Date of expiry</td></tr>
<tr><td></td><td colspan="2">25th June 2018</td><td colspan="3">24th December 2023</td></tr>
<tr><td>4</td><td colspan="5">Surveillance level and type</td></tr>
<tr><td></td><td colspan="5">Surveillance Level 6 – Off-site surveillance
Change from schedule as this was originally intended to be combined with the reassessment visit. Reassessment visit will be onsite</td></tr>
<tr><td>5</td><td colspan="5">Surveillance number</td></tr>
<tr><td></td><td colspan="2">4th Surveillance</td><td colspan="3">X</td></tr>
<tr><td>6</td><td colspan="5">Proposed team leader</td></tr>
</table>

	Jim Andrews – P3 Jim Andrews is a marine biologist with over 25 years' experience working in marine fisheries and environmental management. His previous experience includes running the North Western and North Wales Sea Fisheries Committee as its Chief Executive from 2001 to 2005, previously working as the SFC's Marine Environment Liaison Officer (from 1996-2001), and prior to that working for the English Government's nature conservation advisor, English Nature on wildlife and coastal zone management in northwest England (from 1992-1996). During his time with the SFC he was responsible for the regulation, management and assessment of inshore finfish and shellfish stocks along a 1,500km coastline, as well as assessment and management of fisheries interactions with aquatic ecosystems in this area. He has an extensive practical knowledge of fisheries and environmental management as well as the enforcement and regulation of fisheries under UK and EC legislation. As well as scientific training (BSc & PhD) Jim has formal legal training & qualifications, with a special interest in the policy, governance and management of fisheries impacts on marine ecosystems in the UK, EU and globally (this particular subject being the focus of his LLM research over the period 1997-99). He has worked as an assessor and lead assessor on more than 30 MSC assessments within the UK, in Europe, Australia, Asia, South America and in India since 2007. Jim has passed MSC training as a Lead Assessor and in the use of the Risk Based Framework. He has no Conflict of Interest in relation to this fishery. Full CV available upon request
Team Leader Experience	Jim has completed a number of MSC assessment as TL and meets all Fishery TL Qualification and Competency Criteria under MSC FCP v2.2 Table PC1 and MSC GCR v2.4.1 Table 1.
7	Proposed team members
	Giuseppe Scarcella – P1 Giuseppe Scarcella is an experienced fishery scientist and population analyst and modeller, with wide knowledge and experience in the assessment of demersal stocks. He holds a first degree in Marine Biology and Oceanography (110/110) from the Unversità Politecnica delle Marche, and a Ph.D. in marine Ecology and Biology from the same university, based on a thesis "Age and growth of two rockfish in the Adriatic Sea". After his degree, he was offered a job as project scientist in several research programs about the structure and composition of fish assemblage in artificial reefs, off-shore platform and other artificial habitats in the Italian National Research Council – Institute of Marine Science of Ancona (CNR-ISMAR), now Institute for Biological Resources and Marine Biotechnologies (IRBIM). During the years of employment at CNR-ISMAR first and CNR-IRBIM later he has gained experience in benthic ecology, statistical analyses of fish assemblage evolution in artificial habitats, fisheries ecology and impacts of fishing activities, stock assessment, otholith analysis, population dynamic and fisheries management. Since 2018 Dr. Scarcella is in the permanent staff od CNR-IRBIM as researcher. During the same years, he attended courses of uni-multivariate statistics and stock assessment. He is also actively participating in the scientific advice process of FAO GFCM in the Mediterranean Sea as well as in the Euroepean context. He was member of the Scientific, Technical and Economic Committee for Fisheries for the European Commission (STECF) from 2012 to 2019 and is chair of the STECF-EWG Assessment of balance indicators for key fleet segments and review of national reports on Member States efforts to achieve balance between fleet capacity and fishing opportunities. He is author of more than 70 scientific paper peer reviewed journals and more than 150 national, and international technical reports, most of them focused on the evolution of fish assemblages in artificial habitats, stock assessment of demersal species and evaluation of fisheries management plans. For some years now, Dr Scarcella has been working in fisheries certification applying the Responsible Fishery Management standards and Marine Stewardship Council standard for sustainable fisheries,

	currently concentrating on Principle 1 of this standard. Furthermore, Dr Scarcella holds the credential as Fishery team leader (MSC v2.0). Giuseppe Scarcella has passed the most updated MSC training and has no Conflict of Interest in relation to this fishery. Full CV available upon request. Fiona Nimmo – P2 Fiona Nimmo is a Director with Poseidon Aquatic Resource Management Ltd and has over 15 years' experience in commercial fisheries, aquaculture, marine environmental and renewable energy consultancy. Fiona holds a B.SC. in marine biology and a B.Eng in chemical engineering. Fiona is a Principle 2 expert and assessor for the Marine Stewardship Council (MSC) certification scheme and has worked on full and pre-assessments in the UK, Iceland, Denmark, Germany, Sweden, the Netherlands, and Spain and in the Asian region. She has worked on seven MSC full assessments as the Principle 2 expert. Fiona has completed a number MSC pre-assessments at various scales including at a district level for English Inshore Fisheries and Conservation Authorities, as part of Project Inshore; a national level for the Danish fleet across 33 species and 10 gear types; regional level for 2 species across the Bay of Bengal region (eight countries); as well as for single fisheries. Fiona was also involved in the Spanish Project Medfish, reviewing all Spanish fisheries in the Mediterranean and undertaking pre-assessments for a selection of fisheries. In addition, Fiona has completed numerous surveillance audits, both on-site and remotely, and had acted as a peer reviewer. Fiona is currently providing consultancy expertise to three Project UK Fishery Improvement Projects, including Channel scallops, UK scallops and UK nephrops. Fiona has a keen knowledge on EU and UK policy in relation to fisheries and their management to protect environmental features and ecology. She has led independent studies investigating the benefits of MSC including a recent value chain analysis of the Scottish haddock supply chain to determine quantitative and qualitative benefits of a fishery being MSC certified. She undertook work for the Organisation for Economic Co-operation and Development (OECD) examining the global distribution and transmission of costs and benefits in different types of capture fisheries certification schemes, including the MSC. In other areas of expertise, Fiona leads Poseidon's work in the renewable energy market having project managed Environmental Impact Assessments (EIAs) for wind and tidal developments, and undertaken numerous commercial fisheries impact assessments for offshore wind and tidal EIAs, feasibility and scoping studies. Projects involve extensive consultation with the industry, data gathering, analyzing and quantification to determine the impacts of proposed developments on the commercial fisheries sector. Fiona has passed MSC training and has no Conflict of Interest in relation to this fishery. Full CV available upon request.
Local Context	English is widely spoken in Finland The team have had assignments in the region in the last 10 years.
Traceability	Jim has completed the MSC traceability module in the last 3 years
RBF	Jim has completed the RBF training.
8	Audit/review time and location
	Off-site surveillance audit w/c 28th November 2022
9	Assessment and review activities
	All relevant data, progress on the Client Action Plan and progress on the open conditions.

2.2 Background

Changes that have occurred since the certification of the fishery are summarised below.

2.2.1 Changes in the certified fleet

There have been some minor changes in the certified fleet due to a change in ownership of a fishing vessel and also the death of a trap fishermen. A list of the certified vessels is provided in section 7 of this report.

2.2.2 Changes in management system

There have been no changes to the management system for fisheries in Finland or the EU since the last surveillance audit.

2.2.3 Changes in relevant regulations

There have been some minor changes to the management system for fisheries in Finland and the EU since the last surveillance audit. These are summarised below.

The system of Transferable Fishing Concessions (TFCs) that was introduced in 2017 has been evaluated by LUKE. This system will be maintained for the pelagic fishery, but in 2027 the trap fishery will be manage through a shared quota rather than individual TFCs. This change will not change overall fishing effort, but is more appropriate for the smaller scale trap fishery then the TFC system has been. It is hoped that this will encourage new entrants to the fishery.

It was also noted that area controls are now in place for the trap fishery as well as for the trawl fishery, preventing vessels from fishing in more than one herring stock on a trip. This is relevant to the Archipelago Sea, which straddles the boundary between the Central Baltic herring and Gulf of Bothnia herring stocks. Only a few operators are likely to be affected. The purpose of the change it to eliminate the risk of area misreporting.

It is noted that the restrictions for the eastern and western Baltic cod fisheries, and also for the Western Baltic Spring Spawning herring fishery that were introduced in 2019 have been maintained in the most recent TAC Regulation 2022/2090 (EU 2022). These restrictions are in the southern Baltic (ICES subdivisions 22-26). The new controls have been explained to the fishing fleet by ELY fishery officers, and none of the vessels in the UoAs are affected by them as they do not fish this far south in the Baltic sea.

With regard to managing fishing impacts on cetaceans, the EU implemented Council Delegated Regulation (EU) 2021/303 on 15 December 2021 (EU 2021b) to reduce incidental catches of the resident population of the Baltic Proper harbour porpoise in the Baltic Sea. This Regulation is considered in detail in section 2.2.5.2.2 of this report.

2.2.4 Changes to personnel involved in science, management or industry

There have been no changes in the personnel involved in science, management or industry since the last surveillance audit.

The Covid-19 pandemic resulted in some restrictions in regulatory and management activities during the early part of 2020. There was a very short break in fishing and in monitoring of landings, but both quickly resumed. Monitoring of landings and enforcement of fisheries legislation was classified as an “exceptional” activity that was exempt from the Covid controls that prevented work in other sectors of the economy.

It was reported that ELY have been making better use of remote monitoring equipment to determine the level of risk associated with individual vessels so that enforcement and control activity can be better targeted during the Covid-19 restrictions.

2.2.5 Changes to scientific base of information, including stock assessments

Changes to the information underpinning the assessment of this fishery for the target species (MSC Principle 1) and the marine environment (Principle 2) are summarised below.

2.2.5.1 Principle 1 (Stock Status)

A summary of the most recent scientific information relating to the status of the target species is presented below.

2.2.5.1.1 Sprat (*Sprattus sprattus*) in subdivisions 22–32 (Baltic Sea)

According to the most recent ICES advice (ICES, 2022c), fishing pressure on the stock is above F_{MSY} but below F_{pa}, and F_{lim} and that spawning-stock size is above MSY $B_{trigger}$, B_{pa}, and B_{lim} (Figure 1).

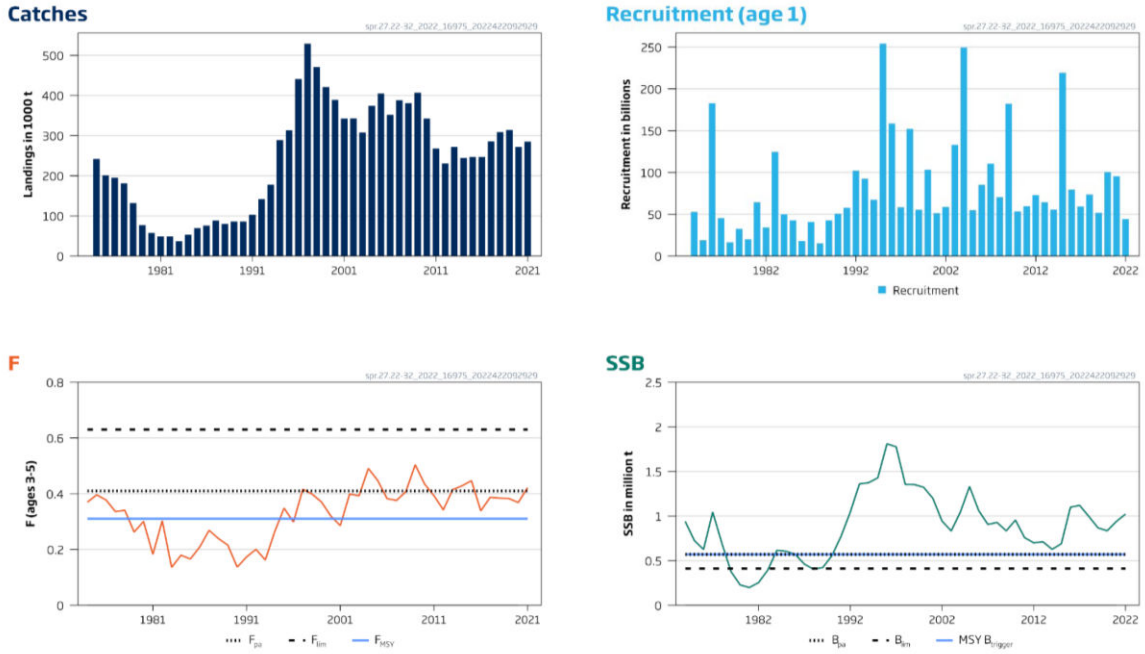

Figure 1: Sprat in subdivisions 22–32. Summary of the stock assessment. SSB at spawning time is predicted for 2021 (ICES, 2022c).

ICES advised that when the EU multiannual plan (MAP) for the Baltic Sea is applied, catches in 2023 that correspond to the F ranges in the plan are between 183 749 tonnes and 317 905 tonnes. According to the MAP, catches higher than those corresponding to FMSY (249 237 tonnes) can only be taken under conditions specified in the plan, whilst the entire range is considered precautionary when applying ICES advice rule. The stock is shared between the EU and Russia. An EU multiannual plan (MAP) in place for stocks in the Baltic Sea includes sprat (EC, 2016; EU, 2019b). The advice, based on the FMSY ranges used in the management plan, is considered precautionary. However, Russia does not have a management plan for this stock and an autonomous quota is established in the agreed TAC in accordance with EU-Russia agreement, a TAC is calculated as EU + Russian autonomous quota, which in 2022 was decided to be 43 360 tonnes.

The technical basis for B_{lim} for Baltic sprat is "*the average of biomass which produce half of the maximal recruitment in the BH and Ricker SR model*" and takes into account cod predation (ICES, 2021f) so by

definition is above PRI. B_{pa} is the value of the estimated SSB, which ensures that the true SSB has less than 5% probability of being below B_{lim}, (ICES, 2022c), which is equivalent to the MSC "*high degree of certainty*" of the stock being above the point where serious ecosystem impacts could occur (PRI).

The most recent ICES advice (ICES, 2022c) indicates that Baltic sprat SSB_{2021} = 939,000t which is more than 2 times higher the PRI (B_{lim}) and 1.6 of MSY $B_{trigger}$ (= B_{pa}). SSB_{2022} is predicted at 1,022,000t; this is a value resulting from a short-term prediction and is not the assessment model estimate which is why it is not used here.

2.2.5.1.2 Herring (*Clupea harengus*) in subdivisions 30 and 31 (Gulf of Bothnia)

According to the most recent ICES advice (ICES, 2022b), fishing pressure on the stock is below F_{MSY} and spawning-stock size is above MSY $B_{trigger}$, B_{pa}, and B_{lim} (Figure 2). The stock was benchmarked in 2021 (ICES, 2021b), where the stock assessment model and reference points were revised. Revisions were made to input data, including survey information, which was quality assured.

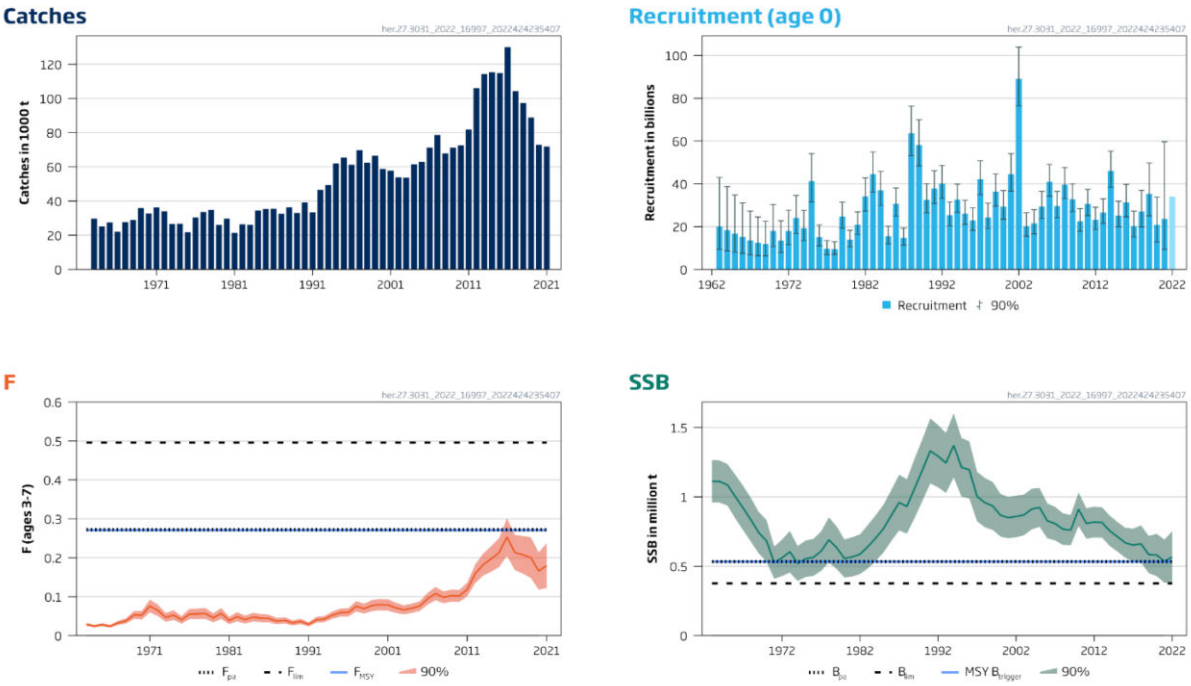

Figure 2: Herring in subdivisions 30-31 Summary of the stock assessment. SSB at spawning time is predicted for 2021 (ICES, 2022b).

ICES advised that when the EU multiannual plan (MAP) for the Baltic Sea is applied, catches in 2023 that correspond to the F ranges in the plan are between 80 047 tonnes and 103 059 tonnes. According to the MAP, catches higher than those corresponding to F_{MSY} (102 719 tonnes) can only be taken under conditions specified in the plan, whilst the entire range is considered precautionary when applying ICES advice rule.

2.2.5.1.3 Central Baltic Herring (*Clupea harengus*) in subdivisions 25-29 & 32

Herring in the Central Baltic, Subdivisions 25-29 and 32 is considered a key low trophic level (key LTL) species by default for the purposes of an MSC assessment (see MSC Fisheries Standard Box SA1) and it can be demonstrated that in its adult life cycle phase the stock holds a key role in the ecosystem.

The pelagic fish community of the Baltic Sea is extremely species-poor. It consists mainly of only three marine fish species: the Atlantic herring *Clupea harengus*, the European sprat *Sprattus sprattus* and the Atlantic cod *Gadus morhua* captured in Figure 3 below. The multi-species SMS model estimates annual predation mortality of herring and sprat based on cod stomach contents data and estimates of food suitability of a prey for a predator. Updated cod diet composition better reflects current cod preferences and food availability in the main cod distribution area (ICES, 2019; Neuenfeldt *et al.*, 2020).

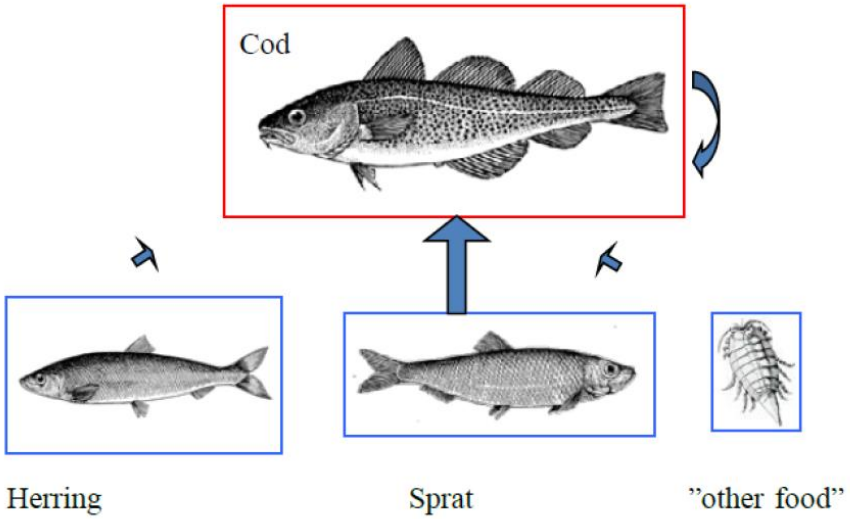

Figure 3: Setup of the Baltic SMS model. Cod is the only predator, and they forage on small cod, herring, sprat and zoobenthos, which is pooled as 'other food' (ICES, 2021a).

ICES IBPBASH (ICES, 2020d) evaluated the appropriateness of the use of the natural mortality estimates derived from the most recent (2019) multispecies SMS keyrun for the Baltic in the stock assessments and re-examined and updated the MSY and PA reference points on that basis. The stock was assessed by WGBFAS in 2020 incorporating the revised natural mortality estimates (ICES, 2020a) and therefore, taking into account predation mortality in the population model. This change compounded with the addition of the most recent catch and survey data resulted in revisions of the SSB and F trajectories in the 2020 assessment. Subsequently, the 2020 ICES advice (ICES, 2020c) indicated that Central Baltic herring SSB_{2019} = 501 973t is 1.52 times higher than B_{lim} (= 330 000 t) and 1.09 higher than B_{pa} (= MSY $B_{trigger}$ = 460 000t), SSB_{2020} is estimated at 449 702t but it is not used here to determine the state of the stock against reference point because it is not a model estimate but results from a short-term projection.

According to the most recent advice for Central Baltic herring (ICES, 2022b), fishing pressure on the stock is above F_{MSY} and F_{pa} but below F_{lim} and that spawning-stock size is below MSY $B_{trigger}$ and between B_{pa} and B_{lim}. Fishing mortality has shown a generally increasing trend since 2014 and has been above F_{MSY} since 2015. The high recruitment in 2015 was followed by four years of below average or average recruitment. ICES advised that when the EU multiannual plan (MAP) for the Baltic Sea is applied, catches in 2023 that

correspond to the F ranges in the plan are between 70 130 tonnes and 95 643 tonnes. The current advice applies to all catches from the stock, including those taken in Subdivision 28.1.

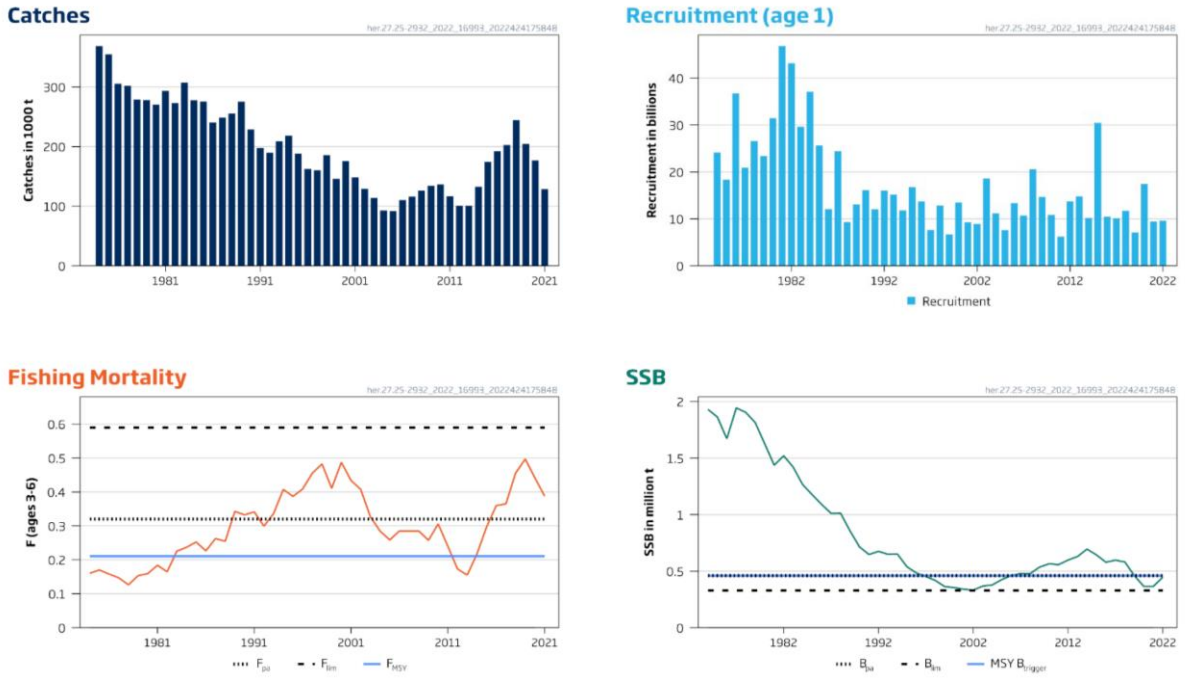

Figure 4: Herring in subdivisions 25–29 and 32, excluding the Gulf of Riga. Summary of the stock assessment. SSB at spawning time in 2020 is predicted (ICES, 2022a).

The 2019 year class appears to be above recent recruitment estimates. There has been no other strong recruitment since 2015, resulting in a low number of older ages and a reliance on a single year class contributing to the spawning stock.

A mixture of central Baltic herring (subdivisions 25–27, 28.2, 29, and 32) and Gulf of Riga herring (Subdivision 28.1) is caught in the central Baltic Sea. In the assessment and the advice, the central Baltic herring stock is considered to be caught both in and outside of the central Baltic Sea. The TAC (sum of the EU and Russian autonomous quotas) is set for herring caught in the central Baltic management area; it includes a small amount of Gulf of Riga herring caught in the central Baltic Sea but excludes central Baltic herring caught outside of the central Baltic Sea.

An example of how TAC setting could address the stock mixing issues is presented based on the ICES MSY approach advice catch for the central Baltic herring stock (95 643 tonnes), plus the assumed catch of Gulf of Riga herring taken in the central Baltic, minus the assumed catch of central Baltic herring taken in the Gulf of Riga. The values of the two latter figures are given by the average over the last five years.

- Central Baltic herring assumed to be taken in the Gulf of Riga in 2023 (Subdivision 28.1) is 3211 tonnes (average 2017–2021).
- Gulf of Riga herring assumed to be taken in Subdivision 28.2 in 2023 is 794 tonnes (average 2017–2021).

As an example, following ICES MSY approach (here identical to the MAP FMSY), catches from the central Baltic herring stock in 2023 should be no more than 95 643 tonnes. The corresponding TAC in the central Baltic management area for 2023 would be calculated as: 95 643 tonnes + 794 tonnes − 3211 tonnes = 93 226 tonnes.

Reference points for the Central Baltic herring stock are summarised in Table 2 below.

Table 2: Herring in subdivisions 25–29 and 32, excluding the Gulf of Riga. Reference points, values, and their technical basis. Weights are in tonnes (ICES, 2022a).

Framework	Reference point	Value	Technical basis	Source
MSY approach	MSY $B_{trigger}$	460 000	B_{pa}	ICES (2020)
	F_{MSY}	0.21	Estimated by EqSim	ICES (2020)
Precautionary approach	B_{lim}	330 000	The lowest SSB that has resulted in above-average recruitment, i.e. year 2002 (the SSB in 2002 happens to correspond to B_{loss})	ICES (2020)
	B_{pa}	460 000	1.4 × B_{lim}	ICES (2020)
	F_{lim}	0.59	Estimated by EqSim as the F with 50% probability of SSB being less than B_{lim}	ICES (2020)
	F_{pa}	0.32	F_{P05}. The F that leads to SSB ≥ B_{lim} with 95% probability	ICES (2021)
Management plan	MAP MSY $B_{trigger}$	460 000	MSY $B_{trigger}$	ICES (2020)
	MAP B_{lim}	330 000	B_{lim}	ICES (2020)
	MAP F_{MSY}	0.21	F_{MSY}	ICES (2020)
	MAP target range F_{lower}	0.15–0.21	Consistent with the ranges which result in no more than a 5% reduction in long-term yield compared to MSY	ICES (2020)
	MAP target range F_{upper}	0.21–0.26	Consistent with the ranges which result in no more than a 5% reduction in long-term yield compared to MSY	ICES (2020)

2.2.5.2 Principle 2

2.2.5.2.1 Primary and secondary species

Total catch data

Catch statistics have been provided for each Finnish UoC for the 2021 annual period (Table 3). In addition, total catch survey data have been provided for the period 2022 for trawl surveys undertaken in ICES sub-divisions 29, 30 and 32 (Table 4). It is noted that there were no observations of birds or mammals in the catches taken as part of the surveys.

Based on the fishery dependant catch statistics and independent survey data, the following main primary and secondary species are identified:

- UoC 1: Central Baltic herring
- UoC 2: Central Baltic sprat and three-spined stickleback *Gasterosteus aculeatus*
- UoC 3: Smelt *Osmerus eperlanus* and white bream *Abramis bjoerkna*
- UoC 4: Central Baltic sprat and three-spined stickleback
- UoC 5: Smelt

Table 3: Finnish catches by trawl and trap fisheries in 2021 (tonnes) (data source: LUKE, 2022)

UoC 1: Baltic sprat			UoC 2: Herring trawl Gulf of Bothnia			UoC 3: Herring trap Gulf of Bothnia			UoC 4: Herring trawl Central Baltic			UoC 5: Herring trap Central Baltic		
Species	**% of catch**	**Tonnes**	**Species**	**% of catch**	**Tonnes**	**Species**	**% of catch**	**Tonnes**	**Species**	**% of catch**	**Tonnes**	**Species**	**% of catch**	**Tonnes**
Herring	82%	72252	Herring	95%	54212	Herring	53%	2615	Herring	57%	18040	Herring	65%	1737
Sprat	17%	14770	Sprat	3%	1515	Smelt	26%	1273	Sprat	42%	13255	Smelt	25%	674
Other	1%	569	Other	1%	555	Bream	6%	321	Smelt	1%	239	European perch	3%	90
Smelt	0%	377	Vendace	1%	335	Roach	4%	194	Other	0%	14	Roach	2%	54
Vendace	0%	335	Smelt	0%	138	European perch	4%	184	Cod	0%	2	Bream	2%	43
Roach	0%	7	Roach	0%	6	Salmon	3%	128	Roach	0%	1	Salmon	1%	36
European perch	0%	5	European perch	0%	5	Whitefish	1%	61	Flounder	0%	1	Zander	1%	15
Whitefish	0%	5	Whitefish	0%	5	Northern pike	1%	53	Rainbow trout	0%	0	Whitefish	0%	11
Cod	0%	2	Burbot	0%	0	Other	1%	49	Zander	0%	0	Northern pike	0%	9
Flounder	0%	1	Salmon	0%	0	Vendace	1%	40	Eel	0%	0	Burbot	0%	4
Salmon	0%	0	Cod	0%	0	Burbot	0%	15	European perch	0%	0	Brown trout*	0%	3
Zander	0%	0	Zander	0%	0	Zander	0%	10	Salmon	0%	0	Other	0%	2
Burbot	0%	0	Flounder	0%	0	Ide	0%	6	Burbot	0%	0	Turbot	0%	0
Eel	0%	0	Eel	0%	0	Brown trout*	0%	6	Brown trout*	0%	0	Sprat	0%	0
Turbot	0%	0	Turbot	0%	0	Rainbow trout	0%	1	Turbot	0%	0	Eel	0%	0
Grand Total	100%	88323	Grand Total	100%	56771	Grand Total	100%	4956	Grand Total	100%	31552	Grand Total	100%	2678

Table 4: Finnish trawl net survey data - the species caught in the Baltic International Acoustic Survey (BIAS) in 2022 in the northern half of the Gulf of Finland (SD32), the northern Baltic main basin (SD 29) and the Bothnian Sea (SD 30): (kg) (data source: LUKE, 2022)

			ICES sub division 29			ICES sub division 30			ICES sub division 32		
Species	Laji	Species scientific name	Total weight of survey catch	Weight of species within catch	% of catch	Total weight of survey catch	Weight of species within catch	% of catch	Total weight of survey catch	Weight of species within catch	% of catch
European perch	Ahven	*Perca fluviatilis*							279	0.069	0%
Sand goby	Hietatokko	*Pomatoschistus minutus*				354	0.019	0%			
Fourhorn sculpin	Härkäsimppu	*Triglopsis quadricornis*				199	0.089	0%			
Sea snail	Imukala	*Liparis liparis*	187	0.117	0%						
Shorthorn sculpin, bullrout	Isosimppu	*Myoxocephalus scorpius*	308	0.19	0%						
Greater sandeel	Isotuulenkala	*Hyperoplus lanceolatus*	187	0.053	0%						
Flounder	Kampela	*Platichthys solemdali/ P. flesus*							307	0.168	0%
Ruffe	Kiiski	*Gymnocephalus cernuus*				114	0.033	0%			
(A benthic isopod)	Kilkki	*Saduria entomon*	551	0.047	0%	1106	0.242	0%	586	0.027	0%
Sprat	Kilohaili	*Sprattus sprattus*	2713	1753.412	65%	4033.3	205.462	5%	1929	1149.515	60%
Eelpout	Kivinilkka	*Zoarces viviparus*				61	0.019	0%			
Three-spined stickleback	Kolmipiikki	*Gasterosteus aculeatus*	2713	260.814	10%	4367.3	850.55	19%	1929	18.846	1%
Common jellyfish	Korvameduusa	*Aurelia aurita*	2041	26.471	1%						
Smelt	Kuore	*Osmerus eperlanus*	672	0.498	0%	1247.5	64.459	5%	1431	109.896	8%
Nine-spined sticklback	Kymmenpiikki	*Pungitius pungitius*	2713	2.635	0%	1425	0.482	0%	1929	1.511	0%
Salmon	Lohi	*Salmo salar*	789	0.906	0%	801	1.12	0%	307	10.8	4%
Vendace	Muikku	*Coregonus albula*							279	0.115	0%
Lamprey	Nahkiainen	*Lampetra fluviatilis*				261	0.106	0%	279	0.026	0%
Sandeel	Pikkutuulenkala	*Ammodytes tobianus*				541.3	0.232	0%			
Lumpsucker	Rasvakala	*Cyclopterus lumpus*	832	1.326	0%				805	10.72	1%
Herring	Silakka	*Clupea harengus*	2713	601.529	22%	4367.3	3173.356	73%	1929	584.235	30%
Straightnose pipefish	Siloneula	*Nerophis ophidion*	2111	0.071	0%	1194.3	0.073	0%	307	0.007	0%
Broadnose pipefish	Särmäneula	*Syngnathus typhle*	310	0.019	0%				498	0.055	0%
Cod	Turska	*Gadus morhua*	187	0.053	0%						
Waste (e.g. from previous catch, broken fish etc)			2403	64.862	3%	2961.3	71.06	2%	1929	43.007	2%

Total weight of survey catch = Sum of the catches, in which this species was detected (kg)

Weight of species within catch kg = The mass of this species in the catch in the SD, either picked from each whole catch (rare species in the catches, such as European perch) or estimated from the samples taken from each haul (common species in the catches, such as herring, sprat, sticklebacks, smelt)

Central Baltic herring

The status of the Central Baltic herring stock is reviewed in section 2.2.5 above.

