



MarinTrust Standard V2

Whole fish Fishery Assessment Report Template

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MarinTrust Fishery Assessment Peer Review

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Table 1 Application details and summary of the assessment outcome

Application details and summary of the assessment outcome						
Name:						
Address:						
Country:		Zip:	ip:			
Tel. No.		Fax. No.				
Email address:		Applicant	Code			
Key Contact:		Title:				
Certification Body Details	5					
Name of Certification Bo	dy:	Lloyds Reg	gister			
Assessor Name CB Peer Reviewer Ass			Assessment Days		veillance/ Re-approval	
Jose Peiro Crespo Kate Morris			5		Initial	
Assessment Period			2020			
Scope Details						
Management Authority (Country/State)		EU, Denmark			
Main Species			Herring (Clupea harengus)			
Fishery Location			ICES Subdivision 28.1 (Gulf of Riga)			
Gear Type(s)			Pelagic trawl			
Outcome of Assessment						
Overall Outcome			Pass			
Clauses Failed			None			
CB Peer Review Evaluation	on		Pass			
Fishery Assessment Peer Review Group Evaluation			Approve – se	e <u>Appendix</u>		



Recommendation Approve



Table 2. Assessment Determination

Assessment Determination

This report assesses the pelagic trawl fishery of herring in the Gulf of Riga Baltic Sea, ICES Subdivision 28.1 (Gulf of Riga)). This fishery is performed by two countries in the area: Latvia and Estonia, which are both covered in this report. The fishery targets homogenous shoals of herring and sprat (which represents more than 5% of the catch), with relatively low catches of other species, such as smelt and flounder.

The herring fishery in the Gulf of Riga is managed under the general EU 2013 Common Fisheries Policy (CFP) (Regulation (EU) No 1380/2013). At EU level, the Directorate-general (DG) for Maritime Affairs and Fisheries (DG Mare) is the Commission department responsible for EU policy on maritime affairs and fisheries (EC 2021). National authorities (Latvia and Estonia) and the European Fisheries Control Agency (EFCA) coordinate and conduct key actions including the monitoring and inspection of fishing activity in the EU (EC 2021). In the Baltic Sea, the EFCA adopted, in cooperation with the Member States concerned, a dedicated organisational framework for operational coordination of inspection and surveillance activities, known as the Joint Deployment Plan (JDP), which has been operative since 2007. The management framework and the surveillance, control and enforcement system meet minimum requirements set by the MARINTRUST Standard, clauses M1-M2 are passed.

The assessment of the Gulf of Riga herring stock considers all fishery removals and the biological characteristics of the target species. Commercial catches, including landings from Latvia and Estonia and unallocated landings added to the official landings based on the level of misreporting are collected by the authorities. In addition to catch data, stock abundance estimates are made from the acoustic survey index (GRAHS, A2217). All this data is used for assessing the stock of herring, which is conducted annually by the Working Group on Baltic Sea Fisheries (WGBFAS). The biological reference points for the Gulf of Riga herring are defined under the ICES MSY and precautionary approach and the Baltic Sea Management Plan. The spawning stock biomass (SSB) of the Gulf of Riga herring is well above MSY Btrigger, Bpa, and Blim. Fishing pressure on the stock has decreased in recent years and it is below F_{MSY}.

The stock is managed under the EU Baltic Sea multiannual plan (MAP) (Regulation (EU) 2016/1139). According to the Baltic Sea MAP, catches higher than those corresponding to FMSY can only be taken under conditions specified in the plan, whilst the entire range advised by ICES is considered precautionary when applying ICES advice rule. Catches of the main species have not surpassed this level in recent years. Therefore, clauses A1 - A4 for the main target stock passes (and also for sprat).

In relation to the impact of the herring fishery on ETP species, this fishery may interact with several species including marine mammals (harbour porpoise, grey, ringed and harbour seals) and seabirds (sea ducks). Although some species are endangered, such as the Baltic proper harbour porpoise population, management actions to reduce bycatch are mainly focused on trammelnets and gillnets, which seem to indicate that the impact of the pelagic trawl fishery on those species is relatively low (which is confirmed by the current observer program, although observer coverage is low in these fisheries). Clause F1 is passed.

In regard to impacts of the fishery on habitats, pelagic trawl gears target shoals of pelagic species, they operate in the water column and the impact on habitats is considered to be minimal. Clause F2 is passed.

Finally, in relation to ecosystem effects of the fishery, the five most important pressures on the Baltic Sea are identified as: nutrient and organic enrichment, selective extraction of species, introduction of contaminating compounds, introduction of non-indigenous species, and abrasion and substrate loss. Although both the herring and sprat stocks play a key role in the ecosystem of the Baltic Sea (they are the main prey for some seabirds, marine mammals and fish species, such as cod), overall fishing effort has decreased in recent years, both stocks are healthy, and it is considered that the exploitation of these species is relatively sustainable (although fishing mortality for the sprat stock needs to be reduced). And the species which depend on them (sea ducks, grey seal)



have increased in recent years. Therefore, it is considered that the fishery does not have a negative impact on ecosystem. Clause F3 is passed.

Baltic sprat and central Baltic herring are approved by the assessment team for the production of fishmeal and fish oil under the IFFO-RS v 2.0 by-products standard.

Fishery Assessment Peer Review Comments

See - Appendix

Notes for On-site Auditor



Table 3 General Results

General Clause	Outcome (Pass/Fail)
M1 - Management Framework	Pass
M2 - Surveillance, Control and Enforcement	Pass
F1 - Impacts on ETP Species	Pass
F2 - Impacts on Habitats	Pass
F3 - Ecosystem Impacts	Pass

Table 4 Species- Specific Results

List all Category A and B species. List approximate total percentage (%) of landings which are Category C and D species; these do not need to be individually named here

Category	Species	% landings	Outcome (Pass/Fail)	
			A1	Pass
Category A	Baltic Sea Herring (Clupea harengus)	90 100	A2	Pass
	Sprat (Sprattus sprattus)	80-100	A3	Pass
			A4	Pass
Category B	NA	NA	NA	
Category C	Central Baltic herring (Clupea harengus)	<5%	Pass	
Catalana	Flounder (<i>Platichthys flesus</i>)	< 5.0/	Pass	
Category D	Smelt (Osmerus eperlanus)	<5%		



Table 5 Species Categorisation Table

Common name	Latin name	Stock	IUCN Redlist Category ¹	% of landings	Management	Category
Herring	Clupea harengus	ICES subdivision 28.1 (Gulf of Riga herring)	<u>Least concern</u>	77-90	EU CFP / Baltic Sea MAP	A
Sprat	Sprattus sprattus	ICES subdivisions 22- 32 (Baltic Sea)	Least concern	3-10	EU CFP / Baltic Sea MAP	A
Flounder	Platichthys flesus	ICES subdivision 26, 28 (Eastern Gotland and Gulf of Gdansk)	<u>Least concern</u>	<5	EU CFP / Baltic Sea MAP	D
Smelt	Osmerus eperlanus		Least concern	<5		D
Herring	Clupea harengus	ICES subdivisions 25- 29 and 32 (excl. Gulf of Riga. Central Baltic herring).	<u>Least concern</u>	<5	EU CFP / Baltic Sea MAP	С

Species categorisation rationale

The species categorisation has been based on the catch profile of the Latvian pelagic trawl fishery extracted from the following MSC assessment report "*Lassen et al., 2020. NZRO Gulf of Riga herring (Clupea harengus membras) and sprat (Sprattus sprattus) trawl fishery. Public Certification Report. Updated version July 2020. Bureau Veritas. 296 pp."*. This report includes catch composition from the Latvian fleet between 2014 and 2018. Representatives from the Estonian fishery in the Gulf of Riga were also contacted by the assessor to confirm this catch composition but not reply was given. However, it is understood that the catch profile of that fishery would be similar to the Latvian fishery (same gear, same target species, same area) and this last fishery can be used as proxy for the entire area of the assessment (Gulf of Riga).

The MSC report shows that only four species represented more than 0.1% of the catch in any year between 2014 and 2018: herring, sprat, flounder and smelt. Catches of sprat exceed 5% of total catches, reaching up to 15% in some years. Therefore, Baltic sprat has been identified as a Category A species alongside the target species, Gulf of Riga herring. The rest of the species represent less than 5% of the catch and they have been included as Category D species. According to the ICES WGBFAS 2021 report, herring catches in the Gulf of Riga include the local Gulf herring and the open-sea herring, entering the Gulf of Riga for spawning (they mix at relatively low levels in the area, the average catch of open-sea herring in the last five years caught in the Gulf of Riga being 3,448 t, around 10% of the total catch (ICES 2021b)). Therefore, this last stock has also been included as category C species.

References

Freyhof, J. 2010. *Platichthys flesus* (errata version published in 2018). The IUCN Red List of Threatened Species 2010: e.T135717A136579365. Downloaded on 23 June 2021.

Freyhof, J. 2011. *Osmerus eperlanus*. The IUCN Red List of Threatened Species 2011: e.T15631A4924600. https://dx.doi.org/10.2305/IUCN.UK.2008.RLTS.T15631A4924600.en. Downloaded on 23 June 2021.

¹ <u>https://www.iucnredlist.org/</u>



Lassen, H,. et al., Quílez-Badia, G., Zoltnere, S. & Ríos, J. 2020. NZRO Gulf of Riga herring (*Clupea harengus membras*) and sprat (*Sprattus sprattus*) trawl fishery. Public Certification Report. Updated version July 2020. Bureau Veritas. 296 pp.

Lorance, P., Nedreaas, K., Fernandes, P., Kjellén, N. & Florin, A. 2015. *Clupea harengus*. The IUCN Red List of Threatened Species 2015: e.T155123A45074983. Downloaded on 23 June 2021.

Nedreaas, K., Florin, A., Cook, R., Fernandes, P. & Lorance, P. 2015. *Sprattus sprattus*. The IUCN Red List of Threatened Species 2015: e.T198583A45077260. Downloaded on 23 June 2021.



MANAGEMENT

The two clauses in this section (M1, M2) relate to the general management regime applied to the fishery under assessment. The clauses should be completed by providing sufficient evidence to justify awarding each of the requirements a pass or fail rating. A fishery must meet all the minimum requirements in every clause before it can be recommended for approval.

МЛ1	Management Framework – Minimum Requirements					
IVIT	M1.1	There is an organisation responsible for managing the fishery.	Yes			
	M1.2	/1.2 There is an organisation responsible for collecting data and assessing the fishery. Y				
	M1.3 Fishery management organisations are publicly committed to sustainability.					
	M1.4 Fishery management organisations are legally empowered to take management actions.					
	M1.5	.5 There is a consultation process through which fishery stakeholders are engaged in decision-				
	making.					
	M1.6	The decision-making process is transparent, with processes and results publicly available.	Yes			
		Clause outcome:	Pass			

M1.1 There is an organisation responsible for managing the fishery.

The herring fishery in the Gulf of Riga is managed under the general EU 2013 Common Fisheries Policy (CFP) (Regulation (EU) No 1380/2013). At EU level, the Directorate-general (DG) for Maritime Affairs and Fisheries (DG Mare) is the Commission department responsible for EU policy on maritime affairs and fisheries (EC 2021). National authorities and the European Fisheries Control Agency (EFCA) coordinate and conduct key actions including the monitoring and inspection of fishing activity in the EU (EC 2021).

Scientific advisory bodies include the Scientific, Technical and Economic Committee for Fisheries (STECF). A group of experts, appointed by the Commission, who provide scientific advice on fisheries management. STEFC's scientific work and the implementation of the data collection framework is supported by the Commission's Joint Research Centre (JRC). And the International Council for the Exploration of the Sea (ICES), an intergovernmental body that provides scientific advice for sustainable management of the fisheries and marine resources. ICES publications include advice on fishing opportunities, fisheries, and ecosystem overviews (EC 2021).

At regional level, the EU multiannual plan (MAP) in place for stocks in the Baltic Sea approved by the EU in 2016 (and amended in 2019), includes the Gulf of Riga herring (Regulation (EU) 2016/1139 and Regulation (EU) 2019/472). This multi-species fisheries plan takes into account the dynamics between the stocks of cod, herring and sprat, and also considers the by-catch species of the fisheries for those stocks, namely the Baltic stocks of plaice, flounder, turbot and brill. The objective of the plan is to contribute to the achievement of the objectives of the CFP, especially reaching and maintaining MSY for the stocks concerned.