In summary, the stock has been declining in SSB since 2017 and has plateaued at a level just above B_{lim} in 2020 and 2021, and has increased to just below $MSYB_{trigger}$ in 2022 (ICES, 2022d). ICES report that there has been no strong recruitment since 2015. Currently, the SSB in 2022 was predicted to be 446,582 tonnes, which is just below MSY $B_{trigger}$ and B_{pa} (both 460,000 tonnes) and above B_{lim} (330,000 tonnes).

The fishing mortality $F_{ages\ 3–6}$ (2022) was 0.34, which is well above the F_{MSY} of 0.21, but below F_{lim} of 0.59. While the stock continues to be fished at levels above F_{MSY}, the SSB has increased, is above B_{lim} and close to $MSYB_{trigger}$; it is therefore considered to be above the point of recruitment impairment (B_{lim}).

Based on ICES advice, the level of TAC has been reduced, which is applicable to all herring removals from the Central Baltic, and is consistent with the advice level. The TAC has been set in line with and at the lower end of the range provided in the MAP (see Table 5). This constitutes a "*demonstrably effective strategy applicable to all MSC UoAs to ensure that they do not collectively hinder recover and rebuilding.*"

Table 5: Herring in subdivisions 25–29 and 32, excluding the Gulf of Riga. ICES advice, TACs, and catches. All weights are in tonnes. (ICES, 2022d).

Year	ICES advice	Catch corresponding to the advice	Agreed TAC	Catch
2018	MAP target F ranges: Flower to Fupper (0.16–0.28), but F higher than FMSY = 0.22 only under conditions specified in MAP	200236–331510, but catch higher than 267745 only under conditions specified in MAP	258855	244365
2019	MAP target F ranges: Flower to Fupper (0.16–0.28), but F higher than FMSY = 0.22 only under conditions specified in MAP	115591–192787, but catch higher than 155333 only under conditions specified in MAP	200260	204438
2020	MAP target F ranges: Flower to Fupper (0.16–0.28), but F higher than FMSY = 0.22 only under conditions specified in MAP	130546–214553, but catch higher than 173975 only under conditions specified in MAP	182484	177079
2021	Management Plan	111852 (range 83971– 138183)	126051	130012
2022	Management Plan	71939 (range 52443– 87581)	80753	83505
2023	Management Plan	95643 (range 70130 – 95643)	70822	

While the status of Central Baltic herring has fluctuated within the limits for B_{lim} and $MSYB_{trigger}$ reference points management has been implemented through a reduction in TAC. The stock is above B_{lim} and just below $MSYB_{trigger}$; this primary main element therefore meets SG60 and SG80 for 2.1.1 (Outcome status); this score is consistent with the findings of the full assessment.

It is important to note that the MSC SG80 criteria for this stock as a non-target species are different to those that apply to it as a target "key Low Trophic Level" species. This explains why the stock does not meet the SG80 requirements for PI1.1.1A, but does meet the SG80 requirements here.

Central Baltic sprat

The status of the Central Baltic sprat stock is reviewed in section 2.2.5 above.

In summary, SSB has been fluctuating, with small level of growth from 2021 to 2022. SSB is currently above B_{lim}, B_{pa} and MSY $B_{trigger}$. The fishing mortality $F_{ages\ 3\text{-}6}$ (2022) was 0.38, which is above F_{MSY} of 0.31 and around F_{pa} of 0.41, but below F_{lim} of 0.63. While the stock continues to be fished at levels above F_{MSY}, the SSB has increased, is above B_{lim}, B_{pa} and MSY $B_{trigger}$ and it is therefore considered to be above the point of recruitment impairment (B_{lim}).

Based on ICES advice, the level of TAC is consistent with the range provided in the MAP (see Table 6). This constitutes a "*demonstrably effective strategy applicable to all MSC UoAs to ensure that they do not collectively hinder recover and rebuilding.*"

Table 6: Sprat in subdivisions 22-32. ICES advice, TACs, and catches. All weights are in tonnes. (ICES, 2022e).

Year	ICES advice	Catch corresponding to the advice	Agreed TAC	Catch
2018	MAP target F ranges: Flower to Fupper (0.19–0.27), but F higher than FMSY=0.26 only under conditions specified in MAP	219 152–301 722, but catch higher than 291 715 only under conditions specified in MAP	304 900	308 827
2019	MAP target F ranges: Flower to Fupper (0.19–0.27), but F higher than FMSY=0.26 only under conditions specified in MAP	225 752–311 523, but catch higher than 301 125 only under conditions specified in MAP	313 100	314 147
2020	MAP target F ranges: Flower to Fupper (0.19–0.27), but F higher than FMSY=0.26 only under conditions specified in MAP	169 965–233 704, but catch higher than 225 786 only under conditions specified in MAP	256 700	271 531
2021	Management Plan	247 952 (range 181 567–316 833)	268 458	284 890
2022	Management Plan	291 745 (range 214 000– 373 210)	295 300	
2023	Management Plan	249 237 (range 183 749–317 905)		

It is important to note that the MSC SG80 criteria for this stock as a non-target species are different to those that apply to it as a target “key Low Trophic Level” species. This explains why the stock does not meet the SG80 requirements for PI1.1.1A, but does meet the SG80 requirements here.

Other species

Information related to the status of the other primary and secondary species has not changed since the Public Certification Report. Landing statistics continue to be collected to corroborate the 2021 catch data.

2.2.5.2.2 Endangered, Threatened & Protected (ETP) species

Harbour porpoise

In May 2020, ICES published special request advice on emergency management measures to prevent bycatch of common dolphin (in the Bay of Biscay) and Baltic Proper harbour porpoise (in the Baltic Sea) (ICES, 2020b). This advice was published as a response to an EU request, which had in turn been prompted by measures proposed by environmental NGOs.

This advice is applicable to all fisheries in the Baltic Sea in relation to their interaction with harbour porpoise. These concerns were part of the reason for setting Conditions 3 and 4 in this fishery.

The key concerns identified by NGOs were the risk of harbour porpoise capture in gill net fisheries and the need to protect harbour porpoise on the Midsea Bank (Midsjöbankarna) to the south of Gotland (see Figure 5).

The Hoburgs bank & Midsjöbankarna is a Natura 2000 site designated in 2016 under the Birds Directive and Habitats Directive to protect four species (black guillemot *Cepphus grille*, long-tailed duck *Clangula hyemalis*, eider *Somateria mollissima*, harbour porpoise *Phocoena phocoena*) and two habitats (sandbanks which are slightly covered by sea water all the time and reefs) (European Environment Agency, 2016).

ICES have proposed five bycatch measures in response to the NGO proposals. Four of these measures are specific to fishing with static nets at the locations shown in Figure 5. The other proposal concerns the closure of part of the Hoburgs bank - the Northern Midsea Bank (shown in bright green in Figure 5 to all fisheries apart from "…*passive gears proven not to bycatch harbour porpoise (this includes pots, traps, and longlines, but excludes static nets equipped with pingers or other acoustic devices)*". This area is used by harbour porpoise in the breeding season and also during the winter.

The client continue to demonstrate knowledge of this closure in the Northern Midsea bank and its applicability to pelagic trawl and purse seine gear.

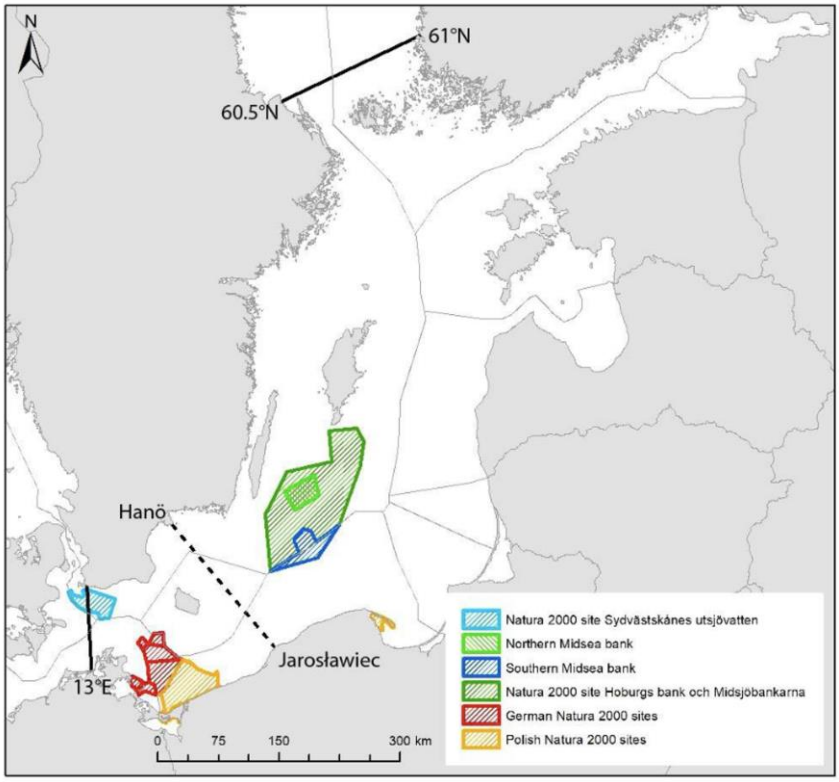

Figure 5: Map showing management areas relevant to ICES advice concerning harbour porpoise in the Baltic Sea (ICES, 2020b).

In addition to these proposed fishery management measures, ICES have also proposed that new monitoring measures are adopted within the Baltic Sea to improve understanding of the interaction with this population. These measures are listed in Table 7.

Items 1-3 on the ICES list are very relevant to this fishery. These proposals match very closely the outcome required by Conditions 11-15 set for PI 2.3.3 (ETP species information), see section 3.2.1.3 of this report. The ICES proposals are therefore likely to assist progress by the MSC-certified fisheries in the Baltic Sea with this issue.

Item 4 on this list is relevant specifically to static net fisheries, and not the métiers covered by this fishery assessment.

ICES have also made wider management recommendations for the Baltic Proper harbour porpoise population, including:-

1. A program for long-term acoustic monitoring of the population;
2. A program for sampling and necropsy of stranded and bycaught individuals; and
3. The development of quantitative conservation or management objectives for this population as required by the EU technical measures regulation 1241/2019 (EU, 2019b).

Again, these proposals are consistent with Condition 3 set for PI 2.3.1 (ETP species outcome), see section 3.2.1.4 of this report.

Table 7: Monitoring measures recommended by ICES for the Baltic Proper harbour porpoise (ICES, 2020b).

Measure		Rationale
1	Accurate spatio-temporal recording of fishing effort (in appropriate metrics on métiers used by all vessels)	Detailed information on fishing effort to estimate bycatch, evaluate the temporal and spatial distribution risk of bycatch for different métiers, and to evaluate the effectiveness of implemented bycatch mitigation measures.
2	Increased dedicated monitoring of bycatch of PETS	Ensure representative recording of bycatch events.
3	Monitoring of harbour porpoise occurrence	Ensure operational data availability on detection rates of harbour porpoise in key habitats in response to the implementation of pinger use.
4	Compliance control of mitigation measures (pinger use)	Ensure the use and functionality of acoustic deterrence devices.

Based on the ICES advice (ICES, 2020b) and BALTFISH joint recommendations, the EU implemented Council Delegated Regulation (EU) 2021/303 on 15 December 2021 (EU, 2021a) to reduce incidental catches of the resident population of the Baltic Proper harbour porpoise in the Baltic Sea. EU 2021/303 implements the measures below, which came into effect on 26 February 2022.

1. A year-round closure for fishing with static nets in the Natura 2000 area of Hoburgs bank och Midsjöbankarna and in the Southern Midsea Bank,
2. A year-round closure for all fisheries, except for fishing with pots, traps and longlines in one area (Northern Midsea Bank),
3. A seasonal closure for fishing with static nets in nine Natura 2000 sites (Adler Grund and Rønne Banke, Adlergrund, Westliche Rönnebank, Pommersche Bucht mit Oderbank, Greifswalder Boddenrandschwelle und Teile der Pommerschen Bucht, Ostoja na Zatoce Pomorskiej, Wolin i Uznam, Pommersche Bucht, Sydvästskånes utsjövatten),
4. The obligatory use of acoustic deterrent devices in two Natura 2000 sites of Poland and Sweden (in the West and East of the sandbank Ryf Mew, within and outside the Natura 2000 site Zatoka Pucka i Półwysep Helski; and in the Natura 2000 site Sydvästskånes utsjövatten).

Item 2 is applicable to the fishery under assessment, and as detailed above, the clients continue to be aware of this restriction.

The North Atlantic Marine Mammal Commission and the Norwegian Institute of Marine Research (2019) reported on the status of harbour porpoise populations across the North Atlantic region, including the Baltic Proper. A bycatch rate was derived from modelling and an assessment made on the trend in abundance from 2009 to 2017, which was found to decrease by 9% across this period. A PBR analysis is undertaken with a recovery rate of 0.1, which resulted in a mortality limit of 0.1 animals per year. Projection of harbour porpoise abundance to 2025 indicated a small but continued decline (12% since 2009). The authors concluded that

the Baltic Proper harbour porpoise population is severely depleted, with declining abundance which is not able to recover at the current bycatch rate.

Contrary to the above modelling, a recent study of relevance to the Finnish fishery was undertaken in Swedish Baltic waters and found increased detection rates of the Baltic Proper harbour porpoise (Owen et al, 2021). Passive acoustic monitoring data were compared across the SAMBAH project (2011–2013) and the Swedish National Monitoring Program (2017–2020) to determine trends in detection rates. The study concluded a 29% increase in mean daily detection rate during May–October (over the breeding season) between the two study periods. The authors conclude that while this increase may be indicative of potential early population recovery, or simply an indication that the decline has stalled, it does not preclude the requirement for continued urgent management action to remove threats and protect the population.

2.2.5.2.3 Observer coverage

Technical measures in the Baltic Sea are mainly regulated in the Council Regulation (EU) 1241/2019 on the conservation of fishery resources and the protection of marine ecosystems through technical measures (EU 2019a). In accordance with EU 1241/2019, annex XIII, part A, point 2.1, observer monitoring schemes are undertaken.

Specifically 1241/2019, annex XIII, part A, point 2.1 states that: "*Monitoring schemes shall be undertaken on an annual basis and established for vessels flying their flag and with an overall length of 15 m or more to monitor cetacean by-catch, for the fisheries:*

> *Pelagic trawls (single and pair) ICES divisions 3a, 3b, 3c, 3d south of 59° N, 3d north of 59° (only from 1 June to 30 September) and ICES sub- areas 4 and 9"*

The Finnish Fishermen's Association (SAKL) is implementing the observer onboard monitoring in cooperation with Natural Resources Finland (Luke).

Available observer reports were provided to the team during the site visit, including:

- **Catch sampling survey data**: as described above and presented in Table 3. There were no observations of birds or marine mammals in the catches.
- **Onboard monitoring** of trawl and fyke nets: :from 2020 to 2022, the following details are noted:
    - Two bycatch events recorded in fyke nets in 2021 (both herring gulls, that were returned deceased), and one in 2022 (an eel that was released alive).
    - One bycatch event recorded in pelagic trawler in 2021 relating to two grey seals.

2.2.5.2.4 Fishery-dependent reporting

LUKE has an online reporting service https://lomakkeet.luke.fi/hylje?lang=fi where reports of seals and porpoise sightings or mortalities (as well as reports other bycatch). LUKE reports this information yearly to HELCOM and ICES Working Group on Bycatch of Protected Species (WGBYC).

In addition to this, the client group have developed a plan for reporting incidental capture of ETP species, including harbour porpoise, as follows:

> "***The FFA plan for data collection on harbour porpoise and other ETP species:***
>
> *Each year, the clients will provide the data reported in log books on accidental bycatches of harbour porpoise and other ETP species."*

Fishery dependant catch reports are provided to Luke and combined to provide an overall annual log of bycatches in commercial fisheries (trawl, fyke nets and gillnets) (ICES bycatch data call, reported August 2022).

Evidence of catch records were shown during the surveillance audit and indicated a number of interactions with seals and cormorants. This provides confidence that the recording and reporting system is functioning and effective.

The Finnish report of bycatch events regarding harbour porpoises (for which the record was: 0) has been sent to Swedish Pelagic Federation Producentorganisation (SPF) (on 28th November 2022) to allow compilation of by-catch data of harbour porpoises for all MSC UoAs in the Baltic Sea. SPF has confirmed that the information has been received.

2.2.5.2.5 Ecosystem

The HELCOM Baltic Sea Action Plan (BSAP) was updated and adopted on 20th October 2021, providing a programme of measures and actions with the objective of achieving good environmental status of the Baltic Sea (HELCOM 2021). The updated BSAP has four themes, under which a series of priorities and actions have been made for: biodiversity, eutrophication, hazardous substances and litter and sea-based activities (Figure 6).

The following actions are noted to be of relevance to this fishery:

Actions on sea-based activities (**S**) including:

- **S43**: development of fisheries management including technical measures to minimize unwanted by-catch of fish, birds and marine mammals and achieve the close to zero target for by-catch rates of relevant species by 2024, especially the Baltic proper population of harbour porpoise by 2022.
- **S48**: Develop and implement an effective data collection for more reliable data on incidental by-caught birds and mammals and fishing effort consistent and fully in line with the data needs identified by ICES.
- **S53**: Implement measures to restore coastal fish communities, including establishment of no-take areas, seasonal closures and catch regulations, as appropriate by 2026 for the specific coastal area.
- **S52**: Define necessary complementary measures by 2024 in relevant policy (fisheries, environment etc.) areas to improve the size/age structure for fish stocks, including cod.

Actions on biodiversity (**B**) including:

- **B4**: By 2026 nationally ensure that marine protected area (MPA) management plans and/or measures are legally binding and ensure appropriate structures are in place to enforce compliance in order to achieve their conservation objectives.
- **B5**: Develop, implement and share information on effective management measures, including measures to ensure compliance/control measures, to reduce the impact of fisheries inside marine protected areas (MPAs) in order to contribute to achieve their conservation objectives.

Progress of the updated BSAP is monitored through the HELCOM Explorer online tool, with scheduled reporting on the implementation of actions in 2025 and 2029.

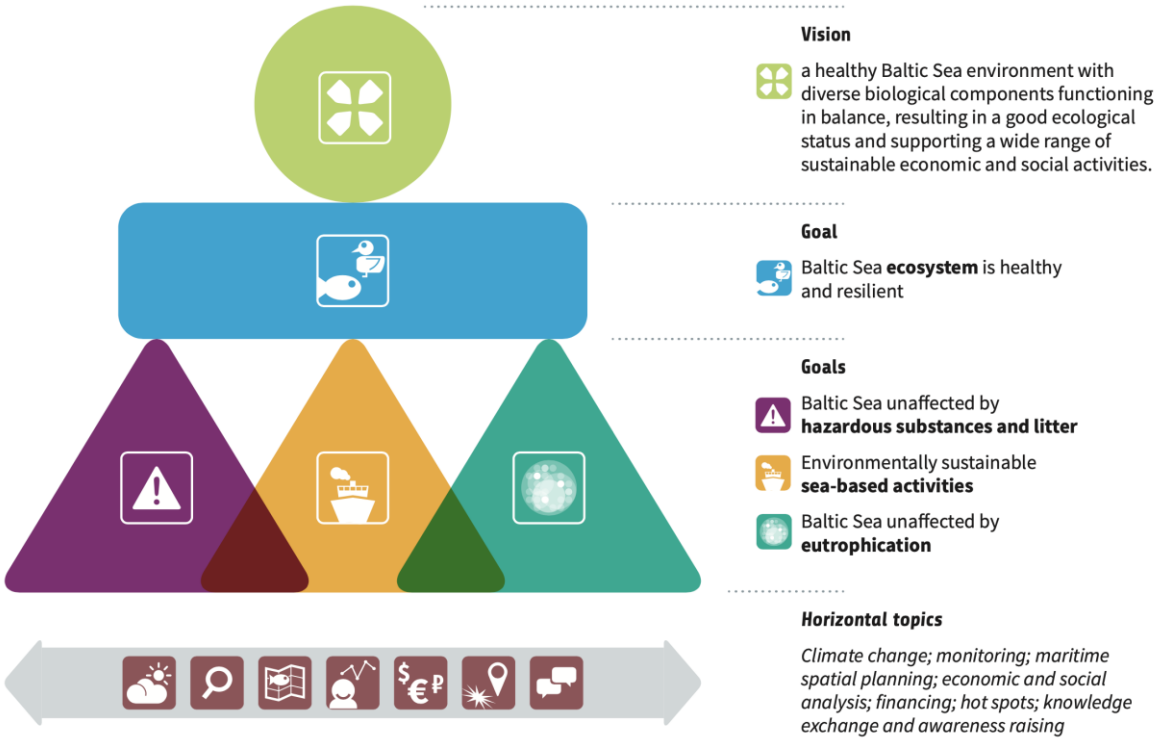

Figure 6: The structure of the updated BSAP including its vision and goals (HELCOM 2021)

The recently published ICES Baltic Sea Ecoregion – Ecosystem Overview (December, 2022) provides details on the overarching management, pressures and impacts within the Baltic. The Baltic Sea has a network of protected areas including HELCOM Baltic Sea Protected Areas (BSPAs) and the Natura 2000 network of the EU Birds Directive and EU Habitats Directive. This network of protected areas is gradually expanding and is now close to 15% of the total sea area (ICES, 2022).

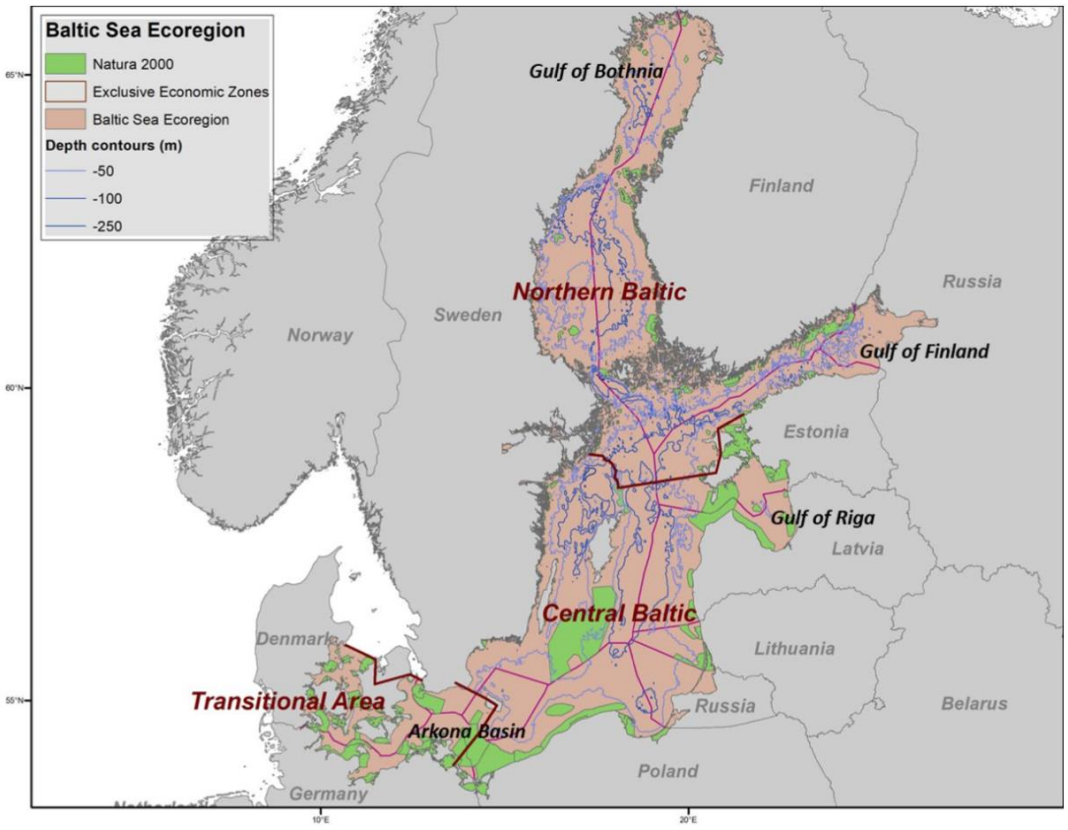

Figure 7: The Baltic Sea ecoregion, showing EEZs and larger Natura 2000 sites.(ICES, 2022)

2.2.6 Any developments or changes within the fishery which impact traceability or the ability to segregate between fish from the Unit of Certification (UoC) and fish from outside the UoC (non-certified fish)

In July 2021 the client announced their intention to suspend the Central Baltic herring Units of Certification (1-6). This suspension became effective on the 15th September 2021.

The suspension of the Central Baltic herring UoCs has implications for traceability in the Baltic sprat fishery, since both species are caught together. Central Baltic herring are not eligible to be landed as an Inseparable or Practicably Inseparable (IPI) species because they remain certified despite the suspension of the fishery.

An announcement was posted on the MSC website on the date of suspension stating that only consignments of sprat that can be verified as 100% sprat would be eligible to use the MSC ecolabel (this notice is available here: https://fisheries.msc.org/en/fisheries/finland-baltic-herring-sprat/@@view).

The MSC have subsequently granted a variation from the usual IPI requirements which permit Central Baltic herring to be landed as an IPI species from this fishery. The variation request and response can be accessed on the MSC website here: https://fisheries.msc.org/en/fisheries/finland-baltic-herring-sprat/@@view.

2.2.7 Any developments or changes within the fishery which impact traceability or the ability to segregate between fish from the Unit of Certification (UoC) and fish from outside the UoC (non-certified fish)

In July 2021 the client announced their intention to suspend the Central Baltic herring Units of Certification (1-6). This suspension became effective on the 15th September 2021.

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2.3 Version Details

Details of the MSC Fisheries program documents used in this surveillance audit are provided below.

Table 8: Fisheries program 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 Surveillance Reporting Template	Version 2.01

* Modified assessment tree for key Low Trophic Level (LTL) species used, scoring PI1.1.1A rather than PI1.1.1.

3 Results

3.1 Surveillance results overview

3.1.1 Summary of conditions

When the fishery was certified in June 2018 a total of 21 conditions of certification were raised. These conditions related to 3 Performance Indicators and applied to all 7 of the UoCs that were in place when the fishery was certified.

At the first surveillance audit the number of UoCs was reduced from 7 to 5 (as a result of the merging of the Bothnian Bay and Bothnian Sea herring stocks to form a single “Gulf of Bothnia” stock). The number of conditions arising from the 3 Performance Indicators that score less than 80 is consequently reduced to 15.

A new condition of certification was raised at the first surveillance audit. This condition related to Performance Indicator 2.3.1 (ETP Species Outcome). It arose as a response to information about the harbour porpoise (*Phocoena phocoena*) population in the Baltic Sea that had become available since the fishery was certified.

Following harmonisation discussions during June 2020 - Jan 2021 (see section 0), new conditions of certification relating to harvest control rules and tools were raised for the Baltic sprat Unit of Certification (UoC 1) and for the Central Baltic herring UoCs (UoC 4 & 5).

It should be noted that although PI1.1.1A for the Baltic sprat stock was re-scored at less than 80 at the last surveillance audit, PI1.1.2 was not scored. This is in accordance with the requirements of MSC Fisheries Standard v2.01 at SA2.3.2. The MSC have also issued an interpretation indicating that when the score for PI1.1.1 or PI1.1.1A falls below 80 during a period of certification, then the condition that the CAB raises for PI1.1.1 (or PI1.1.1A) should be written in the narrative and metric form of PI1.1.2. This procedure required that the CAB applies to the MSC for a “variation” from various requirements of the MSC Standard, which was granted and was appended to the last surveillance report.

The status of the new and existing conditions of certification is summarised overleaf.

Table 9: Status of conditions of certification following this surveillance audit

Condition number	Condition	Performance Indicator (PI)	UoAs	Status	PI original score	PI revised score
1-5	Quantitative information should be made available that is adequate to assess the impact of the UoA on the main primary species with respect to status.	2.1.3	All	On target	70	70
6-10	Quantitative information should be made available that is adequate to assess the impact of the UoA on the main secondary species with respect to status.	2.2.3	All	On target	70	70
11-15	Quantitative information should be gathered about the interactions between the UoAs and ETP species to assess the UoA related mortality and impacts, and to monitor trends in the extent and magnitude of impacts on ETP species.	2.3.3	All	On target	60	60
16 & 17	Demonstrate that the combined effects of the MSC UoAs on the population of “Baltic proper” harbour porpoise are known and highly likely to	2.3.1	UoC 1 (Baltic sprat)	Behind target	75	75

Condition number	Condition	Performance Indicator (PI)	UoAs	Status	PI original score	PI revised score
	be within ASCOBANS limits for acceptable anthropogenic removal.		UoC 4 (Central Baltic herring trawl)			
~~18~~	~~Evidence shall be presented to demonstrate that the harvest control tools in use for the fishery (the overall TAC) is appropriate and effective in achieving the exploitation levels required under the Harvest Control Rules in place. In particular, that the uptake from the fishery results in a fishing mortality (F) consistent with Maximum Sustainable Yield targets.~~	1.2.2 SIc	UoC 1 (Baltic sprat)	Closed at SA3 (New condition 25 raised)	75	75
19 & 20	Evidence shall be presented to demonstrate that the harvest control tools in use for the fishery (the overall TAC) is appropriate and effective in achieving the exploitation levels required under the Harvest Control Rules in place. In particular, that the uptake from the fishery results in a fishing mortality (F) consistent with Maximum Sustainable Yield targets.	1.2.2 SIc	UoC 4 (Central Baltic herring trawl) UoC 5 (Central Baltic herring trap)	On target	75	65

Condition number	Condition	Performance Indicator (PI)	UoAs	Status	PI original score	PI revised score
~~21 & 22~~	~~Within a year a rebuilding plan should be in place which will result in the stock being at or fluctuating around a level consistent with ecosystem needs:~~ ~~a) Within a specified timeframe that is the shorter of 20 years or 2 generation times; and~~ ~~b) That there is evidence that the rebuilding strategy is rebuilding stocks or it is likely based on simulation modelling, exploitation rates or previous performance that the strategy will be able to rebuild the stock within the specified timeframe~~	1.1.1A	UoC 4 (Central Baltic herring trawl) UoC 5 (Central Baltic herring trap)	Withdrawn at this surveillance	70	<60
23 & 24	Evidence shall be presented to demonstrate that well defined HCRs are in place that ensure that the exploitation rate is reduced as the PRI is approached, are expected to keep the stock fluctuating around a target level consistent with ecosystem needs.	1.2.2 SIa	UoC 4 (Central Baltic herring trawl) UoC 5 (Central Baltic herring trap)	On Target	75	65

Condition number	Condition	Performance Indicator (PI)	UoAs	Status	PI original score	PI revised score
25	Evidence shall be presented to demonstrate that well defined HCRs are in place that ensure that the exploitation rate is reduced as the PRI is approached, are expected to keep the stock fluctuating around a target level consistent with ecosystem needs.	1.2.2 SIa	UoC 1 (Baltic sprat)	Closed at this surveillance [1]	75	75
26	~~Within a year a rebuilding plan should be in place which will result in the stock being at or fluctuating around a level consistent with ecosystem needs:~~ ~~a) Within a specified timeframe that is the shorter of 20 years or 2 generation times; and~~ b) ~~That there is evidence that the rebuilding strategy is rebuilding stocks or it is likely based on simulation modelling, exploitation rates or previous performance that the strategy will be able to rebuild the stock within the specified timeframe~~	1.1.1A	UoC 1 (Baltic sprat)	Not Met, condition withdrawn	100	70

[1] This condition has been closed after rescoring this SI at this surveillance audit because conditions can only be raised for SIs that score less than 80 and more than 60 (FCP v2.2 at 7.18.1).

3.1.2 Total Allowable Catch (TAC) and catch data

The TAC and catch data for each UoC are presented below. TAC data for Baltic sprat and Central Baltic herring are taken from EU Regulation fixing fishing opportunities for 2021 (EU 2020), and for Gulf of Bothnia herring from the amended Regulation (EU 2021a) which was introduced in June 2021 in response to the revised ICES advice for this stock (see section 2.2.5 of this report). UoA TAC data after swaps with other quota holders and catch data were provided by the client.

Table 10. Total Allowable Catch (TAC) and catch data: UoC 1, Baltic Sprat

TAC	Year	**2021**	Amount	**222,958**
UoA share of TAC	Year	**2021**	Amount	**11,513t**
UoA share of total TAC	Year	**2021**	Amount	**14,233t***
Total green weight catch by UoC	Year (most recent)	**2021**	Amount	**13,958t**
Total green weight catch by UoC	Year (second most recent)	**2020**	Amount	**11,252t**

* This value is the total TAC after transfers and swaps with vessels from other nations.

Table 11. Total Allowable Catch (TAC) and catch data: UoC 2, Gulf of Bothnia Herring trawl & UoC 3 Gulf of Bothnia Herring trap

TAC	Year	**2021**	Amount	**117,485t**
UoA share of TAC	Year	**2021**	Amount	**96,321t**
UoA share of total TAC	Year	**2021**	Amount	**101,530t***
Total green weight catch by UoC: most recent year				
UoC 2: Trawls	Year	**2021**	Amount	**51,917t**
UoC 3: Traps	Year	**2021**	Amount	**1,643t**

Total green weight catch by UoC: second most recent year				
UoC 2: Trawls	Year	**2020**	Amount	**49,764t**
UoC 3: Traps	Year	**2020**	Amount	**2,444t**

* This value is the total TAC after transfers and swaps with vessels from other nations.

Table 12. Total Allowable Catch (TAC) and catch data: UoC 4, Central Baltic Herring trawl & UoC 5 Central Baltic Herring trap

TAC	Year	**2021**	Amount	**97,551t**
UoA share of TAC	Year	**2021**	Amount	**21,393t**
UoA share of total TAC	Year	**2021**	Amount	**20,342t***
Total green weight catch by UoC: most recent year				
UoC 4: Trawls	Year	**2021**	Amount	**16,825t**
UoC 5: Traps	Year	**2021**	Amount	**982t**
Total green weight catch by UoC: second most recent year				
UoC 4: Trawls	Year	**2020**	Amount	**22,113t**
UoC 5: Traps	Year	**2020**	Amount	**1,147t**

* This value is the total TAC after transfers and swaps with vessels from other nations and including the inter-annual exchange permitted under EU Regulation 847/96 (EU 1996).

3.1.3 Recommendations

No recommendations have been made for any of the UoAs.

3.2 Conditions

3.2.1 Progress against conditions

Progress against the conditions of certification for this fishery with respect to their milestones is reviewed in the following sections of the report.

3.2.1.1 Conditions 1-5: PI 2.1.3 - Primary Species Information

Performance Indicator	**PI 2.1.3 - Primary Species Information**
Condition	Quantitative information on the actual fish catches from each UoA should be made available that is adequate to assess the impact of the UoA on the main primary species with respect to status.
Condition start	2018
Condition deadline	2023
Milestones	**Year 1:** Review the status of existing information and information-gathering programmes and prepare a plan for providing quantitative information about the fish catches from each UoA and the impact of the UoA on the main primary species. Resulting score: 70 **Years 2-3:** Implement the plan for gathering quantitative information about the impact of the UoA on the main primary species. Resulting score: 70 **Year 4:** Provide a report on the quantity of main primary species caught in each UoA. Resulting score: 80
Client action plan	**Overall objectives:** • Finnish Fishermen's Association (FFA) will work with LUKE and ELY to design and implement an appropriate catch monitoring programme for the fishery. • FFA will work with LUKE /ELY to ensure that data collected from this monitoring programme are collated and the results provided annually to relevant parties. **Year 1** The client (FFA) ensures that the review the status of existing information and information-gathering programmes has been implemented. In addition, the client has prepared a plan for providing quantitative information about the fish catches from each UoA and the impact of the UoA on the main primary species. **Year 2-3**

	The client coordinates and ensures the implementation of the plan for gathering quantitative information about the impact of the UoA on the main primary species. **Year 4** The client (FFA) provides a report on the quantity of main primary species caught in each UoA.
Consultation on condition	FFA provided evidence of support from the relevant institutions in Finland (LUKE & ELY) for work on this condition when the fishery was certified.
Progress on Condition: Year 1	At this surveillance audit the client presented a review of the monitoring programmes in place for the herring and sprat fisheries in Finland, and also a copy of the most recent catch monitoring information gathered by LUKE (as these are unpublished, they were reproduced in the Year 1 surveillance report. The FFA review of the monitoring programmes details the work carried out by the government agencies (ELY and LUKE) to monitor fish landings in Finland. It is evident from this review that both agencies have clear and formal procedures for monitoring landings, and that they use an appropriate methodology (termed the "Statistically Sound Sampling Scheme" or "4S" procedure) to ensure that samples are taken at from a representative proportion of the fleet and the fishing area. The extent of the monitoring by LUKE is illustrated in Figure 8 below. The LUKE data on landings composition show that over the period since 2009 the trawl catches by Finnish vessels have comprised of mostly herring and sprats. A further 25 species were recorded in the landings from the trawl fleet. The trap fishery catches were almost entirely composed of herring and a further 17 species of fish. Summary tables showing the landings data in LUKE samples for the past 10 years for each métier in the Finnish EEZ in both the Gulf of Bothnia and Central Baltic areas are presented in the Year 1 surveillance report.

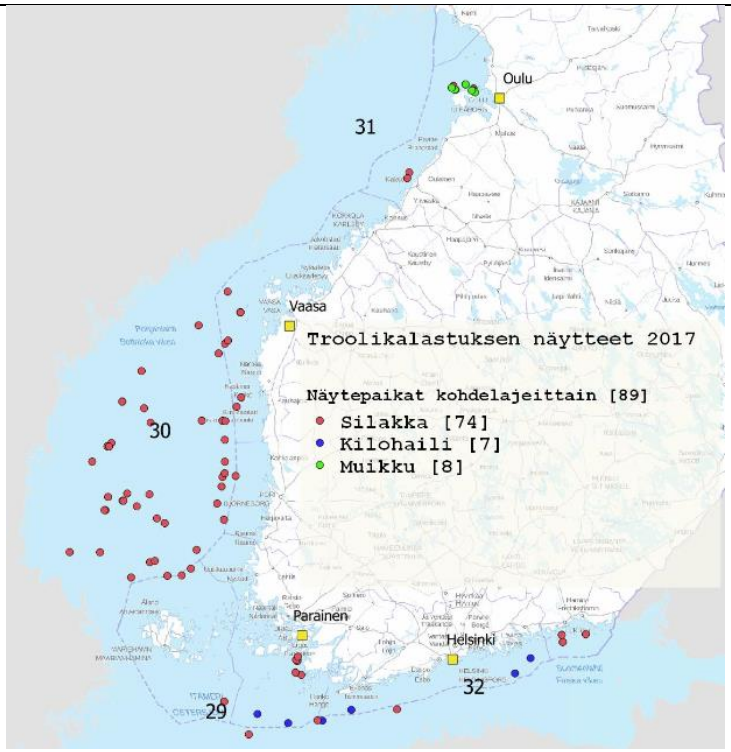


Figure 8: The catch sites of commercial herring and sprat trawl samples in the sampling of Luke in 2017(red dots: herring, blue dots: sprat, green dots: vendace. Perttu Rantanen, Luke).

At the site visit the assessment team noted that these data, though comprehensive, all relate to landings of fish and not to catches. The review from ELY and LUKE explains in some detail why it is difficult to monitor catches, and also why it is very unlikely that fish will be discarded from either fishing metier. Comparisons of catch data gathered by observers at sea and landing inspections in harbours during the period 1998-2001 showed that there was no significant difference in the results at that time.

At this surveillance audit the client presented a monitoring plan has been developed by the FFA, ELY and LUKE for the period 2020-21. This proposes that observers will carry out trips aboard pelagic trawlers and will also sample catches from trap nets to examine the catch composition at sea.

Conclusion

The Year 1 milestone for this condition has two elements, considered below:-

> *"Review the status of existing information and information-gathering programmes…."*

The client has provided a suitable review and sufficient information at this surveillance audit to meet this element of the milestone.

	"…prepare a plan for providing quantitative information about the fish catches from each UoA and the impact of the UoA on the main primary species." A clear plan for providing quantitative information about the fish catches (as well ongoing monitoring of landings) from each UoA has been provided by the client at this surveillance audit. Quantitative information has also been provided by LUKE on the composition of the catch from all of the UoCs. The assessment team therefore consider that the Year 1 milestone has been met, and that progress is **on target**.
Progress on Condition: Year 2	Both LUKE and the client reported that they had made preparations to implement the catch monitoring plan from last year when fishing started in the spring of 2020. These preparations included the production of new catch monitoring forms, and a detailed procedure for catch monitoring. The key aspects of this procedure are:- a) The trawl fishery will be sampled at random and trips will be planned in advance with the vessel skipper; trap fishery observer trips will be carried out on an *ad-hoc* basis. b) A detailed procedure has been set out for catch sampling by the observer aboard different vessel types (trawlers and trap vessels). c) A detailed procedure has been set out for recording and reporting any interactions with harbour porpoise. These plans were disrupted by the Covid-19 control measures in Finland which prevented fishing vessels from carrying observers in both the trawl and trap fisheries. At the time of the site visit, LUKE and the client were making plans to implement the observer programme during the autumn of 2020, with the goal of achieving the planned level of observer coverage in the latter part of the year. This will provide information on catch composition from both métiers and in the different geographic areas (Gulf of Bothnia and Central Baltic Sea). It was reported at the site visit that fish landings from both trawl and trap fisheries were being reported by the industry and were still being monitored by LUKE and ELY officials when the Covid-19 control measures were in place, so the dataset on landings from both métiers will not have been adversely affected. Evidence of the comprehensive nature of the landings data was presented at the Year 1 surveillance audit for the period 2009-2019. These data showed that over this period the trawl catches by Finnish vessels have comprised of mostly herring and sprats. A further 25 species were recorded in the landings from the trawl fleet. The trap fishery catches were almost entirely composed of herring and a further 17 species of fish. **Conclusions** The Year 2-3 milestone for this condition is:- *"Implement the plan for gathering quantitative information about the impact of the UoA on the main primary species."*

	On the basis of the information presented at this surveillance audit is it clear that LUKE have made preparations for catch monitoring by observers in all of the UoCs. Had it not been for the Covid-19 restrictions, observer trips would have been carried out by the time of the site visit. This milestone covers both the current (Year 2) surveillance audit and the Year 3 surveillance. Given the evidence of the preparations that had been made before Covid-19 restrictions prevented progress, it is considered that progress is **on target**. It can be anticipated from the progress made so far that data from observer trips will be available at the Year 3 surveillance audit, as required by this milestone.
Progress on Condition (Year 3)	In March 2021 (after the publication of the Year 2 surveillance report for this fishery), the MSC issued a derogation in response to the Covid pandemic ("Derogation 6") that directs CABs to extend the deadlines on specified Performance Indicators (including all PI2.1.3) and to revise condition milestones to account for the extended deadline (Marine Stewardship Council 2021b). This applies to both the certified UoCs for Baltic Sprat and Gulf of Bothnia herring as well as to the suspended Central Baltic herring UoCs. The approach set out in Derogation 6 has been applied at this surveillance audit, which is the first opportunity to implement this requirement for this fishery. It is clear from interviews with LUKE scientists that were conducted at this surveillance audit that the Covid-19 pandemic has directly and significantly impacted on plans to monitor the UoCs more closely. The impact of Covid-19 is likely to jeopardise the completion of the final milestone for this condition by the time of the next surveillance audit. In view of the early feedback indicating that there are not likely to be any "main" primary species in the catch, and that this condition is related to information rather than outcome, the team consider that "exceptional circumstances" (*sensu* FCP v2.2 §7.18.1.6) should be applied, and that the closure of this condition should be delayed until Year 1 of the next period of certification (likely to be in 2024). The revisions to the milestones are set out below, with the original timescale shown in strikethrough font for reference. **Year 1 [First surveillance audit (SA), 2019]:** Review the status of existing information and information-gathering programmes and prepare a plan for providing quantitative information about the fish catches from each UoA and the impact of the UoA on the main primary species. Resulting score: 70 **Years ~~2-3~~ [~~Second & Third SAs, 2020-2021~~, revised to Years2-4, 2020-2022]:** Implement the plan for gathering quantitative information about the impact of the UoA on the main primary species. Resulting score: 70

	~~Year 4 [Fourth surveillance audit, 2022~~, revised to Year 1 of re-assessment, 2024]: Provide a report on the quantity of main primary species caught in each UoA. Resulting score: 80 At this (Year 3) surveillance audit the team met with scientists from LUKE, who reported that Covid-19 restrictions had disrupted the plan for observer coverage in the UoC trawl and trap fisheries in both 2020 and 2021. A total of four trawl trips were observed in this period, and 34 trap catches were inspected. The results of these inspections were recorded, and show that in both cases the catch of non-target species is very low (see section 2.2.5.2.3 of this report). Overall, the assessment team concluded that even in the absence of the MSC Derogation, the requirements of the annual milestone would have been partially met by the evidence presented at this audit of the implementation of the plan for information gathering. It is clear that more time is required to implement this plan and to gather quantitative data as required at this surveillance audit.	
Progress on Condition (Year 4)	At the Year 4 surveillance audit the team met with scientists from LUKE who subsequently provided commercial catch statistics have been provided for each Finnish UoC for the 2021 annual period (Table 3). In addition, total catch survey data have been provided for the period 2022 for fyke net surveys undertaken in ICES sub-divisions 29, 30 and 32 (Table 4). Surveillance was undertaken during a total of 9 fishing trips in the spring/summer and a total 26 Baltic herring fyke nets were checked during these surveillance trips. At the time of the surveillance audit, surveys on board trawlers were yet to be undertaken during 2022 due to a combination of covid related issues and difficulty in commissioning the observer. At the time of the surveillance audit, the goal was to conduct surveillance on five different trawl fishing trips in November–December 2022.	
Conclusions	Year 1	A clear plan for providing quantitative information about the fish catches (as well ongoing monitoring of landings) from each UoA has been provided by the client at this surveillance audit. Quantitative information has also been provided by LUKE on the composition of the catch from all of the UoCs. The assessment team therefore consider that the Year 1 milestone has been met, and that progress is **on target**.
	Year 2	This milestone covers both the current (Year 2) surveillance audit and the Year 3 surveillance. Given the evidence of the

		preparations that had been made before Covid-19 restrictions prevented progress, it is considered that progress is **on target**. It can be anticipated from the progress made so far that data from observer trips will be available at the Year 3 surveillance audit, as required by this milestone.
	Year 3	Progress has been made with implementation of the plan for gathering information, but limited quantitative data are available. This is due to the impact of the Covid-19 pandemic on the observer programme. The assessment team has applied the provisions of MSC Derogation 6 at this surveillance audit. The milestone is extended by 12 months, and progress is considered to be "**on target**"
	Year 4	Progress has been made with implementation of the plan for gathering information, and quantitative data in the form of landings statistics for both the trap and trawl fisheries and total catch survey data for the trawl fisheries. It is considered that progress is **on target**.
	Re-assessment Year 1	NA
Progress status	**On target**	
Remedial action	NA	
Additional Information	NA	

3.2.1.2 Conditions 6-10: PI 2.2.3 - Secondary Species Information

Performance Indicator	**PI 2.2.3 - Secondary Species Information**
Condition	Quantitative information on the actual fish catches from each UoA should be made available that is adequate to assess the impact of the UoA on the main secondary species with respect to status.
Condition start	2018
Condition deadline	2023
Milestones	**Year 1:** Review the status of existing information and information-gathering programmes and prepare a plan for providing quantitative information about the fish catches from each UoA and the impact of the UoA on the main secondary species. Resulting score: 70 **Years 2-3:** Implement the plan for gathering quantitative information about the impact of the UoA on the main secondary species. Resulting score: 70 **Year 4:** Provide a report on the quantity of main secondary species caught in each UoA. Resulting score: 80
Client action plan	**Overall objectives:** • Finnish Fishermen's Association (FFA) will work with LUKE and ELY to design and implement an appropriate catch monitoring programme for the fishery. • FFA will work with LUKE /ELY to ensure that data collected from this monitoring programme are collated and the results provided annually to relevant parties. **Year 1** The client (FFA) ensures that the review the status of existing information and information-gathering programmes has been implemented. In addition, the client has prepared a plan for providing quantitative information about the fish catches from each UoA and the impact of the UoA on the main secondary species. **Year 2-3** The client coordinates and ensures the implementation of the plan for gathering quantitative information about the impact of the UoA on the main secondary species. **Year 4**

	The client (FFA) provides a report on the quantity of main secondary species caught in each UoA.
Consultation on condition	FFA provided evidence of support from the relevant institutions in Finland (LUKE & ELY) for work on this condition when the fishery was certified.
Progress on Condition: Year 1	At this surveillance audit the client presented a review of the monitoring programmes in place for the herring and sprat fisheries in Finland, and also a copy of the most recent catch monitoring information gathered by LUKE (as these are unpublished, they were reproduced in the Year 1 surveillance report. The FFA review of the monitoring programmes details the work carried out by the government agencies (ELY and LUKE) to monitor fish landings in Finland. It is evident from this review that both agencies have clear and formal procedures for monitoring landings, and that they use an appropriate methodology (termed the "Statistically Sound Sampling Scheme" or "4S" procedure) to ensure that samples are taken at from a representative proportion of the fleet and the fishing area. The extent of the monitoring by LUKE is illustrated in Figure 9 below. The LUKE data on landings composition show that over the period since 2009 the trawl catches by Finnish vessels have comprised of mostly herring and sprats. A further 25 species were recorded in the landings from the trawl fleet. The trap fishery catches were almost entirely composed of herring and a further 17 species of fish. Summary tables showing the landings data in LUKE samples for the past 10 years for each métier in the Finnish EEZ in both the Gulf of Bothnia and Central Baltic areas are presented in the Year 1 surveillance report.

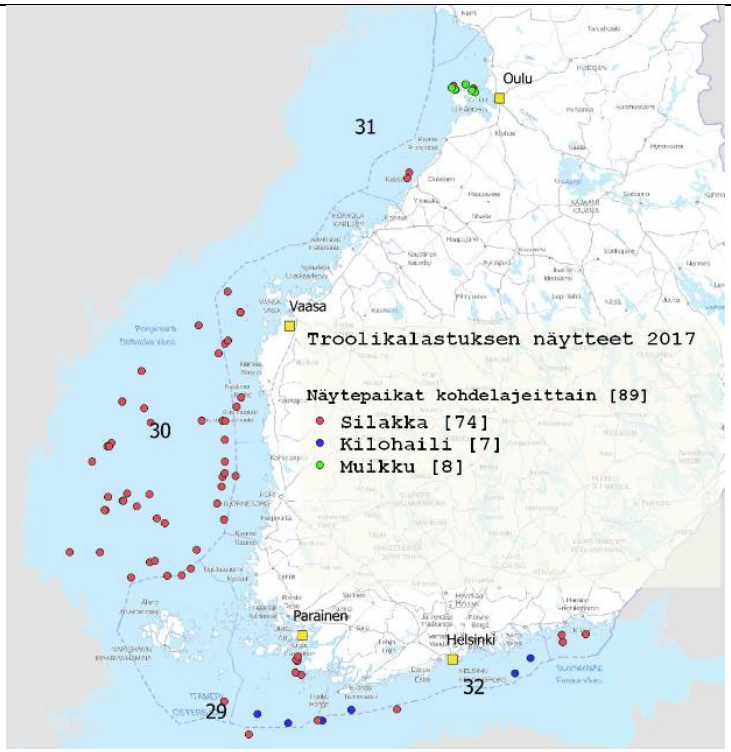


Figure 9: The catch sites of commercial herring and sprat trawl samples in the sampling of Luke in 2017(red dots: herring, blue dots: sprat, green dots: vendace. Perttu Rantanen, Luke).

At the site visit the assessment team noted that these data, though comprehensive, all relate to landings of fish and not to catches. The review from ELY and LUKE explains in some detail why it is difficult to monitor catches, and also why it is very unlikely that fish will be discarded from either fishing metier. Comparisons of catch data gathered by observers at sea and landing inspections in harbours during the period 1998-2001 showed that there was no significant difference in the results at that time.

At this surveillance audit the client presented a monitoring plan has been developed by the FFA, ELY and LUKE for the period 2020-21. This proposes that observers will carry out trips aboard pelagic trawlers and will also sample catches from trap nets to examine the catch composition at sea.

Conclusion

The Year 1 milestone for this condition has two elements, considered below:-

> *"Review the status of existing information and information-gathering programmes…."*

The client has provided a suitable review and sufficient information at this surveillance audit to meet this element of the milestone.

	"…prepare a plan for providing quantitative information about the fish catches from each UoA and the impact of the UoA on the main secondary species." A clear plan for providing quantitative information about the fish catches (as well ongoing monitoring of landings) from each UoA has been provided by the client at this surveillance audit. Quantitative information has also been provided by LUKE on the composition of the catch from all of the UoCs. The assessment team therefore consider that the Year 1 milestone has been met, and that progress is **on target**.
Progress on Condition: Year 2	Both LUKE and the client reported that they had made preparations to implement the catch monitoring plan from last year when fishing started in the spring of 2020. These preparations included the production of new catch monitoring forms, and a detailed procedure for catch monitoring. The key aspects of this procedure are:- a) The trawl fishery will be sampled at random and trips will be planned in advance with the vessel skipper; trap fishery observer trips will be carried out on an *ad-hoc* basis. b) A detailed procedure has been set out for catch sampling by the observer aboard different vessel types (trawlers and trap vessels). c) A detailed procedure has been set out for recording and reporting any interactions with harbour porpoise. These plans were disrupted by the Covid-19 control measures in Finland which prevented fishing vessels from carrying observers in both the trawl and trap fisheries. At the time of the site visit, LUKE and the client were making plans to implement the observer programme during the autumn of 2020, with the goal of achieving the planned level of observer coverage in the latter part of the year. This will provide information on catch composition from both métiers and in the different geographic areas (Gulf of Bothnia and Central Baltic Sea). It was reported at the site visit that fish landings from both trawl and trap fisheries were being reported by the industry and were still being monitored by LUKE and ELY officials when the Covid-19 control measures were in place, so the dataset on landings from both métiers will not have been adversely affected. Evidence of the comprehensive nature of the landings data was presented at the Year 1 surveillance audit for the period 2009-2019. These data showed that over this period the trawl catches by Finnish vessels have comprised of mostly herring and sprats. A further 25 species were recorded in the landings from the trawl fleet. The trap fishery catches were almost entirely composed of herring and a further 17 species of fish. **Conclusions** The Year 2-3 milestone for this condition is:- *"Implement the plan for gathering quantitative information about the impact of the UoA on the main secondary species."*

	On the basis of the information presented at this surveillance audit is it clear that LUKE have made preparations for catch monitoring by observers in all of the UoCs. Had it not been for the Covid-19 restrictions, observer trips would have been carried out by the time of the site visit. This milestone covers both the current (Year 2) surveillance audit and the Year 3 surveillance. Given the evidence of the preparations that had been made before Covid-19 restrictions prevented progress, it is considered that progress is **on target**. It can be anticipated from the progress made so far that data from observer trips will be available at the Year 3 surveillance audit, as required by this milestone.
Progress on Condition (Year 3)	In March 2021 (after the publication of the Year 2 surveillance report for this fishery), the MSC issued a derogation in response to the Covid pandemic ("Derogation 6") that directs CABs to extend the deadlines on specified Performance Indicators (including all PI2.1.3) and to revise condition milestones to account for the extended deadline (Marine Stewardship Council 2021b). This applies to both the certified UoCs for Baltic Sprat and Gulf of Bothnia herring as well as to the suspended Central Baltic herring UoCs. The approach set out in Derogation 6 has been applied at this surveillance audit, which is the first opportunity to implement this requirement for this fishery. It is clear from interviews with LUKE scientists that were conducted at this surveillance audit that the Covid-19 pandemic has directly and significantly impacted on plans to monitor the UoCs more closely. The impact of Covid-19 is likely to jeopardise the completion of the final milestone for this condition by the time of the next surveillance audit. In view of the early feedback indicating that there are not likely to be any "main" secondary species in the catch, and that this condition is related to information rather than outcome, the team consider that "exceptional circumstances" (*sensu* FCP v2.2 §7.18.1.6) should be applied, and that the closure of this condition should be delayed until Year 1 of the next period of certification (likely to be in 2024). The revisions to the milestones are set out below, with the original timescale shown in strikethrough font for reference. **Year 1 [First surveillance audit (SA), 2019]:** Review the status of existing information and information-gathering programmes and prepare a plan for providing quantitative information about the fish catches from each UoA and the impact of the UoA on the main secondary species. Resulting score: 70 **Years ~~2-3~~ [~~Second & Third SAs, 2020-2021~~, revised to Years2-4, 2020-2022]:** Implement the plan for gathering quantitative information about the impact of the UoA on the main secondary species. Resulting score: 70

	~~Year 4 [Fourth surveillance audit, 2022~~, revised to Year 1 of re-assessment, 2024]: Provide a report on the quantity of main secondary species caught in each UoA. Resulting score: 80 At this (Year 3) surveillance audit the team met with scientists from LUKE, who reported that Covid-19 restrictions had disrupted the plan for observer coverage in the UoC trawl and trap fisheries in both 2020 and 2021. A total of four trawl trips were observed in this period, and 34 trap catches were inspected. The results of these inspections were recorded and show that in both cases the catch of non-target species is very low (see section 2.2.5.2.3 of this report). Overall, the assessment team concluded that even in the absence of the MSC Derogation, the requirements of the annual milestone would have been partially met by the evidence presented at this audit of the implementation of the plan for information gathering. It is clear that more time is required to implement this plan and to gather quantitative data as required at this surveillance audit.	
Progress on Condition (Year 4)	At the Year 4 surveillance audit the team met with scientists from LUKE who subsequently provided commercial catch statistics have been provided for each Finnish UoC for the 2021 annual period (Table 3). In addition, total catch survey data have been provided for the period 2022 for fyke net surveys undertaken in ICES sub-divisions 29, 30 and 32 (Table 4). Surveillance was undertaken during a total of 9 fishing trips in the spring/summer and a total 26 Baltic herring fyke nets were checked during these surveillance trips. At the time of the surveillance audit, surveys on board trawlers were yet to be undertaken during 2022 due to a combination of covid related issues and difficulty in commissioning the observer. At the time of the surveillance audit, the goal was to conduct surveillance on five different trawl fishing trips in November–December 2022.	
Conclusions	Year 1	A clear plan for providing quantitative information about the fish <u>catches</u> (as well ongoing monitoring of landings) from each UoA has been provided by the client at this surveillance audit. Quantitative information has also been provided by LUKE on the composition of the catch from all of the UoCs. The assessment team therefore consider that the Year 1 milestone has been met, and that progress is **on target**.
	Year 2	This milestone covers both the current (Year 2) surveillance audit and the Year 3 surveillance. Given the evidence of the preparations that had been made before Covid-19 restrictions prevented progress, it is considered that progress is **<u>on target</u>**.

		It can be anticipated from the progress made so far that data from observer trips will be available at the Year 3 surveillance audit, as required by this milestone.
	Year 3	Progress has been made with implementation of the plan for gathering information, but limited quantitative data are available. This is due to the impact of the Covid-19 pandemic on the observer programme. The assessment team has applied the provisions of MSC Derogation 6 at this surveillance audit. The milestone is extended by 12 months, and progress is considered to be "**on target**"
	Year 4 (2022)	Progress has been made with implementation of the plan for gathering information, and quantitative data in the form of landings statistics for both the trap and trawl fisheries and total catch survey data for the trawl fisheries. It is considered that progress is **on target**.
	Re-assessment Year 1	NA
Progress status	**On target**	
Remedial action	NA	
Additional Information	NA	

3.2.1.3 Conditions 11-15: PI 2.3.3 - ETP Species Information

Performance Indicator	**2.3.3: Relevant information is collected to support the management of UoA impacts on ETP species, including:** • **Information for the development of the management strategy;** • **Information to assess the effectiveness of the management strategy; and** **Information to determine the outcome status of ETP species.** SI(a) SG80: Some quantitative information is adequate to assess the UoA related mortality and impact and to determine whether the UoA may be a threat to protection and recovery of the ETP species. SI(b) SG80: Information is adequate to measure trends and support a **strategy** to manage impacts on ETP species.
Condition	Provide quantitative data on UoA related mortality of ETP species.

	Develop a strategy for recording incidents between gear and ETP species, including harbour porpoise. Demonstrate that information is adequate to measure trends in interactions with ETP species and support a strategy to manage impacts on ETP species across all UoAs.
Condition start	2021
Condition deadline	2024
Milestones	Year 1: Continue to provide all observer coverage data available, including data collected as part of regulation 812/2004. Resulting Score: 75. And; Year 1: Develop a plan for recording the occurrence of incidental capture of all ETP species at a UoA level. Resulting Score: 75 Year 2: Implement the plan to record incidental capture of all ETP species at a UoA level. Resulting Score: 75 Year 3: Evaluate initial data and propose strategies to minimise impact if required. Resulting Score: 75 Year 4: Continue to evaluate data on an annual basis and implement strategies if required. Resulting Score: 80
Client action plan	***Year 1***: Each client UoA will develop a plan for (self-reporting) data collection of incidental captures of all ETP species in the fisheries. Each client UoA will also continue to provide all observer data available. ***Year 2***: Each client UoA will implement the plan and start collecting data of incidental ETP catches. ***Year 3:*** The client group will analyse initial collected data. If needed based on the initial data analysis, the client group proposes a strategy to minimise impact of the fisheries on the relevant ETP species. ***Year 4:*** The client group will continue to analyse collected data. If needed based on the initial data analysis, the client group will propose a strategy and/or implement the strategy to minimise impact of the fisheries on the relevant ETP species.

Consultation on condition	No consultation is required on this condition as it is dependent on the individual UoAs gathering information and the client group collectively analysing this information. There is no requirement for any other entities to be involved.	
Progress on Condition (Year 1)	The evidence presented at the first annual surveillance audit demonstrate that the fishery is monitored in accordance with EU 1241/2019, annex XIII, part A, point 2.1, and that there is a plan in place (see Section 2.2.5.2.4 of this report) for recording the incidental capture of all ETP species including harbour porpoise. A formal response to an information request submitted by the client to LUKE was presented to the assessment team during the course of this surveillance audit which confirms that there have been no reports of interactions with ETP species over the period 2019-21 (see section 4.2.1 of this report).	
Progress on Condition (Year 2)	The evidence presented at the fourth annual surveillance audit demonstrate that incidental capture of all ETP species including harbour porpoise is recorded by each UoA via fishery dependant measures, including through EU log books and/or through national ETP reporting protocols. The clients have established a data compilation mechanism, whereby data will be submitted and collated annually to the Swedish Pelagic Federation Producentorganisation (SPF). The data collated thus far indicates zero incidental catches of harbour porpoise in any UoAs of this fishery. The data collated thus far indicates a number of catches of seals and cormorants.	
	Year 1 (2021)	The requirements of the Year 1 milestone are fully met and **progress is on target**.
	Year 2 (2022)	The requirements of the Year 2 milestone are fully met and **progress is on target**.
	Year 3	NA
	Year 4	NA
	Insert other years if relevant	NA
Progress status	On target	
Remedial action	N/A.	
Additional Information	N/A.	

3.2.1.4 Condition 16 & 17: ETP species outcome (UoCs 1 & 4)

Performance Indicator	**2.3.1: The UoA meets national and international requirements for the protection of ETP species** **The UoA does not hinder recovery of ETP species** SI (a)SG80: Where national and/or international requirements set limits for ETP species, the **combined effects of the MSC UoAs** on the population/stock are known and **highly likely** to be within these limits.
Condition	Demonstrate that the **combined effects of the MSC UoAs** on the population of "Baltic proper" harbour porpoise are known and **highly likely** to be within ASCOBANS limits for acceptable anthropogenic removal. This condition has two objectives as follows: • Ensure data on incidental bycatch of harbour porpoise are appropriately collected by each UoA; and • Support and encourage the establishment of a mechanism by which these data are compiled and analysed across all MSC UoAs that may impact this harbour porpoise population.
Condition start	2021
Condition deadline	2024
Milestones	Year 1: Each UoA shall develop a plan for recording the occurrence of incidental capture of harbour porpoise at a UoA level. Resulting Score: 75. Year 2: Each UoA shall implement plan to record occurrence of incidental capture of harbour porpoise at a UoA level. Resulting Score: 75. And; Year 2: Propose a mechanism by which data are compiled and analysed across all MSC UoAs, that is independently verified and that demonstrates the combined impact of MSC UoAs on the "Baltic proper" harbour porpoise stock. Resulting Score: 75. Year 3: Provide evidence that the plan to record occurrence of incidental bycatch for each UoA has been implemented, including initial data collected. Resulting Score: 75. And; Year 3: Agree and adopt the mechanism for compiling and analysing data across all MSC UoAs. Resulting Score: 75. And; Year 3: Propose strategies to mitigate combined impacts on harbour porpoise, if required. Resulting Score: 75.

	Year 4: Provide evidence that compiled data across all MSC UoAs have been analysed and that the combined effects on harbour porpoise are known. Resulting Score: 75. And; Year 4: Implement strategies if required, such that the combined effects of the UoAs on harbour porpoise are highly likely to be within ASCOBANS limits. Resulting Score: 80
Client action plan	***Year 1***: Each client UoA will develop a plan for (self-reporting) data collection on any incidental harbour porpoise catches within the fisheries ***Year 2***: Each client UoA will implement the plan and start collecting data on any incidental harbour porpoise catches within the fisheries. The clients will work together to propose a mechanism for data compilation and analysis of all MSC UoAs incidental catches of harbour porpoise. ***Year 3:*** Each client UoA will demonstrate that their data collection plan is working and present initial data. The clients will implement a mutual mechanism for data compilation and analysis of incidental catches of harbour porpoise. If needed based on the initial data analysis, the clients will work together to propose strategies to minimise impact of the fisheries on the harbour porpoise. ***Year 4:*** The clients will show that data compilation and analysis across all MSC UoAs has been implemented and present the conclusions about the fisheries impact on harbour porpoise. If needed based on the data analysis, the clients will work together with other certified UoAs in the Baltic to implement strategies to minimise impact on harbour porpoise.
Consultation on condition	The client group will harmonise with other MSC UoAs (that have similar conditions)
Progress on Condition (Year 1)	The evidence presented at the first annual surveillance audit demonstrate that the fishery is monitored in accordance with EU 1241/2019, annex XIII, part A, point 2.1, and that there is a plan in place (see Section 2.2.5.2.4 of this report) for recording the incidental capture of all ETP species including harbour porpoise. A formal response to an information request submitted by the client to LUKE was presented to the assessment team during the course of this surveillance audit which confirms that there have been no reports of interactions with ETP species over the period 2019-21 (see section 4.2.1 of this report).

Progress on Condition (Year 2)	The evidence presented at the fourth annual surveillance audit demonstrate that incidental capture of all ETP species including harbour porpoise is recorded via fishery dependant measures, including through EU log books and/or through national ETP reporting protocols. The clients have established a data compilation mechanism, whereby data will be submitted and collated annually to the Swedish Pelagic Federation Producentorganisation (SPF) to allow analysis of all incidental catches of harbour porpoise within the UoAs of this assessment, and also for the DDES UoAs. Evidence provided by the CAB for the overlapping Polish fishery indicates that although there has been some communication about data sharing, the plans for doing this have not yet been implemented. The data collated thus far indicates zero incidental catches of harbour porpoise in any UoAs of this fishery; however there is no evidence of overall catches form all MSC UoAs at this time. This results in a finding that progress is behind target. Discussions with the client for this fishery and the CAB for the overlapping fishery suggest that this situation can be addressed readily by sharing information between the MSC UoAs in the Baltic Sea.	
	Year 1 (2021)	The requirements of the Year 1 milestone are fully met and **progress is on target**.
	Year 2 (2022)	Data compilation has not occurred across all MSC UoAs in the Baltic Sea and therefore progress is **behind target.**
	Year 3	*NA*
	Year 4	*NA*
	Insert other years if relevant	*NA*
Progress status	**Behind target**	
Remedial action	The client for this fishery and for the overlapping Polish fishery have agreed to share data. Progress will be reviewed at the next surveillance audit.	
Additional Information	*N/A.*	

3.2.1.5 Condition 18: PI1.2.2 Sprat Harvest Control Rules & Tools

This condition was closed at SA3 and replaced with Condition 25.