At national level, the herring fishery in the Gulf of Riga is performed by two countries: Latvia and Estonia (ICES 2021b). In Latvia, the Fisheries Department under the of the Ministry of Agriculture manages fisheries resources in in the inland waters, territorial waters and economic zone waters of the Republic of Latvia and monitors compliance of the Latvia's fishing fleet with national and international fishing laws (MA 2021). In Estonia, fisheries management is divided between four bodies in Estonia – these authorities are the Ministry of Rural Affairs, the Ministry of the Environment, the Environmental Board, and the Environmental Inspectorate (MRA 2021).

• The Ministry of Ministry of Rural Affairs is responsible for issuing permits for commercial fishing, managing a national registry of fishing vessels and catch accounting, among other activities (development of market organisation system, management of the aquaculture sector, etc).



- The preparation and implementation of the Policy on the Protection and Use of Fishery Resources, including the reproduction of fish stocks and the protection and restoration of spawning grounds and habitats, are managed by the Ministry of the Environment.
- Recreational fishing is managed by the Environmental Board.
- The monitoring and enforcement of fishing activity is carried out by the Environmental Inspectorate, belonging to the area of government of the Ministry of the Environment.

At the international level, a binding agreement has been in the Baltic Sea since 2009 between the EU and Russia for the management of fisheries resources in the area.

There is an organisation responsible for managing the fishery. Sub-clause M1.1 is met.

M1.2 There is an organisation responsible for collecting data and assessing the fishery.

At EU level, the EU's data collection framework (DCF) (Regulation (EU) 2017/1004) outlines the EU countries' obligations to collect, manage and make available a wide range of fisheries needed for scientific advice. This includes biological, environmental, economic, and social data. Member States' data collection activities are financially supported by the EU. Data collection needs to ensure accuracy, reliability and timeliness, safe storage and improved availability of data (EC 2021).

According to Regulation (EU) 2017/1004, Member States should implement the multiannual Union programme at national level by setting out their main data collection activities in the form of a section of the operational programme referred to in point (p) of Article 18(1) of Regulation (EU) No 508/2014, supplemented by a work plan for data collection in accordance with Article 21 of that Regulation. The Commission is required to approve the Member States' operational programmes and the national work plans and any amendments (Regulation (EU) 2017/1004).

For this stock, both Latvia and Estonia collected fisheries related data (landings, effort and CPUE) and biological data (age compositions, mean weight at age, etc.) from commercial trawl and trap-net catches (ICES WGBFAS 2021). In Latvia, the Institute of Food Safety, Animal Health and Environment - "BIOR" is responsible for the execution of national data collection programs for the fisheries sector, scientific activities and state monitoring needs in the field of food quality and safety and fisheries. In Estonia, the Estonian Marine Institute, University of Tartu, is a leading institution in marine research (FAO 2015). This institution trains observers to collect scientific data.

Based on the fisheries related and non-fisheries related data collected, ICES provides annual stock assessments and management advice for sustainable management of the fisheries and marine resources in Atlantic waters, including the Gulf of Riga herring and Baltic sprat fisheries through the Baltic Fisheries Assessment Working Group (WGBFAS).

There are organizations responsible for collecting data and assessing the fishery. Sub-clause M1.2 is met.

M1.3 Fishery management organisations are publicly committed to sustainability.

The fishery is managed within the context of the EU 2013 Common Fisheries Policy (CFP) (Regulation (EU) No 1380/2013). The CFP is to contribute to the protection of the marine environment, to the sustainable management of all commercially exploited species, and in particular to the achievement of good environmental status by 2020, as set out in Article 1(1) of Directive 2008/56/EC of the European Parliament and of the Council. The objectives of the CFP are: "to ensure that fishing and aquaculture are environmentally sustainable in the long term, to apply the precautionary approach to fisheries management and to implement the ecosystem-based approach to fisheries management" (Regulation (EU) No 1380/2013).

The Baltic Sea Multiannual Plan (MAP) (Regulation (EU) 2016/1139) set out its objectives in Chapter II, Article 3, indicating: "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".



The Latvian Fisheries Department indicates that its role is the "supervision and coordination of measures and obligations of the Member State, derived from the EU Common Fisheries Policy" and "to monitor a sustainable exploitation of fisheries resources" (MA 2021).

Finally, the Estonian Fisheries Strategy for 2014–2020 sets as its main objective "the sustainable development of Estonian fisheries industry" (MRA 2021).

Fishery management organisations are publicly committed to sustainability. Sub-clause M1.3 is met.

M1.4 Fishery management organisations are legally empowered to take management actions.

In Latvia, the overarching national legal instrument on fisheries is the 1995 'Fishing Law' (12.04.1995). This Law regulates the catching, utilisation, research, conservation, enhancement and monitoring of fish resources in inland waters, territorial marine waters economic zone waters of the Republic of Latvia. In Chapter II of the law the institutions responsible for fisheries management and control are defined, whereas in Chapter III the rules on fish resources management in the country are specified (LFL 1995).

In Estonia, the legal basis for fishery management is set out in the Fishing Act 2015. This Act sets out the overall objective for fisheries management in the country, and rules for the allocation of access to fishery resources. It also indicates prohibited activities, fishing methods and gears (Chapter 2), identifies fishing opportunities and the duties of fishers to provide information about fishing activity to the management authorities (Chapter 4), among others.

Both countries are Member States of the European Union, and management of the fisheries resources in their waters are subject to the CFP's rules (Regulation (EU) No 1380/2013). The CFP indicates that "the Commission should only adopt conservation measures through implementing acts or delegated acts where all Member States concerned in a region agree on a joint recommendation. In the absence of a joint recommendation, the Commission should submit a proposal for the relevant measures pursuant to the Treaty" and "Member States are empowered to adopt conservation measures (not affecting fishing vessels of other Member States) that are applicable to waters under their sovereignty or jurisdiction and that are necessary for the purpose of complying with obligations under Union environmental legislation".

The CFP also indicates that "Multiannual plans shall be adopted as a priority, based on scientific, technical and economic advice, and shall contain conservation measures to restore and maintain fish stocks above levels capable of producing maximum sustainable yield in accordance with Article 2(2)".

As indicated previously, the fishery is managed though the Baltic Sea MAP. Among other measures, the main management measure for the stock is the establishment of a total allowable catches (TAC) which is annually set for the stock by the European Council based on the scientific advice from ICES and STECF, after consultation with Council and Parliament. Then it is shared between the EU countries involved in the fishery (in this case, only Estonia and Latvia) the form of national guotas.

At the international level, an EU-Russia agreement provides a formal basis for the EU and the Russian Federation to work together on the management of shared stocks in the Baltic Sea. This agreement is in pace since 2009 (Lassen 2011).

Fishery management organisations are legally empowered to take management actions. **Sub-clause M1.4 is met.**

M1.5 There is a consultation process through which fishery stakeholders are engaged in decision-making.

At the international level, under the EU-Russia agreement, annual meetings of the "Joint Baltic Sea Fisheries Committee" take place to allow the exchange of information about fish stocks and recent management decisions between scientists and fisheries representatives from the parties to the agreement (ICES 2020b).

At the EU level, the CFP (Regulation (EU) No 1380/2013) states: "Multiannual plans should be adopted in consultation with Advisory Councils, operators in the fishing industry, scientists and other stakeholders having an interest in fisheries management". Management of this fishery is based mainly on the input from the following organizations:

• ICES and the STECF, considered in the previous sections, and



- The Baltic Sea Advisory Council (BSAC) is the main consultation mechanism through which industry engages with management authorities. It includes European industry and NGO representatives. Its main function is to advise the European Commission and Member States on matters relating to management of the fisheries in the Baltic Sea. The BSAC includes a working group of pelagic fisheries (BSAC 2021). Information about the recent meetings held (including a list of participants) can be found in http://www.bsac.dk/Meetings/BSAC-meetings; and
- The Regional Baltic Sea Fisheries Forum (BALTFISH), a regional body established by EU Member States bordering the Baltic Sea in 2009 to provide forum for discussions on fishery issues in the Baltic Sea. a regional fisheries forum for exchanging ideas between stakeholders and national fisheries representatives from Members States across the Baltic Region. BALTFISH works on two levels: BALTFISH High-level group – composed of the Member States fisheries directors and invited officials from the European Commission, and the BALTFISH Forum Seminar – composed of representatives from the Member States, the European Commission, representatives from BSAC, NGOs as well as ICES, HELCOM, etc. BALTFISH provides recommendations to the European Commission and Council on Union fisheries conservation measures, multiannual plans, discard plans, and other regional fishery specific issues as granted in Article 18 on the principles for regionalisation under the Common Fisheries Policy (EU 1380/2013) (FISHSEC 2021).

M1.6 The decision-making process is transparent, with processes and results publicly available.

Stock Assessments and advice for the fishery is publicly available on the ICES website (ICES latest advice and ICES WGBFAS group) (ICES 2021a, 2021b). Total allowable catches (TACs), or fishing opportunities, are catch limits (expressed in tonnes or numbers) are set annually for the assessed stocks based on scientific advice on the stock status from advisory bodies (ICES and STECF), agreed with non-EU countries for stocks that are shared and jointly managed and shared between EU countries in the form of national quotas (EC 2021). These quotas follow the rules of the common fisheries policy to achieve sustainable fisheries, as set in the multi-annual plans, such as the Baltic Sea MAP. Quotas for the EU fleet in the assessment area are published annually in the Baltic Sea Fishing Opportunities Regulation. EU countries can exchange quotas but must use transparent and objective criteria when distributing national quotas among their fishers. They are responsible for ensuring that the quotas are not exceeded (EC 2021).

In the herring fishery in the Gulf of Riga is based on TAC distribution between two countries: Estonia and Latvia. National quotas are distributed between trawl fishery in open areas of the Gulf of Riga and the stationary coastal net fishery.

In Latvia, the total herring coastal limit in the Gulf of Riga is distributed by three coastal areas (Eastern, Southern and Western). When the area limit is reached, the fishery is ceased in a given area. In a situation, when there are indications that the total limit in the area will not be taken, it is possible to allocate part of this limit to the area where it has been already reached (ICES 2021b).

In Estonia, the total herring quota for coastal fishery within area is distributed between fishing companies/fishers according to their historical share (90%). The rest 10% is distributed between companies/fishers through open auctions.

The decision-making process is transparent, with processes (assessments, advice, quota assignation, etc) publicly available. **Sub-clause M1.6 is met.**

ReferencesBSAC 2021. The Baltic Sea Advisory Council. Available at: http://www.bsac.dk/EC 2021. European Commission. Available at: https://ec.europa.eu/info/index_es

FA 2015. Estonian Fishing Act 2015. Available at: https://www.riigiteataja.ee/en/eli/514012016001/consolide

FAO 2015. Fishery and Aquaculture Country Profiles: The Republic of Estonia. Available at: <u>http://www.fao.org/fishery/facp/EST/en</u>



FISHSEC 2021. BALTFISH. Available at: https://www.fishsec.org/baltic/baltfish/

ICES 2021b. Baltic Fisheries Assessment Working Group (WGBFAS). ICES Scientific Reports. 3:53. 717 pp. https://doi.org/10.17895/ices.pub.8187

Lassen 2011. Industrial fisheries in the Baltic Sea. Directorate general for internal policies. Policy department b: structural and cohesion policies. Fisheries. 54 pp. IP/B/PECH/NT/2010-152.

LFL 1995. Latvian Fisheries Law. Available at: <u>https://www.asser.nl/upload/eel-</u> webroot/www/documents/latvia/Fishery Law Latvia.pdf

MA 2021. Republic of Latvia. Ministry of Agriculture. Fisheries Department. Available at: <u>https://www.zm.gov.lv/en/statiskas-lapas/zemkopibas-ministrija/statiskas-lapas/fisheries-department?id=4225#jump</u>

MRA 2021. Republic of Estonia. Ministry of Rural Affairs. Objectives, activities: Fishing industry and commercial fishing. Available at: <u>https://www.agri.ee/en/objectives-activities/fishing-industry-and-commercial-fishing</u>

Regulation (EU) No 1380/2013 of the European Parliament and of the Council of 11 December 2013 on the Common Fisheries Policy, amending Council Regulations (EC) No 1954/2003 and (EC) No 1224/2009 and repealing Council Regulations (EC) No 2371/2002 and (EC) No 639/2004 and Council Decision 2004/585/EC. Official Journal of the European Union, L 354/22, 28.12.2013. 40 pp.