3.2.1.6 Condition 19 & 20: PI1.2.2 SIc Central Baltic Herring Harvest Control Rules & Tools

Performance Indicator	**PI 1.2.2: Harvest control rules and tools -** There are well defined and effective harvest control rules (HCRs) in place. **SIc SG80: Available evidence indicates** that the tools in use are appropriate and effective in achieving the exploitation levels required under the HCRs.
Condition	Evidence shall be presented to demonstrate that the harvest control tools in use for the fishery (the overall TAC) is appropriate and effective in achieving the exploitation levels required under the Harvest Control Rules in place. In particular, that the uptake from the fishery results in a fishing mortality (F) consistent with Maximum Sustainable Yield targets.
Condition start	2021
Condition deadline	2024
Milestones	Year 1 (2021): The client group shall present evidence that they have approached relevant national authorities and EU institutions (including DG-MARE and the Baltic Sea Advisory Council) to encourage the adoption of a TAC by EU Member States that is compatible with the exploitation levels required by the harvest control rules in place for all fishery removals, and in particular that the uptake from the fishery results in a fishing mortality (F) consistent with Maximum Sustainable Yield targets. Resulting score: 70 Year 2 (2022): The client group shall present evidence that they have approached relevant national authorities and EU institutions (including DG-MARE and the Baltic Sea Advisory Council) to encourage the adoption of a TAC by EU Member States that is compatible with the exploitation levels required by the harvest control rules in place for all fishery removals, and in particular that the uptake from the fishery results in a fishing mortality (F) consistent with Maximum Sustainable Yield targets. Resulting score: 70 Year 3 (2023): The client group shall present evidence that they have approached relevant national authorities and EU institutions (including DG-MARE and the Baltic Sea Advisory Council) to encourage the adoption of a TAC by EU Member States that is compatible with the exploitation levels required by the harvest control rules in place for all fishery removals, and in particular that the uptake from the fishery results in a fishing mortality (F) consistent with Maximum Sustainable Yield targets. Resulting score: 70 Year 4 (2024): Evidence shall be presented to show that the TAC agreed by the EU Member States combined will all other fishery removals is compatible with the exploitation levels required by the harvest control rules in place for all fishery

	removals, and in particular that the uptake from the fishery results in a fishing mortality (F) consistent with Maximum Sustainable Yield targets. Resulting score: 80 Note that if the Year 4 milestone is achieved earlier in the certification cycle it may be possible to re-score PI1.2.1 SIc and close this condition sooner than anticipated.	
Client action plan	Year 1-3 (2021-2023): The clients will participate in e.g. BSAC meetings and approach relevant national authorities as well as DG Mare to encourage the adoption of an EU TAC that ensures that the harvest control rules are met, and that the fishing mortality is consistent with MSY targets. The clients will also encourage authorities to discuss exploitation rates with non-EU actors to ensure that the combined fishery removal is at a sustainable level. Year 4 (2024): The clients will continue to participate in e.g. BSAC meetings and approach relevant national authorities as well as DG Mare to encourage the adoption of an EU TAC that ensures that the harvest control rules are met, and the fishing mortality is consistent with MSY targets. The clients will also encourage authorities to discuss exploitation rates with non-EU actors to ensure that the combined fishery removal is at a sustainable level.	
Progress on Condition (Year 1)	During the discussion with client representatives it was evidenced that the client groups are contact with relevant national authorities as well as DG Mare to encourage the adoption of an EU TAC that ensures that the harvest control rules are met, and that the fishing mortality is consistent with MSY targets. In addition, clients participated at the Baltic Sea Advisory Council meetings in 2021 with the aim to encourage authorities to discuss exploitation rates with non-EU actors to ensure that the combined fishery removal is at a sustainable level . **Note:** a new, parallel, condition of certification for SIa of this PI was raised during an expedited audit in 2021 (see section 3.2.1.8 of this report).	
Progress on Condition (Year 2)	During the discussion with client representatives it was evidenced that the client groups are contact with relevant national authorities as well as DG Mare to encourage the adoption of an EU TAC that ensures that the harvest control rules are met, and that the fishing mortality is consistent with MSY targets. In addition, clients participated at the Baltic Sea Advisory Council meetings in 2022 with the aim to encourage authorities to discuss exploitation rates with non-EU actors to ensure that the combined fishery removal is at a sustainable level.	
	Year 1	The requirements of the Year 1 milestone are fully met and **progress is on target**.
	Year 2	The requirements of the Year 2 milestone are fully met and **progress is on target**.
	Year 3	*NA*
	Year 4	*NA*

	Insert other years if relevant	*NA*
Progress status	On target	
Remedial action	NA	
Additional Information	NA	

3.2.1.7 Condition 21 & 22: PI1.1.1A Target species outcome (Central Baltic Herring)

This condition was closed at SA3 after rescoring PI1.1.1A at <60.

3.2.1.8 Condition 23 & 24: PI 1.2.2 SIa – Central Baltic Herring Harvest Control Rules

This is a harmonised condition of certification that results from re-scoring of PI1.2.1 SIa, and parallels a similar condition for PI1.2.2 SIc (see section 3.2.1.6) .

Performance Indicator	**PI 1.2.2: Harvest control rules and tools -** There are well defined and effective harvest control rules (HCRs) in place**.** **SIa SG80: Well defined HCRs** are in place that ensure that the exploitation rate is reduced as the PRI is approached, are expected to keep the stock fluctuating around a target level consistent with (or above) MSY, or for key LTL species a level consistent with ecosystem needs.
Condition	Evidence shall be presented to demonstrate that well defined HCRs are in place that ensure that the exploitation rate is reduced as the PRI is approached, are expected to keep the stock fluctuating around a target level consistent with ecosystem needs.
Condition start	2021
Condition deadline	2028
Milestones	Note that exceptional circumstances are considered to apply in this case. Under MSC FCP v2.1 §7.18.1.5, exceptional circumstances refer to situations in which, even with perfect implementation, achieving the 80 level of performance may take longer than the certification period. The rationale for employing 'exceptional circumstances' in this instance is that time is required for relevant research to be funded, undertaken and published. The timeframe for achieving this condition depends on scientific progress within the ICES community requiring funding, research undertaken, method testing time, publication as ICES advice and then implementation of the advice. First steps have been undertaken by ICES through the Integrated Ecosystem Assessment Framework and Ecosystem Overviews development. Current activities of ICES Expert Groups (EGs) and workshops (WK) including WKIRISH, WKDEICE, WGSAM, WGBFAS and WGIAB work towards achieving the successful implementation of EBFM and indirectly the condition. However, this might take longer than the current certification cycle due to the testing and implementation process in ICES and management bodies. The CABs have determined that the appropriate period in which performance in this area must improve to at least the 80 level shall be 7 years from the date that the condition was raised (early 2021); this is likely to coincide with the third surveillance audit of the next 5-year certificate cycle for this fishery. Year 1 (2nd Surveillance 2022): The client group shall present evidence that they have approached relevant national authorities, EU institutions and advisory bodies (including DG-MARE, the Baltic Sea Advisory Council, ICES) to encourage the development and adoption of well-defined HCRs that are expected to keep the key LTL stock fluctuating around a target level consistent with ecosystem needs. **Resulting score: 75** Year 2 (3rd Surveillance 2023): The client group shall present evidence that they have approached relevant national authorities, EU institutions and advisory bodies (including DG-MARE, the Baltic Sea Advisory Council, ICES) to encourage the development and adoption of

	well-defined HCRs that are expected to keep the key LTL stock fluctuating around a target level consistent with ecosystem needs. **Resulting score: 75** Year 3 (4th Surveillance 2024): The client group shall present evidence that they have approached relevant national authorities, EU institutions and advisory bodies (including DG-MARE, the Baltic Sea Advisory Council, ICES) to encourage the development and adoption of well-defined HCRs that are expected to keep the key LTL stock fluctuating around a target level consistent with ecosystem needs. **Resulting score: 75** Year 4 (Re-assessment 2025): The client group shall present evidence that they have approached relevant national authorities, EU institutions and advisory bodies (including DG-MARE, the Baltic Sea Advisory Council, ICES) to encourage the development and adoption of well-defined HCRs that are expected to keep the key LTL stock fluctuating around a target level consistent with ecosystem needs. **Resulting score: 75** Year 5 (1st Surveillance of next certificate cycle 2026): The client group shall present evidence that they have approached relevant national authorities, EU institutions and advisory bodies (including DG-MARE, the Baltic Sea Advisory Council, ICES) to encourage the development and adoption of well-defined HCRs that are expected to keep the key LTL stock fluctuating around a target level consistent with ecosystem needs. **Resulting score: 75** Year 6 (2nd Surveillance 2027): The client group shall present evidence that they have approached relevant national authorities, EU institutions and advisory bodies (including DG-MARE, the Baltic Sea Advisory Council, ICES) to encourage the development and adoption of well-defined HCRs that are expected to keep the key LTL stock fluctuating around a target level consistent with ecosystem needs. **Resulting score: 75** Year 7 (3rd Surveillance 2028): Evidence shall be presented that well defined HCRs are in place that ensure that the exploitation rate is reduced as the PRI is approached and are expected to keep the key LTL stock fluctuating around a level consistent with ecosystem needs. **Resulting score: 80** Note that if the Year 7 milestone is achieved earlier in the certification cycle it may be possible to re-score PI1.2.1 SIa and close this condition sooner than anticipated.
Client action plan	Year 1-3 (2021-2023): The clients will participate in e.g. BSAC meetings and approach relevant national authorities as well as DG Mare to encourage the adoption of an EU TAC that ensures that the harvest control rules are met, and that the fishing mortality is consistent with MSY targets. The clients will also encourage authorities to discuss exploitation rates with non-EU actors to ensure that the combined fishery removal is at a sustainable level. Year 4 (2024): The clients will continue to participate in e.g. BSAC meetings and approach relevant national authorities as well as DG Mare to encourage the adoption of an EU TAC that ensures that the harvest control rules are met, and the fishing mortality is consistent with MSY targets. The clients will also encourage authorities to

	discuss exploitation rates with non-EU actors to ensure that the combined fishery removal is at a sustainable level.	
Progress on Condition (Year 1)	During the discussion with client representatives it was evidenced that the client groups are contact with relevant national authorities as well as DG Mare to encourage the adoption of an EU TAC that ensures that the harvest control rules are met, and that the fishing mortality is consistent with MSY targets. In addition, clients participated at the Baltic Sea Advisory Council meetings in 2021 with the aim to encourage authorities to discuss exploitation rates with non-EU actors to ensure that the combined fishery removal is at a sustainable level.	
Progress on Condition (Year 2)	During the discussion with client representatives it was evidenced that the client groups are contact with relevant national authorities as well as DG Mare to encourage the adoption of an EU TAC that ensures that the harvest control rules are met, and that the fishing mortality is consistent with MSY targets. In addition, clients participated at the Baltic Sea Advisory Council meetings in 2022 with the aim to encourage authorities to discuss exploitation rates with non-EU actors to ensure that the combined fishery removal is at a sustainable level.	
	Year 1	The requirements of the Year 1 milestone are fully met and **progress is on target**.
	Year 2	The requirements of the Year 2 milestone are fully met and **progress is on target**.
	Year 3	*NA*
	Year 4	*NA*
	Insert other years if relevant	*NA*
Progress status	On target	
Remedial action	NA	
Additional Information	NA	

3.2.1.9 Condition 25: Baltic Sprat Harvest Control Rules (Revised condition 18)

This condition has been raised in response to the re-scoring of PI1.2.2 for Baltic sprat (UoC 1) following harmonisation discussions between CABs. SIc, which had triggered condition 18, is now scored at 80; and SIa, which had previously scored 80, is now scored at 60.

Performance Indicator	**PI 1.2.2: Harvest control rules and tools -** There are well defined and effective harvest control rules (HCRs) in place. **SIa SG80: Well defined HCRs** are in place that ensure that the exploitation rate is reduced as the PRI is approached, are expected to keep the stock fluctuating around a target level consistent with (or above) MSY, or for key LTL species a level consistent with ecosystem needs.
Score	75
Condition	Evidence shall be presented to demonstrate that well defined HCRs are in place that ensure that the exploitation rate is reduced as the PRI is approached, are expected to keep the stock fluctuating around a target level consistent with ecosystem needs.
Condition start	2021
Condition deadline	2028 (exceptional circumstances apply, see below).
Milestones	Note that exceptional circumstances are considered to apply in this case. Under MSC FCP v2.1 §7.18.1.5, exceptional circumstances refer to situations in which, even with perfect implementation, achieving the 80 level of performance may take longer than the certification period. The rationale for employing 'exceptional circumstances' in this instance is that time is required for relevant research to be funded, undertaken and published. The timeframe for achieving this condition depends on scientific progress within the ICES community requiring funding, research undertaken, method testing time, publication as ICES advice and then implementation of the advice. First steps have been undertaken by ICES through the Integrated Ecosystem Assessment Framework and Ecosystem Overviews development. Current activities of ICES Expert Groups (EGs) and workshops (WK) including WKIRISH, WKDEICE, WGSAM, WGBFAS and WGIAB work towards achieving the successful implementation of EBFM and indirectly the condition. However, this might take longer than the current certification cycle due to the testing and implementation process in ICES and management bodies. Therefore, LR has determined (in harmony with other CABs for this stock) that the appropriate period in which performance in this area must improve to at least the 80 level shall be 7 years from the date of certification of LFPO scope-extended fishery and the Polish sprat fishery in 2021. Year 1 (Surveillance 2022): The client group shall present evidence that they have approached relevant national authorities, EU institutions and advisory bodies (including DG-MARE, the Baltic Sea Advisory Council, ICES) to encourage the development and adoption of well-defined HCRs that are expected to keep the key

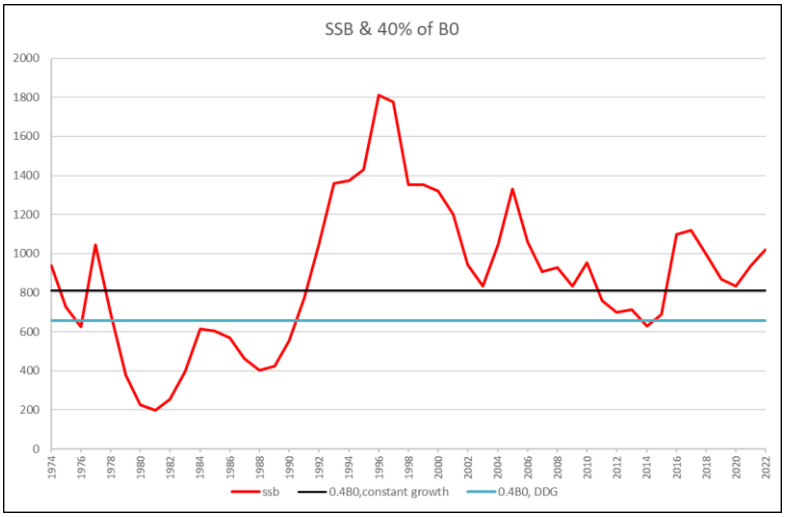
	LTL stock fluctuating around a target level consistent with ecosystem needs. **Resulting score: 75** Year 2 (Surveillance 2023): The client group shall present evidence that they have approached relevant national authorities, EU institutions and advisory bodies (including DG-MARE, the Baltic Sea Advisory Council, ICES) to encourage the development and adoption of well-defined HCRs that are expected to keep the key LTL stock fluctuating around a target level consistent with ecosystem needs. **Resulting score: 75** Year 3 (Surveillance 2024): The client group shall present evidence that they have approached relevant national authorities, EU institutions and advisory bodies (including DG-MARE, the Baltic Sea Advisory Council, ICES) to encourage the development and adoption of well-defined HCRs that are expected to keep the key LTL stock fluctuating around a target level consistent with ecosystem needs. **Resulting score: 75** Year 4 (Surveillance 2025): The client group shall present evidence that they have approached relevant national authorities, EU institutions and advisory bodies (including DG-MARE, the Baltic Sea Advisory Council, ICES) to encourage the development and adoption of well-defined HCRs that are expected to keep the key LTL stock fluctuating around a target level consistent with ecosystem needs. **Resulting score: 75** Year 5 (Surveillance 2026): The client group shall present evidence that they have approached relevant national authorities, EU institutions and advisory bodies (including DG-MARE, the Baltic Sea Advisory Council, ICES) to encourage the development and adoption of well-defined HCRs that are expected to keep the key LTL stock fluctuating around a target level consistent with ecosystem needs. **Resulting score: 75** Year 6 (Surveillance 2027): The client group shall present evidence that they have approached relevant national authorities, EU institutions and advisory bodies (including DG-MARE, the Baltic Sea Advisory Council, ICES) to encourage the development and adoption of well-defined HCRs that are expected to keep the key LTL stock fluctuating around a target level consistent with ecosystem needs. **Resulting score: 75** Year 7 (Surveillance 2028): Evidence shall be presented that well defined HCRs are in place that ensure that the exploitation rate is reduced as the PRI is approached and are expected to keep the key LTL stock fluctuating around a level consistent with ecosystem needs. **Resulting score: 80** Note that if the Year 7 milestone is achieved earlier in the certification cycle it may be possible to re-score PI1.2.1 SIa and close this condition sooner than anticipated.
Client action plan	Year 1-6 (2021-2027): The clients will participate in e.g. BSAC meetings and approach relevant national authorities as well as DG Mare to encourage the adoption of an EU TAC that ensures that the harvest control rules are met, and that the fishing mortality is consistent with MSY targets. The clients will also encourage authorities to discuss exploitation rates with non-EU actors to ensure that the combined fishery removal is at a sustainable level.

	Year 7 (2028): The clients will continue to participate in e.g. BSAC meetings and approach relevant national authorities as well as DG Mare to encourage the adoption of an EU TAC that ensures that the harvest control rules are met, and the fishing mortality is consistent with MSY targets. The clients will also encourage authorities to discuss exploitation rates with non-EU actors to ensure that the combined fishery removal is at a sustainable level.	
Progress on Condition (Year 1)	This condition has been closed after rescoring this PI at this surveillance audit because conditions can only be raised for PIs that score less than 80 and more than 60 (FCP v2.2 at 7.18.1).	
	Year 1	Closed – PI scores <60
	Year 2	*NA*
	Year 3	*NA*
	Year 4	*NA*
	Year 5	*NA*
	Year 6	*NA*
	Year 7	*NA*
Progress status	*NA*	
Remedial action	NA	
Additional Information	NA	

3.2.1.10 Condition 26: Baltic Sprat Stock Outcome (PI1.1.1A)

This condition was raised at the last surveillance audit in response to the re-scoring of PI1.1.1A for Baltic sprat (UoC 1) following harmonisation discussions between CABs. Progress is reported below, again following harmonisation discussions with other CABs.

Performance Indicator	**PI1.1.1A – The stock is at a level which has a low probability of serious ecosystem impacts** **SIb: The stock is at or fluctuating around a level consistent with ecosystem needs.**
Score	70
Condition	Within a year a rebuilding plan should be in place for the Baltic Sprat stock which will result in the stock being at or fluctuating around a level consistent with ecosystem needs: c) Within a specified timeframe that is the shorter of 20 years or 2 generation times; and That there is evidence that the rebuilding strategy is rebuilding stocks or it is likely based on simulation modelling, exploitation rates or previous performance that the strategy will be able to rebuild the stock within the specified timeframe
Condition start	2022
Condition deadline	2023
Milestones	**Year 1 (2022 or 2023):** Evidence shall be presented to show: a) The magnitude of fishing mortality or stock biomass that represents a level consistent with ecosystem needs for this stock; and b) That management measures are in place to allow for the stock to rebuild to this level; and c) That the rebuilding timeframe is the shorter of 20 years or 2 generation times. **Resulting score** (for PI1.1.2): 80
Client action plan	The client will encourage national scientists who participate in the ICES WGBFAS and other relevant ICES working groups to focus on the question of defining the relevant levels of ecosystem needs for the stocks of Baltic herring and sprat. The client will use all opportunities to advocate for this question to be addressed in relevant ICES groups as well as in the ICES Benchmark for the Baltic stocks that is planned to take place in 2023. Also, Sweden Pelagic Federation PO is registered as an observer at the WGBFAS meetings and can there talk for relevant certificate holders in the same region and be able to raise this question directly to the scientists in this group and to the best of our ability promote that they address this question.

Progress on Condition (Year 1)	At this surveillance audit a report entitled "*Estimation of B_0 for sprat in the Baltic and effects of sprat biomass at levels of 40% B_0 on Baltic ecosystem*" was presented from the Polish National Marine Fisheries Institute (Horbowy and Całkiewicz, 2022). This report was commissioned by the Polish Government on behalf of Kolobrzeg Fish Producers Group Limited, the fishery client for the MSC-certified Poland Sprat Midwater Trawl Fishery. The report used existing information published by ICES and credible ecosystem models to address the requirements of this condition. Its key findings are:- 1) The current sprat biomass is likely to be more than 40% B_0 and it has been above this level since 2016 (Figure 10). Two estimates of B_0 were used: one based on constant growth; and the other based on the observed density-dependent growth.  **Figure 10: Spawning stock biomass of sprat in 1974-2022 (from ICES, 2022b) and 40% of B_0 estimates for density-dependent growth (DDG) and constant sprat growth (SSB in thousand tons) (Horbowy and Całkiewicz, 2022).** 2) An ecosystem model (Ecopath with Ecosim) containing 22 functional groups representing the main food web components, a food web matrix and 10 types of fishing fleet was constructed. The effect on these functional groups of reducing the sprat biomass from B_0 to 40% B_0 is summarised in Figure 11. This shows that none of the other components are reduced in abundance by more than 40%.

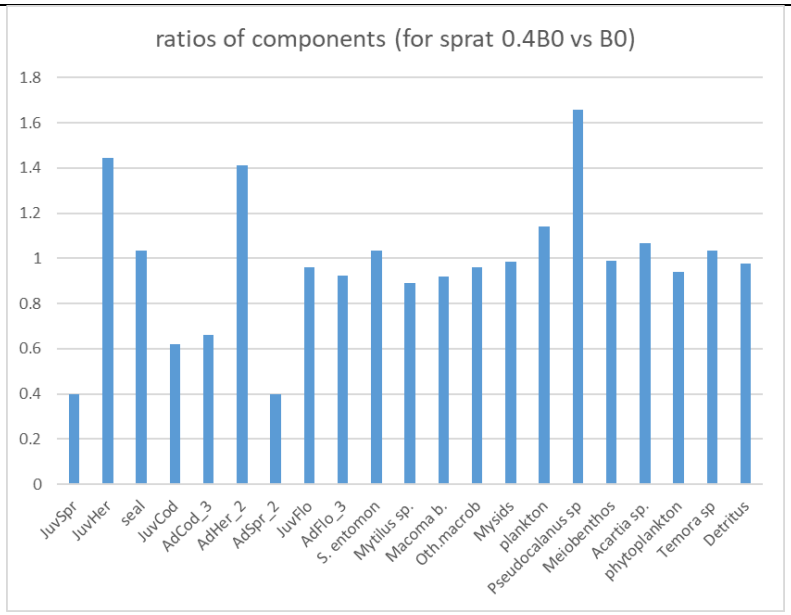


Figure 11: The ratios of ecosystem components abundance under sprat biomass equal to 40% of B_0 to abundance of these components when sprat is unexploited (i.e. its biomass equals to B0) at equilibrium (Horbowy and Całkiewicz, 2022).

The conclusion of this report is that the current sprat biomass meets the MSC "ecosystem needs" requirements for a key Low Trophic Level (LTL) species. The report further notes that there is no correlation between cod and sprat abundance in the Baltic Sea (high cod biomass in the 1970s was associated with low sprat biomass, and the relatively higher subsequent sprat biomass has been associated with lower cod biomass). The poor condition (i.e. Fulton Condition Factor) of Baltic cod is seen throughout the Baltic, including in areas where sprat biomass is high, suggesting that sprat biomass is not the cause of "skinny cod".

During harmonisation discussions between CABs it was considered that it would be appropriate and precautionary to commission an independent peer review of the report before accepting its findings. This view took account of the high regard in which the authors of the report are held, and acknowledged of the fact that the report had not been published in a peer-reviewed journal and that its findings had not therefore been subject to independent scrutiny.

The process of peer reviewing this report was initiated and then abandoned when it became apparent that it would be a futile exercise. This conclusion arose because of the updates that have been made to the MSC interpretation on the application of key LTL reference points to the scoring of PI1.2.2 SIa and 1.2.4 SIb since this condition was raised in March 2022 (MSC, 2022). The consequence of these changes is that neither of these SIs will meet the SG60 requirements irrespective of the score awarded for PI1.1.1A.

	The harmonised conclusion of the CABs is that progress with this condition cannot be independently verified as "on target", and cannot then be considered to be met, despite the best efforts of the Polish Government and fishery client. Given the 12-month duration of this condition and the fact that its requirements have not been met, progress is considered to be inadequate, and the MSC requirements for suspension or withdrawal apply.	
	Year 1	Behind target, and condition not closed by 12 month deadline.
	Year 2	*NA*
	Year 3	*NA*
	Year 4	*NA*
	Insert other years if relevant	*NA*
Progress status	Behind target, and condition not closed by 12 month deadline.	
Remedial action	NA – fishery withdrawal / suspension process triggered (FCP v2.2 at 7.28.16.4 applies).	
Additional Information	NA	

3.2.2 Closed conditions

See above – condition 25 has been closed at this surveillance audit in response to the PI scoring less than 60.

3.2.3 New conditions

No new conditions of certification have been raised at this surveillance audit.

3.2.4 Client Action Plan

No revisions have been made to the Client Action Plan.

3.3 Re-scoring Performance Indicators

3.3.1 Scoring Summary

Three Performance Indicators have been re-scored at this surveillance audit. The scores awarded originally and following this surveillance audit are listed below. The original and revised Performance Indicator rationales are set out in the following subsections of section 3.3 of this report.

No changes to scoring of Principle 2 or Principle 3 PIs were made at this surveillance audit.

Table 13: Summary of Performance Indicator scores before and after this surveillance audit. Green shading indicates a score of 80 or more; orange a score of less than 80, and red a score of less than 60. Merged cells (single figures) indicate no score change.

Principle	Component	Performance Indicator (PI)		UoC					
				Baltic Sprat (UoC 1)		Gulf of Bothnia Herring (UoCs 2&3)		Central Baltic Herring (UoCs 4&5) (Suspended)	
				Original	Revised	Original	Revised	Original	Revised
1	Outcome	1.1.1	Stock status	90	70	85	90	70	<60
		1.1.2	Stock rebuilding	NA[2]		NA		NA[3]	
	Management	1.2.1	Harvest strategy	90	<60[4]	85		95	
		1.2.2	Harvest control rules & tools	75	<60[4]	80		65	
		1.2.3	Information & monitoring	90	90[5]	100		85	
		1.2.4	Assessment of stock status	95	<60[4]	80	100	95	
2	Primary species	2.1.1	Outcome	80-100[3]		100		80-100[6]	
		2.1.2	Management	85		85		85	
		2.1.3	Information	85		85		85	
		2.2.1	Outcome	80-100[3]		100		80-100[3]	

[2] This PI was not scored at the last surveillance audit in accordance with MSC requirements. It is not scored at this audit because the condition set for PI1.1.1A in the narrative and metric form of PI1.1.2 has not been met.

[3] Note that this PI was not scored at the last surveillance audit in accordance with MSC requirements. It is not scored at this audit because PI1.1.1A scores less than 60.

[4] This score results from the update made to the MSC interpretation relating to key LTL species.

[5] This score change is a result of recalculating the overall PI-level score and not a change in the scoring of an individual SI.

[6] This is the range of scores awarded across the UoCs. For simplicity in this table the individual UoC scores are not shown here.

Principle	Component	Performance Indicator (PI)		UoC					
				Baltic Sprat (UoC 1)		Gulf of Bothnia Herring (UoCs 2&3)		Central Baltic Herring (UoCs 4&5) (Suspended)	
				Original	Revised	Original	Revised	Original	Revised
	Secondary species	2.2.2	Management	80		80		80	
		2.2.3	Information	85		85		85	
	ETP species	2.3.1	Outcome	75		80		75	
		2.3.2	Management	80		80		80	
		2.3.3	Information	60		60		60	
	Habitats	2.4.1	Outcome	95		95		95	
		2.4.2	Management	85		85		85	
		2.4.3	Information	85		85		85	
	Ecosystem	2.5.1	Outcome	80		100		80	
		2.5.2	Management	80		80		80	
		2.5.3	Information	85		85		85	
3	Governance and policy	3.1.1	Legal & customary framework	85		95		85	
		3.1.2	Consultation, roles & responsibilities	95		95		95	
		3.1.3	Long term objectives	100	80[7]	100	80[7]	100	80[7]
	Fishery specific management system	3.2.1	Fishery specific objectives	100	90[7]	100	80[7]	100	90[7]
		3.2.2	Decision making processes	95	90[7]	95		95	90[7]
		3.2.3	Compliance & enforcement	95	85[7]	95		95	85[7]
		3.2.4	Monitoring & management performance evaluation	90		90		90	

[7] Score changed at SA3, full rationale provided in section 3.3.5 of this report.

Table 14: Principle level scores

Principle	UoC					
	Baltic Sprat (UoC 1)		Gulf of Bothnia Herring (UoCs 2&3)		Central Baltic Herring (UoCs 4&5) (Suspended)	
	Original	Revised	Original	Revised	Original	Revised
Principle 1 – Target species	87.5	NA[8]	85.8	90.8	80.0	NA[8]
Principle 2 – Ecosystem impacts	85.7		85.7		85.7	
Principle 3 – Management system	87.7		90		87.7	

[8] Score cannot be calculated because some PIs within Principle score less than 60.

3.3.2 Baltic sprat (UoC1)

3.3.2.1 Original scoring tables

3.3.2.1.1 PI 1.2.1 – Harvest strategy

PI 1.2.1		There is a robust and precautionary harvest strategy in place		
Scoring Issue		SG 60	SG 80	SG 100
a	**Harvest strategy design**			
	Guidepost	The harvest strategy is **expected** to achieve stock management objectives reflected in PI 1.1.1 SG80.	The harvest strategy is responsive to the state of the stock and the elements of the harvest strategy **work together** towards achieving stock management objectives reflected in PI 1.1.1 SG80.	The harvest strategy is responsive to the state of the stock and is **designed** to achieve stock management objectives reflected in PI 1.1.1 SG80.
	Met?	Y	Y	Y
	Justification	The stock is managed by the EU according to the Multiannual Management Plan (MAP), Regulation (EU) 2016/1139 of the European Parliament and of the Council of 6 July 2016, that contributes to the achievement of the objectives of the Common Fisheries Policy (CFP) listed in Article 2 of Regulation (EU) No 1380/2013, in particular by applying the precautionary approach to fisheries management, and shall aim to ensure that exploitation of living marine biological resources restores and maintains populations of harvested species above levels that can produce MSY. Further, measures under the plan are taken in accordance with the best available scientific advice. The harvest strategy clearly defines target and conservation objectives and specifies the measures to follow when the assessment determines that the stock is deviating from those objectives. Further, the MAP endeavours to implement an ecosystem-based approach to fisheries management in order to ensure that negative impacts of fishing activities on the marine ecosystem are minimised. On this basis, it can be stated that the harvest strategy is **expected** to achieve stock management objectives reflected in PI 1.1.1A SG80, SG60 is met. The harvest strategy specifies fishing mortalities to be implemented in response to the state of the stock which is periodically assessed by ICES. The multiannual plan established (Regulation (EU) No 1380/2013), is based on scientific, technical and economic advice and contains objectives, quantifiable targets with clear time frames, conservation reference points and safeguards which **work together** towards achieving stock management objectives reflected in PI 1.1.1A SG80, SG80 is met. Further, the management strategy outlined in the multi-species fisheries plan takes into account the dynamics between the stocks of cod, herring and sprat, and also takes into consideration the by-catch species of the fisheries for those stocks, namely the Baltic stocks of plaice, flounder, turbot and brill to achieve management objectives i.e. to contribute to the achievement of the objectives of the CFP, especially reaching and maintaining MSY for the stocks concerned. The harvest strategy is **designed** to achieve stock management objectives reflected in PI 1.1.1A SG80 therefore, SG100 is met.		
b	**Harvest strategy evaluation**			

PI 1.2.1		There is a robust and precautionary harvest strategy in place		
	Guidepost	The harvest strategy is **likely** to work based on prior experience or plausible argument.	The harvest strategy may not have been fully **tested** but evidence exists that it is achieving its objectives.	The performance of the harvest strategy has been **fully evaluated** and evidence exists to show that it is achieving its objectives including being clearly able to maintain stocks at target levels.
	Met?	Y	Y	N
	Justification	The MAP has been tested by ICES by simulation and has been considered to be suitably precautionary, SG60 is met. The simulation testing (ICES 2014) provides plausible argument and evidence that is achieving its objectives (SG60 and 80 are met). The most recent assessment estimates the fishing pressure above FMSY. If the situation is not reversed at the time of 2020 assessment it will not be possible to say that the strategy is definitely able to maintain stocks at target levels; SG100 is not met.		
c	**Harvest strategy monitoring**			
	Guidepost	Monitoring is in place that is expected to determine whether the harvest strategy is working.		
	Met?	Y		
	Justification	Both Russia and the EU nations carry out an extensive monitoring of the fishery (logbooks, VMS, landing control, sampling of the catches). The stock is assessed annually by ICES and comprehensive information on catches, biological parameters and biomass trajectory is collected on an annual basis for that purpose. Furthermore, the MAP clearly states that if, on the basis of scientific advice, the Commission considers that the harvest strategy no longer expresses the objectives of the plan, the harvest strategy would be revised as a matter of urgency (Articles 4(7) and 5(6)). Therefore, there is a strong monitoring and management system that would react swiftly if problems are detected. SG60 is met		
d	**Harvest strategy review**			
	Guidepost			The harvest strategy is periodically reviewed and improved as necessary.
	Met?			Y
	Justification	The harvest strategy for sprat in the Baltic is laid out in the multiannual plan (MAP). Article 15 of MAP *(Evaluation of the plan*) states that by 21 July 2019, and every five years thereafter, the Commission shall report to the European Parliament and to the Council on the results and impact of the plan on the stocks to which this Regulation applies and, on the fisheries, exploiting those stocks, in particular as regards the achievement of the objectives set out in Article 3. The Commission may report at an earlier date if this is deemed necessary by all Member States		

PI 1.2.1		There is a robust and precautionary harvest strategy in place		
		concerned or by the Commission itself. Clearly, the performance of the plan is to be periodically reviewed and SG100 is met.		
e	**Shark finning**			
	Guidepost	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.
	Met?	Not relevant	Not relevant	Not relevant
	Justification	Target species is not a shark. Scoring Not Relevant.		
f	**Review of alternative measures**			
	Guidepost	There has been a review of the potential effectiveness and practicality of alternative measures to minimise UoA-related mortality of unwanted catch of the target stock.	There is a **regular** review of the potential effectiveness and practicality of alternative measures to minimise UoA-related mortality of unwanted catch of the target stock and they are implemented as appropriate.	There is a **biennial** review of the potential effectiveness and practicality of alternative measures to minimise UoA-related mortality of unwanted catch of the target stock, and they are implemented, as appropriate.
	Met?	Y	Y	N
	Justification	In the Baltic sea there is no minimum conservation reference size, there is no unwanted catch and there is no incentive to discarding. Nevertheless, we proceed to score this item. The landing obligation requires all catches of regulated commercial species on-board to be landed and counted against quota. According to the EC Common Fisheries Policy (adopted in 2014) in 2015, the landing obligation began to cover small and large pelagic species, industrial fisheries and the main fisheries in the Baltic (2019 WGBFAS), SG60 is met. Historically, discards in most countries have probably been small because the undersized and lower quality fish can be used for production of fish meal and feeding in animal farms. In fisheries directed for human consumption, however, young fish (0 and 1 age groups) were discarded with higher rates in years when strong year classes recruit to the fishery. In the 2015 data call (L.27/ACB/HSL in 2015) ICES requested landings, discards, biological sample and effort data from 2014 in support of the ICES fisheries advice in 2015. Only Estonia and Germany provided the requested discard data for Baltic sprat. However, these two countries reported zero discards in years 2012–2014. For catches in 2015, there were no discard data of Baltic sprat available. Only Finland has uploaded discard data for Baltic sprat in 2016 and 2017 into the InterCatch - 563 and 482 kg, respectively from the passive gear catches. From 2015 to 2019, the landing obligation was phased in across EU fisheries and species, for pelagic fisheries it was implemented in 2015. Since the start of 2019 all species subject to TAC limits have been subject to the EU “Landing Obligation”. which would prevent discarding in fisheries directed to human consumption. The phasing in provisions of the landing obligation as well as a number of exemptions are based on joint recommendations from regional groups of member states. Following evaluation by the STECF, and provided that the assessment is positive, the joint recommendations are transformed into temporary discard plans by means of delegated act. The plans have a maximum duration of 3 years thus resulting in a review prior to reauthorization. SG80 is met.		