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. <u>http://data.europa.eu/eli/reg/2016/1139/oj</u>.

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

Links	
MARINTRUST Standard clause	1.3.1.1, 1.3.1.2
FAO CCRF	7.2, 7.3.1, 7.4.4, 12.3
GSSI	D.1.01, D.4.01, D2.01, D1.07, D1.04,

N/2	Surveil	lance, Control and Enforcement - Minimum Requirements						
	M2.1	There is an organisation responsible for monitoring compliance with fishery laws and	Yes					
	regulations.							
	M2.2 There is a framework of sanctions which are applied when laws and regulations are discovered							
	to have been broken.							
	 M2.3 There is no substantial evidence of widespread non-compliance in the fishery, and no substantial evidence of IUU fishing. M2.4 Compliance with laws and regulations is actively monitored, through a regime which may 							
		include at-sea and portside inspections, observer programmes, and VMS.						
		Clause outcome:	Pass					



M2.1 There is an organisation responsible for monitoring compliance with fishery laws and regulations.

The aim of the EU fisheries control system is to ensure that the rules of the common fisheries policy (CFP) are applied correctly (EC 2021). Control measures include:

- controls on access to waters (e.g fishing licences),
- fishing effort (e.g. vessels tonnage and engine power),
- technical measures (e.g. rules on fishing gears),
- the monitoring and registration of catches that are extracted from the seas and oceans by the EU fishing fleet.

The principal actors in the EU fisheries control system are:

- The European Commission, which controls and evaluates the application of the rules of the CFP in Eu countries through audits and inspections (EC 2021),
- The European Fisheries Control Agency (EFCA) coordinates the implementation of specific control and inspection programmes (SCIP) in the EU,
- National authorities. Fisheries rules and control systems are agreed at EU level, but they are implemented by the EU countries through their national control systems (EC 2021).

In the Baltic Sea, the EFCA adopted, in cooperation with the Member States concerned (Denmark, Estonia, Finland, Germany, Lithuania, Latvia, Poland and Sweden), a dedicated organisational framework for operational coordination of inspection and surveillance activities, known as the Joint Deployment Plan (JDP), which has been operative since 2007. The main objective of EFCA's assistance to the MS is to ensure the uniform and effective implementation of conservation and control measures applicable to pelagic and demersal stocks. This concerns in particular the fisheries exploiting cod (including recreational fisheries in the Western Baltic), herring, salmon, sprat and European eel, as well as species under the landing obligation (EFCA 2021).

In Latvia, the competent authority for controls and sanctions in the EU are the Ministry of Agriculture, General Directorate for Maritime Fishing and Aquaculture; the State of Environmental Service and the Nature Protection Board (Sanz et al., 2020).

The Estonian Fishing Act 2015 specifies that the Environmental Inspectorate is the Government agency responsible for enforcement and identifies the penalties that can be imposed for infringements of regulations (Sanz et al., 2020).

There is an organisation responsible for monitoring compliance with fishery laws and regulations. Therefore, **sub-clause M 2.1 is met.**

M2.2 There is a framework of sanctions which are applied when laws and regulations are discovered to have been broken.

Regulation (EC) No 1224/2009 establishes a community system for control, inspection and enforcement to ensure compliance with the rules of the common fisheries policy. EU countries must ensure that a system of inspections and enforcement measures is in place to identify infringements and sanction offenders (EC 2021). They are responsible for establishing their own sanctioning systems but to ensure a level playing field they must conform to the requirements of the EU laws. These requirements include the obligation for sanctions to be 'dissuasive, proportionate and effective', to consider the seriousness and potential economic benefit of the offence as well as the prejudice to fishing resources and marine environments (EC 2021).

Moreover, EU countries are required to have a point system to sanction fishing vessel masters and licence holders when they commit serious infringements. The number of points to be attributed for specific infringements is fixed in detailed rules. Any vessel that accumulates more than a certain number of points in a three-year period will have its fishing licence suspended for up to 12 months (EC 2021).



The Commission may verify the application of the sanctioning systems in the EU countries through investigations and audits. EU countries also report the number of detected infringements as part of a five-yearly report on the implementation of the EU control legislation (EC 2021).

In Latvia, economic sanctions for serious infringements range from $140 \in -14,000 \in$ (legal entity); $30 \in -700 \in$ (person) (Sanz et al., 2020). Other sanctions include gear confiscation, fishing licenses suspended, etc.

In Estonia, the Fishing Act identifies the penalties that can be imposed for infringements of regulations. The maximum economic sanctions for serious infringements are 32,000€ for legal entities and 1,200€ for persons (Sanz et al., 2020).

There is a framework of sanctions which are applied when laws and regulations are broken. Sub-clause M2.2 is met.

M2.3 There is no substantial evidence of widespread non-compliance in the fishery, and no substantial evidence of IUU fishing.

The most recent report for the Joint Deployment Plans (JDP's) in the Baltic Sea, indicates that during the year 2020, 2,816 inspections ashore took place with an additional 16 transport inspections, and 32 on business premises such as markets; whereas 422 inspections at sea were undertaken, with 6 suspected infringements detected on 4 fishing vessels. 1,152,916 t of Atlantic herring and 1,801,948 t of European sprat were inspected at sea (this number refer to Germany, Denmark, Estonia, Finland, Latvia, Lithuania, Poland and Sweden) (EFCA 2020). The main type of infringement detected during the joint control operations was: falsifying the logbook, landing declarations, sales notes, transfer declaration, transport docs or failure to keep or submit these documents, as required (31 infringements) (EFCA 2020). No IUU-related infringements were detected.

There is no substantial evidence of widespread non-compliance in the fishery, and no substantial evidence of IUU fishing. **Sub**clause M2.3 is met.

M2.4 Compliance with laws and regulations is actively monitored, through a regime which may include at-sea and portside inspections, observer programmes, and VMS.

As indicated previously, the EFCA has adopted in cooperation with the Member States a JDP for the Baltic Sea. On basis of an assessment of risks of non-compliance with the applicable measures, the Baltic Sea Steering Group elaborates an annual strategy for the implementation of joint inspection and surveillance activities to the relevant fisheries, which the Executive Director of EFCA adopts in a JDP Decision. The operational arrangements are developed on a daily basis by the Baltic Sea Technical Joint Deployment Group (TJDG), which involves close collaboration with the fisheries inspection authorities of the Member States concerned. They also cover regular exchanges of inspectors to mixed and joint inspection teams, ashore and at sea respectively (EFCA 2021).

The 2020 JDP report for the Baltic Sea, indicates that during that year, 2,816 port-side and 422 at-sea inspections were carried out (EFCA 2020). Logbooks, VMS, and other MCS tools (landing declarations and sales notes, AIS system) were monitored during the joint control operations (EFCA 2020).

The most recent ICES Working group on bycatch of protected species (WGBYC) report notes that the Latvian national monitoring programme of incidental catches of cetaceans in 2018 covered observations of 508 trips in pelagic trawl fisheries, carried out by 5 observers on 13 different vessels (ICES WGBYC 2020). In subdivision 28.1 Gulf of Riga, observer coverage of the pelagic trawl fishery (12–18 m vessels) was 8.6 % of towing time and 9% of hauls (ICES WGBYC 2020). In this same report, no information is provided for Estonia. However, in the previous report (ICES WGBYC 2019) indicates that for the year 2017, the Estonian national monitoring program of incidental catches of cetaceans covered observations of 53 trips in pelagic trawl fisheries in area 3.d (SD 28, 29 and 32). The observations were carried out on 12 different vessels and 61 hauls (observer coverage was 3.9%) (ICES WGBYC 2019).



Compliance with laws and regulations is actively monitored, through a regime which include at-sea and portside inspections, observer programmes, and VMS. **Sub-clause M2.4 is met**.

References

I for Let

EC 2021. European Commission. Oceans and fisheries. Available at: https://ec.europa.eu/oceans-and-fisheries/index_en

EFCA 2020. Joint Deployment Plan report. Baltic Sea 2020. Joint Campaign JDP-BS-2020-01. https://www.efca.europa.eu/sites/default/files/atoms/files/2020-%20BALTIC%20SEA%20CAMPAIGN%20-%2012M%20WEB%20REP.pdf

Council Regulation (EC) No 1224/2009 of 20 November 2009 establishing a Community control system for ensuring compliance with the rules of the common fisheries policy, amending Regulations (EC) No 847/96, (EC) No 2371/2002, (EC) No 811/2004, (EC) No 768/2005, (EC) No 2115/2005, (EC) No 2166/2005, (EC) No 388/2006, (EC) No 509/2007, (EC) No 676/2007, (EC) No 1098/2007, (EC) No 1300/2008, (EC) No 1342/2008 and repealing Regulations (EEC) No 2847/93, (EC) No 1627/94 and (EC) No 1966/2006. http://data.europa.eu/eli/reg/2009/1224/oj

ICES WGBYC 2019. Working Group on Bycatch of Protected Species (WGBYC). ICES Scientific Reports. 1:51. 163 pp. http://doi.org/10.17895/ices.pub.5563

ICES WGBYC 2020. Working Group on Bycatch of Protected Species (WGBYC). ICES Scientific Reports. 2:81. 209 pp. http://doi.org/10.17895/ices.pub.7471

Sanz, M., Stobberup, K., Blomeyer, R., 2020, Research for PECH Committee – Implementation of the current EU fisheries control system by Member States (2014-19), European Parliament, Policy Department for Structural and Cohesion Policies, Brussels.

LINKS	
MARINTRUST Standard clause	1.3.1.3
FAO CCRF	7.7.2
GSSI	D1.09



CATEGORY A SPECIES - Herring Gulf of Riga stock (*Clupea*

harengus)

The four clauses in this section apply to Category A species. Clauses A1 - A4 should be completed for **each** Category A species. If there are no Category A species in the fishery under assessment, this section can be deleted. A Category A species must meet the minimum requirements of all four clauses before it can be recommended for approval. The clauses should be completed by providing sufficient evidence to justify awarding each of the requirements a pass or fail rating. The species must achieve a pass rating against all requirements to be awarded a pass overall. If the species fails any of these clauses it should be re-assessed as a Category B species.

Spec	Species Name Herring Gulf of Riga stock (Clupea harengus)				
	Data C	Collection - M	inimum Requirements		
AI	A1.1	Landing data	a are collected such that the fishery-wide removals of this species are known.	Yes	
	A1.2	Sufficient ad	dditional information is collected to enable an indication of stock status to be	Yes	
		estimated.			
			Clause outcome:	Pass	
A1.1 La	nding d	ata are collec	ted such that the fishery-wide removals of this species are known.		
The EU' range o	's data o f fisheri	collection fran es and aquaci	nework (DCF) outlines the EU countries' obligations to collect, manage and make availabulure data needed for scientific advice.	ole a wide	
Regulat fisherie logbook have to	ion (EC) s policy < of thei submit	No 1224/200 , indicates that ir operations, the fishing lo	09 establishing a Community control system for ensuring compliance with the rules of the at masters of Community fishing vessels of 10 metres' length overall or more shall keep indicating specifically all quantities of each species caught and discarded (above 50 kg) gbook information to the authorities in a maximum period of 48 hours from landing.	e common o a fishing and they	
Regulat fisherie manage that the	ion (EU) s sector ement a e Comm) 2017/1004 c and support nd use of biolo ission shall es	on the establishment of a Union framework for the collection, management and use of d for scientific advice regarding the common fisheries policy aims to establish rules on the ogical, environmental, technical and socioeconomic data concerning the fisheries sector. If stablish a multiannual Union programme for the collection and management of data.	ata in the collection, tindicates	
Accordi	ng to IC	ES 2020b, the	e catches are estimated on the basis of the national official landing statistics of Latvia and	I	
Estonia both co	, and us untries	ed as input d and unallocat	ata for the assessment of the stock of herring in the Gulf of Riga. It includes official land ted landings added to the official landings based on the level of misreporting (ICES 2021b	lings from).	
Landing	g data is	collected and	d used for assessing the stock, sub-clause A1.1 is met .		
A1.2 Su	fficient	additional in	formation is collected to enable an indication of stock status to be estimated.		
In addition to commercial catch data, the sampling of biological data from commercial trawl and trap-net catches was performed by Estonia and Latvia on monthly basis (from trap-nets on weekly basis), including data on age composition and mean weights by age group (ICES 2021b). According to ICES 2021a, one acoustic survey index (GRAHS, A2217) and one commercial CPUE index (trap-nets) were used as input data in the stock assessment.					
In the G which is unalloca assessm	Gulf of R s estima ated ca nent rep	iga (Subdivision ted by ICES ar tches of herr port: <i>"The stoo</i>	on 28.1) some mixing occurs with the central Baltic herring (subdivisions 25–27, 28.2, 29 and taken into consideration when setting the TAC (ICES 2020a). As noted in the previous sering due to misreporting are also considered by the WGBFAS group, which conclude ck is well sampled and the number of measured and aged fish has been historically high".), and 32), ub-clause, les in the	
Sufficie	nt addit	ional informa	tion is collected to enable an indication of stock status to be estimated. Sub-clause A1.2	is met.	