PI 1.2.1		There is a robust and precautionary harvest strategy in place
		Eventually the provisions of the landing obligation will become incorporated into Multi Annual Plans (https://ec.europa.eu/fisheries/ cfp/fishing_rules/discards_en). Because the measures are not revised every two years SG 100 is not met.
References		European Commission, Fisheries, Discarding and the landing obligation. https://ec.europa.eu/fisheries/cfp/fishing_rules/discards_en ICES 2014 Report of the Joint ICES-MYFISH Workshop to consider the basis for FMSY ranges for all stocks (WKMSYREF3). ICES CM 2014/ACOM:64 ICES 2018b. Report of Baltic Fisheries Assessment Working Group (WGBFAS). ICES CM 2018/ACOM:11. 741pp
OVERALL PERFORMANCE INDICATOR SCORE:		90
CONDITION NUMBER (if relevant):		

3.3.2.1.2 PI 1.2.2 – Harvest control rules

PI 1.2.2		There are well defined and effective harvest control rules (HCRs) in place		
Scoring Issue		**SG 60**	**SG 80**	**SG 100**
a	**HCRs design and application**			
	Guidepost	**Generally understood** HCRs are in place **or available** that are **expected** to reduce the exploitation rate as the point of recruitment impairment (PRI) is approached.	**Well defined** HCRs are **in place** that **ensure** that the exploitation rate is reduced as the PRI is approached, are expected to keep the stock **fluctuating around** a target level consistent with (or above) MSY, or for key LTL species a level consistent with ecosystem needs.	The HCRs are expected to keep the stock **fluctuating at or above** a target level consistent with MSY, or another more appropriate level taking into account the ecological role of the stock, **most** of the time.
	Met?	**Yes**	**No**	**Not scored**

Rationale

Generally understood HCRs are in place or available that are expected to reduce the exploitation rate as the point of recruitment impairment (PRI) is approached.
The basic harvest control rule applied to compute the sprat catch advice is the ICES MSY rule which is implemented in the MAP (EC, 2016) which was updated in 2019 (EU, 2019a). The HCR reduces the exploitation rate when the stock biomass is below $B_{trigger}$ and while it is above B_{lim} (considered equivalent to PRI, see PI1.1.1A SG(a) for justification) and is expected to keep the stock fluctuating around a target level consistent with MSY. Generally understood HCRs are in place or available that are expected to reduce the exploitation rate as the point of recruitment impairment (PRI) is approached, **SG60 is met.**

The HCR defined in the MAP is based on the target fishing mortality ranges set out by ICES IBPBASH (ICES, 2020d) and is compatible with an MSY approach to fishing leading to no less than 95% of MSY. The HCR is precautionary in the sense that the probability of SSB falling below B_{lim} in any year in long-term simulations with fixed F within the ranges specified in the MAP is ≤5%. As noted in P1.1.1A, the predation pressure on the stock and stock structure is taken into account in the assessment, and in the estimation of reference points by variable natural mortality that reflects the forage nature of the stock. Well defined HCRs are in place that ensure that the exploitation rate is reduced as the PRI is approached and are expected to keep the stock fluctuating around a target level consistent with (or above) MSY. Although the HCRs are expected to reduce exploitation as the PRI is approached, they do not fully take account of the ecological role of the stock. The HCR is based on a single species approach (although multi-species aspects are included in the assessment) which does not consider the stock's role in the food-web as a resource for higher trophic level organisms. Considering the key LTL role of Baltic sprat in

PI 1.2.2		There are well defined and effective harvest control rules (HCRs) in place		
the ecosystem, there is no evidence that the HCR are expected to keep the stock at a level consistent with ecosystem needs. Therefore, **SG80 is not met. SG100 is not scored.**				
b	**HCRs robustness to uncertainty**			
	Guide post		The HCRs are likely to be robust to the main uncertainties.	The HCRs take account of a **wide** range of uncertainties including the ecological role of the stock, and there is **evidence** that the HCRs are robust to the main uncertainties.
	Met?		**Yes**	**Not scored**
Rationale				
The HCRs are likely to be robust to the main uncertainties. The HCRs are robust to the main uncertainties. Consistent estimates of F_{MSY} range (used to estimate the Baltic sprat TAC advice) were produced using the ICES EqSIM software, taking into account uncertainty in the stock-recruitment relationship, weight-at-age in the stock and the catch, maturity, the pattern of selectivity and predation mortality (as an effect of trophic interaction). During the Inter-Benchmark Process on BAltic Sprat (*Sprattus sprattus*) and Herring (*Clupea harengus*) (IBPBash) the F_{MSY} was explored both with full and truncated (excluding years before 1990) time-series, although truncating the time-series is not well justified with present biological knowledge. In all of the runs the year ranges 2016-2018 were used for biological parameters (weights, natural mortality) and 2008-2018 for fishing pattern (ICES, 2020d). Introducing the F ranges and conditions how to set F within ranges together with limits at TAC variation from year to year, are also the indirect mechanisms to limit HCRs uncertainty such as implementation error. The HCRs are likely to be robust to the main uncertainties, **SG80 is met**. **In accordance with MSC FCP v2.1 §7.17.7.4, SG100 is not scored as SIa is not met at SG80. However, the rationale for the scoring guidepost is provided for information:** Broader ecosystem context such as uncertainties in trophic interaction (uncertainties in diet composition of cod), metapopulation structure, ecological role of the stock as a forage species for predators other than cod, climate change and HCR implementation error were not taken into account when evaluating HCRs, consequently it cannot be said the HCRs take account of a wide range of uncertainties including the ecological role of the stock, and there is evidence that the HCRs are robust to the main uncertainties.				
c	**HCRs evaluation**			
	Guide post	There is **some evidence** that tools used **or available** to implement HCRs are appropriate and effective in controlling exploitation.	**Available evidence indicates** that the tools in use are appropriate and effective in achieving the exploitation levels	**Evidence clearly shows** that the tools in use are effective in achieving the exploitation levels required under the HCRs.

PI 1.2.2		There are well defined and effective harvest control rules (HCRs) in place		
			required under the HCRs.	
	Met?	**Yes**	**Yes**	**Not scored**

Rationale

Available evidence indicates that the tools in use are appropriate and effective in achieving the exploitation levels required under the HCRs.

It should be noted that in this scoring issue we are considering whether the HCRs are appropriate and effective in achieving the exploitation levels required under the HCRs. The scoring guidepost is not evaluating the performance of the HCRs in relation to achieving the exploitation levels required under PI 1.1.1A SIb (i.e. "around a level consistent with ecosystem needs"). As the HCRs within the Baltic Sea MAP do not set exploitation levels in relation to ecosystem needs (as noted in SIa – and hence the condition on SIa), but within fishing mortality ranges based on F_{MSY}, this scoring guidepost is assessed against the ranges identified for the stock.

SA2.5.6 of the MSC Fisheries Standard v2.01, states that in scoring issue (c),"*for "evidence" teams shall include consideration of the current levels of exploitation in the UoA, such as measured by the fishing mortality rate or harvest rate, where available*".

The main tool available in the fishery to implement the HCRs is the TAC. Recent trends in biomass and fishing mortality are estimated by the stock assessment process and are then used as input values to implement the HCR and determine the TAC. Overall, therefore, the TAC is based on scientific advice, and generally, there is compliance. See Table 15 and figure below – in recent years the TAC and catches have generally followed ICES advice except for 2014-2016 and 2020. This provides some evidence that the tool is appropriate and effective in controlling exploitation. Proven, acceptable technical measures, including gear limitations (e.g. mesh sizes), minimum landing size and maximum bycatch percentages, are also in place and contribute to achieving the exploitation levels required. There is some evidence that tools used or available to implement HCRs are appropriate and effective in controlling exploitation. **SG60 is met.**

Table 15: Baltic sprat catch advice, TAC and catches (ICES, 2021f)

Year	ICES advice	Catch corres. to advice	Agreed TAC*	TAC as % of advice	ICES catch	Catch as % of advice
2012	MSY transition scheme	< 242000	255100	105	235000	97
2013	$F < F_{MSY}$	< 278000	278000	100	272400	98
2014	MSY approach	< 247000	267900	108	243800	99
2015	MSY approach	< 222000	240200	108	247200	111
2016	MSY approach (F = 0.26)	≤ 205000	243000	119	246500	120
2017	MSY approach (F = 0.26)	≤ 314000	303593	97	285701	91
2018	MAP target F ranges: Flower to Fupper (F = 0.19–0.27), but F higher than	219152–301722, but	304900	105**	308827	106**

PI 1.2.2	There are well defined and effective harvest control rules (HCRs) in place

	FMSY = 0.26 only under conditions specified in MAP	catch higher than 291715 only under conditions specified in MAP				
2019	MAP target F ranges: Flower to Fupper (F = 0.19–0.27), but F higher than FMSY = 0.26 only under conditions specified in MAP	225752–311523, but catch higher than 301125 only under conditions specified in MAP	313100	104**	314147	104**
2020	MAP target F ranges: Flower to Fupper (F = 0.19–0.27), but F higher than FMSY = 0.26 only under conditions specified in MAP	169965–233704, but catch higher than 225786 only under conditions specified in MAP	256700	114**		

*TAC is calculated as EU + Russian autonomous quotas.
**TAC/catch as percentage of catch corresponding to F_{MSY} in years 2018 onwards.

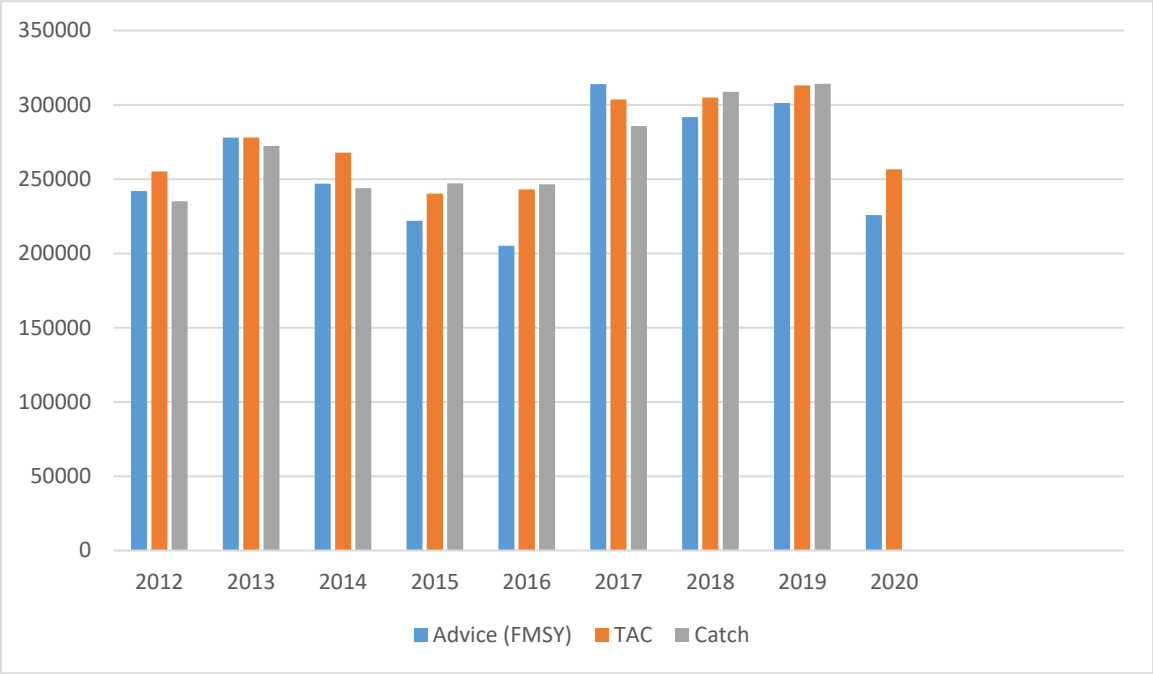


Figure 12: Relationship between ICES advice, the annual TAC and catches for Baltic sprat between 2012 and 2020. Data from ICES advice (ICES, 2021f). Advice values shown are those corresponding to F_{MSY} for the years 2018 onwards.

The guidance to section SA2.5.6 of the MSC Fisheries Standard v2.01 notes that,

PI 1.2.2	There are well defined and effective harvest control rules (HCRs) in place

"Section SA2.5.6 *requires that teams examine the current exploitation levels in the fishery, as part of the evidence that the HCRs are working. Evidence that current F is equal to or less than F_{MSY} should usually be taken as evidence that the HCR is effective. Current F levels greater than F_{MSY} may also sometimes be accepted in cases where*

- *stock biomass is currently higher than B_{MSY} or*
- *where stock assessment information is comprehensive, and it is appropriate to treat F_{MSY} is a target reference point."* [Our emphasis]

The guidance section then includes the following critical guidance:

"*Teams should be confident in these cases that any such higher levels of F are not likely to lead to overcapacity in the fishery or to create a situation where B is likely to fall below a level at which it is regarded as 'fluctuating around BMSY'. Lower levels of F should be expected when biomass is reduced, consistent with the scoring of the rebuilding PI. In any case, teams should justify how the current levels of fishing mortality are consistent with maintaining the stock fluctuating around a target level consistent with (or above) BMSY.*"

There is further critical guidance in this guidance section but as it relates to the use of proxy indicators and reference points instead of explicit estimates of F and F_{MSY} which exist for this fishery it is not relevant and not considered further here.

Taking into account this guidance and critical guidance there is evidence that :

- Information on the Baltic Sprat stock is comprehensive (see P1.2.3), and
- F_{MSY} ranges are a target reference 'point' as specified in Article 4.1 of the Baltic Sea MAP.

However:

- Current F_{2021} = 0.32. This is higher than F_{MSY}, but within the upper ranges of F_{MSY} (F0.22-0.41) as given by ICES (ICES, 2021f). As provided for in Article 4.5 of the MAP, fishing opportunities for a stock may be fixed in accordance with the upper range of F_{MSY} provided that the stock is above MSY $B_{trigger}$ and one of the conditions set out in Article 4.5 paragraphs a) to c) are met:

  a) *"if, on the basis of scientific advice or evidence, it is necessary for the achievement of the objectives laid down in Article 3 in the case of mixed fisheries;*

  b) *if, on the basis of scientific advice or evidence, it is necessary to avoid serious harm to a stock caused by intra- or inter-species stock dynamics; or*

  c) *in order to limit variations in fishing opportunities between consecutive years to not more than 20 %."*

  »

  Given the stock is above MSY $B_{trigger}$, it appears that there is a basis for applying Article 4.5 of the MAP. However, the assessment team could not find evidence that it was determined that one of these conditions was met in the decision-making on the TAC.

Furthermore, the critical guidance referred to above states that, "*teams should justify how the current levels of fishing mortality are consistent with maintaining the stock fluctuating around a target level consistent with (or above) B_{MSY}*"

According to the MSC interpretation on the use of ICES reference points (MSC, 2017) the sprat stock can be treated as fluctuating around B_{MSY} if F has been at or below F_{MSY} for at least one generation time

PI 1.2.2	There are well defined and effective harvest control rules (HCRs) in place

(GT) from a starting point close to B_{pa} or $B_{trigger}$. The GT of sprat (as calculated in PI 1.1.1A SIb) is 6 years and the stock has been above MSY $B_{trigger}$ since 1991. However, F has been above the upper range of F_{MSY} (0.41) once within the last 6 years (ICES, 2021f). In 2014 it was 0.43 (ages 2-7, see Table 7.16, ICES WGBFAS) (ICES, 2020a). Consequently, it cannot be said that the sprat stock is fluctuating around a target level consistent with B_{MSY}.

Some guidance on the consideration of fishing mortality rate in MSC assessments is included in Box GSA5 of MSC Fisheries Standard v2.01 which is found within the guidance on scoring stock status using fishing mortality rate (GSA 2.2.4). It includes a sentence that, "*Teams should also note that F should be maintained at lower than MSY levels in key LTL fisheries*". This is not critical guidance and is not included within or expanded upon in the guidance sections for PI 1.2.2c and appears inconsistent with the requirements of the scoring guidepost – as noted above SIc relates to achieving the exploitation levels under the HCRs rather than the objectives relating to ecosystem needs set out in PI 1.1.1A SIb. As such we have not considered it further here.

There is also an MSC interpretation, "*What are the MSC requirements on Harvest Control Rules (HCRs), including generally understood' and 'available'?*" (MSC, 2018) that, in paragraph 6, sets out the notion that F needs to be demonstrated to be constrained by the HCR. Based on the evidence presented above, this is not the case.

In conclusion, stock assessment information is comprehensive, F_{MSY} ranges are specified as a target reference 'point' within the HCR as set out in the Baltic Sea MAP and current F is within the upper F_{MSY} ranges. However, although stock biomass is high, above MSY $B_{trigger}$ since 1991, there is no evidence that one of the conditions of the MAP set out in Article 4.5 have been met - as required when setting the TAC in the upper range of F_{MSY} when stock biomass is above MSY $B_{trigger}$. Also, F has not been within the F_{MSY} ranges within 1GT of this species, so the sprat stock cannot be considered to be fluctuating around a level consistent with B_{MSY}. This means the critical guidance relating to section SA2.5.6 of the Standard is not met - current levels of fishing mortality are not consistent with maintaining the stock fluctuating around a target level consistent with (or above) B_{MSY}. For these reasons, it is not possible to determine that the available evidence indicates that the tools in use are appropriate and effective in achieving the exploitation levels required under the HCRs. **SG80 is not met**.

In accordance with MSC FCP v2.1 §7.17.7.4, SG100 is not scored as SIa is not met at SG80.

References

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PI 1.2.2	There are well defined and effective harvest control rules (HCRs) in place

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(ICES, 2021f) Sprat (*Sprattus sprattus*) in subdivisions 22-32 (Baltic Sea)', p. 8. doi:10.17895/ICES.ADVICE.7867.
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(MSC, 2018) *What are the MSC requirements on Harvest Control Rules (HCRs), including 'generally understood' and 'available'? (multiple questions) (FCR v2.0 - Annex SA PI 1.2.2, SA 2.5.3, Box GSA 1)*. Available at: https://mscportal.force.com/interpret/s/article/What-are-the-MSC-requirements-on-Harvest-Control-Rules-HCRs-including-generally-understood-and-available-multiple-questions-PI-1-2-2-1527262011680 (Accessed: 24 December 2021).

Individual scoring elements		Applicable SGs met per individual scoring element			Scoring element scores
		SG60	SG80	SG100	
1	Baltic sprat	2 of 2	2 of 3	0 of 3	**75**
Overall Performance Indicator score		Applicable SGs/elements met			Overall score
		SG60	SG80	SG100	
UoC 9-14		2 of 2	2 of 3	0 of 3	**75**
Condition number (if relevant)					**7a-f**

3.3.2.1.1 PI1.2.4 – Stock assessment

PI 1.2.4		There is an adequate assessment of the stock status#		
Scoring Issue		SG 60	SG 80	SG 100
a	Appropriateness of assessment to stock under consideration			
	Guide post		The assessment is appropriate for the stock and for the harvest control rule.	The assessment takes into account the major features relevant to the biology of the species and the nature of the UoA.
	Met?		Y	Y
	Justification	Extended Survivors' Analysis (Darby and Flatman 1994) is used for the assessment of sprat in subdivisions 22-32 (Baltic Sea). XSA is a VPA type of method that uses catch-at-age and survey data as input. The appropriateness of data and methods to determine stock status were evaluated by WKBALT (2013). The evaluation included consideration of fishery-dependent, fishery-independent, environmental and life-history data. The Benchmark conducted a thorough investigation of existing and potential tuning indices by examining length and geographical cover of the series, internal and external consistency and fit to the data by the assessment model. The three tuning series selected, all based on hydroacoustic surveys, included a BIAS tuning fleet index for Baltic sprat recruitment (age 0) in the SD 22–29. A recruitment index is appropriate for the assessment and forecast of short-lived species. The Benchmark estimated new maturity ogives based on recent data, age readings were examined for quality/consistency and the decline of sprat condition since the early 1990s (Casini et al., 2011) was investigated. The effect of new natural mortality (M) values derived from the stochastic multispecies model SMS on the XSA assessment was investigated. XSA has been used by ICES for a number of pelagic stocks although it has been replaced by the State-Space Model (SAM) in many of them. Results from implementing SAM and XSA for the B sprat were compared in the 2018 WGBFAS. The estimates were comparable, although SAM resulted in lower SSB and higher Fs point estimates, XSA estimate fell within SAM's confidence intervals. On that basis it is concluded that the assessment is appropriate for the stock and the HCR, SG80 is met. WKBALT (2013) found that the assessment took into account the major features relevant to the biology of the species and the nature of the fisheries. The inclusion of predation mortality in the assessment was considered appropriate and external reviewers' comments were constructive, focusing on the incorporation of stock and recruitment relationships in the short-term forecast. The possibility of different assessment units was explored by		

PI 1.2.4		**There is an adequate assessment of the stock status#**		
		WKBALT (2013) and the evaluations concluded that the present assessment unit covering SD 22 - 32 was appropriate. SG100 is met.		
b	Assessment approach			
	Guide post	The assessment estimates stock status relative to generic reference points appropriate to the species category.	The assessment estimates stock status relative to reference points that are appropriate to the stock and can be estimated.	
	Met?	Y	Y	
	Justification	Precautionary reference points that are appropriate to the stock were estimated by WKBALT 2013. MSY reference points were estimated for the stock by ICES WKMSYREF3, see ICES 2014 for further background on CB sprat reference points. The status of the stock is evaluated relative to MSY and precautionary references points which are used as a basis for providing catch advice. SG 60 & 80 are therefore met.		
c	Uncertainty in the assessment			
	Guide post	The assessment **identifies major sources** of uncertainty.	The assessment takes uncertainty into account.	The assessment takes into account uncertainty and is evaluating stock status relative to reference points in a **probabilistic** way.
	Met?	Y	Y	N
	Justification	The Extended Survivors Analysis (XSA) estimates internal and external survivors' errors which represent an analytical estimate of the uncertainty. However, the XSA is a VPA method and as such assumes that the catch numbers are exact but, error in the catch can be taken into account by bootstrapping procedures that would include estimates of catch error. Uncertainty in natural mortality related to key interactions in the ecosystem are also taken into account by using the natural mortality estimate provided by the Stochastic Multi-Species model (SMS). So, major sources of uncertainty are identified and are taken into account by the assessment. SG60 and SG80 are met. However, XSA output i.e. SSB estimates, numbers at age and fishing mortality are point estimates and no associated CVs are provided. Probabilities associated with the status of the stock relative to reference points cannot be derived directly from the assessment, SG100 is not met.		

PI 1.2.4		There is an adequate assessment of the stock status#		
d	Evaluation of assessment			
	Guide post			The assessment has been tested and shown to be robust. Alternative hypotheses and assessment approaches have been rigorously explored.
	Met?			Y
	Justification	The ICES benchmark process involves rigorous examination of the input data for the assessment. The following were investigated by WKALT (2013): • Stock identity, distribution and migration; • Exploration of different assessment units; • Quality of catch data, sampling coverage, age reading, mean weight at age and evaluation of maturity; • Ecosystem drivers; • Surveys' data The performance of the XSA assessment model was tested during the 2013 benchmark meeting. This consisted of: • Examination of XSA parameters and investigation of the settings resulted in final settings which were, in fact similar to the ones previously applied; • Impact of the new M values derived from SMS • Careful examination of the model diagnostics, residuals and retrospective analysis. The state-space assessment model SAM was explored by using the same input as the one for the finally decided XSA run. The run was based on the default configuration which was only modified for age 1. Comparison between XSA and SAM results were also carried out in recent years (ICES WGBFAS 2018) with different configurations showing that XSA estimates fall within the confidence intervals of SAM. The assessment was therefore thoroughly tested and shown to be robust. Alternative hypotheses and assessment approaches were rigorously explored, and SG100 is met.		
e	Peer review of assessment			
	Guide post		The assessment of stock status is subject to peer review.	The assessment has been **internally and**

PI 1.2.4		There is an adequate assessment of the stock status#		
				externally peer reviewed.
	Met?		Y	Y
	Justification	The assessment of Baltic sprat is conducted annually at the ICES WGBFAS, where fisheries scientists from about nine European fisheries laboratories participate. The assessment is presented and reviewed at the meeting and has to meet ICES standards to be accepted. If the assessment is agreed, it is subsequently reviewed by the ICES Advice Drafting Group which consists of National Experts and, finally, by the Advisory Committee (ACOM) which delivers the ICES advice. A group of external experts participate every few years in the benchmark process to provide a review on the assessment. The assessment has been internally and externally peer reviewed. Hence, SG80 & 100 are met.		
References		Darby, C. D. and S. Flatman 1994. Virtual Population Analysis: version 3.1 (Windows/DOS) user guide. *Information Technology Series 1*, Dir. Of Fish. Res., Lowestoft, 85pp. ICES 2014 Report of the Joint ICES-MYFISH Workshop to consider the basis for FMSY ranges for all stocks (WKMSYREF3). ICES CM 2014/ACOM:6		
OVERALL PERFORMANCE INDICATOR SCORE:				**95**
CONDITION NUMBER (if relevant):				

3.3.2.2 Revised scoring tables

3.3.2.2.1 PI 1.2.1 – Harvest strategy

PI 1.2.1		There is a robust and precautionary harvest strategy in place		
Scoring Issue		SG 60	SG 80	SG 100
a	**Harvest strategy design**			
	Guidepost	The harvest strategy is **expected** to achieve stock management objectives reflected in PI 1.1.1 SG80.	The harvest strategy is responsive to the state of the stock and the elements of the harvest strategy **work together** towards achieving stock management objectives reflected in PI 1.1.1 SG80.	The harvest strategy is responsive to the state of the stock and is **designed** to achieve stock management objectives reflected in PI 1.1.1 SG80.
	Met?	No	No	No
	Justification	**SIa does not meet SG60: The harvest strategy is expected to achieve stock management objectives reflected in PI 1.1.1[A]* SG80.** * Note that the MSC has issued an interpretation indicating that the intent is that for key low trophic level stocks, this SI should be evaluated against PI1.1.1A (MSC, 2022) Within EU waters, the harvest strategy for this fishery is the Multi-annual Plan for Management of Baltic Sea fish stocks (MAP) which was implemented in 2016 (EU Regulation 2016/1139) and amended on August 14th 2019 by EU Regulation 976/2018. Following this amendment, the targets and reference points are no longer fixed but are those advised by ICES – which aligns the advice and the MAP. For clarity, the consolidated objectives and targets of the amended MAP that are relevant to this SI are reproduced below:- **Article 3 – Objectives of MAP** 1. *The plan shall contribute to the achievement of the objectives of the common fisheries policy (CFP) listed in Article 2 of Regulation (EU) No 1380/2013, in particular by applying the precautionary approach to fisheries management, and shall aim to ensure that exploitation of living marine biological resources restores and maintains populations of harvested species above levels which can produce MSY.*		

PI 1.2.1		There is a robust and precautionary harvest strategy in place
		2. The plan shall contribute to the elimination of discards by avoiding and reducing, as far as possible, unwanted catches, and to the implementation of the landing obligation established in Article 15 of Regulation (EU) No 1380/2013 for the species which are subject to catch limits and to which this Regulation applies. *3. The plan shall implement the ecosystem-based approach to fisheries management in order to ensure that negative impacts of fishing activities on the marine ecosystem are minimised. It shall be coherent with Union environmental legislation, in particular with the objective of achieving good environmental status by 2020 as set out in Article 1(1) of Directive 2008/56/EC.* *In particular the plan shall aim to:* *a. ensure that the conditions described in descriptor 3 contained in Annex I to Directive 2008/56/EC are fulfilled; and* *b. contribute to the fulfilment of other relevant descriptors contained in Annex I to that Directive in proportion to the role played by fisheries in their fulfilment.* *4. Measures under the plan shall be taken in accordance with the best available scientific advice.* **Article 4: Targets** *1. The target fishing mortality in line with the ranges of F_{MSY} defined in Article 2 shall be achieved as soon as possible, and on a progressive, incremental basis by 2020 for the stocks listed in Article 1(1)*, and shall be maintained thereafter within the ranges of F_{MSY}, in accordance with this Article.* *2. The ranges of F_{MSY} based on the plan shall be requested in particular from ICES or a similar independent scientific body recognised at Union or international level.* *3. In accordance with Article 16(4) of Regulation (EU) No 1380/2013, when the Council fixes fishing opportunities for a stock, it shall establish those opportunities within the lower range of F_{MSY} available at that time for that stock.* *4. Notwithstanding paragraphs 1 and 3, fishing opportunities may be fixed at levels that are lower than the ranges of F_{MSY}.* *5. Notwithstanding paragraphs 3 and 4, fishing opportunities for a stock may be fixed in accordance with the upper range of*

PI 1.2.1		There is a robust and precautionary harvest strategy in place
		F_{MSY} available at that time for that stock, provided that the stock referred to in Article 1(1) is above MSY $B_{trigger}$: *(a) if, on the basis of scientific advice or evidence, it is necessary for the achievement of the objectives laid down in Article 3 in the case of mixed fisheries;* *(b) if, on the basis of scientific advice or evidence, it is necessary to avoid serious harm to a stock caused by intra- or inter-species stock dynamics; or* *(c) in order to limit variations in fishing opportunities between consecutive years to not more than 20 %.* *6. Fishing opportunities shall in any event be fixed in such a way as to ensure that there is less than a 5 % probability of the spawning stock biomass falling below B_{lim}.* **Article 4a: Conservation reference points** *The following conservation reference points to safeguard the full reproductive capacity of the stocks referred to in Article 1(1) shall, based on the plan, be requested in particular from ICES or a similar independent scientific body recognised at Union or international level:* *a) MSY $B_{trigger}$ for stocks referred to in Article 1(1)*;* *b) B_{lim} for stocks referred to in Article 1(1)*.* * Note that Baltic sprat are one of the stocks listed in Article 1(1) of the MAP The targets set out in the MAP are based on scientific, technical and economic advice and contain objectives, quantifiable targets, conservation reference points and safeguards which work together towards achieving stock management objectives. It is noted, however, that the There is also a binding agreement in place between the EU and Russia since 2009 ("AGREEMENT between the European Community and the Government of the Russian Federation on cooperation in fisheries and the conservation of the living marine resources in the Baltic Sea", EC, 2009) regarding fisheries management in the Baltic Sea, regulating aspects of setting quotas, scientific cooperation and monitoring between the Parties. The available evidence is that although the EU harvest strategy would seem to be appropriate, there have been no meetings between the EU

PI 1.2.1		There is a robust and precautionary harvest strategy in place		
		and Russia to discuss Baltic Sea fisheries since 2019, and that the harvest control tools provided by the overall harvest strategy (i.e. the Baltic Sea including both EU and Russian waters) are not maintaining exploitation levels at those specified by the EU MAP (see rationale for PI1.2.2 SIc). With regard to the SG60 requirements, some evidence has been provided to show that the reference points in the EU MAP are aligned with the requirements of MSC PI 1.1.1A for key low trophic level stocks. However it is also clear that the overall exploitation rate resulting from combined EU and Russian fishery removals is not compatible with the overall harvest strategy and hence with these reference points. It is therefore not possible to determine with adequate certainty that the current harvest strategy is expected to achieve stock management objectives reflected in PI 1.1.1A SG80. **SG60 is not met.**		
b	**Harvest strategy evaluation**			
	Guidepost	The harvest strategy is **likely** to work based on prior experience or plausible argument.	The harvest strategy may not have been fully **tested** but evidence exists that it is achieving its objectives.	The performance of the harvest strategy has been **fully evaluated** and evidence exists to show that it is achieving its objectives including being clearly able to maintain stocks at target levels.
	Met?	NS	NS	NS
	Justification	This SI is not scored because another SI for the Performance Indicator does not meet the SG60 requirements (see MSC FCP v2.2 at 7.17.7.2.a).		
c	**Harvest strategy monitoring**			
	Guidepost	Monitoring is in place that is expected to determine whether the harvest strategy is working.		
	Met?	NS	NS	NS
	Justification	This SI is not scored because another SI for the Performance Indicator does not meet the SG60 requirements (see MSC FCP v2.2 at 7.17.7.2.a).		
d				
	Guidepost			The harvest strategy is periodically reviewed and improved as necessary.
	Met?	NS	NS	NS

PI 1.2.1		There is a robust and precautionary harvest strategy in place		
	Justification	This SI is not scored because another SI for the Performance Indicator does not meet the SG60 requirements (see MSC FCP v2.2 at 7.17.7.2.a).		
e	**Shark finning**			
	Guidepost	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.
	Met?	NS	NS	NS
	Justification	This SI is not scored because another SI for the Performance Indicator does not meet the SG60 requirements (see MSC FCP v2.2 at 7.17.7.2.a).		
f	**Review of alternative measures**			
	Guidepost	There has been a review of the potential effectiveness and practicality of alternative measures to minimise UoA-related mortality of unwanted catch of the target stock.	There is a **regular** review of the potential effectiveness and practicality of alternative measures to minimise UoA-related mortality of unwanted catch of the target stock and they are implemented as appropriate.	There is a **biennial** review of the potential effectiveness and practicality of alternative measures to minimise UoA-related mortality of unwanted catch of the target stock, and they are implemented, as appropriate.
	Met?	NS	NS	NS
	Justification	This SI is not scored because another SI for the Performance Indicator does not meet the SG60 requirements (see MSC FCP v2.2 at 7.17.7.2.a).		
References		EC (2009) *COUNCIL REGULATION (EC) No 439/2009 of 23 March 2009 concerning the conclusion of the Agreement between the European Community and the Government of the Russian Federation on cooperation in fisheries and the conservation of the living marine resources in the Baltic Sea*. Available at: http://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:32009R0439&from=EN (Accessed: 27 April 2017). EC (2016) *Regulation (EU) 2016/1139 of the European Parliament and of the Council of 6 July 2016 establishing a multiannual plan for the stocks of cod, herring and sprat in the Baltic Sea and the fisheries exploiting those stocks, amending Council Regulation (EC) No 2187/2005 and repealing Council Regulation (EC) No 1098/2007.* Available at: http://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=OJ:L:2016:191:FULL&from=EN (Accessed: 25 January 2017).		

PI 1.2.1	There is a robust and precautionary harvest strategy in place
	EU (2018) *REGULATION (EU) 2018/976 OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL of 4 July 2018 amending Regulation (EU) 2016/1139 as regards fishing mortality ranges and safeguard levels for certain herring stocks in the Baltic Sea*. Available at: https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:32018R0976&from=EN (Accessed: 24 March 2020).
OVERALL PERFORMANCE INDICATOR SCORE:	<60
CONDITION NUMBER (if relevant):	NA

3.3.2.2.2 PI 1.2.2 – Harvest control rules

PI 1.2.2		There are well defined and effective harvest control rules (HCRs) in place		
Scoring Issue		**SG 60**	**SG 80**	**SG 100**
a	**HCRs design and application**			
	Guidepost	**Generally understood** HCRs are in place **or available** that are **expected** to reduce the exploitation rate as the point of recruitment impairment (PRI) is approached.	**Well defined** HCRs are **in place** that **ensure** that the exploitation rate is reduced as the PRI is approached, are expected to keep the stock **fluctuating around** a target level consistent with (or above) MSY, or for key LTL species a level consistent with ecosystem needs.	The HCRs are expected to keep the stock **fluctuating at or above** a target level consistent with MSY, or another more appropriate level taking into account the ecological role of the stock, **most** of the time.
	Met?	**Not Scored**	**Not Scored**	**Not Scored**
Rationale				
This SI is not scored because another SI for the Performance Indicator does not meet the SG60 requirements (see MSC FCP v2.2 at 7.17.7.2.a).				
b	**HCRs robustness to uncertainty**			
	Guide post		The HCRs are likely to be robust to the main uncertainties.	The HCRs take account of a **wide** range of uncertainties including the ecological role of the stock, and there is **evidence** that the HCRs are robust to the main uncertainties.
	Met?		**Not scored**	**Not scored**
Rationale				
This SI is not scored because another SI for the Performance Indicator does not meet the SG60 requirements (see MSC FCP v2.2 at 7.17.7.2.a).				
c	**HCRs evaluation**			

PI 1.2.2		There are well defined and effective harvest control rules (HCRs) in place		
	Guide post	There is **some evidence** that tools used **or available** to implement HCRs are appropriate and effective in controlling exploitation.	**Available evidence indicates** that the tools in use are appropriate and effective in achieving the exploitation levels required under the HCRs.	**Evidence clearly shows** that the tools in use are effective in achieving the exploitation levels required under the HCRs.
	Met?	**No**	**No**	**No**

Rationale

SIc SG60 is not met: There is some evidence that tools used or available to implement HCRs are appropriate and effective in controlling exploitation.

It should be noted that in this scoring issue, we are considering whether the HCRs are appropriate and effective in achieving the exploitation levels required under the HCRs. The scoring guidepost is not evaluating the performance of the HCRs in relation to achieving the exploitation levels required under PI 1.1.1A SIb (i.e. "around a level consistent with ecosystem needs"). As the HCRs within the Baltic Sea MAP do not set exploitation levels in relation to ecosystem needs (as noted in SIa – and hence the condition on SIa), but within fishing mortality ranges based on F_{MSY}, this scoring guidepost is assessed against the ranges identified for the stock.
It is also important to note that the focus of this scoring issue is on evaluating the effectiveness of the HCR using **current** fishing mortality as is made clear in the Standard and the Guidance to it:
SA2.5.6 of the MSC Fisheries Standard v2.01, states that in scoring issue (c),"*for "evidence" teams shall include consideration of the current levels of exploitation in the UoA, such as measured by the fishing mortality rate or harvest rate, where available*".
The Guidance to Scoring Issue (c) – Evaluating the effectiveness of HCRs (SA2.5.6 – SA2.5.7), further notes that:

> "*Section SA2.5.6 requires that teams examine the current exploitation levels in the fishery, as part of the evidence that the HCRs are working. Evidence that current F is equal to or less than FMSY should usually be taken as evidence that the HCR is effective. Current F levels greater than FMSY may also sometimes be accepted in cases where stock biomass is currently higher than BMSY or where stock assessment information is comprehensive, and it is appropriate to treat FMSY is a target reference point (see Box GSA3).*"

The critical guidance that follows the above paragraph repeats this reference to current fishing mortality:

> "*Teams should be confident in these cases that any such higher levels of F are not likely to lead to overcapacity in the fishery or to create a situation where B is likely to fall below a level at which it is regarded as 'fluctuating around BMSY'. Lower levels of F should be expected when biomass is reduced, consistent with the scoring of the rebuilding PI. In any case, teams should justify how the current levels of fishing mortality are consistent with maintaining the stock fluctuating around a target level consistent with (or above) BMSY.*"

The TAC is the main tool available in the fishery to implement the HCRs which are defined in the Baltic Sea MAP. The main operational part of the harvest strategy (HS) and Harvest Control Rules (HCR) is an EU multiannual plan for sprat in the Baltic Sea(EC, 2016). It is important to note that the management target defined in the MAP (Article 4 paragraph 1) is an F_{MSY} range rather than a point value (see Scoring

PI 1.2.2	There are well defined and effective harvest control rules (HCRs) in place

Issue (a) for further detail). In the plan, F_{MSY} ranges are defined as 0.19 – 0.26 and 0.26–0.27. During the inter-benchmark process, the F_{MSY} and ranges were redefined and applied in the MAP as 0.22-0.31 and 0.31-0.41 (ICES, 2020d).
The ICES reported catches for 2021 are 284 890t and higher than the agreed TAC for 2021 (268 458t). where TAC is calculated as EU + Russian autonomous quota (ICES, 2022c).
Table 16. Latest catch data (ICES, 2022c)

Year	ICES advice	Catch corresponding to advice	Agreed TAC	ICES catch
2021	Management plan	247 952 (range 181 567–316 833)	268 458**	284 890
2022	Management plan	291 745 (range 214 000– 373 210)	295 300***	
2023	Management plan	249 237 (range 183 749–317 905)		

Taking into account the Section SA2.5.6 of the MSC Fisheries Standard, there is, therefore, evidence that catches are higher than Agreed TAC and current F (Fbar 2021 = 0.42, ICES 2022) is outside the F_{MSY} ranges set out in the HCR defined in the MAP, which can be taken as evidence that the HCR are not effective in controlling exploitation.
Concerning the critical guidance referred to above, it relates to the cases referred to in the preceding paragraph in the guidance section, i.e. "*those cases where current F levels greater than FMSY may also sometimes be accepted…*". This does not apply here, as the current fishing mortality is above the F_{MSY} range defined in the HCR and has been above F_{MSY} point value since the end of 1990s. However, if it did apply, it should be noted that current biomass levels are well above MSY $B_{trigger,}$ which ICES consider to be the lower range of MSY.
In conclusion, reported catches are above Agreed TAC, F_{MSY} ranges are specified as a target reference 'point' within the HCR as set out in the Baltic Sea MAP and **current F is above the upper F_{MSY} ranges.** Despite that, the assessment information is comprehensive, and stock biomass is high (above MSY $B_{trigger}$ since 1991). The assessment team therefore believes that available evidence shows that the tools in use are appropriate but not effective in achieving the exploitation levels required under the HCR, and that **SG60 is therefore not met.**

References

(EC, 2016) Regulation (EU) 2016/1139 of the European Parliament and of the Council of 6 July 2016 establishing a multiannual plan for the stocks of cod, herring and sprat in the Baltic Sea and the fisheries exploiting those stocks, amending Council Regulation (EC) No 2187/2005 and repealing Council Regulation (EC) No 1098/2007. Official Journal of the European Union, L 191, 15.7.2016. 15 pp. http://data.europa.eu/eli/reg/2016/1139/oj.
(EU, 2019a) Regulation (EU) 2019/472 OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL of 19 March 2019 establishing a multiannual plan for stocks fished in the Western Waters and adjacent waters, and for fisheries exploiting those stocks, amending Regulations (EU) 2016/1139 and (EU) 2018/973, and repealing Council Regulations (EC) No 811/2004, (EC) No 2166/2005, (EC) No 388/2006, (EC) No 509/2007 and (EC) No 1300/2008. Official Journal of the European Union, L 83, 25.3.2019. 17 pp. http://data.europa.eu/eli/reg/2019/472/oj.
(ICES, 2014) *Report of the Joint ICES-MYFISH Workshop to consider the basis for FMSY ranges for all stocks (WKMSYREF3).17–21 November 2014, Charlottenlund, Denmark*. Copenhagen: ICES (ICES CM 2014/ACOM:64). Available at:

PI 1.2.2	There are well defined and effective harvest control rules (HCRs) in place

http://ices.dk/sites/pub/Publication%20Reports/Expert%20Group%20Report/acom/2014/WKMSYREF3/WKMSYREF32014.pdf (Accessed: 1 August 2017).
(ICES, 2015) Report of the Baltic Fisheries Assessment Working Group (WGBFAS), 14– 21 April 2015, ICES HQ, Copenhagen, Denmark. ICES CM 2015/ACOM:10. Page 826.
(ICES, 2019) Working Group on Multispecies Assessment Methods (WGSAM). ICES. http://www.ices.dk/sites/pub/Publication Reports/Forms/DispForm.aspx?ID=36455.
(ICES, 2020a) Baltic Fisheries Assessment Working Group (WGBFAS). ICES Scientific Reports. 2:45. 643 pp. http://doi.org/10.17895/ices.pub.6024
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(ICES, 2020e) Sprat (*Sprattus sprattus*) in subdivisions 22–32 (Baltic Sea). In Report of the ICES Advisory Committee, 2020. ICES Advice 2020, spr.27.22-32. https://doi.org/10.17895/ices.advice.5879.
(ICES, 2021f) Sprat (*Sprattus sprattus*) in subdivisions 22-32 (Baltic Sea)', p. 8. doi:10.17895/ICES.ADVICE.7867.
(ICES, 2022c) S*prat (*Sprattus sprattus*) in subdivisions 22–32 (Baltic Sea)*. report. ICES Advice: Recurrent Advice. Available at: https://doi.org/10.17895/ices.advice.19453856.v1.

(MSC, 2017) *Scoring stock status against Bmsy for ICES stocks (FCR v2.0 - Annex SA PI 1.1.1)*. Available at: https://mscportal.force.com/interpret/s/article/Scoring-stock-status-against-Bmsy-for-ICES-stocks-PI-1-1-1-1527262010506 (Accessed: 4 March 2020).
(MSC, 2018) *What are the MSC requirements on Harvest Control Rules (HCRs), including 'generally understood' and 'available'? (multiple questions) (FCR v2.0 - Annex SA PI 1.2.2, SA 2.5.3, Box GSA 1)*. Available at: https://mscportal.force.com/interpret/s/article/What-are-the-MSC-requirements-on-Harvest-Control-Rules-HCRs-including-generally-understood-and-available-multiple-questions-PI-1-2-2-1527262011680 (Accessed: 24 December 2021).

Individual scoring elements		Applicable SGs met per individual scoring element			Scoring element scores
		SG60	SG80	SG100	
1	Baltic sprat	2 of 2	2 of 3	0 of 3	**75**
Overall Performance Indicator score		Applicable SGs/elements met			Overall score
		SG60	SG80	SG100	
UoC 9-14		2 of 2	2 of 3	0 of 3	**75**
Condition number (if relevant)					**7a-f**

3.3.2.2.3 PI1.2.4 – Stock assessment

PI 1.2.4		There is an adequate assessment of the stock status#		
Scoring Issue		SG 60	SG 80	SG 100
a	Appropriateness of assessment to stock under consideration			
	Guide post		The assessment is appropriate for the stock and for the harvest control rule.	The assessment takes into account the major features relevant to the biology of the species and the nature of the UoA.
	Met?		Not Scored	Not Scored
	Justification	This SI is not scored because another SI for the Performance Indicator does not meet the SG60 requirements (see MSC FCP v2.2 at 7.17.7.2.a).		
b	Assessment approach			
	Guide post	The assessment estimates stock status relative to generic reference points appropriate to the species category.	The assessment estimates stock status relative to reference points that are appropriate to the stock and can be estimated.	
	Met?	No	Not Scored	
	Justification	Following the update of the MSC interpretation relating to key LTL stocks in April 2022, the stock assessment should be assessed relative to reference points that are compatible with those set out in PI 1.1.1A (i.e. “serious ecosystem impacts” rather than the point of recruitment impairment, and “ecosystem needs” rather than MSY). With regard to scoring PI1.1.1A the MSC Fisheries Standard v2.01 allows that proxies can be used for these values as follows:- SA2.2.12 When scoring PI 1.1.1A scoring issue (a), the point where serious ecosystem impacts could occur shall be interpreted as being substantially higher than the point at which recruitment is impaired (PRI), as determined for the target species in a single species context. a. Such point may be analytically determined from ecosystem models, but in any case shall not be less than 20% of the spawning stock level that would be expected in the absence of fishing.SA2.2.13 SA2.2.13 When scoring PI 1.1.1A scoring issue (b), the expectations for key LTL species shall be as given below:		

PI 1.2.4		There is an adequate assessment of the stock status#		
		a. The default biomass target level consistent with ecosystem needs shall be 75% of the spawning stock level that would be expected in the absence of fishing. b. A higher or lower target level, down to a minimum allowed 40% of the spawning stock level that would be expected in the absence of fishing, may still achieve an 80 level score if it can be demonstrated, through the use of credible ecosystem models or robust empirical data for the UoA/ecosystem being assessed, that the level adopted: i. Does not impact the abundance levels of more than 15% of the other species and trophic groups by more than 40% (compared to their state in the absence of fishing on the target LTL species); and ii. Does not reduce the abundance level of any other species or trophic group by more than 70% The "ecosystem needs" reference point in PI 1.1.1A has not been estimated by ICES and is not used in its stock assessment. An estimate has, however, recently been made by scientists from the Polish National Marine Fisheries Research Institute (Horbowy and Całkiewicz, 2022). This paper estimates B_0 at 1,643t (density dependent growth) or 2,030kt (constant growth). The "serious ecosystem impacts" reference point of 20% B_0 would thus be 329kt or 406kt respectively, and the "ecosystem needs" reference point (a minimum of 40% B_0) would be 657kt or 812kt respectively. The formal ICES stock assessment considers the status of the Baltic sprat stock against a Blim value of 410kt and an MSY $B_{trigger}$ value of 570 kt (ICES, 2022c). The B_{lim} value is higher than both estimates of "serious ecosystem impacts", and would thus meet the requirements of PI1.1.1A SIa at SG80. The MSY $B_{trigger}$ value is, however, 15% lower than the lowest estimate of "ecosystem needs" and cannot therefore serve as a proxy for this key LTL reference point. Hence, SG60 is not met, as the reference points defined in the stock assessment are not compatible with MSC requirements at PI1.1.1A SG80, and are not appropriate for its status as a key LTL stock.		
c	Uncertainty in the assessment			
	Guide post	The assessment **identifies major sources** of uncertainty.	The assessment takes uncertainty into account.	The assessment takes into account uncertainty and is evaluating stock status relative to reference points in a **probabilistic** way.
	Met?	Not Scored	Not Scored	Not Scored

PI 1.2.4		There is an adequate assessment of the stock status#		
	Justification	This SI is not scored because another SI for the Performance Indicator does not meet the SG60 requirements (see MSC FCP v2.2 at 7.17.7.2.a).		
d	Evaluation of assessment			
	Guide post			The assessment has been tested and shown to be robust. Alternative hypotheses and assessment approaches have been rigorously explored.
	Met?			Not Scored
	Justification	This SI is not scored because another SI for the Performance Indicator does not meet the SG60 requirements (see MSC FCP v2.2 at 7.17.7.2.a).		
e	Peer review of assessment			
	Guide post		The assessment of stock status is subject to peer review.	The assessment has been **internally and externally** peer reviewed.
	Met?		Not Scored	Not Scored
	Justification	This SI is not scored because another SI for the Performance Indicator does not meet the SG60 requirements (see MSC FCP v2.2 at 7.17.7.2.a).		
References		(Horbowy and Całkiewicz, 2022) *Estimation of B0 for sprat in the Baltic and effects of sprat biomass at levels of 40%B0 on Baltic ecosystem*. Gdynia, Poland: National Marine Fisheries Research Institute, p. 8. (ICES, 2022c) *Sprat (*Sprattus sprattus*) in subdivisions 22–32 (Baltic Sea)*. report. ICES Advice: Recurrent Advice. Available at: https://doi.org/10.17895/ices.advice.19453856.v1.		
OVERALL PERFORMANCE INDICATOR SCORE:				**95**
CONDITION NUMBER (if relevant):				

3.3.3 Gulf of Bothnia Herring (UoC 2 & 3)

No Performance Indicators for these UoCs were rescored at this surveillance audit.

3.3.4 Central Baltic Herring (UoC 3 & 4)

No Performance Indicators for these UoCs were rescored at this surveillance audit.

3.3.5 Principle 3

Some minor changes were made to the scores of Principle 3 PIs at the last surveillance audit after harmonisation discussions with other CABs. These have no material effect on the assessment outcome but are presented here.

3.3.5.1 Original scoring tables

3.3.5.1.1 PI 3.1.3 – Long term objectives

PI 3.1.3		**The management policy has clear long-term objectives to guide decision-making that are consistent with MSC fisheries standard, and incorporates the precautionary approach.**		
Scoring Issue		SG 60	SG 80	SG 100
a	Objectives			
	Guide post	Long-term objectives to guide decision-making, consistent with the MSC fisheries standard and the precautionary approach, are **implicit** within management policy.	Clear long-term objectives that guide decision-making, consistent with MSC fisheries standard and the precautionary approach are **explicit** within management policy.	Clear long-term objectives that guide decision-making, consistent with MSC fisheries standard and the precautionary approach, are **explicit** within **and required by** management policy.
	Met?	Y	Y	Y
	Justification	The long term objectives that guide decision making in the Baltic Sea and that apply to these UoAs are set out in the EU-Russia Fisheries Agreement, the EU CFP and in Finnish national legislation. The EU-Russia fisheries agreement sets out clear long-term objectives for international collaboration in the management of Baltic Sea fisheries: ***Article 4: Objectives*** *1. The objective of this Agreement is to ensure a close cooperation between the Parties on the basis of the principle of equitable and mutual benefit for the purpose of conservation, sustainable exploitation and management of any straddling, associated and dependent stocks in the Baltic Sea.* *2. The Agreement lays down the principles and procedures relating to the close cooperation between the Parties with the purpose of ensuring that the*		

PI 3.1.3		The management policy has clear long-term objectives to guide decision-making that are consistent with MSC fisheries standard, and incorporates the precautionary approach.
		exploitation of the straddling, associated and dependent stocks in the Baltic Sea provides sustainable economic, environmental and social conditions. *3. The Parties shall base their cooperation on the best scientific advice available and on any other relevant data, shall apply the precautionary approach and shall agree to develop an eco-system based approach to fisheries management.* The EU CFP contains clear long-term objectives that guide decision-making and are consistent with MSC principles. These are presented below: ***Article 2*** ***Objectives*** *1. The CFP shall ensure that fishing and aquaculture activities are environmentally sustainable in the long-term and are managed in a way that is consistent with the objectives of achieving economic, social and employment benefits, and of contributing to the availability of food supplies.* *2. The CFP shall apply the precautionary approach to fisheries management, and shall aim to ensure that exploitation of living marine biological resources restores and maintains populations of harvested species above levels which can produce the maximum sustainable yield.* *In order to reach the objective of progressively restoring and maintaining populations of fish stocks above biomass levels capable of producing maximum sustainable yield, the maximum sustainable yield exploitation rate shall be achieved by 2015 where possible and, on a progressive, incremental basis at the latest by 2020 for all stocks.* *3. The CFP shall implement the ecosystem-based approach to fisheries management so as to ensure that negative impacts of fishing activities on the marine ecosystem are minimised, and shall endeavour to ensure that aquaculture and fisheries activities avoid the degradation of the marine environment.* *4. The CFP shall contribute to the collection of scientific data.* *5. The CFP shall, in particular:* *(a) gradually eliminate discards, on a case-by-case basis, taking into account the best available scientific advice, by avoiding and reducing, as far as possible, unwanted catches, and by gradually ensuring that catches are landed;* *(b) where necessary, make the best use of unwanted catches, without creating a market for such of those catches that are below the minimum conservation reference size;* *(c) provide conditions for economically viable and competitive fishing capture and processing industry and land-based fishing related activity;*

PI 3.1.3		The management policy has clear long-term objectives to guide decision-making that are consistent with MSC fisheries standard, and incorporates the precautionary approach.
		(d) provide for measures to adjust the fishing capacity of the fleets to levels of fishing opportunities consistent with paragraph 2, with a view to having economically viable fleets without overexploiting marine biological resources; *(e) promote the development of sustainable Union aquaculture activities to contribute to food supplies and security and employment;* *(f) contribute to a fair standard of living for those who depend on fishing activities, bearing in mind coastal fisheries and socio-economic aspects;* *(g) contribute to an efficient and transparent internal market for fisheries and aquaculture products and contribute to ensuring a level–playing field for fisheries and aquaculture products marketed in the Union;* *(h) take into account the interests of both consumers and producers;* *(i) promote coastal fishing activities, taking into account socio- economic aspects;* *(j) be coherent with the Union environmental legislation, in particular with the objective of achieving a good environ mental status by 2020 as set out in Article 1(1) of Directive 2008/56/EC, as well as with other Union policies.* Other EU legislation, notably the Marine Strategy Framework Directive (MSFD, Directive 2008/56/EC)) sets long term objectives for attaining "Good Environmental Status" in the EU marine environment by 2020. The MSFD sets targets for, *inter alia*: maintaining populations of commercially exploited fish and shellfish species within Sustainable Biological Limits; protecting food webs; maintaining biodiversity; and protecting the seabed. At the national level within Finland, the objective of the Fishing Act 2015 is set out in §1: *"The objective of this Act is to use the best available information to ensure ecologically, economically and socially sustainable management of fish resources in such a way as to secure a sustainable and diversified return on fish resources, the natural life cycle of fish stocks, and the diversity and protection of fish resources and other aquatic flora and fauna."* It is therefore apparent that there are clear long-term objectives in place for guiding decision making at the international, EU and national level that meet all of the SG60, 80 and 100 requirements.
References		Sections 4.8.1 & 4.8.2.1 of the PCR. (EC 2008, 2009b, EU 2013, Government of Finland 2015a)
OVERALL PERFORMANCE INDICATOR SCORE:		**100**
CONDITION NUMBER (if relevant):		**NA**

3.3.5.1.2 PI 3.2.1 Fishery-specific objectives

PI 3.2.1		The fishery-specific management system has clear, specific objectives designed to achieve the outcomes expressed by MSC's Principles 1 and 2.		
Scoring Issue		SG 60	SG 80	SG 100
a	Objectives			
	Guide post	**Objectives**, which are broadly consistent with achieving the outcomes expressed by MSC's Principles 1 and 2, are **implicit** within the fishery-specific management system.	**Short and long-term objectives**, which are consistent with achieving the outcomes expressed by MSC's Principles 1 and 2, are **explicit** within the fishery-specific management system.	**Well defined and measurable short and long-term objectives**, which are demonstrably consistent with achieving the outcomes expressed by MSC's Principles 1 and 2, are explicit within the fishery-specific management system.
	Met?	Y	Y	Y
	Justification	Fishery specific objectives for the Baltic Sea herring and sprat fisheries were developed and implemented through the agreement of the EU Baltic Sea Multi-Annual Plan. This plan is described in section 4.8.1.2.1.5 of this report and its objectives are considered in section 4.8.2.2 of this report. In summary, the Baltic Sea MAP sets out the following objectives for Baltic Sea fisheries:- ***Article 3 Objectives*** *1.The plan shall contribute to the achievement of the objectives of the common fisheries policy (CFP) listed in Article 2 of Regulation (EU) No 1380/2013, in particular by applying the precautionary approach to fisheries management, and shall aim to ensure that exploitation of living marine biological resources restores and maintains populations of harvested species above levels which can produce MSY.* *2.The plan shall contribute to the elimination of discards by avoiding and reducing, as far as possible, unwanted catches, and to the implementation of the landing obligation established in Article 15 of Regulation (EU) No 1380/2013 for the species which are subject to catch limits and to which this Regulation applies.* *3.The plan shall implement the ecosystem-based approach to fisheries management in order to ensure that negative impacts of fishing activities on the marine ecosystem are minimised. It shall be coherent with Union environmental legislation, in particular with the objective of achieving good environmental status by 2020 as set out in Article 1(1) of Directive 2008/56/EC.* *In particular the plan shall aim to:* *(a) ensure that the conditions described in descriptor 3 contained in Annex I to Directive 2008/56/EC are fulfilled; and*		

PI 3.2.1		The fishery-specific management system has clear, specific objectives designed to achieve the outcomes expressed by MSC's Principles 1 and 2.
		(b) contribute to the fulfilment of other relevant descriptors contained in Annex I to that Directive in proportion to the role played by fisheries in their fulfilment. *4.Measures under the plan shall be taken in accordance with the best available scientific advice.* These objectives are to be attained for the sprat and herring stocks in the Baltic Sea by attaining the target fishing mortalities and biomass reference points specified in the Annexes of the MAP as soon as possible, and by 2020 at the latest. These target values of biomass and fishing mortality were set in line with ICES advice on both individual fish stocks and taking account of multi-species considerations in the Central Baltic Sea. These targets are considered to be compatible with the MSY approach and the ecosystem functions for each stock. The Baltic Sea MAP therefore sets out well-defined and measurable short and long-term objectives for the management of sprat and herring stocks, which take account of both Principle 1 (target stock) and Principle 2 (wider environmental) issues, meeting the SG60, 80 and 100 requirements for this PI.
References		Section 4.8.1.2.1.5 & 4.8.2.2 of the PCR .(ICES 2013b, EC 2016a, ICES 2016j)
OVERALL PERFORMANCE INDICATOR SCORE:		**100**
CONDITION NUMBER (if relevant):		**NA**

3.3.5.1.3 PI 3.2.2 – Decision-making processes

PI 3.2.2		The fishery-specific management system includes effective decision-making processes that result in measures and strategies to achieve the objectives, and has an appropriate approach to actual disputes in the fishery.		
Scoring Issue		SG 60	SG 80	SG 100
a	Decision-making processes			
	Guide post	There are some decision-making processes in place that result in measures and strategies to achieve the fishery-specific objectives.	There are **established** decision-making processes that result in measures and strategies to achieve the fishery-specific objectives.	
	Met?	Y	Y	
	Justification	The main decision making processes that deliver the fishery-specific objectives for all of the UoAs under assessment are those that are set out in the Baltic Sea Multi-Annual Plan (MAP). This EU Regulation sets out (in Articles 4 & 5) a clear set of harvest control rules that are intended to ensure that the fishing mortality for each stock is set at a level that is compatible with current stock status. The approach that is set out in these Articles and the corresponding Annexes of the Regulation determine a harvest rate that has been evaluated by ICES to be compatible with both intra- and inter- species stock dynamics and interactions. The MAP also sets out remedial measures that should be applied if the stock(s) should become depleted. The procedure set out in the new MAP builds upon the decision making processes that were already in place under the EU CFP and which had resulted in fishing mortality for all of the UoAs being set at a level consistent with precautionary and MSY management requirements. The most recent (October 2017) Fisheries Council meeting resulted in, *inter alia*, a 40% reduction of the Bothnian Sea herring TAC in response to the most recent stock advice, demonstrating a clear commitment to the fishery-specific objectives set out in the MAP. The evidence from the past implementation of the decision making processes set out in the CFP, along with the explicit processes set out in the new Baltic Sea MAP that have been used to determine fishing opportunities in 2017 **meets the SG60 and SG80 requirements for this SI.**		
b	Responsiveness of decision-making processes			
	Guide post	Decision-making processes respond to **serious issues** identified in relevant research, monitoring, evaluation and consultation, in a transparent, timely and	Decision-making processes respond to **serious and other important issues** identified in relevant research, monitoring, evaluation and	Decision-making processes respond to **all issues** identified in relevant research, monitoring, evaluation and consultation, in a transparent, timely and

PI 3.2.2		The fishery-specific management system includes effective decision-making processes that result in measures and strategies to achieve the objectives, and has an appropriate approach to actual disputes in the fishery.		
		adaptive manner and take some account of the wider implications of decisions.	consultation, in a transparent, timely and adaptive manner and take account of the wider implications of decisions.	adaptive manner and take account of the wider implications of decisions.
	Met?	Y	Y	Y
	Justification	The decision making processes in place for managing the impacts of the UoAs on their target species and on the wider marine environment include the processes established within the EU fisheries management regime (the CFP and Baltic Sea MAP); and also the wider processes established under other EU legislation (notably the Marine Strategy Framework Directive) and international agreements such as the Helsinki Convention and ASCOBANS that the Finnish Government is taking steps to implement. The EU CFP and MAP respond to annual assessments of stock status conducted by ICES as well as advice from other parties (STECF and BSAC) in the determination of annual fishing opportunities for target species. The CFP has also in the past served as the basis for introducing regulations to protect marine mammals from the impact of fishing activity (Regulation 812/2004) in response to concerns about cetacean bycatch in salmon drift nets. Outside the EU CFP, the EU has several strategies in place to respond to other management in the Baltic Sea. The Natura 2000 programme establishes a management framework, including decision making processes, for the protection of species of wildlife and for natural habitats. There are links between this Natura 2000 programme and the CFP which allow for the protection of areas of seabed outside a Member State's area of jurisdiction (for instance for the protection of areas of seabed in the North Sea and the southern Baltic Sea under Commission Delegate Regulations 117/2017 and 118/2017 (EC 2016c, 2016d)). The EU Marine Strategy Framework Directive establishes a programme for delivering the "good environmental status" (GES) of regional seas in the EU, including the Baltic Sea. The MSFD is based upon an objective assessment of impacts on the marine environment by all human activities that forms the decision base for management actions by the EU and Member States that are intended to achieve GES by 2020. In the Baltic Sea the work on the MSFD is complementary to the 1974 Helsinki Convention and the work of HELCOM and the signatories to this convention (all of the EU Member States and Russia) to achieve the objectives of this convention (also "good environmental status") by 2021. As with the MSFD process, HELCOM responds to all management issues in the Baltic Sea. Evidence of the success of HELCOM can be seen in the reduction of pollution inputs to the Baltic Sea and the recovery of marine mammal populations. The ASCOBANS agreement can also lead to management decisions that are relevant to the management of the UoAs. For instance, the Finnish Government agreed and implemented its seal management plan in response to its commitment to ASCOBANS. This plan sets out a strategy that responds to concerns about the		

PI 3.2.2		**The fishery-specific management system includes effective decision-making processes that result in measures and strategies to achieve the objectives, and has an appropriate approach to actual disputes in the fishery.**		
		status of seals in the Baltic Sea and has resulted in constraints on fishing activity in 7 seal conservation areas around the Finnish coast. The evidence from these Baltic Sea management activities that are carried out by the EU and the Finnish Government, as well as other Baltic Sea coastal states and EU Member states is that there are a range of decision making processes in place (in the EU institutions, the EU CFP, HELCOM, ASCOBANS and the Finnish Government) that respond to all management issues in the Baltic Sea in a transparent, timely and adaptive manner, **meeting the SG60, 80 and 100 requirements.**		
c	Use of precautionary approach			
	Guide post		Decision-making processes use the precautionary approach and are based on best available information.	
	Met?		Y	
	Justification	The key decision taken annually for all of the UoAs is the determination of the TAC for following year. This decision is informed by advice from ICES, STECF and the BASC. ICES base their advice on the most up-to-date information available about fishery removals and using a stock assessment approach that is regularly scrutinized. The advice is based upon precautionary and MSY approaches. The most recent ICES advice shows that all of the UoAs are being harvested at levels consistent with MSY, and that the decisions about exploitation levels have been based on ICES advice for at least the past 10 years. This evidence of the quality of the information used to inform decisions and their precautionary nature **meets the SG80 requirements for this SI.**		
d	Accountability and transparency of management system and decision-making process			
	Guide post	Some information on the fishery's performance and management action is generally available on request to stakeholders.	**Information on the fishery's performance and management action is available on request**, and explanations are provided for any actions or lack of action associated with findings and relevant recommendations emerging from research,	Formal reporting to all interested stakeholders **provides comprehensive information on the fishery's performance and management actions** and describes how the management system responded to findings and relevant

PI 3.2.2		**The fishery-specific management system includes effective decision-making processes that result in measures and strategies to achieve the objectives, and has an appropriate approach to actual disputes in the fishery.**		
			monitoring, evaluation and review activity.	recommendations emerging from research, monitoring, evaluation and review activity.
	Met?	Y	Y	N
	Justification	For these UoAs the most important performance measure is the status of the different stocks with respect to the reference points that have been identified by ICES; and the most important information concerning management action is the evidence that ICES advice on appropriate levels of exploitation have been transposed into appropriate TACs to limit fishing effort. This information is provided on the ICES and EU websites, and provides a comprehensive information on the fishery's performance (in terms of catches, fishing mortality and stock biomass) and provides a clear explanation of the basis for management recommendations. This information meets all of the SG60, 80 and 100 requirements for the key aspects of the management regime. However the lack of evidence of formal reporting from the Baltic Joint Sea Fisheries Committee that administers the EU-Russia agreement means that the SG100 requirements are not fully met. A score of 80 is therefore considered appropriate.		
e	Approach to disputes			
	Guide post	Although the management authority or fishery may be subject to continuing court challenges, it is not indicating a disrespect or defiance of the law by repeatedly violating the same law or regulation necessary for the sustainability for the fishery.	The management system or fishery is attempting to comply in a timely fashion with judicial decisions arising from any legal challenges.	The management system or fishery acts proactively to avoid legal disputes or rapidly implements judicial decisions arising from legal challenges.
	Met?	Y	Y	Y
	Justification	There is no evidence that either the management authority (the Finnish Government) or the fishery (the Finnish Fishermen's Association members who are included in the UoAs) are subject to any court challenges or breaching any of the other legal requirements listed in SG60. There is also no evidence that either the management system or the fishery are subject to any judicial decisions at present. The SG60 and SG80 requirements are therefore considered to be met. At the international level, the EU and Russia have established the Baltic Sea Fisheries Committee, with the aim that this will "*Serve as a forum for the amicable*		

PI 3.2.2		The fishery-specific management system includes effective decision-making processes that result in measures and strategies to achieve the objectives, and has an appropriate approach to actual disputes in the fishery.
		resolution of disputes which might arise regarding the interpretation or application of this Agreement"; this is a proactive approach to avoid disputes. At the EC level, the review of the CFP in 2012 put a greater emphasis on regional fisheries management and engagement with Advisory Councils such as the Baltic Sea Advisory Council as a means to proactively raise mutual understanding, develop regional fisheries management approaches, and avoid legal disputes. As a practical example of how the EU is working to avoid legal disputes, its institutions are now producing interpretative information to help fishermen to comply with complicated technical regulations. The EU "Better Regulation Guidelines" emphasise the importance of proactive stakeholder engagement in regulation and management of activities in all aspects of the EU's activity. At the national level, formal procedures have been set out in the Fisheries Act 2015 to enable the resolution of disputes between fishermen and statutory bodies or riparian owners in Finland (see Chapter 14 of this Act). The Fisheries Act also encourages stakeholder engagement in management processes as a means of proactively avoiding disputes. There is therefore evidence that the international, EU and national management systems are working proactively to avoid legal disputes, **meeting the SG100 requirements for this SI.**
References		(ASCOBANS 1992, EC 1992, 2004, HELCOM 2007, Ministry of Agriculture and Forestry 2007, EC 2008, 2009b, 2009a, EU 2013, Government of Finland 2015a, ASCOBANS 2016, EC 2016c, 2016d, ICES 2016f, 2016d, 2016e, 2016c, 2016b, BSAC 2017, EC 2017a, 2017g, 2017f, EU 2017, HELCOM 2017c)
OVERALL PERFORMANCE INDICATOR SCORE:		**95**
CONDITION NUMBER (if relevant):		**NA**

3.3.5.1.4 PI 3.2.3 – Compliance and enforcement

PI 3.2.3		Monitoring, control and surveillance mechanisms ensure the management measures in the fishery are enforced and complied with.		
Scoring Issue		SG 60	SG 80	SG 100
a	MCS implementation			
	Guide post	Monitoring, control and surveillance **mechanisms** exist, and are implemented in the fishery and there is a reasonable expectation that they are effective.	A monitoring, control and surveillance **system** has been implemented in the fishery and has demonstrated an ability to enforce relevant management measures, strategies and/or rules.	A **comprehensive** monitoring, control and surveillance system has been implemented in the fishery and has demonstrated a consistent ability to enforce relevant management measures, strategies and/or rules.
	Met?	Y	Y	N
	Justification	The key fisheries rules and regulations in place for the Baltic Sea herring and sprat fisheries are the catch constraints imposed by the annually agreed TACs, and the technical measures in place that govern the specification of fishing gear (as well as some spatial and seasonal constraints). The TAC constraints are applied to Finnish fishermen through the new system of Individual Fishing Concessions (IFCs) that are allocated to individual fishers. The EU "Landing Obligation" also applies to Baltic Sea fisheries, but has had limited impact on the UoA sprat and herring fisheries which are not subject to any Minimum Conservation Reference Sizes (MCRS), and for which there has therefore been no incentive to discard. The monitoring, control and surveillance system in place in Finland is therefore focused on ensuring that individual fishers comply with the catch allocation associated with their IFC, and to track the movements of fishing vessels so that the location and timing of their activities are known. Compliance with the requirement to report all fish catches and landings is monitored in Finland by ELY. Landings data are collated and reported on the LUKE on-line database, and are also submitted to the EC in accordance with EU requirements and in accordance with the Finnish Work Plan for data collection submitted by MAF and LUKE to the EC. The movements of vessels at sea are tracked using VMS (see Figure 50 of this report) to monitor where vessels are fishing and landing their catch. At the site visit MAF and LUKE officials confirmed that the Finnish fleet has a high level of compliance with quota allocations. No transgressions of quota allocations were reported. Some administrative transgressions had been detected by the MCS systems in place, mostly connected with estimates of catches being more than 10% different from actual landings.		