References

Council Regulation (EC) No 1224/2009 of 20 November 2009 establishing a Community control system for ensuring compliance with the rules of the common fisheries policy, amending Regulations (EC) No 847/96, (EC) No 2371/2002, (EC) No 811/2004, (EC) No 768/2005, (EC) No 2115/2005, (EC) No 2166/2005, (EC) No 388/2006, (EC) No 509/2007, (EC) No 676/2007, (EC) No 1098/2007, (EC) No 1300/2008, (EC) No 1342/2008 and repealing Regulations (EEC) No 2847/93, (EC) No 1627/94 and (EC) No 1966/2006. https://eur-lex.europa.eu/eli/reg/2009/1224/oj/eng

Regulation (EU) 2017/1004 of the European Parliament and of the Council of 17 May 2017 on the establishment of a Union framework for the collection, management and use of data in the fisheries sector and support for scientific advice regarding the common fisheries policy and repealing Council Regulation (EC) No 199/2008. <u>http://data.europa.eu/eli/reg/2017/1004/oj</u>

ICES 2021a. Herring (Clupea harengus) in Subdivision 28.1 (Gulf of Riga). In Report of the ICES Advisory Committee, 2021. ICES Advice 2021, her.27.28. <u>https://doi.org/10.17895/ices.advice.7768</u>.

ICES 2021b. Baltic Fisheries Assessment Working Group (WGBFAS). ICES Scientific Reports. 3:53. 717 pp. https://doi.org/10.17895/ices.pub.8187

Links	
MARINTRUST Standard clause	1.3.2.1.1, 1.3.2.1.2, 1.3.2.1.4, 1.3.1.2
FAO CCRF	7.3.1, 12.3
GSSI	D.4.01, D.5.01, D.6.02, D.3.14

Δ2	Stock A	ssessment - Minimum Requirements			
AL	A2.1	A stock assessment is conducted at least once every 3 years (or every 5 years if there is substantial supporting information that this is sufficient for the long-term sustainable management of the stock), and considers all fishery removals and the biological characteristics of the species.	Yes		
A2.2 The assessment provides an estimate of the status of the biological stock relative to a referen point or proxy.					
	A2.3	The assessment provides an indication of the volume of fishery removals which is appropriate for the current stock status.	Yes		
	A2.4	The assessment is subject to internal or external peer review.	Yes		
	A2.5	The assessment is made publicly available.	Yes		
		Clause outcome:	Dacc		

A2.1 A stock assessment is conducted at least once every 3 years (or every 5 years if there is substantial supporting information that this is sufficient for the long-term sustainable management of the stock) and considers all fishery removals and the biological characteristics of the species.

A stock assessment is conducted annually by the Working Group on Baltic Sea Fisheries (WGBFAS). In 2021, the assessment was performed in an Age-based analytical assessment XSA (ICES 2021a) that uses catches in the model and in the forecast (ICES 2021). The assessment uses commercial catches, discard and effort data (CPUE index from the trap-net) and the results of the acoustic survey (GRAHS A2217) (ICES 2021a). In 2019, the WGBFAS explored the state-space assessment model SAM (State-space Assessment Model) as an alternative method to assess the Gulf of Riga herring stock (ICES 2021b).

The species is assessed regularly, and the assessment considers all fishery removals and biological characteristics of the species. **Sub-clause A2.1 is met.**

A2.2 The assessment provides an estimate of the status of the biological stock relative to a reference point or proxy.

The biological reference points for the Gulf of Riga herring were estimated at WGBFAS meeting in 2015 (ICES 2015). These reference points were defined for the stock under ICES MSY and precautionary approach. A management plan (MAP) with limit



and target reference points is also in place (ICES 2020). Following the ACOM's decision in 2020, the basis for Fpa was changed in 2021 to Fp.05 (ICES 2021). Reference points currently in place are presented in the table below:

TABLE 6 HERRING IN SUBDIVISION 28.1. REFERENCE POINTS, VALUES, AND THEIR TECHNICAL BASIS. WEIGHTS IN TONNES (ICES 2021A).

Framework	Reference point	Value	Technical basis	Source
	MSY B _{trigger}	60 000	From stock-recruitment relationship	ICES (2009, 2015)
MSY approach	F _{MSY}	0.32	Stochastic simulations with Beverton, Ricker, and segmented regression stock–recruitment model from the full time-series (1977–2013)	ICES (2015)
	Blim	40 800	B _{lim} = B _{loss}	ICES (2015)
Precautionary	B _{pa}	57 100	$B_{pa} = B_{lim} \times exp(\sigma \times 1.645)$ with the default value $\sigma = 0.2$.	ICES (2015)
approach	Flim	0.88	F _{lim} derived from the curve of SSB/R against F	ICES (2015)
	Fpa	0.38	F_{P05} . The F that leads to SSB \ge B_{lim} with 95% probability	ICES (2021a)
		60 000	MSY B _{trigger}	EU (2016 –
	TWAT WIST Dtrigger			Annex II column A)
	MAP Burn	Not defined		EU (2016 –
		Not defined		Annex II column B)
		0.32	- Faces	EU (2016 – Annex I
Management	MOL 1 MSY	0.52	• MSY	columns A and B)
plan	MAP target	0.24-0.32	Consistent with the ranges provided by ICES (2015),	ICES (2015) and
			resulting in no more than 5% reduction in long-term	EU (2016 – Annex I
	Talige Flower-FMSY		yield compared with MSY	column A)
	MAP target		Consistent with the ranges provided by ICES (2015),	ICES (2015) and
		0.32-0.38	resulting in no more than 5% reduction in long-term	EU (2016 – Annex I
	Tange FMSY-Fupper		yield compared with MSY	column B)

The stock assessment provides an estimate of the status of the biological stock relative to a reference point or proxy. **Clause A2.2 is met.**

A2.3 The assessment provides an indication of the volume of fishery removals which is appropriate for the current stock status.

The catches are estimated on the basis of the national official landing statistics of Latvia and Estonia. Since 1993 the total landings of Latvia were increased according to information on misreporting and unallocated landings were added to the official landings. The ICES WGBFAS indicates that due to scrapping of fishing vessels, the level of misreporting has decreased in recent years and no unallocated landings were assumed since 2011. The level of misreporting in Estonian herring fishery has been also low in 1995–2020 (ICES 2021b). The harvest strategy has been effective in maintaining Gulf of Riga herring SSB above MSY Btrigger and F at or below FMSY. TACs are within the specified ranges set out in ICES advice (provided in line with the MAP) and catches are within the TAC – see table below. Discarding is considered to be negligible (ICES 2020a).

The assessment provides an indication of the volume of fishery removals which is appropriate for the current stock status. **Sub**clause A2.3 is met.

A2.4 The assessment is subject to internal or external peer review.

The ICES Baltic Fisheries Assessment Working Group (WGBFAS) provides scientific advice on the stocks in the Baltic Sea and adjacent areas ranging from Kattegat to the Gulf of Bothnia (ICES 2021c). The assessment of the Gulf of Riga herring stock is conducted annually by the group (ICES 2021b). In 2021, 37 scientists participated in the 2021 WGBFAS meeting, from fisheries research institutes and universities from at least 7 countries, including: Russia, Denmark, Sweden, Finland, Poland, Estonia, and Germany (ICES 2021b). It is understood that the assessment for the herring stock was presented at the meeting, reviewed and



the results agreed by the group. When the results of the assessments are agreed by the ICES groups, they are sent the ICES Advice Drafting Group, which consists of National Experts, which review them, and they are finally reviewed by the Advisory Committee (ACOM) which delivers the ICES advice. The WGBFAS is open to observers from competent authorities (ICES 2021c).

During the benchmarked process, external experts also participate. In this case, the Gulf of Riga stock was last benchmarked in 2008 (ICES 2021a).

The assessment is subject to internal and external review. Sub-clause A2.4 is met.

A2.5 The assessment is made publicly available.

StockAssessmentsandadviceforthisstockispubliclyavailableontheICES(latestadvice)website(https://www.ices.dk/advice/Pages/Latest-Advice.aspx)andtheICESWGBFASwebsite(https://www.ices.dk/community/groups/Pages/WGBFAS.aspx).andtheICESWGBFASwebsite

The assessment is made publicly available. Sub-clause A2.5 is met.

References

ICES 2021a. Herring (Clupea harengus) in Subdivision 28.1 (Gulf of Riga). In Report of the ICES Advisory Committee, 2021. ICES Advice 2021, her.27.28. <u>https://doi.org/10.17895/ices.advice.7768</u>.

ICES 2021b. Baltic Fisheries Assessment Working Group (WGBFAS). ICES Scientific Reports. 3:53. 717 pp. <u>https://doi.org/10.17895/ices.pub.8187</u>

Links	
MARINTRUST Standard clause	1.3.2.1.2, 1.3.2.1.4, 1.3.1.2
FAO CCRF	12.3
GSSI	D.5.01, D.6.02, D.3.14

Λ2	Harvest Strategy - Minimum Requirements					
AJ	A3.1	There is a mechanism in place by which total fishing mortality of this species is restricted.	Yes			
A3.2 Total fishery removals of this species do not regularly exceed the level indicated or stated in the						
	stock assessment. Where a specific quantity of removals is recommended, the actual removals					
may exceed this by up to 10% ONLY if the stock status is above the limit reference point or proxy.						
A3.3 Commercial fishery removals are prohibited when the stock has been estimated to be below the Yes						
		limit reference point or proxy (small quotas for research or non-target catch of the species in				
		other fisheries are permissible).				
		Clause outcome:	Pass			

A3.1 There is a mechanism in place by which total fishing mortality of this species is restricted.

The stock is managed under the EU Baltic multiannual plan (Regulation (EU) 2016/1139 and its amendment Regulation (EU) 2019/472). According to this regulation, the MAP should, in accordance with Articles 9 and 10 of Regulation (EU) No 1380/2013, be based on scientific, technical and economic advice and contain objectives, quantifiable targets with clear time frames, conservation reference points and safeguards. The MAP takes into account the dynamics between the stocks of cod, herring and sprat, and also taking into consideration the by-catch species of the fisheries for those stocks, namely the Baltic stocks of plaice, flounder, turbot and brill.

This regulation further adds: "(13) It is appropriate to establish the target fishing mortality (F) that corresponds to the objective of reaching and maintaining MSY as ranges of values which are consistent with achieving maximum sustainable yield (FMSY).



Those ranges, based on scientific advice, are necessary in order to provide flexibility to take account of developments in the scientific advice, to contribute to the implementation of the landing obligation and to take into account the characteristics of mixed fisheries. The FMSY ranges have been calculated by ICES on the basis of a number of considerations. The ranges are derived to deliver no more than a 5 % reduction in long-term yield compared to MSY. The upper limit of the range is capped, so that the probability of the stock falling below the limit spawning stock biomass reference point (Blim) is no more than 5 %. That upper limit also conforms to the so-called ICES advice rule, which indicates that when the spawning stock biomass is below the minimum spawning stock biomass reference point (MSY Btrigger), F is to be reduced to a value that does not exceed an upper limit equal to the FMSY point value multiplied by the spawning stock biomass in the TAC year, divided by MSY Btrigger. ICES uses those considerations and the advice rule in its provision of scientific advice on fishing mortality and catch options.

(14) For the purposes of fixing fishing opportunities, there should be an upper threshold for FMSY ranges in normal use and, provided that the stock concerned is considered to be in a good state (above MSY Btrigger), an upper limit for certain cases. It should only be possible to fix fishing opportunities to the upper limit if, on the basis of scientific advice or evidence, it is necessary for the achievement of the objectives laid down in this Regulation in mixed fisheries or necessary to avoid harm to a stock caused by intra- or inter-species stock dynamics, or in order to limit the year-to-year variations in fishing opportunities. For the purpose of applying the upper limit, it is necessary to recall the objectives set out in Regulation (EU) No 1380/2013 that the MSY exploitation rate is to be achieved in any event by 2020".