PI 3.2.3		**Monitoring, control and surveillance mechanisms ensure the management measures in the fishery are enforced and complied with.**		
		The available evidence is that the national and EU management system in place has demonstrated an ability to enforce the EU management measures for the sprat and herring fisheries, **meeting the SG80 requirements.** The evidence of a TAC overshoot in the sprat fishery on one occasion in 2015 does not demonstrate a "consistent ability" to enforce relevant management measures or rules across the entire UoA, so **the SG100 requirements are not met.**		
b	Sanctions			
	Guide post	Sanctions to deal with non-compliance exist and there is some evidence that they are applied.	Sanctions to deal with non-compliance exist, **are consistently applied** and thought to provide effective deterrence.	Sanctions to deal with non-compliance exist, are consistently applied and **demonstrably** provide effective deterrence.
	Met?	Y	Y	Y
	Justification	Sanctions are available under EU and national legislation to deter non-compliance with regulations. The Finnish Government has made legislation to transpose the sanctions and controls set out in the CFP into enforceable national legislation. Statutory bodies in Finland can enforce CFP and national fisheries legislation, and fishermen may be subject to fines, confiscation of catches and equipment, and also suspension of fishing licences (under the CFP "points system" for a period of 2 months (for 18 penalty points) incrementally increasing to suspension for a year (for 72 penalty points). MAF and ELY officials interviewed at the site visit felt that these sanctions provided an effective incentive for deterrence, citing the low levels of non-compliance with regulations detected by the enforcement agencies in Finland in support of this. The available evidence is that all UoAs **meet the SG60, 80 and 100 requirements**.		
c	Compliance			
	Guide post	Fishers are **generally thought** to comply with the management system for the fishery under assessment, including, when required, providing information of importance to the effective management of the fishery.	**Some evidence exists** to demonstrate fishers comply with the management system under assessment, including, when required, providing information of importance to the effective management of the fishery.	There is a **high degree of confidence** that fishers comply with the management system under assessment, including, providing information of importance to the effective management of the fishery.
	Met?	Y	Y	Y

PI 3.2.3		**Monitoring, control and surveillance mechanisms ensure the management measures in the fishery are enforced and complied with.**		
	Justification	During the site visit, officials from MAF and ELY confirmed fishers comply with the management system. LUKE scientists confirm that fisheries provide information (catch and landings data) that are important for the effective management of the fishery. The only evidence of non-compliance was for relatively minor administrative offences. These offences are not considered to have compromised the overall objectives of the management system. The available evidence is that all UoAs **meet the SG60, 80 and 100 requirements.**		
d	Systematic non-compliance			
	Guide post		There is no evidence of systematic non-compliance.	
	Met?		Y	
	Justification	The information presented to the assessment team at the site visit by MAF and ELY enabled the assessment team to conclude that there is no evidence of systematic non-compliance in the sprat and herring UoAs under assessment. The only fishery-related offences that were reported were minor administrative offences. It is concluded that **the fishery meets the SG80 requirements.**		
References		(EC 2014, Government of Finland 2014, 2015a, 2015b, EC 2016e, Government of Finland 2016a)		
OVERALL PERFORMANCE INDICATOR SCORE:				**95**
CONDITION NUMBER (if relevant):				**NA**

3.3.5.2 Revised scoring tables

3.3.5.2.1 PI 3.1.3 – Long term objectives

PI 3.1.3		The management policy has clear long-term objectives to guide decision-making that are consistent with MSC fisheries standard, and incorporates the precautionary approach.		
Scoring Issue		SG 60	SG 80	SG 100
a	Objectives			
	Guide post	Long-term objectives to guide decision-making, consistent with the MSC fisheries standard and the precautionary approach, are **implicit** within management policy.	Clear long-term objectives that guide decision-making, consistent with MSC fisheries standard and the precautionary approach are **explicit** within management policy.	Clear long-term objectives that guide decision-making, consistent with MSC fisheries standard and the precautionary approach, are **explicit** within **and required by** management policy.
	Met?	Y	Y	N
	Justification	The long term objectives that guide decision making in the Baltic Sea and that apply to these UoAs are set out in the EU-Russia Fisheries Agreement, the EU CFP and in Finnish national legislation. The EU-Russia fisheries agreement sets out clear long-term objectives for international collaboration in the management of Baltic Sea fisheries: ***Article 4: Objectives*** *1. The objective of this Agreement is to ensure a close cooperation between the Parties on the basis of the principle of equitable and mutual benefit for the purpose of conservation, sustainable exploitation and management of any straddling, associated and dependent stocks in the Baltic Sea.* *2. The Agreement lays down the principles and procedures relating to the close cooperation between the Parties with the purpose of ensuring that the exploitation of the straddling, associated and dependent stocks in the Baltic Sea provides sustainable economic, environmental and social conditions.* *3. The Parties shall base their cooperation on the best scientific advice available and on any other relevant data, shall apply the precautionary approach and shall agree to develop an eco-system based approach to fisheries management.* The EU CFP contains clear long-term objectives that guide decision-making and are consistent with MSC principles. These are presented below: ***Article 2*** ***Objectives*** *1. The CFP shall ensure that fishing and aquaculture activities are environmentally sustainable in the long-term and are managed in a way that*		

PI 3.1.3		The management policy has clear long-term objectives to guide decision-making that are consistent with MSC fisheries standard, and incorporates the precautionary approach.
		is consistent with the objectives of achieving economic, social and employment benefits, and of contributing to the availability of food supplies. *2. The CFP shall apply the precautionary approach to fisheries management, and shall aim to ensure that exploitation of living marine biological resources restores and maintains populations of harvested species above levels which can produce the maximum sustainable yield.* *In order to reach the objective of progressively restoring and maintaining populations of fish stocks above biomass levels capable of producing maximum sustainable yield, the maximum sustainable yield exploitation rate shall be achieved by 2015 where possible and, on a progressive, incremental basis at the latest by 2020 for all stocks.* *3. The CFP shall implement the ecosystem-based approach to fisheries management so as to ensure that negative impacts of fishing activities on the marine ecosystem are minimised, and shall endeavour to ensure that aquaculture and fisheries activities avoid the degradation of the marine environment.* *4. The CFP shall contribute to the collection of scientific data.* *5. The CFP shall, in particular:* *(a) gradually eliminate discards, on a case-by-case basis, taking into account the best available scientific advice, by avoiding and reducing, as far as possible, unwanted catches, and by gradually ensuring that catches are landed;* *(b) where necessary, make the best use of unwanted catches, without creating a market for such of those catches that are below the minimum conservation reference size;* *(c) provide conditions for economically viable and competitive fishing capture and processing industry and land-based fishing related activity;* *(d) provide for measures to adjust the fishing capacity of the fleets to levels of fishing opportunities consistent with paragraph 2, with a view to having economically viable fleets without overexploiting marine biological resources;* *(e) promote the development of sustainable Union aquaculture activities to contribute to food supplies and security and employment;* *(f) contribute to a fair standard of living for those who depend on fishing activities, bearing in mind coastal fisheries and socio-economic aspects;* *(g) contribute to an efficient and transparent internal market for fisheries and aquaculture products and contribute to ensuring a level–playing field for fisheries and aquaculture products marketed in the Union;* *(h) take into account the interests of both consumers and producers;* *(i) promote coastal fishing activities, taking into account socio- economic aspects;*

PI 3.1.3		**The management policy has clear long-term objectives to guide decision-making that are consistent with MSC fisheries standard, and incorporates the precautionary approach.**
		(j) be coherent with the Union environmental legislation, in particular with the objective of achieving a good environ mental status by 2020 as set out in Article 1(1) of Directive 2008/56/EC, as well as with other Union policies. Other EU legislation, notably the Marine Strategy Framework Directive (MSFD, Directive 2008/56/EC)) sets long term objectives for attaining "Good Environmental Status" in the EU marine environment by 2020. The MSFD sets targets for, *inter alia*: maintaining populations of commercially exploited fish and shellfish species within Sustainable Biological Limits; protecting food webs; maintaining biodiversity; and protecting the seabed. At the national level within Finland, the objective of the Fishing Act 2015 is set out in §1: *"The objective of this Act is to use the best available information to ensure ecologically, economically and socially sustainable management of fish resources in such a way as to secure a sustainable and diversified return on fish resources, the natural life cycle of fish stocks, and the diversity and protection of fish resources and other aquatic flora and fauna."* It is therefore apparent that there are clear long-term objectives in place for guiding decision making at the international, EU and national level that meet all of the SG60, and 80 requirements. It is noted that other overlapping MSC assessments have noted that it is not clear that these objectives are consistently required by the management policy in all jurisdictions, so SG100 is not met.
References		Sections 4.8.1 & 4.8.2.1 of the PCR. (EC 2008, 2009b, EU 2013, Government of Finland 2015a)
OVERALL PERFORMANCE INDICATOR SCORE:		**80**
CONDITION NUMBER (if relevant):		**NA**

3.3.5.2.2 PI 3.2.1 Fishery-specific objectives

PI 3.2.1		The fishery-specific management system has clear, specific objectives designed to achieve the outcomes expressed by MSC's Principles 1 and 2.		
Scoring Issue		SG 60	SG 80	SG 100
a	Objectives			
	Guide post	**Objectives**, which are broadly consistent with achieving the outcomes expressed by MSC's Principles 1 and 2, are **implicit** within the fishery-specific management system.	**Short and long-term objectives**, which are consistent with achieving the outcomes expressed by MSC's Principles 1 and 2, are **explicit** within the fishery-specific management system.	**Well defined and measurable short and long-term objectives**, which are demonstrably consistent with achieving the outcomes expressed by MSC's Principles 1 and 2, are explicit within the fishery-specific management system.
	Met?	Y	Y	Y
	Justification	Fishery specific objectives for the Baltic Sea herring and sprat fisheries were developed and implemented through the agreement of the EU Baltic Sea Multi-Annual Plan. This plan is described in section 4.8.1.2.1.5 of this report and its objectives are considered in section 4.8.2.2 of this report. In summary, the Baltic Sea MAP sets out the following objectives for Baltic Sea fisheries:- ***Article 3 Objectives*** *1.The plan shall contribute to the achievement of the objectives of the common fisheries policy (CFP) listed in Article 2 of Regulation (EU) No 1380/2013, in particular by applying the precautionary approach to fisheries management, and shall aim to ensure that exploitation of living marine biological resources restores and maintains populations of harvested species above levels which can produce MSY.* *2.The plan shall contribute to the elimination of discards by avoiding and reducing, as far as possible, unwanted catches, and to the implementation of the landing obligation established in Article 15 of Regulation (EU) No 1380/2013 for the species which are subject to catch limits and to which this Regulation applies.* *3.The plan shall implement the ecosystem-based approach to fisheries management in order to ensure that negative impacts of fishing activities on the marine ecosystem are minimised. It shall be coherent with Union environmental legislation, in particular with the objective of achieving good environmental status by 2020 as set out in Article 1(1) of Directive 2008/56/EC.* *In particular the plan shall aim to:* *(a) ensure that the conditions described in descriptor 3 contained in Annex I to Directive 2008/56/EC are fulfilled; and*		

PI 3.2.1		The fishery-specific management system has clear, specific objectives designed to achieve the outcomes expressed by MSC's Principles 1 and 2.
		(b) contribute to the fulfilment of other relevant descriptors contained in Annex I to that Directive in proportion to the role played by fisheries in their fulfilment. *4.Measures under the plan shall be taken in accordance with the best available scientific advice.* These objectives are to be attained for the sprat and herring stocks in the Baltic Sea by attaining the target fishing mortalities and biomass reference points specified in the Annexes of the MAP as soon as possible, and by 2020 at the latest. These target values of biomass and fishing mortality were set in line with ICES advice on both individual fish stocks and taking account of multi-species considerations in the Central Baltic Sea. These targets are considered to be compatible with the MSY approach and the ecosystem functions for each stock. Following harmonisation discussions in 2021 it was agreed that the fishery-specific management system set out in the Baltic Sea MAP identifies explicit short and long-term objectives for the Central Baltic and Bothnian Gulf herring stocks, and for the Baltic sprat stock (MSC Principle 1). The linkage between the MAP and the EU Marine Strategy Framework Directive also provides short and long-term objectives for the wider marine environment (MSC Principle 2), therefore **meeting the SG60 and 80 requirements** for this PI. The SG100 requirements are not considered to be fully met at present for any of the UOAs, for reasons that are summarised below: - a. **Gulf of Bothnia herring** – although the MAP was revised to provide reference points for this stock in 2018, the change in perception of stock status set out in the ICES 2019 advice means that there are no longer has "*well defined and measurable*" objectives for this stock. **SG100 is not considered to be met for this stock at present.** b. **Central Baltic Herring & Baltic Sprats** – although the objectives for these stocks are "well defined and measurable", meeting the SG1000 requirements in respect of Principle 1, no measurable objectives have been set to determine the interaction between the UoAs in this part of the Baltic Sea with the small Baltic Sea harbour porpoise population (see PI2.3.1 & 2.3.3). **SG100 is only partially met, and a score of 90 is therefore considered appropriate.**
References		Section 4.8.1.2.1.5 & 4.8.2.2 of the PCR .(ICES 2013b, EC 2016a, ICES 2016j)
OVERALL PERFORMANCE INDICATOR SCORE:		**90**
CONDITION NUMBER (if relevant):		**NA**

3.3.5.2.3 PI 3.2.2 – Decision-making processes

PI 3.2.2		The fishery-specific management system includes effective decision-making processes that result in measures and strategies to achieve the objectives, and has an appropriate approach to actual disputes in the fishery.		
Scoring Issue		SG 60	SG 80	SG 100
a	Decision-making processes			
	Guide post	There are some decision-making processes in place that result in measures and strategies to achieve the fishery-specific objectives.	There are **established** decision-making processes that result in measures and strategies to achieve the fishery-specific objectives.	
	Met?	Y	Y	
	Justification	The main decision making processes that deliver the fishery-specific objectives for all of the UoAs under assessment are those that are set out in the Baltic Sea Multi-Annual Plan (MAP). This EU Regulation sets out (in Articles 4 & 5) a clear set of harvest control rules that are intended to ensure that the fishing mortality for each stock is set at a level that is compatible with current stock status. The approach that is set out in these Articles and the corresponding Annexes of the Regulation determine a harvest rate that has been evaluated by ICES to be compatible with both intra- and inter- species stock dynamics and interactions. The MAP also sets out remedial measures that should be applied if the stock(s) should become depleted. The procedure set out in the new MAP builds upon the decision making processes that were already in place under the EU CFP and which had resulted in fishing mortality for all of the UoAs being set at a level consistent with precautionary and MSY management requirements. The most recent (October 2017) Fisheries Council meeting resulted in, *inter alia*, a 40% reduction of the Bothnian Sea herring TAC in response to the most recent stock advice, demonstrating a clear commitment to the fishery-specific objectives set out in the MAP. The evidence from the past implementation of the decision making processes set out in the CFP, along with the explicit processes set out in the new Baltic Sea MAP that have been used to determine fishing opportunities in 2017 **meets the SG60 and SG80 requirements for this SI.**		
b	Responsiveness of decision-making processes			
	Guide post	Decision-making processes respond to **serious issues** identified in relevant research, monitoring, evaluation and consultation, in a transparent, timely and	Decision-making processes respond to **serious and other important issues** identified in relevant research, monitoring, evaluation and	Decision-making processes respond to **all issues** identified in relevant research, monitoring, evaluation and consultation, in a transparent, timely and

PI 3.2.2		The fishery-specific management system includes effective decision-making processes that result in measures and strategies to achieve the objectives, and has an appropriate approach to actual disputes in the fishery.		
		adaptive manner and take some account of the wider implications of decisions.	consultation, in a transparent, timely and adaptive manner and take account of the wider implications of decisions.	adaptive manner and take account of the wider implications of decisions.
	Met?	Y	Y	Y
	Justification	The decision making processes in place for managing the impacts of the UoAs on their target species and on the wider marine environment include the processes established within the EU fisheries management regime (the CFP and Baltic Sea MAP); and also the wider processes established under other EU legislation (notably the Marine Strategy Framework Directive) and international agreements such as the Helsinki Convention and ASCOBANS that the Finnish Government is taking steps to implement. The EU CFP and MAP respond to annual assessments of stock status conducted by ICES as well as advice from other parties (STECF and BSAC) in the determination of annual fishing opportunities for target species. The CFP has also in the past served as the basis for introducing regulations to protect marine mammals from the impact of fishing activity (Regulation 812/2004) in response to concerns about cetacean bycatch in salmon drift nets. Outside the EU CFP, the EU has several strategies in place to respond to other management in the Baltic Sea. The Natura 2000 programme establishes a management framework, including decision making processes, for the protection of species of wildlife and for natural habitats. There are links between this Natura 2000 programme and the CFP which allow for the protection of areas of seabed outside a Member State's area of jurisdiction (for instance for the protection of areas of seabed in the North Sea and the southern Baltic Sea under Commission Delegate Regulations 117/2017 and 118/2017 (EC 2016c, 2016d)). The EU Marine Strategy Framework Directive establishes a programme for delivering the "good environmental status" (GES) of regional seas in the EU, including the Baltic Sea. The MSFD is based upon an objective assessment of impacts on the marine environment by all human activities that forms the decision base for management actions by the EU and Member States that are intended to achieve GES by 2020. In the Baltic Sea the work on the MSFD is complementary to the 1974 Helsinki Convention and the work of HELCOM and the signatories to this convention (all of the EU Member States and Russia) to achieve the objectives of this convention (also "good environmental status") by 2021. As with the MSFD process, HELCOM responds to all management issues in the Baltic Sea. Evidence of the success of HELCOM can be seen in the reduction of pollution inputs to the Baltic Sea and the recovery of marine mammal populations. The ASCOBANS agreement can also lead to management decisions that are relevant to the management of the UoAs. For instance, the Finnish Government agreed and implemented its seal management plan in response to its commitment to ASCOBANS. This plan sets out a strategy that responds to concerns about the		

PI 3.2.2		The fishery-specific management system includes effective decision-making processes that result in measures and strategies to achieve the objectives, and has an appropriate approach to actual disputes in the fishery.
		status of seals in the Baltic Sea and has resulted in constraints on fishing activity in 7 seal conservation areas around the Finnish coast. The evidence from these Baltic Sea management activities that are carried out by the EU and the Finnish Government, as well as other Baltic Sea coastal states and EU Member states is that there are a range of decision making processes in place (in the EU institutions, the EU CFP, HELCOM, ASCOBANS and the Finnish Government) in place. Following harmonisation discussions, these were considered to apply to a different extent to each stock, summarised below:- **Gulf of Bothnia herring** For this herring stock, the evidence from the Baltic Sea management activities described above that there are a range of decision-making processes in place (in the EU institutions, the EU CFP, HELCOM and ASCOBANS) that respond to all management issues relating to the Gulf of Bothnia in a transparent, timely and adaptive manner, **meeting the SG60, 80 and 100 requirements.** **Central Baltic Herring** For this herring stock, there is evidence that decision making processes have been responsive to the state of the stock and to wider environmental issues. ICES presently estimate that the total catch is less than that advised (ICES 2018a), showing that the decision making processes have responded to the serious issue of managing the total catch, which **meets SG60 requirements**. The F and B values for Baltic sprats take account of the current understanding of the ecosystem role of this stock (ICES 2013), **meeting the SG80 requirements.** In recent ICES advice concerns have been raised about the level of species misreporting in herring catches, and that the 9% inter-species quota transfer should be accounted for in setting the TAC (ICES 2018a). This issue has not been quantified nor has evidence been presented to the assessment team to substantiate the concern. However, there is also no evidence that the decision-making processes have responded to this issue yet, so **SG100 is not considered to be met.** **Baltic Sprats** The decision-making processes for this stock have resulted in maintaining the overall stock of Baltic sprats at a biomass that is well above MSY $B_{trigger}$ and have reduced F in recent years, **meeting the SG60 requirement** of responding to serious issues. The F and B values for Baltic sprats take account of the current understanding of the ecosystem role of this stock (ICES 2013), **meeting the SG80 requirements**. The assessment team note that in ICES advice for this stock since 2014, recommendations have been made about the need to develop a spatial management plan for the sprat fishery with the aim of improving cod condition. This recommendation was reiterated in 2018 (ICES 2018b). The EU has asked ICES for advice on mixed fisheries and biological interactions in the Baltic Sea, and ICES are

PI 3.2.2		**The fishery-specific management system includes effective decision-making processes that result in measures and strategies to achieve the objectives, and has an appropriate approach to actual disputes in the fishery.**		
		investigating this issue (ICES 2018c). There is no evidence that the decision-making processes have responded to this aspect of managing the sprat stock, so **SG100 is not considered to be met.**		
c	Use of precautionary approach			
	Guide post		Decision-making processes use the precautionary approach and are based on best available information.	
	Met?		Y	
	Justification	The key decision taken annually for all of the UoAs is the determination of the TAC for following year. This decision is informed by advice from ICES, STECF and the BASC. ICES base their advice on the most up-to-date information available about fishery removals and using a stock assessment approach that is regularly scrutinized. The advice is based upon precautionary and MSY approaches. The most recent ICES advice shows that all of the UoAs are being harvested at levels consistent with MSY, and that the decisions about exploitation levels have been based on ICES advice for at least the past 10 years. This evidence of the quality of the information used to inform decisions and their precautionary nature **meets the SG80 requirements for this SI.**		
d	Accountability and transparency of management system and decision-making process			
	Guide post	Some information on the fishery's performance and management action is generally available on request to stakeholders.	**Information on the fishery's performance and management action is available on request**, and explanations are provided for any actions or lack of action associated with findings and relevant recommendations emerging from research, monitoring, evaluation and review activity.	Formal reporting to all interested stakeholders **provides comprehensive information on the fishery's performance and management actions** and describes how the management system responded to findings and relevant recommendations emerging from research,

PI 3.2.2		**The fishery-specific management system includes effective decision-making processes that result in measures and strategies to achieve the objectives, and has an appropriate approach to actual disputes in the fishery.**		
				monitoring, evaluation and review activity.
	Met?	Y	Y	N
	Justification	For these UoAs the most important performance measure is the status of the different stocks with respect to the reference points that have been identified by ICES; and the most important information concerning management action is the evidence that ICES advice on appropriate levels of exploitation have been transposed into appropriate TACs to limit fishing effort. This information is provided on the ICES and EU websites, and provides a comprehensive information on the fishery's performance (in terms of catches, fishing mortality and stock biomass) and provides a clear explanation of the basis for management recommendations. This information meets all of the SG60, 80 and 100 requirements for the key aspects of the management regime. However the lack of evidence of formal reporting from the Baltic Joint Sea Fisheries Committee that administers the EU-Russia agreement means that the SG100 requirements are not fully met. A score of 80 is therefore considered appropriate.		
e	Approach to disputes			
	Guide post	Although the management authority or fishery may be subject to continuing court challenges, it is not indicating a disrespect or defiance of the law by repeatedly violating the same law or regulation necessary for the sustainability for the fishery.	The management system or fishery is attempting to comply in a timely fashion with judicial decisions arising from any legal challenges.	The management system or fishery acts proactively to avoid legal disputes or rapidly implements judicial decisions arising from legal challenges.
	Met?	Y	Y	Y
	Justification	There is no evidence that either the management authority (the Finnish Government) or the fishery (the Finnish Fishermen's Association members who are included in the UoAs) are subject to any court challenges or breaching any of the other legal requirements listed in SG60. There is also no evidence that either the management system or the fishery are subject to any judicial decisions at present. The SG60 and SG80 requirements are therefore considered to be met. At the international level, the EU and Russia have established the Baltic Sea Fisheries Committee, with the aim that this will "*Serve as a forum for the amicable resolution of disputes which might arise regarding the interpretation or application of this Agreement*"; this is a proactive approach to avoid disputes.		

PI 3.2.2		**The fishery-specific management system includes effective decision-making processes that result in measures and strategies to achieve the objectives, and has an appropriate approach to actual disputes in the fishery.**
		At the EC level, the review of the CFP in 2012 put a greater emphasis on regional fisheries management and engagement with Advisory Councils such as the Baltic Sea Advisory Council as a means to proactively raise mutual understanding, develop regional fisheries management approaches, and avoid legal disputes. As a practical example of how the EU is working to avoid legal disputes, its institutions are now producing interpretative information to help fishermen to comply with complicated technical regulations. The EU "Better Regulation Guidelines" emphasise the importance of proactive stakeholder engagement in regulation and management of activities in all aspects of the EU's activity. At the national level, formal procedures have been set out in the Fisheries Act 2015 to enable the resolution of disputes between fishermen and statutory bodies or riparian owners in Finland (see Chapter 14 of this Act). The Fisheries Act also encourages stakeholder engagement in management processes as a means of proactively avoiding disputes. There is therefore evidence that the international, EU and national management systems are working proactively to avoid legal disputes, **meeting the SG100 requirements for this SI.**
References		(ASCOBANS 1992, EC 1992, 2004, HELCOM 2007, Ministry of Agriculture and Forestry 2007, EC 2008, 2009b, 2009a, EU 2013, Government of Finland 2015a, ASCOBANS 2016, EC 2016c, 2016d, ICES 2016f, 2016d, 2016e, 2016c, 2016b, BSAC 2017, EC 2017a, 2017g, 2017f, EU 2017, HELCOM 2017c)
OVERALL PERFORMANCE INDICATOR SCORE:		**Central Baltic Herring: 90** **Baltic Sprat: 90** **Gulf of Bothnia Herring: 95**
CONDITION NUMBER (if relevant):		**NA**

3.3.5.2.4 PI 3.2.3 – Compliance and enforcement

PI 3.2.3		Monitoring, control and surveillance mechanisms ensure the management measures in the fishery are enforced and complied with.		
Scoring Issue		SG 60	SG 80	SG 100
a	MCS implementation			
	Guide post	Monitoring, control and surveillance **mechanisms** exist, and are implemented in the fishery and there is a reasonable expectation that they are effective.	A monitoring, control and surveillance **system** has been implemented in the fishery and has demonstrated an ability to enforce relevant management measures, strategies and/or rules.	A **comprehensive** monitoring, control and surveillance system has been implemented in the fishery and has demonstrated a consistent ability to enforce relevant management measures, strategies and/or rules.
	Met?	Y	Y	Y – Gulf of Bothnia N – Baltic Sprat, CB Herring
	Justification	The key fisheries rules and regulations in place for the Baltic Sea herring and sprat fisheries are the catch constraints imposed by the annually agreed TACs, and the technical measures in place that govern the specification of fishing gear (as well as some spatial and seasonal constraints). The TAC constraints are applied to Finnish fishermen through the new system of Individual Fishing Concessions (IFCs) that are allocated to individual fishers. The EU "Landing Obligation" also applies to Baltic Sea fisheries, but has had limited impact on the UoA sprat and herring fisheries which are not subject to any Minimum Conservation Reference Sizes (MCRS), and for which there has therefore been no incentive to discard. The monitoring, control and surveillance system in place in Finland is therefore focused on ensuring that individual fishers comply with the catch allocation associated with their IFC, and to track the movements of fishing vessels so that the location and timing of their activities are known. Compliance with the requirement to report all fish catches and landings is monitored in Finland by ELY. Landings data are collated and reported on the LUKE on-line database, and are also submitted to the EC in accordance with EU requirements and in accordance with the Finnish Work Plan for data collection submitted by MAF and LUKE to the EC. The movements of vessels at sea are tracked using VMS (see Figure 50 of this report) to monitor where vessels are fishing and landing their catch. At the site visit MAF and LUKE officials confirmed that the Finnish fleet has a high level of compliance with quota allocations. No transgressions of quota allocations were reported. Some administrative transgressions had been detected by the MCS		

PI 3.2.3		Monitoring, control and surveillance mechanisms ensure the management measures in the fishery are enforced and complied with.		
		systems in place, mostly connected with estimates of catches being more than 10% different from actual landings. On the basis of this information, it is considered to differentiate the scoring of the UoAs as follows. **Gulf of Bothnia herring** The comprehensive nature of the monitoring control and surveillance operations in the Baltic Sea and the evidence of the ability of these operations to enforce the relevant rules, measures and strategies, and the absence of concerns about misreporting of catches **meets the SG60, 80 and 100 requirements** for the UoAs prosecuting this stock. **Central Baltic Herring; Baltic Sprat** There is the evidence of the ability of the monitoring control and surveillance operations in the Baltic Sea to enforce the relevant rules, measures and strategies. (bearing in mind that the catch misreporting issue identified does not breach these rules, measures or strategies). The ability of the MCS system to detect changes in fishing practices that were not consistent with the reported catch composition and the swift response to this issue shows that this system **meets the SG60 & SG80 requirements**. The SG100 requirements are not felt to be met for these UoCs because the follow up response to a misreporting issue in the southern Baltic Sea has shown the need for a higher rate of landings control, so the MCS system in place is not considered to be "comprehensive". It is noted that the Swedish and Danish Governments are taking action to increase MCS coverage in response to this issue (Miljø- og Fødevareministeriet 2019, Regeringskansliet 2019)		
b	Sanctions			
	Guide post	Sanctions to deal with non-compliance exist and there is some evidence that they are applied.	Sanctions to deal with non-compliance exist, **are consistently applied** and thought to provide effective deterrence.	Sanctions to deal with non-compliance exist, are consistently applied and **demonstrably** provide effective deterrence.
	Met?	Y	Y	Y
	Justification	Sanctions are available under EU and national legislation to deter non-compliance with regulations. The Finnish Government has made legislation to transpose the sanctions and controls set out in the CFP into enforceable national legislation. Statutory bodies in Finland can enforce CFP and national fisheries legislation, and fishermen may be subject to fines, confiscation of catches and equipment, and also suspension of fishing licences (under the CFP "points system" for a period of 2		

PI 3.2.3		Monitoring, control and surveillance mechanisms ensure the management measures in the fishery are enforced and complied with.		
		months (for 18 penalty points) incrementally increasing to suspension for a year (for 72 penalty points). MAF and ELY officials interviewed at the site visit felt that these sanctions provided an effective incentive for deterrence, citing the low levels of non-compliance with regulations detected by the enforcement agencies in Finland in support of this. The available evidence is that all UoAs **meet the SG60, 80 and 100 requirements**.		
c	Compliance			
	Guide post	Fishers are **generally thought** to comply with the management system for the fishery under assessment, including, when required, providing information of importance to the effective management of the fishery.	**Some evidence exists** to demonstrate fishers comply with the management system under assessment, including, when required, providing information of importance to the effective management of the fishery.	There is a **high degree of confidence** that fishers comply with the management system under assessment, including, providing information of importance to the effective management of the fishery.
	Met?	Y	Y	Y
	Justification	During the site visit, officials from MAF and ELY confirmed fishers comply with the management system. LUKE scientists confirm that fisheries provide information (catch and landings data) that are important for the effective management of the fishery. The only evidence of non-compliance was for relatively minor administrative offences. These offences are not considered to have compromised the overall objectives of the management system. The available evidence is that all UoAs **meet the SG60, 80 and 100 requirements.**		
d	Systematic non-compliance			
	Guide post		There is no evidence of systematic non-compliance.	
	Met?		Y	
	Justification	The information presented to the assessment team at the site visit by MAF and ELY enabled the assessment team to conclude that there is no evidence of systematic non-compliance in the sprat and herring UoAs under assessment. The only fishery-related offences that were reported were minor administrative offences. It is concluded that **the fishery meets the SG80 requirements.**		

PI 3.2.3	**Monitoring, control and surveillance mechanisms ensure the management measures in the fishery are enforced and complied with.**
References	(EC 2014, Government of Finland 2014, 2015a, 2015b, EC 2016e, Government of Finland 2016a)
OVERALL PERFORMANCE INDICATOR SCORE:	**Central Baltic Herring: 85** **Baltic Sprat: 85** **Gulf of Bothnia Herring: 95**
CONDITION NUMBER (if relevant):	**NA**

4 Appendices

4.1 Evaluation processes and techniques

4.1.1 Site visits

This audit was conducted remotely on the 2nd December 2022.

The purpose of this audit was to discuss the current status of the fishery and progress with conditions of certification with the fishery clients, fishery managers and scientists in Finland.

Table 17: List of stakeholders interviewed during this surveillance audit, December 2022

Date	Activity	Attendees
2nd December	Client opening meeting	Kim Jordas, FFA
	Ministry of Agriculture and Forestry	Risto Lampinen Orian Bondestam
	Luonnonvarakeskus, LUKE (Natural Resources Institute Finland)	Jari Raitaniemi Velimatti Leinonen
	Elinkeino-, liikenne- ja ympäristökeskus, ELY (Centre for Economic Development, Transport and the Environment)	Aki Koskinen Lars Sudqvist
	Client meeting – discuss progress with conditions & close	Kim Jordas, FFA

All meetings on the 2nd December were attended by observers from the MSC (Helle Christensen and Karin Luedemann), and were also witnessed by an auditor, Stephanie Good, from Assurance Services International GmbH (ASI)

4.1.2 Stakeholder Participation

A total of 19 stakeholder organisations and individuals having relevant interest in the assessment were identified and invited to participate in this surveillance audit. The interest of others not appearing on this list was solicited through the postings on the MSC website.

4.2 Stakeholder input

Verbal comments were made by the stakeholders listed in section 4.1.1 above. The comments are referred to in the relevant sections of this report.

No verbal or written comments or queries were made to the audit team at this surveillance audit which require a formal or written response.

A statement from LUKE about ETP species interactions was presented to the assessment team and is reproduced overleaf.

4.2.1 Statement from LUKE concerning ETP species interactions

The key text here is that "*Luke ei ole vastaanottanut pyöriäisiä koskevia sivusaalisilmoituksia 2019-2021*" which in English is that "*Luke has not received any by-catch reports for porpoises in 2019-2021*". The remainder of this document sets out the basis for providing this information and the process for complaining or appealing about the content of the response.

Luke
Luonnonvarakeskus

Päätös 1 (3)
721/07 00 03 00/2022
8.4.2022

Vastaanottaja
Suomen Ammattikalastajaliitto

Pyöriäistä koskevat sivusaalishavainnot vuosina 2019-2020 ja 2021 mikäli tiedot valmistuneet/valmistumassa

Tiedonluovutuspäätös

Olette 15.03.2022 päivätyssä pyynnössänne pyytäneet seuraavia tietoja: onko Luke saanut sivusaalisilmoituksia pyöriäistä koskien.

1 Päätös

Luonnonvarakeskus luovuttaa hakijan pyytämät tiedot.

Luke ei ole vastaanottanut pyöriäisiä koskevia sivusaalisilmoituksia 2019-2021

1.1 Luovutettavat tiedot

Luovutettavien tietojen toimitusmuoto: Sähköpostitse

Luovutettavien tietojen tiedostomuoto:

1.2 Muutoksenhakuoikeus

Tähän päätökseen tyytymätön saa hakea siihen muutosta valittamalla siten kuin laissa oikeudenkäynnistä hallintoasioissa (808/2019) säädetään. Liitteessä A on tarkemmat ohjeet valitusosoitusmenettelystä.

Katja Holmala

Ohjelmajohtaja, erikoistutkija

Hyväksytty Luken prosessinhallintajärjestelmässä 08.04.2022 klo 17:58:21.

Asian vastuuvalmistelija: Mervi Kunnasranta

Liitteet Valitusosoitus (liite A)

Luonnonvarakeskus
Latokartanonkaari 9
PL 2, 00791 Helsinki Puhelin 0295 326 000 Y-tunnus 0244629-2 luke.fi

Liite A: VALITUSOSOITUS

Muutoksenhakuoikeus

Tähän päätökseen tyytymätön saa hakea siihen muutosta valittamalla siten kuin laissa oikeudenkäynnistä hallintoasioissa (808/2019) säädetään. Valituskelpoisella päätöksellä tarkoitetaan toimenpidettä, jolla asia on ratkaistu tai jätetty tutkimatta. Valitusoikeus on sillä, johon päätös on kohdistettu tai jonka oikeuteen, velvollisuuteen tai etuun päätös välittömästi vaikuttaa.

Valitusviranomainen

Tähän päätökseen tyytymätön saa hakea siihen muutosta Helsingin hallinto-oikeudelta kirjallisella valituksella. Valituskirjelmä on osoitettava Helsingin hallinto-oikeudelle ja se on toimitettava valitusajassa Helsingin hallinto-oikeuden kirjaamoon.

Valitusaika

Valitus on tehtävä 30 päivän kuluessa päätöksen tiedoksisaannista. Valitusaikaa laskettaessa tiedoksisaantipäivää ei oteta lukuun. Tiedoksisaantipäivä lasketaan seuraavasti:

- Jos päätös on lähetetty postitse saantitodistusta vastaan, tiedoksisaantipäivä ilmenee todistuksesta. Saantitodistus liitetään valitusasiakirjoihin.
- Jos päätös on postitettu tavallisena kirjeenä, sen katsotaan tulleen tiedoksi seitsemän (7) päivän kuluessa postituspäivästä, jollei muuta ilmene.
- Jos päätös on toimitettu tiedoksi muulla tavalla esim. saantitodistusta vastaan jollekin muulle henkilölle kuin päätöksen saajalle (sijaistiedoksianto), katsotaan päätöksen saajan saaneen päätöksen tiedoksi kolmantena päivänä saantitodistuksen osoittamasta päivästä.

Valituskirjelmän sisältö

1) päätös, johon haetaan muutosta (*valituksen kohteena oleva päätös*);
2) miltä kohdin päätökseen haetaan muutosta ja mitä muutoksia siihen vaaditaan tehtäväksi (*vaatimukset*);
3) vaatimusten perustelut;
4) mihin valitusoikeus perustuu, jos valituksen kohteena oleva päätös ei kohdistu valittajaan.

Valituksessa on lisäksi ilmoitettava valittajan nimi ja yhteystiedot. Jos puhevaltaa käyttää valittajan laillinen edustaja tai asiamies, myös tämän yhteystiedot on ilmoitettava. Yhteystietojen muutoksesta on valituksen vireillä ollessa ilmoitettava viipymättä hallintotuomioistuimelle. Valituksessa on ilmoitettava myös se postiosoite ja mahdollinen muu osoite, johon oikeudenkäyntiin liittyvät asiakirjat voidaan lähettää (*prosessiosoite*).

Valituskirjelmän liitteet

Valituskirjelmään on liitettävä:

1) päätös, johon haetaan muutosta valittamalla, alkuperäisenä tai jäljennöksenä;
2) todistus siitä, minä päivänä päätös on annettu tiedoksi, tai muu selvitys valitusajan alkamisajankohdasta;
3) asiakirjat, joihin valittaja vetoaa vaatimuksensa tueksi, jollei niitä ole jo aikaisemmin toimitettu viranomaiselle; sekä
4) asiamiehen valtakirja, jollei asiamies ole asianajaja tai yleinen oikeusavustaja.

Valituskirjelmän toimittaminen perille

Valituskirjelmän voi viedä valittaja itse tai hänen valtuuttamansa asiamies. Sen voi omalla vastuullaan lähettää myös postitse, sähköpostitse, telekopiona tai toimittaa lähetin välityksellä. Valituskirjelmän tulee olla perillä valitusajan viimeisenä päivänä ennen Helsingin hallinto-oikeuden virka-ajan päättymistä (kirjaamon aukioloaika on kello 8.00 - 16.15).

Luonnonvarakeskus
Latokartanonkaari 9
PL 2, 00791 Helsinki
Puhelin 029 532 6000
Y-tunnus 0244629-2
luke.fi

Jos valitusajan viimeinen päivä on pyhäpäivä tai muu sellainen virallinen vapaapäivä, jolloin virastot ovat suljettuina, valituksen saa toimittaa ensimmäisenä arkipäivänä sen jälkeen.

Helsingin hallinto-oikeudessa perittävästä oikeudenkäyntimaksusta säädetään tuomioistuinmaksulaissa (1455/2015).

Valituskirjelmän Helsingin hallinto-oikeuden osoite ja muut yhteystiedot

HELSINGIN HALLINTO-OIKEUS
Postiosoite / käyntiosoite: Radanrakentajantie 5, 00520 HELSINKI
Sähköposti: helsinki.hao@oikeus.fi
Telekopio: 029 56 42079
Puhelinvaihde: 029 56 42000

4.3 Revised surveillance program

This is the fourth and final surveillance audit for the current period of certification. No additional surveillance audits have been planned. A revised surveillance program will be set out in the Public Certification Report when the fishery is re-assessed.

4.4 Harmonised fishery assessments

The MSC Fisheries Certification Process v2.2 (FCP) sets out procedures for ensuring consistency of outcomes in overlapping fisheries (see Annex PB of the FCP). The intention of this process is to maintain the integrity of MSC fishery assessments.

MSC fisheries overlapping fisheries have been identified as fisheries operating within FAO 27 subdivisions 25-29 and 32 (excluding Gulf of Riga 28.1). MSC Fisheries with overlapping UoCs to the UoAs under assessment here are detailed below in Table 18 and the relevant PIs which require harmonisation are shown. Please note only MSC Fisheries using the same version of the assessment tree (v2.0 or v2.01) have been harmonised (MSC FCP v2.2 Annex PB 1.2.1). The scores awarded for the MSC fisheries were analysed during this surveillance audit, and any differences in scoring is explained in Table 23.

Table 18: Overlapping fisheries

Fishery name	Certification status and date	Performance Indicators to harmonise
Denmark, Estonia, Germany & Sweden Baltic Herring & Sprat	Certified July 2020 Central Baltic Herring UoCs self-suspended September 2021	All overlapping Principle 1 PIs (CB Herring; Gulf of Bothnia herring, Baltic sprat). PI2.3.1 for all UoCs
Latvian FPO pelagic trawl sprat fishery	Certified May 2017 Withdrawn November 2022	N/A as withdrawn
NZRO Gulf of Riga herring and sprat trawl fishery	Certified January 2020. Sprat UoCs suspended November 2022	All overlapping Principle 1 PIs (Baltic sprat). PI2.3.1 for all UoCs
FFA Finland Baltic herring and sprat pelagic trawl and trap fisheries (LR, 2018)	Certified June 2018 Central Baltic Herring UoCs self-suspended September 2021	All overlapping Principle 1 PIs (CB Herring; Gulf of Bothnia herring, Baltic sprat). PI2.3.1 for all UoCs
Poland herring and sprat midwater trawl and gillnet	Baltic sprat certified 8th October 2021	All overlapping Principle 1 PIs (Baltic sprat). PI2.3.1 for all UoCs
	Central Baltic herring not certified.	N/A (fishery is not certified).

Table 19: Summary of harmonisation activities

Supporting information	
A series of harmonisation discussions have been held between CABS for the overlapping fisheries over the past 6 months. The key meetings are listed below.	
Was either FCP v2.2 Annex PB1.3.3.4 or PB1.3.4.5 applied when harmonising?	**Yes**
Date of harmonisation meeting	**12th September 2022** **20th September 2022** **30th September 2022** **21st October 2022** **25th November 2022** **19th December 2022** **9th January 2023** **13th January 2023** **20th January 2023** **1st February 2023** **16th February 2023** **27th February 2023** **3rd March 2023** **10th March 2023**
If applicable, describe the meeting outcome	
The ultimate conclusion of these harmonisation discussions was that scores have been agreed between CABs for all Principle 1 PIs and SIs. Harmonised scores for all Principle 1 PIs are listed in Table 20, Table 21, and Table 22. Progress against conditions of certification for Principle 1 and the harmonised conditions of certification for Principle 2 were also agreed at these meetings. CABs also harmonised timescales for the ongoing surveillance audits for three of the certified fisheries, and the timescales for managing the suspension of the Baltic sprat Units of Certification. CABs noted that during the time since the scoring was finalised for the last surveillance audit, which led to the suspension of the Central Baltic herring UoCs, the MSC has updated the interpretation on scoring	

PI1.2.1SIa for key LTL species to cover PIs 1.2.2 and 1.2.4 as well. It was agreed that the appropriate time to review the scoring of these PIs would be if and when the prospect of restoring the certificate for these UoCs arose.

During the harmonisation discussions the CABs also expressly considered the implications of the suspension of the Russian Federation from ICES, and concluded that this issue has not yet impacted upon scoring of Principle 3 Performance Indicators for the Central Baltic herring and Baltic sprat UoCs. The Gulf of Bothnia UoCs are not considered to be affected by this issue.

Table 20. Simplified summary of harmonised scores for Central Baltic Herring across overlapping fisheries. Green shading of cells indicates a pass score; yellow shading a score of between 60 and 80; and red shading a score of less than 60 for an individual PI, or a score of less than 80 for Principle 1 overall Red font highlights scoring changes between iterations.

PI	SI	CENTRAL BALTIC HERRING			
		Original (2020) Scoring Baseline		Harmonised Scoring (September 2021)	
		PI score	SI score	PI score	SI score
1.1.1A	a	90	100	<60	<60
	b		80		NA
1.1.2	a	Not scored (PI1.1.1A scores > 80)		Not scored	
	b				
1.2.1	a	85	100	85	80
	b		80		80
	c		60		60
	d		100		80
	e		NA		NA
	f		80		NA
1.2.2	a	75	80	65	60
	b		80		80
	c		60		60
1.2.3	a	100	100	90	100
	b		100		80
	c		80		80
1.2.4	a	95	100	95	100
	b		80		80
	c		80		80
	d		100		100
	e		100		100
Aggregate Principle-level score:		89.2		<80	

Table 21. Simplified summary of harmonised scores for Gulf of Bothnia herring across overlapping fisheries. Green shading of cells indicates a pass score; yellow shading a score of between 60 and 80; and red shading a score of less than 60 for an individual PI, or a score of less than 80 for Principle 1 overall. Red font highlights scoring changes between iterations.

PI	SI	GULF OF BOTHNIA HERRING			
		Original (2018) Scoring Baseline		Harmonised Scoring (September 2021)	
		PI score	SI score	PI score	SI score
1.1.1A	a	85	RBF Used	90	100
	b		RBF Used		80
1.1.2	a	Not scored (PI1.1.1A scores > 80)		Not scored (PI1.1.1A scores > 80)	
	b				
1.2.1	a	85	100	85	100
	b		80		80
	c		60		60
	d		100		100
	e		NA		NA
	f		80		80
1.2.2	a	80	80	80	80
	b		80		80
	c		80		80
1.2.3	a	100	100	100	100
	b		100		100
	c		100		100
1.2.4	a	80 (RBF Default)	NA	100	100
	b		NA		80
	c		NA		100
	d		NA		100
	e		NA		100
Aggregate Principle-level score:		85.8		90.8	

Table 22. Simplified summary of harmonised scores for Baltic Sprat across overlapping fisheries. Green shading of cells indicates a pass score; yellow shading a score of between 60 and 80; and red shading a score of less than 60 for an individual PI, or a score of less than 80 for Principle 1 overall. Red font highlights scoring changes between iterations.

PI	SI	BALTIC SPRAT			
		Original (2020) Scoring		Harmonised Scoring (March 2022)	
		PI score	SI score	PI score	SI score
1.1.1A	a	90	100	70	80
	b		80		60
1.1.2	a	Not scored (PI1.1.1A scores > 80)		Not scored. Variation Request granted – condition put in place on 1.1.1A	
	b				
1.2.1	a	85	80	<60	<60
	b		80		Not Scored†
	c		60		Not Scored†
	d		100		Not Scored†
	e		NA		NA
	f		80		NA
1.2.2	a	75	80	<60	Not Scored†
	b		80		Not Scored†
	c		60		<60
1.2.3	a	90	100	90*	100
	b		80		80
	c		80		80
1.2.4	a	95	100	<60	Not Scored†
	b		80		<60
	c		80		Not Scored†
	d		100		Not Scored†
	e		100		Not Scored†
Aggregate Principle-level score:		90.8		<80	

Key

† These SIs are not scored because another SI within the PI fails to attain the SG60 score (see FCP v2.2 at 7.17.7.2.a)

* Change in score resulting from re-calculation of overall PI score rather than change in scoring of any SIs.

Table 23: 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)
There are no scoring differences for the relevant PIs.
If exceptional circumstances apply, outline the situation and whether there is agreement between or among teams on this determination
There are no exceptional circumstances (*sensu* MSC FCP v2.2 at PB1.3.6.1) that apply to this harmonisation process.

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6 Background information

6.1 Sampling form used by LUKE / ELY observers

MSC-NÄYTTEENOTTOLOMAKE TROOLIKALASTUKSEEN

TOIMIPAIKKA: **KÄSITTELIJÄ:** **NÄYTENUMERO:**

NÄYTETYYPPI
Satamanäyte (Landing) ☐
Merinäyte (Landing & Discard) ☐

ALUS
Rek.No.: FIN/AAL-_____ Alustyyppi: Troolari, troolirumpu perässä ☐ Troolari, troolirumpu sivussa ☐

METIER
Pyydystyyppi:
Silakan ja kilohailin yksintroolaus OTM_SPF (sis. SPF) ☐
Silakan ja kilohailin paritroolaus PTM_SPF (sis. SPF) ☐
Muikun yksin/paritroolaus OTM/PTM_FWS (sis. FWS) ☐
Troolinäytteitä kerätään vain näistä metiereistä/ pyydyksistä

Troolinperän silmäharvuus (mm):_____ (2 x solmuväli)
Troolin suuaukon ympärys (ft):_____
Keskinopeus (kn):_____

AIKA

Vuosi	Kk	Päivä	Troolin noston aloitusaika

Kalastusaika: _____h_____min

PYYNTIALUE

	N °	N '	E °	E '	Paikka
Laskupaikka					
Nostopaikka					

Pyyntisyvyys (m):_____(keskimäärin pinnasta alapaulaan)

Veden syvyys (m):_____(pyyntialueella keskimäärin)

KOHDELAJI(T) _____

KALASTUSMATKA
Vetojen kokonaismäärä: _____
Vetojen määrä näytteen osalta:_____

SAALIIN KÄYTTÖTARKOITUS
Ihmisravinnoksi (HUC) ☐
Muu käyttö (IND) ☐
(Mikäli edes osa saaliista menee)

LISÄTIETOJA
Saaliissa lintuja tai nisäkkäitä: Ei ☐ Kyllä ☐ (Tarkemmat tiedot kirjataan alle, esim. elossa vai kuollut yms.)
Kokonaissaalis matkalta (kg):_____
Näytevedon saalis (kg):_____
Saaliissa silmämääräisen havainnon perusteella taimenia: Ei ☐ Kyllä ☐ (Tarkemmat tiedot kirjataan alle, esim.onko rasvaevällinen, mahdolliset kalamerkit yms. havainnot)

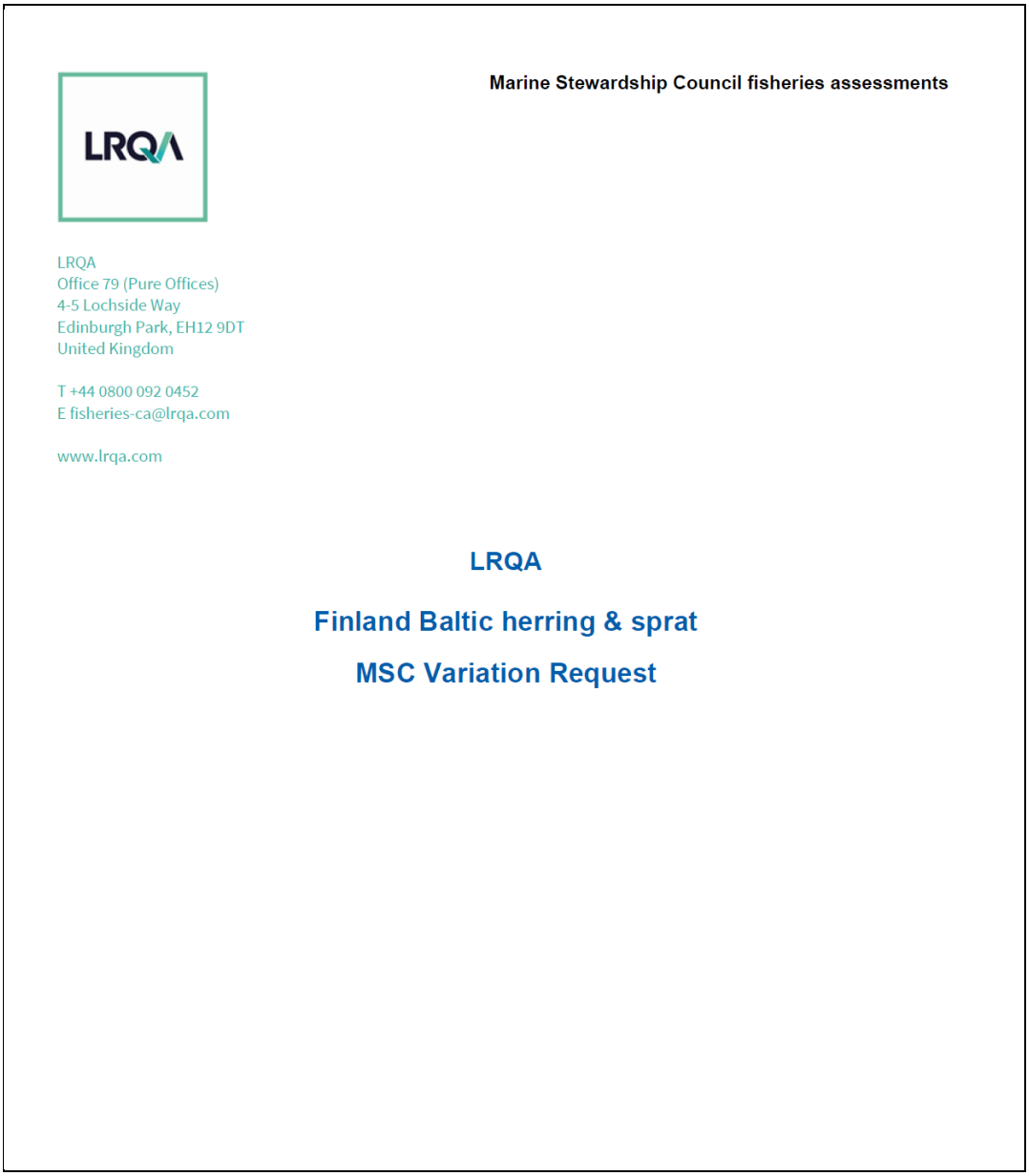
Aluksen kapteenin allekirjoitus:_____

7 MSC Documentation

7.1 Variation: Surveillance Deadline Extension

7.1.1 Variation Request

LRQA submitted a variation request to the MSC whilst this surveillance audit was being conducted to seek more time than the usual 60 days to complete the surveillance process. This time was requested to allow harmonisation discussions to be completed. The MSC granted an extension of the audit deadline to the 16th March 2023. A copy of the variation request and the MSC response is provided here.



Marine Stewardship Council fisheries assessments

LRQA
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LRQA

Finland Baltic herring & sprat

MSC Variation Request

1. Marine Stewardship Council variation request

Table 1: Variation request

1	Date submitted to the MSC
13th January 2023 (amended 16th January)	
2	CAB
LRQA	
3	Fishery name and certificate number
Finland Baltic herring & sprat (MSC-F-31377)	
4	Lead auditor or program manager
Gillian Irvine Jim Andrews	
5	Request prepared by
Gillian Irvine (LRQA) Conor Donnelly (GTC)	
6	Scheme requirement(s) for which variation requested
FCP v2.2, 7.28.23, "*The CAB shall upload the Surveillance Report to the MSC database within 60 days of completing the audit for publication on the MSC website.*"	
7	How many times has a variation against this requirement been accepted during this assessment or audit of this fishery?
0	

Table 2 – Variation justification

1	Proposed variation
LRQA would like to seek a variation to the requirement to upload the surveillance report within 60 days of completing the audit. We would like extra time to enable us to complete harmonisation, finalise the report and upload it to the MSC database. This will also align us with the publish deadline of the Poland herring and sprat midwater trawl and gill net: Poland sprat midwater trawl component fishery. The original 60-day deadline is the 31st January 2023 and the proposed variation would extend the deadline by 44 days to the 16th March 2023.	
2	Additional time requested
Original deadline date	31st January 2023
Modified deadline date requested	16th March 2023
Number of additional days requested	44 days
3	Justification
The Variation Request (VR) is being made to allow additional time for harmonisation with overlapping fisheries to be completed. There are four overlapping fisheries targeting Baltic sprat; the fisheries, their CABs and the status of the certificates are set out below: • This fishery – active. • Poland herring and sprat midwater trawl and gill net: Poland sprat midwater trawl component (GTC) – active. • Denmark Estonia Germany Sweden Baltic herring and sprat (LRQA) – active. • NZRO Gulf of Riga herring and sprat trawl fishery (Bureau Veritas, BV) – suspended. We are in the process of undertaking the 4th surveillance audit of this fishery and have been undertaking harmonisation discussions (GTC, LRQA and BV) regarding the re-scoring of PI 1.1.1A for Baltic Sea sprat and whether the condition on this PI is met. If the score awarded for this PI remains below 80 or if this condition is not met at this surveillance audit, the fishery will be suspended (since there hasn't been "adequate progress" in terms of 7.4.2.b of the GCR). As a result of information received during this surveillance, we consider it is appropriate to re-score PI 1.1.1A and we have also re-scored PI 1.2.1, PI 1.2.2. We are still discussing the need for re-scoring PI 3.1.1 and 3.2.2. We have identified new conditions on the PIs 1.2.1 and 1.2.2. This harmonisation process has not concluded. There are a number of areas where we have different opinions, where we are seeking to build consensus and need more time to see if we can reach agreement. In particular, with regard to the re-scoring of PI 1.1.1A and, should re-scoring of PI 1.1.1A at 80 be agreed, to finalise drafting of conditions for the other PIs and to allow time for our clients to produce a CAP for the new binding conditions identified. We would note that time constraints have posed a particular challenge to completing harmonisation during this surveillance audit since we could not start harmonisation until the LRQA fisheries had completed the site visits for our fisheries in mid-December 2022 (a month after GTC's site visit had concluded) and then we also had office closures over the Christmas period when it was not possible to conduct harmonisation discussions. As such it has been challenging to complete harmonisation within the timelines required for surveillance report upload. There is another other procedural reason for this VR too. As a consequence of new conditions being identified which would require our client to produce a Client Action Plan (CAP) we were expecting to need to upload the surveillance report 90 days after the end of the site visit which would have been 2nd March 2023. However, although the harmonisation process has not yet concluded, it may be that we will not be able to agree re-scoring of PI 1.1.1A at	

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80 which, as noted above, would result in the suspension of the active certificates and would mean all conditions become non-binding. As conditions are non-binding, there is no requirement for the client to produce a CAP and the 90-day deadline for upload of the report would no longer apply and the surveillance report should be uploaded by the 60-day deadline. This variation request would also address this potential risk.	
4	Implications for assessment
Acceptance of this VR would enable harmonisation discussions on the re-scoring of PI 1.1.1A (following new information received during our surveillance audit) to be completed. This is very important as it affects whether the active certificates will be suspended or can remain certified. As noted above there are a number of areas where we have different opinions, where we are seeking to build consensus and need more time to do that. Should we reach agreement on re-scoring at 80 then we could close the condition on PI 1.1.1A and this VR would also enable time for our client to produce a CAP for the new conditions identified and to enable us to verify with any other entities involved in delivering the CAP that is it achievable by the client and realistic within the proposed time frame.	
5	Mitigation of the implications for assessment
No mitigation is required if the variation request is granted. The VR will have a positive impact in ensuring there is sufficient time for careful consideration to be given to re-scoring of PI 1.1.1A. No significant negative impacts are identified from the relatively short delay in the publication of the report and, should re-scoring of PI 1.1.1A not be agreed, the suspension of the fisheries.	
6	How many conditions does the fishery have?
24	
7	What is the status of the current assessment or audit?
Currently undergoing its 4th surveillance	
8	Other relevant information
N/A	
9	If applicable, additional information added after the MSC's request

2. Template information and copyright

The CAB shall delete Table 3.

Table 3: Template version control

Version	Date of publication	Description of amendment
1.0	25 March 2020	Release alongside Fisheries Certification Process v2.2
1.1	26 October 2022	Release alongside Fisheries Certification Process v2.3 and v3.0

A controlled document list of MSC program documents is available on the MSC website (https://www.msc.org/for-business/certification-bodies/supporting-documents).

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7.1.2 Variation Response

Marine Stewardship Council

Gillian Irvine
LRQA
6 Redheughs Rigg
Edinburgh
United Kingdom
EH12 9DQ

Sent by email

Date: 20/01/2023

Subject: Request for variation to the MSC Certification Requirement v2.2 FCP-7.28.23 for Finland Baltic herring & sprat

Dear Gillian Irvine,

I write with reference to your submission on 13/01/2023 of a request for variation to the MSC Certification Requirement (CR) to allow:

> LRQA would like to seek a variation to the requirement to upload the surveillance report within 60 days of completing the audit. We would like extra time to enable us to complete harmonisation, finalise the report and upload it to the MSC database. This will also align us with the publish deadline of the Poland herring and sprat midwater trawl and gill net: Poland sprat midwater trawl component fishery. The original 60-day deadline is the 31st January 2023 and the proposed variation would extend the deadline by 44 days to the 16th March 2023.

As you are aware, the CR procedures relating to v2.2 FCP-7.28.23 state:

> The CAB shall upload the Surveillance Report to the MSC database within 60 days of completing the audit for publication on the MSC website

These are integral to ensuring all MSC accredited Conformity Assessment Bodies operate in a consistent and transparent manner. The MSC intends that these requirements be met across all fisheries and CoC certificate holders, except in exceptional, well-justified circumstances, as part of the MSC programme.

MSC notes the factors presented supporting your request, including:

- Harmonisation discussions have been delayed due to differing surveillance audit timings and Christmas holidays.
- The CAB would like to continue harmonisation discussions in an attempt to gain consensus on the condition that requires closing, plus other areas.

Given the rationale provided, the MSC is willing to grant a variation to the CR in this case subject to the following conditions:

- The report shall be submitted no later than 16 March 2023.
- The CAB shall inform stakeholders on the delay in the publication of the surveillance report.

If you have any questions regarding this response, please do not hesitate to contact the relevant Fisheries Assessment Manager for this fishery.

Marine Stewardship Council
cc: Assurance Services International

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8 List of vessels & operators in the UoCs

Lists of the eligible fishers in the trawl and trap fishers are presented below.

8.1 Vessels in the trawl UoCs

The trawl vessels eligible to operate in the certified trawl fisheries are listed below. Each vessel may operate in any of the trawl UoCs, providing that they have a quota allocation for the species and area concerned.

Table 24: List of vessels eligible to operate in the certified sprat and herring trawl fisheries.

TRAWL FISHERY		
TROOLIALUKSET	**Tunnus**	**Yritys**
Vessel Name	**Ext.Marking**	**Company**
1 LAGUNA	FIN-1122-T	Troolari Olympos Oy
2 OLYMPOS	FIN-175-T	Troolari Olympos Oy
3 WESTFJORD	FIN-118-V	Oy Omega Shipping Ab
4 GOLDEN ROSE	FIN-1139-T	LV-Fishing Oy
5 SANTOS	FIN-1145-T	Keskikala Oy
6 SONNSKÄR	FIN-13-V	Oy Sonnfish Ab
7 SILVERFORS	FIN-146-T	Keskikala Oy
8 HANNE	FIN-168-V	Oy Omega Shipping Ab
9 SILLI	FIN-146-O	Vehkaperän Kala Oy
10 NEA	FIN-1110-T	Pensar Tråll Ab
11 RÖLLI	FIN-17-O	Perämeren Trooli Oy
12 FALKEN	FIN-1149-T	Troolari Falken Oy
13 OSMERUS	FIN-31074-T	Hailiks Oy
14 ROCKALL	FIN-1134-T	Hailiks Oy
15 WÄISKI II	FIN-150-O	Väätäjä Eero
16 SIPI	FIN-197-T	Troolari Sipi Oy
17 VESTURFARID	FIN-163-V	Mickelsson & Co Oy Ab
18 MARJO	FIN-119-O	AV-Kala Oy
19 DANÖ	AAL-129	Ålands Trålfiske Ab
20 PIRKE	FIN-1109-U	Handelsbolaget Juny-142 Oy
21 SHEMARA	FIN-1115-U	Shedfish Oy
22 ROXEN	FIN-1111-U	Shedfish Oy
23 N/A	N/A	Ab Kotka Fiskeri - Kotkan Kalastus Oy
24 KAROLIINE	FIN-1142-T	Kiviniemen Kala Oy
25 BALTIK	FIN-187-O	Menhaden Oy
26 MENHADEN	FIN-164-O	Menhaden Oy
27 KARI	FIN-31693-T	Rahin Kala Oy
28 ANNELI	FIN-31694-T	Rahin Kala Oy
29 LINDESNES	FIN-1143-T	Lindesnes Ab

8.2 Operators in the trap UoCs

The operators eligible to fish in the certified trap fisheries are listed below.

Table 25: List of operators eligible to fish in the MSC certified herring trap fisheries.

TRAP FISHERY
RYSÄKALASTAJAT
Fishermans name
1 Aaltonen Janne
2 Johtela Eerik
3 Lindström Teijo
4 Sahlstén Olavi
5 Salonen Reima
6 Toivonen Jukka
7 Toivonen Saija
8 Kleemola Esa
9 Laine Seppo
10 Rantamaa Toni
11 Johansson Erik
12 Väätäjä Eero
13 Hellström Krister
14 Linnasaari Jari
15 Linnasaari Veikko
16 Lehtinen Jukka
17 Rantanen Mika
18 Kosonen Paavo
19 Kosonen Janne
20 Rahin Kala Oy
21 Lehtinen Kimmo
22 Salonen Satu
23 Himberg Lauri
24 Sahlstén Erkki
25 Laine Jari
26 Laine Mikael