ICES advises that when the EU multiannual plan (MAP) for the Baltic Sea is applied, the catches in 2022 that correspond to the F ranges in the plan are between 34,797 tonnes and 52,132 tonnes. According to the MAP, catches higher than those corresponding to FMSY (44,945 tonnes) can only be taken under conditions specified in the plan, whilst the entire range is considered precautionary when applying ICES advice rule (ICES 2021a).

Sub-clause A3.1 is met.

A3.2 Total fishery removals of this species do not regularly exceed the level indicated or stated in the stock assessment. Where a specific quantity of removals is recommended, the actual removals may exceed this by up to 10% ONLY if the stock status is above the limit reference point or proxy.

The harvest strategy has been effective in maintaining Gulf of Riga herring SSB above MSY $B_{trigger}$ and F at or below F_{MSY} . TACs are within the specified ranges set out in ICES advice (provided in line with the MAP) and catches are within the TAC – see table below.



TABLE 7 HERRING IN SUBDIVISION 28.1. ICES ADVICE, TAC FOR THE GULF OF RIGA, AND CATCHES OF GULF OF RIGA HERRING STOCK FROM THE GULF OF RIGA. ALL WEIGHTS ARE IN TONNES (ICES 2020A).

Year	ICES advice	Catch from stock corresp.	Agreed TAC for Gulf of	Catches of Gulf of Riga
		to advice	Riga	herring stock
	MAP target F ranges:			
	F _{lower} to F _{upper} (0.24–	19396–29195, but catch		
2018	0.38), but F higher than	higher than 24919 only	28999	25747
2010	F _{MSY} = 0.32 only under	under conditions	20000	23747
	conditions specified in	specified in the MAP		
	the MAP			
	MAP target F ranges:			
	Flower to Fupper (0.24–	20664–31237, but catch		
2019	0.38), but F higher than	higher than 26932 only	21044	20022
2019	F _{MSY} = 0.32 only under	under conditions	51044	20922
	conditions specified in	specified in the MAP		
	the MAP			
	MAP target F ranges:			
	Flower to Fupper (0.24–	23395–35094, but catch		
2020	0.38), but F higher than	higher than 30382 only	34445	33215
2020	F _{MSY} = 0.32 only under	under conditions	34443	55215
	conditions specified in	specified in the MAP		
	the MAP			
2021	Management Plan	35771 (ranges 27702–	39446	
2021	Wanagement Flam	41423)	55440	
2022	Management Plan	44945 (range 34797-		
2022 Management Plan		52132)		

Sub-clause A3.2 is met.

A3.3 Commercial fishery removals are prohibited when the stock has been estimated to be below the limit reference point or proxy (small quotas for research or non-target catch of the species in other fisheries are permissible).

The MAP requires: "(15) For stocks for which they are available, and for the purpose of the application of safeguard measures, it is necessary to establish conservation reference points expressed as MSY Btrigger and Blim. Appropriate safeguard measures should be envisaged in case the stock size falls below such critical spawning stock biomass levels.

(16) Safeguard measures should include the reduction of fishing opportunities and specific conservation measures when scientific advice indicates that a stock is under threat. Those measures should be supplemented by all other appropriate measures".

Sub-clause A3.3 is met.

References

ICES 2021a. Herring (Clupea harengus) in Subdivision 28.1 (Gulf of Riga). In Report of the ICES Advisory Committee, 2021. ICES Advice 2021, her.27.28. <u>https://doi.org/10.17895/ices.advice.7768</u>.

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. http://data.europa.eu/eli/reg/2016/1139/oj

Standard clause 1.3.2.1.3

Links

MARINTRUST Standard clause

1.3.2.1.3, 1.3.2.1.4



FAO CCRF	7.2.1, 7.22 (e), 7.5.3
GSSI	D3.04, D6.01

ЛЛ	Stock Status - Minimum Requirements			
A4.1 The stock is at or above the target reference point, OR IF NOT:			Yes	
		The stock is above the limit reference point or proxy and there is evidence that a fall below the limit reference point would result in fishery closure OR IF NOT: The stock is estimated to be below the limit reference point or proxy, but fishery removals are prohibited.		
		Clause outcome:	Pass	
A4.1 Th	ne stock	is at or above the target reference point, OR IF NOT:		

The stock is above the limit reference point or proxy and there is evidence that a fall below the limit reference point would result in fishery closure OR IF NOT:

The stock is estimated to be below the limit reference point or proxy, but fishery removals are prohibited.

The stock is classified to have a full reproduction capacity. The spawning stock biomass of the Gulf of Riga herring has been rather stable at the level of 40 000–60 000 t in the 1970s and 1980s. The SSB started to increase in the late 1980s, reaching the record high level of 120 000 t in 1994. Since then the SSB has been the range of 71 000–138 000 t. The year class abundance of this stock is significantly influenced by hydro- meteorological conditions (by the severity of winter, in particular). Mild winters in the second half of 1990s have supported the formation of series of rich year-classes and increase of SSB.

Fishing pressure on the stock is below FMSY and spawning-stock size is above MSY Btrigger, Bpa, and Blim.





ICES 2021b. Baltic Fisheries Assessment Working Group (WGBFAS). ICES Scientific Reports. 3:53. 717 pp. https://doi.org/10.17895/ices.pub.8187

Links	
MARINTRUST Standard clause	1.3.2.1.4
FAO CCRF	7.2.1, 7.2.2 (e)
GSSI	D6 01



CATEGORY A SPECIES – Sprat (Sprattus sprattus)

Spe	cies	Name	Sprat (Sprattus sprattus)				
Λ1	Data C	Collection - M	inimum Requirements				
AT	A1.1	Landing data	a are collected such that the fishery-wide removals of this species are known.	Yes			
	A1.2	Sufficient ac estimated.	ditional information is collected to enable an indication of stock status to be	Yes			
	Clause outcome: Pass						
A1.1 La	nding d	ata are collec	ted such that the fishery-wide removals of this species are known.	L			
As for t make a	he herri vailable	ing stock, the a wide range	EU's data collection framework (DCF) outlines the EU countries' obligations to collect, m of fisheries and aquaculture data needed for scientific advice.	anage and			
Regulat fisherie logboo have to	tion (EC) s policy k of the submit) No 1224/200 , indicates the ir operations, the fishing lo	D9 establishing a Community control system for ensuring compliance with the rules of the at masters of Community fishing vessels of 10 metres' length overall or more shall kee indicating specifically all quantities of each species caught and discarded (above 50 kg gbook information to the authorities in a maximum period of 48 hours from landing.	e common p a fishing) and they			
Regulat fisherie manage that the	tion (EU es sector ement a e Comm) 2017/1004 c and support nd use of biolo ission shall es	on the establishment of a Union framework for the collection, management and use of o for scientific advice regarding the common fisheries policy aims to establish rules on the ogical, environmental, technical and socioeconomic data concerning the fisheries sector. I stablish a multiannual Union programme for the collection and management of data.	data in the collection, t indicates			
In all co Poland	ountries , these c	around the B data are suppl	altic Sea fish catch statistics are based on log-book data. In some countries, such as Der emented by data collected in regional Marine Offices (ICES 2021b).	nmark and			
Landing	g data is	collected and	used for assessing the stock, sub-clause A1.1 is met.				
A1.2 Su	ıfficient	additional in	formation is collected to enable an indication of stock status to be estimated.				
In addi of the s their m	tion to o sprat sto ajor cat	commercial ca ock, which is a ches (landed i	ntch data, data from two acoustic surveys (BASS A7041, BIAS A1588) were used in the a assessed as a single unit in the Baltic Sea (ICES 2021c). All countries provided age distri in their waters) and weight-at-age data by quarter and Subdivision (ICES 2021b).	ssessment butions of			
Sufficie	nt addit	ional informa	tion is collected to enable an indication of stock status to be estimated. Sub-clause A1.2	is met.			
References							
Council with th (EC) No 1098/2 1966/2	Council Regulation (EC) No 1224/2009 of 20 November 2009 establishing a Community control system for ensuring compliance with the rules of the common fisheries policy, amending Regulations (EC) No 847/96, (EC) No 2371/2002, (EC) No 811/2004, (EC) No 768/2005, (EC) No 2115/2005, (EC) No 2166/2005, (EC) No 388/2006, (EC) No 509/2007, (EC) No 676/2007, (EC) No 1098/2007, (EC) No 1300/2008, (EC) No 1342/2008 and repealing Regulations (EEC) No 2847/93, (EC) No 1627/94 and (EC) No 1966/2006. https://eur-lex.europa.eu/eli/reg/2009/1224/oj/eng						
Regulat framew commo	Regulation (EU) 2017/1004 of the European Parliament and of the Council of 17 May 2017 on the establishment of a Union framework for the collection, management and use of data in the fisheries sector and support for scientific advice regarding the common fisheries policy and repealing Council Regulation (EC) No 199/2008. <u>http://data.europa.eu/eli/reg/2017/1004/oj</u>						
ICES 2 https://	ICES 2021b. Baltic Fisheries Assessment Working Group (WGBFAS). ICES Scientific Reports. 3:53. 717 pp. https://doi.org/10.17895/ices.pub.8187						
ICES 20 Baltic S	ICES 2021c. Sprat (<i>Sprattus sprattus</i>) in subdivisions 22–32 (Baltic Sea). In ICES Advice on fishing opportunities, catch, and effort. Baltic Sea ecoregion. <u>https://www.ices.dk/sites/pub/Publication%20Reports/Advice/2021/2021/spr.27.22-32.pdf</u>						
Links	Links						
			MaxinTruct Fishers Assessment Dear Deview				
			iviarin Frust Fishery Assessment Peer Review				



MARINTRUST Standard clause	1.3.2.1.1, 1.3.2.1.2, 1.3.2.1.4, 1.3.1.2	
FAO CCRF	7.3.1, 12.3	
GSSI	D.4.01, D.5.01, D.6.02, D.3.14	

۸2	Stock Assessment - Minimum Requirements					
AZ	A2.1	A stock assessment is conducted at least once every 3 years (or every 5 years if there is substantial supporting information that this is sufficient for the long-term sustainable management of the stock), and considers all fishery removals and the biological characteristics of the species.				
	A2.2	The assessment provides an estimate of the status of the biological stock relative to a reference point or proxy.	Yes			
	A2.3	The assessment provides an indication of the volume of fishery removals which is appropriate for the current stock status.	Yes			
	A2.4	The assessment is subject to internal or external peer review.	Yes			
	A2.5	The assessment is made publicly available.	Yes			
		Clause outcome:	Dass			

A2.1 A stock assessment is conducted at least once every 3 years (or every 5 years if there is substantial supporting information that this is sufficient for the long-term sustainable management of the stock) and considers all fishery removals and the biological characteristics of the species.

A stock assessment is conducted annually by the Working Group on Baltic Sea Fisheries (WGBFAS). In 2021, the assessment was performed in an Age-based analytical assessment XSA (ICES 2021b) that uses catches in the model and in the forecast (ICES 2021b). The assessment uses commercial catches, discards (in this case, available effort and CPUE data are restricted to only some regions and years, and are not considered representative for the entire stock and therefore were not applied in the assessment) and the results of the two acoustic surveys (BASS A7041, BIAS A1588) (ICES 2021b) (ICES 2021c). The SAM model was attempted at benchmark as an alternative assessment model in 2013.

The assessment considered all fishery removals and biological characteristics of the species. Sub-clause A2.1 is met.

A2.2 The assessment provides an estimate of the status of the biological stock relative to a reference point or proxy.

Sprat in the Baltic subdivisions 22–32 is assessed as a single unit (ICES 2021b). Reference points were re-estimated during an Inter-Benchmark Process (IBP) on Baltic Sprat (Sprattus sprattus) and herring (*Clupea harengus*) (IBPBASH) in March 2020 (ICES 2020). In 2013, the sprat assessment was benchmarked at WKBALT (2013) and the assessment of sprat is currently conducted following the procedure agreed during the benchmark (ICES 2021b). Reference points were defined for the stock under ICES MSY and precautionary approach. A management plan (MAP) with limit and target reference points is also in place (ICES 2021a and b).



TABLE 8 SPRAT IN SUBDIVISIONS 22–32. REFERENCE POINTS, VALUES, AND THEIR TECHNICAL BASIS. WEIGHTS IN TONNES (ICES 2021c).				
Framework	Reference point	Value	Technical basis	Source
MOV	MSY B _{trigger}	570 000	Assumed at B _{pa}	ICES (2020c)
approach	F _{MSY}	0.31	Stochastic simulations with Beverton–Holt stock–recruitment model	ICES (2020c)
Precautionary	B _{lim}	410 000	Stock-recruitment relationship (average of biomasses which produce half of the maximal recruitment in the Beverton-Holt and Ricker models)	ICES (2020c)
approach	B _{pa}	570 000	$B_{lim} \times exp (1.645 \times \sigma)$, where $\sigma = 0.2$	ICES (2020c)
	Flim	0.63	Consistent with B _{lim}	ICES (2020c)
	F _{pa}	0.41	F_{P05} . The F that leads to SSB \ge B_{lim} with 95% probability	ICES (2021b)
	MAP MSY B _{trigger}	570 000	MSY B _{trigger}	ICES (2020c)
	MAP Blim	410 000	B _{lim}	ICES (2020c)
Managamont	MAP F _{MSY}	0.31	F _{MSY}	ICES (2020c)
plan	MAP target range F _{lower} -F _{MSY}	0.22-0.31	Consistent with the ranges that result in a no more than 5% reduction in long-term yield compared with MSY	ICES (2020c)
	MAP target range F _{MSY} -F _{upper}	0.31-0.41	Consistent with the ranges that result in a no more than 5% reduction in long-term yield compared with MSY	ICES (2020c)

The stock assessment provides an estimate of the status of the biological stock relative to a reference point or proxy. **Clause A2.2** is met.

A2.3 The assessment provides an indication of the volume of fishery removals which is appropriate for the current stock status.

As noted previously, in all countries around the Baltic Sea fish catch statistics are based on log-book data. Landings are uploaded to the InterCatch by country and sudivision (which allows to carry out a spatial analysis of the catch). No information on unallocated catches is available. It is expected, however, that misreporting of catches occurs, as the estimates of species composition of the clupeid catches are imprecise in some mixed pelagic fisheries. Discard data is also not available for all the countries. ICES requested landings, discards, biological sample, and effort data from 2014 in support of the ICES fisheries advice in 2015 (ICES 2021b).

ICES considers that in 2020, the sampling activity by ICES subdivision exceeded much the levels indicated in the EC regulation No. 1639/2001. Moreover, as indicated in the Gulf of Riga herring section it seems that due to scrapping of fishing vessels in the Gulf of Riga, the level of misreporting has decreased in recent years.

Although some issues have been found on data reporting, it seems that the assessment provides an indication of the volume of fishery removals which is appropriate for the current stock status. **Sub-clause A2.3 is met.**

A2.4 The assessment is subject to internal or external peer review.

The ICES Baltic Fisheries Assessment Working Group (WGBFAS) provides scientific advice on the stocks in the Baltic Sea and adjacent areas ranging from Kattegat to the Gulf of Bothnia (ICES 2021c). The assessment of the sprat stock is conducted annually by the group (ICES 2021b). In 2021, 37 scientists participated in the 2021 WGBFAS meeting, from fisheries research institutes and universities from at least 7 countries, including: Russia, Denmark, Sweden, Finland, Poland, Estonia, and Germany (ICES 2021b). It is understood that the assessment for the herring stock was presented at the meeting, reviewed and the results agreed by the group. When the results of the assessments are agreed by the ICES groups, they are sent the ICES Advice Drafting



Group, which consists of National Experts, which review them, and they are finally reviewed by the Advisory Committee (ACOM) which delivers the ICES advice. The WGBFAS is open to observers from competent authorities (ICES 2021c).

During the benchmarked process, external experts also participate. In this case, the sprat was last benchmarked in 2013 and in 2020 an inter-benchmark process was also conducted (ICES 2021b).

The assessment is subject to internal and external review. Sub-clause A2.4 is met.

A2.5 The assessment is made publicly available.

StockAssessmentsandadviceforthisstockispubliclyavailableontheICES(latestadvice)website(https://www.ices.dk/advice/Pages/Latest-Advice.aspx)andtheICESWGBFASwebsite(https://www.ices.dk/community/groups/Pages/WGBFAS.aspx).andtheICESWGBFASwebsite

The assessment is made publicly available. Sub-clause A2.5 is met.

References

Links

ICES 2020c. Inter-Benchmark Process on Baltic Sprat (Sprattus sprattus) and Herring (Clupea harengus) (IBPBash). ICES Scientific Reports, 2:34. 44 pp. <u>http://doi.org/10.17895/ices.pub.5971</u>

ICES 2021b. Baltic Fisheries Assessment Working Group (WGBFAS). ICES Scientific Reports. 3:53. 717 pp. <u>https://doi.org/10.17895/ices.pub.8187</u>

ICES 2021c. Sprat (*Sprattus sprattus*) in subdivisions 22–32 (Baltic Sea). In ICES Advice on fishing opportunities, catch, and effort. Baltic Sea ecoregion. <u>https://www.ices.dk/sites/pub/Publication%20Reports/Advice/2021/2021/spr.27.22-32.pdf</u>

MARINTRUST Standard clause	1.3.2.1.2, 1.3.2.1.4, 1.3.1.2
FAO CCRF	12.3
GSSI	D.5.01, D.6.02, D.3.14

A3	Harvest Strategy - Minimum Requirements					
	A3.1	There is a mechanism in place by which total fishing mortality of this species is restricted.	Yes			
	A3.2 Total fishery removals of this species do not regularly exceed the level indicated or stated in the					
	stock assessment. Where a specific quantity of removals is recommended, the actual removals					
may exceed this by up to 10% ONLY if the stock status is above the limit reference point or proxy						
A3.3 Commercial fishery removals are prohibited when the stock has been estimated to be below the						
limit reference point or proxy (small quotas for research or non-target catch of the species in						
	other fisheries are permissible).					
		Clause outcome:	Pass			

A3.1 There is a mechanism in place by which total fishing mortality of this species is restricted.

As indicated in the Gulf of Riga herring section, this stock is also managed under the EU Baltic multiannual plan (Regulation (EU) 2016/1139 and its amendment Regulation (EU) 2019/472). According to this regulation, the MAP should, in accordance with Articles 9 and 10 of Regulation (EU) No 1380/2013, be based on scientific, technical and economic advice and contain objectives, quantifiable targets with clear time frames, conservation reference points and safeguards. The MAP takes into account the dynamics between the stocks of cod, herring and sprat, and also taking into consideration the by-catch species of the fisheries for those stocks, namely the Baltic stocks of plaice, flounder, turbot and brill.



This regulation further adds: "(13) It is appropriate to establish the target fishing mortality (F) that corresponds to the objective of reaching and maintaining MSY as ranges of values which are consistent with achieving maximum sustainable yield (FMSY). Those ranges, based on scientific advice, are necessary in order to provide flexibility to take account of developments in the scientific advice, to contribute to the implementation of the landing obligation and to take into account the characteristics of mixed fisheries. The FMSY ranges have been calculated by ICES on the basis of a number of considerations. The ranges are derived to deliver no more than a 5 % reduction in long-term yield compared to MSY. The upper limit of the range is capped, so that the probability of the stock falling below the limit spawning stock biomass reference point (Blim) is no more than 5 %. That upper limit also conforms to the so-called ICES advice rule, which indicates that when the spawning stock biomass is below the minimum spawning stock biomass reference point (MSY Btrigger), F is to be reduced to a value that does not exceed an upper limit equal to the FMSY point value multiplied by the spawning stock biomass in the TAC year, divided by MSY Btrigger. ICES uses those considerations and the advice rule in its provision of scientific advice on fishing mortality and catch options.

(14) For the purposes of fixing fishing opportunities, there should be an upper threshold for FMSY ranges in normal use and, provided that the stock concerned is considered to be in a good state (above MSY Btrigger), an upper limit for certain cases. It should only be possible to fix fishing opportunities to the upper limit if, on the basis of scientific advice or evidence, it is necessary for the achievement of the objectives laid down in this Regulation in mixed fisheries or necessary to avoid harm to a stock caused by intra- or inter-species stock dynamics, or in order to limit the year-to-year variations in fishing opportunities. For the purpose of applying the upper limit, it is necessary to recall the objectives set out in Regulation (EU) No 1380/2013 that the MSY exploitation rate is to be achieved in any event by 2020".

ICES advises that when the EU multiannual plan (MAP) for the Baltic Sea is applied, catches in 2022 that correspond to the F ranges in the plan are between 214,000 tonnes and 373,210 tonnes. According to the MAP, catches higher than those corresponding to FMSY (291,745 tonnes) can only be taken under conditions specified in the plan, whilst the entire range is considered precautionary when applying ICES advice rule (ICES 2021c).

Sub-clause A3.1 is met.

A3.2 Total fishery removals of this species do not regularly exceed the level indicated or stated in the stock assessment. Where a specific quantity of removals is recommended, the actual removals may exceed this by up to 10% ONLY if the stock status is above the limit reference point or proxy.

The harvest strategy aims at maintaining SSB above MSY $B_{trigger}$ and F at or below F_{MSY} . Although TACs have been above the recommended catch in recent years, in 2020 the agreed TAC (EU + Russia) was set within the advised range. SSB is above MSY $B_{trigger}$ – see table below.



TABLE 9 SPRAT IN SUBDIVISIONS 22–32. ICES ADVICE, THE AGREED TAC, AND ICES ESTIMATES OF CATCH. ALL WEIGHTS ARE IN TONNES (ICES 2021c).

Year	ICES advice	Catch corresponding to advice	Agreed TAC	ICES catch
2007	< F _{pa}	< 477000	454000*	388900
2008	< F _{pa}	< 432000	454000*	380500
2009	< F _{pa}	< 291000	399000*	407100
2010	< F _{pa}	< 306000	380000*	341500
2011	< F _{pa}	< 242000	322700**	267900
2012	MSY transition scheme	< 242000	255100**	235000
2013	F < F _{MSY}	< 278000	278000**	272400
2014	MSY approach	< 247000	267900**	243800
2015	MSY approach	< 222000	240200**	247200
2016	MSY approach (F = 0.26)	≤ 205000	243000**	246500
2017	MSY approach (F = 0.26)	≤ 314000	303593**	285701
2018	MAP target F ranges: F_{lower} to F_{upper} (0.19– 0.27), but F higher than F_{MSY} = 0.26 only under conditions specified in MAP	219152–301722, but catch higher than 291715 only under conditions specified in MAP	304900**	308827
2019	MAP target F ranges: F_{lower} to F_{upper} (0.19– 0.27), but F higher than F_{MSY} = 0.26 only under conditions specified in MAP	225752–311523, but catch higher than 301125 only under conditions specified in MAP	313100**	314147
2020	MAP target F ranges: F_{lower} to F_{upper} (0.19– 0.27), but F higher than $F_{MSY} = 0.26$ only under conditions specified in MAP	169965–233704, but catch higher than 225786 only under conditions specified in MAP	256700**	271531
2021	Management Plan	247952 (range 181567– 316833)	268458**	
2022	Management Plan	291745 (range 214000- 373210)		

* EU autonomous quota, not including Russian catches. ** TAC is calculated as EU + Russian autonomous quotas.

The is calculated as 20 + Russian autonomous

Sub-clause A3.2 is met.

A3.3 Commercial fishery removals are prohibited when the stock has been estimated to be below the limit reference point or proxy (small quotas for research or non-target catch of the species in other fisheries are permissible).

As indicated in the herring section, the Baltic Sea MAP requires: "(15) For stocks for which they are available, and for the purpose of the application of safeguard measures, it is necessary to establish conservation reference points expressed as MSY Btrigger and Blim. Appropriate safeguard measures should be envisaged in case the stock size falls below such critical spawning stock biomass levels.

(16) Safeguard measures should include the reduction of fishing opportunities and specific conservation measures when scientific advice indicates that a stock is under threat. Those measures should be supplemented by all other appropriate measures".



Sub-clause A3.3 is met.

References

ICES 2021b. Baltic Fisheries Assessment Working Group (WGBFAS). ICES Scientific Reports. 3:53. 717 pp. https://doi.org/10.17895/ices.pub.8187

ICES 2021c. Sprat (Sprattus sprattus) in subdivisions 22–32 (Baltic Sea). In ICES Advice on fishing opportunities, catch, and effort. Baltic Sea ecoregion. https://www.ices.dk/sites/pub/Publication%20Reports/Advice/2021/2021/spr.27.22-32.pdf

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. http://data.europa.eu/eli/reg/2016/1139/oj

Standard	clause	1.3.2.1.3	3
-			

LINKS				
MARINTRUST Standard clause	1.3.2.1.3, 1.3.2.1.4			
FAO CCRF	7.2.1, 7.22 (e), 7.5.3			
GSSI	D3.04, D6.01			

A4	Stock Status - Minimum Requirements					
	A4.1	The stock is at or above the target reference point, OR IF NOT:	Yes			
		The stock is above the limit reference point or proxy and there is evidence that a fall below the limit reference point would result in fishery closure OR IF NOT: The stock is estimated to be below the limit reference point or proxy, but fishery removals are prohibited.				
Clause outcome: Pass						
A4.1 Th	A4.1 The stock is at or above the target reference point. OR IF NOT:					

The stock is above the limit reference point or proxy and there is evidence that a fall below the limit reference point would result in fishery closure OR IF NOT:

The stock is estimated to be below the limit reference point or proxy, but fishery removals are prohibited.

The spawning stock biomass of sprat was low in the first half of the 1980s. At the beginning of the 1990s, the stock started to increase rapidly and in 1996–1997 it reached the maximum observed spawning stock biomass of 1.8 million tonnes. The stock size increased due to the combination of strong recruitments and a decline in natural mortality (effect of low cod biomass). Very strong year class of 2014 has led to a marked increase in stock size, SSB reached 1.1 million tonnes in 2016–2018 and is predicted to stay above 1 million tonnes in 2022 if it is exploited at FMSY (ICES 2021b).

ICES assesses that fishing pressure on the stock is above FMSY but below Fpa, and Flim and that spawning-stock size is above MSY Btrigger, Bpa, and Blim (ICES 2021c).





FIGURE 2 SPRAT IN SUBDIVISIONS 22–32. SUMMARY OF THE STOCK ASSESSMENT. SSB AT SPAWNING TIME IS PREDICTED FOR 2021 (ICES 2021c).

References

ICES 2021b. Baltic Fisheries Assessment Working Group (WGBFAS). ICES Scientific Reports. 3:53. 717 pp. https://doi.org/10.17895/ices.pub.8187

ICES 2021c. Sprat (*Sprattus sprattus*) in subdivisions 22–32 (Baltic Sea). In ICES Advice on fishing opportunities, catch, and effort. Baltic Sea ecoregion. <u>https://www.ices.dk/sites/pub/Publication%20Reports/Advice/2021/2021/spr.27.22-32.pdf</u>

Links	
MARINTRUST Standard clause	1.3.2.1.4
FAO CCRF	7.2.1, 7.2.2 (e)
GSSI	D6 01



CATEGORY C SPECIES

In a whole fish assessment, Category C species are those which make up less than 5% of landings, but which are subject to a species-specific management regime. In most cases this will be because they are a commercial target in a fishery other than the one under assessment.

Clause C1 should be completed for **each** Category C species. If there are no Category C species in the fishery under assessment, this section can be deleted. Where a species fails this Clause, it may be assessed as a Category D species instead, EXCEPT if there is evidence that it is currently below the limit reference point.

C			Central Baltic herring (Clupea harenaus)	
Spe	ecies	Name		
C 1	Catego	ory C Stock Sta	atus - Minimum Requirements	
CI	C1.1	Fishery remo	ovals of the species in the fishery under assessment are included in the stock assessment	Yes
		process, OR a	are considered by scientific authorities to be negligible.	
	C1.2	The species i	s considered, in its most recent stock assessment, to have a biomass above the limit	Yes
		reference po	int (or proxy), OR removals by the fishery under assessment are considered by scientific	
		authorities to	o be negligible.	
			Clause outcome:	Pass
C1.1 F consid	ishery	removals of th / scientific aut	he species in the fishery under assessment are included in the stock assessment proce the the stock assessment proce	ss, OR are
The El range	U's data of fishe	collection fra	mework (DCF) outlines the EU countries' obligations to collect, manage and make availal culture data needed for scientific advice.	ole a wide
Accor of her	ding to I ring in t	CES 2021c, co he Central Bal	mmercial catches from international landings are used as input data for the assessment o tic Sea.	f the stock
Fisher met.	Fishery removals of the species in the fishery under assessment are included in the stock assessment process, sub-clause C1.1 is met.			
C1.2 The species is considered, in its most recent stock assessment, to have a biomass above the limit reference point (or proxy), OR removals by the fishery under assessment are considered by scientific authorities to be negligible.				
The la The st under below	test sto ock is n the Bal MSY Bt	ck assessment hanaged under tic Sea manag rigger and bet	t was undertaken in May 2021 by the Working Group on Baltic Sea Fisheries (WGBFAS) (IC r the Baltic Sea MAP. Reference have been defined under the MSY and precautionary app gement plan. The stock was last benchmarked in 2020. ICES considered that spawning-st tween Bpa and Blim. Fishing pressure on the stock is above FMSY and between Fpa and Fli	ES 2021c). roach and ock size is m.





FIGURE 3 HERRING IN SUBDIVISIONS 25–29 AND 32, EXCLUDING THE GULF OF RIGA. SUMMARY OF THE STOCK ASSESSMENT. SSB AT SPAWNING TIME IN 2021 IS PREDICTED (ICES 2021D).

The species is considered, in its most recent stock assessment, to have a biomass above the limit reference point, **sub-clause C1.2 is met.**

References

ICES 2021c. Herring (*Clupea harengus*) in subdivisions 25-29 and 32, excluding the Gulf of Riga (central Baltic Sea). In Report of the ICES Advisory Committee, 2021. ICES Advice 2021, her.27.25-2932. <u>https://doi.org/10.17895/ices.advice.7767</u>.

Links	
MARINTRUST Standard clause	1.3.2.2
FAO CCRF	7.5.3
GSSI	D.3.04, D5.01



CATEGORY D SPECIES - Flounder (Platichthys flesus)

Category D species are those which make up less than 5% of landings and are not subject to a species-specific management regime. In the case of mixed trawl fisheries, Category D species may make up the majority of landings. The comparative lack of scientific information on the status of the population of the species means that a risk-assessment style approach must be taken.



D1	Species Name Flounder (Platichthys flesus)		
	Productivity Attribute	Value	Score
	Average age at maturity (years)	2-5	2
	Average maximum age (years)	12.4	2
	Fecundity (eggs/spawning)	400,000-2,000,000 for each female	1
	Average maximum size (cm)	60	2
	Average size at maturity (cm)	24.4	1
	Reproductive strategy	Water column	1
	Mean trophic level	3.3	3
		Average Productivity Score	1.71
	Susceptibility Attribute	Value	Score
	Overlap of adult species range with fishery	Distribution Eastern Atlantic from the	
		White Sea to the Mediterranean and the	1
		Black Sea	T
		<25% of stock occurs in area fished	
	Distribution	Throughout region	1
	Habitat	Benthopelagic	3
	Depth range	0 – 100m	3
	Selectivity	Species > 2 times	3
	Post-capture mortality	Retained species	3
		Average Susceptibility Score	2.3
		PSA Risk Rating (From Table D3)	PASS
		Compliance rating	PASS

References

Froese, R. and D. Pauly. Editors. 2021.FishBase. World Wide Web electronic publication. www.fishbase.org, (02/2021). Flounder (*Platichthys flesus*). Available at: <u>https://www.fishbase.se/summary/Platichthys-flesus.html</u>

REGULATION (EU) 2019/1241 OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL of 20 June 2019 on the conservation of fisheries resources and the protection of marine ecosystems through technical measures, amending Council Regulations (EC) No 1967/2006, (EC) No 1224/2009 and Regulations (EU) No 1380/2013, (EU) 2016/1139, (EU) 2018/973, (EU) 2019/472 and (EU) 2019/1022 of the European Parliament and of the Council, and repealing Council Regulations (EC) No 894/97, (EC) No 850/98, (EC) No 2549/2000, (EC) No 254/2002, (EC) No 812/2004 and (EC) No 2187/2005.

Standard clauses 1.3.2.2

CATEGORY D SPECIES – Smelt (Omerus eperlanus)

Category D species are those which make up less than 5% of landings and are not subject to a species-specific management regime. In the case of mixed trawl fisheries, Category D species may make up the majority of landings. The comparative lack of scientific information on the status of the population of the species means that a risk-assessment style approach must be taken.



D1	Species Name	Smelt (Osmerus eperlanus)	<u>u</u> 1
	Productivity Attribute	Value	Score
	Average age at maturity (years)	2-4	2
	Average maximum age (years)	10	2
	Fecundity (eggs/spawning)	8,000 - 50,000	1
	Average maximum size (cm)	29.5	1
	Average size at maturity (cm)	12.8	1
	Reproductive strategy	Adhere the eggs to the substratum	2
	Mean trophic level	3.5	3
		Average Productivity Score	1.71
	Susceptibility Attribute	Value	Score
	Overlap of adult species range with fishery	The species occurs in the Atlantic North	
		from France to the Baltic and Barents Seas	1
		<25% of stock occurs in area fished	
	Distribution	Global distribution/Throughout region	1
	Habitat	Midwater species	1
	Depth range	Up to 50m	3
	Selectivity	Species > 2 times 16mm mesh size	3
	Post-capture mortality	Retained species	3
		Average Susceptibility Score	2.5
		PSA Risk Rating (From Table D3)	Pass
		Compliance rating	

References

Froese, R. and D. Pauly. Editors. 2021.FishBase. World Wide Web electronic publication. www.fishbase.org, (02/2021). Smelt (*Osmerus eperlanus*). Available at: <u>https://www.fishbase.se/summary/Osmerus-eperlanus.html</u>

REGULATION (EU) 2019/1241 OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL of 20 June 2019 on the conservation of fisheries resources and the protection of marine ecosystems through technical measures, amending Council Regulations (EC) No 1967/2006, (EC) No 1224/2009 and Regulations (EU) No 1380/2013, (EU) 2016/1139, (EU) 2018/973, (EU) 2019/472 and (EU) 2019/1022 of the European Parliament and of the Council, and repealing Council Regulations (EC) No 894/97, (EC) No 850/98, (EC) No 2549/2000, (EC) No 254/2002, (EC) No 812/2004 and (EC) No 2187/2005.

Standard clauses 1.3.2.2



Table D2 - Productivity / Susceptibility attributes and scores.

Productivity attributes	Low productivity/ High risk	Medium productivity/ Medium risk	High productivity/ Low risk Score 1	
	Score 3	Score 2		
Average age at maturity (years)	>4	2 to 4	<2	
Average maximum age (years)	>30	10 to 30	<10	
Fecundity (eggs/spawning)	<1 000	1 000 to 10 000	>10 000	
Average maximum size (cm)	>150	60 to 150	<60	
Average size at maturity (cm)	>150	30 to 150	<30	
Reproductive strategy	Live bearer, mouth brooder or significant parental investment	Demersal spawner "berried"	Broadcast spawner	
Mean trophic level	>3.25	2.5-3.25	<2.5	

Susceptibility attributes			High susceptibility/ High risk	Medium susceptibility/ Medium risk	Low susceptibility/ Low risk	
		Score 3	Score 2	Score 1		
Availability	 Overlap of adult species range with fishery 		lap of >50% of stock occurs species in the area fished e with ry	Between 25% and 50% of the stock occurs in the area fished	<25% of stock occurs in the area fished	
	2)	Distribution	Only in the country/ fishery	Limited range in the region	Throughout region/ global distribution	
Encounterability	1)	Habitat	Habitat preference of species make it highly likely to encounter trawl gear (e.g. demersal, muddy/sandy bottom)	Habitat preference of species make it moderately likely to encounter trawl gear (e.g. rocky bottom/reefs)	Depth or distribution of species make it unlikely to encounter trawl gear (e.g. epi-pelagic or meso-pelagic)	
	2)	Depth range	High overlap with trawl fishing gear (20 to 60 m depth)	Medium overlap with trawl fishing gear (10 to 20 m depth)	Low overlap with trawl fishing gear (0 to 10 m, >70 m depth)	
Selectivity			Species >2 times mesh size or up to 4 m length	Species 1 to 2 times mesh size or 4 to 5 m length	Species <mesh or<br="" size="">>5 m length</mesh>	
Post capture mortality		Most dead or retained Trawl tow >3 hours	Alive after net hauled Trawl tow 0.5 to 3 hours	Released alive Trawl tow <0.5 hours		

Note: Availability 2 is only used when there is no information for Availability 1; the most conservative score between Encounterability 1 and 2 is used.



D3		Average Susceptibility Score			
55		1 - 1.75	1.76 - 2.24	2.25 - 3	
Average Productivity	1 - 1.75	PASS	PASS	PASS	
Score	1.76 - 2.24	PASS	PASS	TABLE D4	
	2.25 - 3	PASS	TABLE D4	TABLE D4	

D4	Species Name		NA	
	Impacts On Species Categorised as Vulnerable by D1-D3 - Minimum Requirements			
	D4.1 The potential impacts of the fishery on this species are considered during the management process, and reasonable measures are taken to minimise these impacts.			
	D4.2 There is no substantial evidence that the fishery has a significant negative impact on the species.			
			Outcome:	

Evidence

D4.1: The potential impacts of the fishery on this species are considered during the management process, and reasonable measures are taken to minimise these impacts.

D4.2 There is no substantial evidence that the fishery has a significant negative impact on the species.

References	
Links	
MARINTRUST Standard clause	1.3.2.2, 4.1.4
FAO CCRF	7.5.1
GSSI	D.5.01



FURTHER IMPACTS

The three clauses in this section relate to impacts the fishery may have in other areas. A fishery must meet the minimum requirements of all three clauses before it can be recommended for approval.

C1	Impacts on ETP Species - Minimum Requirements			
LT	F1.1	Interactions with ETP species are recorded.	Yes	
	F1.2 There is no substantial evidence that the fishery has a significant negative effect on ETP species.			
	F1.3	If the fishery is known to interact with ETP species, measures are in place to minimise mortality.	Yes	
		Clause outcome:	Pass	

F1.1 Interactions with ETP species are recorded.

At the EU level, a number of EU regulations require the EU member states to record bycatch of ETP species including marine mammals, seabirds:

- Council Regulation (EC) No 812/2004 lays down measures aimed at mitigating incidental catches of cetaceans by fishing vessels. The Regulation identifies the fisheries where the use of acoustic deterrent devices, also known as pingers, is mandatory, the technical specifications and conditions of use of these instruments, and the fisheries where at-sea observer schemes have to be conducted. Member States are responsible for the implementation of the acoustic devices, for monitoring its efficiency, and implementing monitoring schemes according to the guidelines under this Regulation.
- Effective preventive measures to avoid and monitor bycatch are also required by the EU Habitats Directive (1992/43/EC) and the EU Birds Directive (2009/47/EC) as part of the measures taken under the system of protection which EU Member States need to establish for species listed in Annex IV of the Habitats Directive and for all wild birds.
- EU Regulation 2019/1241 on the conservation of fisheries resources and the protection of marine ecosystems through technical measures as its objective to 'ensure that incidental catches of sensitive marine species, including those listed under Directives 1992/43/EC (EU Habitats directive) and the Directive 2009/147/EC (EU Birds directive) and 2009/47/EC that are a result of fishing, are minimised and where possible eliminated so that they do not represent a threat to the conservation status of these species'. Annex XIII of this Regulation is dedicated to monitoring measures and reduction of incidental catches of sensitive species. It states that Member States shall take the necessary steps to collect scientific data on incidental catches of these species.

Data collected under Regulation 812/2004 are submitted to the ICES group Working group on bycatch of protected species (WGBYC) through their annual data call. These data are most linked to at-sea observations carried out for fisheries monitoring following the EU Data Collection Framework Regulation 2017/1004 (DCF). The DCF aims to "establish rules on the collection, management and use of biological, environmental, technical and socio-economic data concerning the fisheries sector" and contribute "towards reaching the objectives of the common fisheries policy, which include the protection of the marine environment, the sustainable management of all commercially exploited species, and in particular the achievement of good environmental status in the marine environment" under the Marine Strategy Framework Directive (MSFD) (ICES WGBYC 2020).

The most recent WGBYC report notes that the Latvian national monitoring programme of incidental catches of cetaceans in 2018 covered observations of 508 trips in pelagic trawl fisheries, carried out by 5 observers on 13 different vessels (ICES WGBYC 2020). No incidental bycatch of cetaceans was observed. In subdivision 28.1 Gulf of Riga, observer coverage of the pelagic trawl fishery (12–18 m vessels) was 8.6 % of towing time and 9% of hauls. The report also indicates that the lack of observed bycatch over the full decadal period indicates that cetacean monitoring under Reg. 812/2004 has no practical significance in Latvian fisheries (ICES WGBYC 2020). In this same report, no information is provided for Estonia. However, in the previous report (ICES WGBYC 2019) indicates that for the year 2017, the Estonian national monitoring program of



incidental catches of cetaceans covered observations of 53 trips in pelagic trawl fisheries in area 3.d (SD 28, 29 and 32). The observations were carried out on 12 different vessels and 61 hauls (observer coverage was 3.9%). No incidental bycatch of cetaceans was observed in 2017.

In the case of seabird bycatch, in the Baltic Sea most bycatches were reported in nets (n=55), traps (n=10) and longlines (n=4). No bird bycatch was reported by pelagic trawls in the area (ICES WGBYC 2020).

Interactions with ETP species are recorded. Sub-clause F1.1 is met.

F1.2 There is no substantial evidence that the fishery has a significant negative effect on ETP species.

In the Baltic Sea, several ETP species may be caught as bycatch in fisheries including marine mammals and seabirds (sea ducks).

According to HELCOM 2018, at least two species of seals, the grey seal (*Halichoerus grypus*) and the ringed seal (*Pusa hispida ssp. Botnica*) can be found in the area of this assessment (Gulf of Riga). Grey seals are in good status in most of the Baltic except for the Southwestern areas (Arkona basin, Bay of Mecklenburg, Kiel Bay, Great Belt and the Sound) (HELCOM 2018). The state of distribution of ringed seals is not good since the area of occupancy is currently more restricted compared to pristine conditions in the four applicable areas where ringed seals occur for breeding and moulting, namely the Bothnian Bay, Archipelago Sea, Western Estonia (Gulf of Riga and Estonian coastal waters), and the Gulf of Finland (HELCOM 2018).

A Baltic proper sub-population of harbour porpoise is also found in the area. The Baltic harbour porpoise density and distribution has declined considerably during the last several decades, leading to a critically endangered status of the harbour porpoise in the Baltic Proper. Several human activities such as bycatch, noise and chemical pollution, overfishing, and habitat destruction negatively influence the status of the harbour porpoise (HELCOM 2018). The Baltic Proper harbour porpoise is listed as Critically Endangered (CR) by IUCN and HELCOM (Hammond et al., 2008) (HELCOM 2013).

Many species of seabirds breed on the coasts of the Baltic Sea (ICES 2020b). Different species have shown different trends in breeding numbers: nine species have declined, ten have increased, nine were stable, and the trend was uncertain in one species. The greatest declines in breeding numbers were observed in common eider (*Somateria molllissima*) and great black-backed gull (*Larus marinus*) (ICES 2020b). Three species that feed mainly on herring and sprat (common guillemot, razorbill, and Arctic tern) have increased in number over recent decades (ICES 2020b). The Baltic Sea is also an important wintering area for many species, including the globally threatened long-tailed duck, velvet scoter (*Melanitta fusca*), and Steller's eider (*Polysticta stelleri*). These three species have been declining in number during the last 25 years, as have many other benthic-feeding species (ICES 2020b).

The ICES Baltic Sea Ecoregion – Ecosystem overview report indicates (ICES 2020b): "Drowning in fishing gear is considered to be a significant source of anthropogenic mortality for long-tailed duck, scoters, divers, and some other waterbirds, especially in wintering areas with high densities of waterbirds. Estimates in the early 2000s indicate that between 100,000 and 200,000 waterbirds were being landed as bycatch annually in nets in the Baltic and North seas, mostly in the Baltic. Diving waterbirds are especially vulnerable to being entangled in gillnets and other types of static nets.

Drowning in fishing gear is considered to be the main cause of anthropogenic mortality for harbour porpoise populations in the Baltic Sea, and is also a concern for grey seals".

In July 2019, a coalition of NGOs drew the attention of the European Commission to the status of the Harbour Porpoises in the Baltic Sea. As a result, the EC requested the ICES to provide advice on appropriate emergency measures. ICES advised a combination of spatial-temporal closures and application of pingers in static nets (i.e. trammelnet, gillnet, and semi-driftnet) fisheries (ICES WKEMBYC 2020). Recent Regulation (EU) 2019/1241 also indicates that in the case of marine mammals in the Baltic Sea, the use of acoustic deterrent devices is mandatory only for bottom-set gill net or entangling net. Therefore, although bycatch mortality is a problem for marine mammals, these recent advice/regulations seem to indicate that



gillnets/trammelnets/semi-driftnets are the main threat to these species and other gears, such as pelagic trawls show a lower risk. Similarly, in the Baltic Sea, sea ducks and waterbirds are mainly caught in gillnet fisheries (Birdlife 2019). This is further demonstrated by the Latvian observer programme (see previous clause).

In the case of the indirect impacts of the assessed fishery on ETP species, prey depletion could have an indirect impact on them. As indicated previously some seabirds and marine mammals (such as grey seal) depend on herring/sprat for feeding (ICES 2020b).

Fisheries are the main activity contributing to selective extraction of species in the Baltic Sea and they have changed both foodwebs and the community structure in the Baltic Sea (ICES 2020b). Sudden changes occurred in the foodweb of the central Baltic ecosystem in the late 1980s and early 1990s which, in addition to abiotic changes, can be partly explained by unsustainable fishing pressure (ICES 2020b). However, the overall fishing effort in the Baltic Sea decreased by approximately 50% from 2004 to 2012 (ICES 2020b). Nowadays, for most of the pelagic stocks in the Baltic Sea, the spawning-stock biomass has increased since 2000 and is now above, or close to the biomass reference points used in stock assessments. Therefore, pelagic trawl fisheries as are currently exploited in the area do not seem to have an indirect impact on ETP species either.

In conclusion, there is no substantial evidence that the fishery has a significant negative effect on ETP species. **Sub-clause F1.2** is met.

F1.3 If the fishery is known to interact with ETP species, measures are in place to minimise mortality.

As indicated previously, recent Regulation (EU) 2019/1241 on the conservation of fisheries resources and the protection of marine ecosystems through technical measures indicates that the catching, retention on board, transhipment or landing of marine mammals or marine reptiles referred to in Annexes II and IV to Directive 92/43/EEC and of species of seabirds covered by Directive 2009/147/EC shall be prohibited. When caught, these species shall not be harmed, and specimens shall be promptly released. Based on the best available scientific advice a Member State may put in place mitigation measures to minimise, and where possible eliminate, the catches of these species. Annex XIII of this directive sets out mitigation measures to reduce the catch of these sensitive species. In the case of marine mammals in the Baltic Sea, the use of acoustic deterrent devices is mandatory only for bottom-set gill net or entangling net. ICES also advised a combination of spatial-temporal closures and application of pingers in Baltic Sea fisheries but only for static nets (i.e. trammelnet, gillnet, and semi-driftnet) fisheries (ICES WKEMBYC 2020).

The Agreement on the Conservation of Small Cetaceans of the Baltic, Northeast Atlantic, Irish and North Seas - ASCOBANS, aims to achieve and maintain a favourable conservation status for small cetaceans (ASCOBANS 2021). The agreement includes Harbour porpoise as a species of concern and several recovery plans have been developed for the species. In 2016, the ASCOBANS Recovery Plan for Baltic Harbour Porpoises (the Jastarnia Plan) aimed to improve the conservation status of the Harbour Porpoise in the Baltic was updated. In 2020, Resolution 8.5 set out targets for the monitoring and mitigation of small cetacean bycatch, requesting parties to ensure that *"monitoring programmes ensure robust estimation of cetacean bycatch"*. Recent Resolution 9.2 urges parties *"to make the full implementation of the Jastarnia Plan a high national priority"* and *"to implement monitoring of fishing effort and bycatch in line with ICES advice and to take into account the HELCOM Roadmap on fisheries data in order to assess incidental bycatch and fisheries impact on benthic biotopes in the Baltic Sea"*. However, Estonia and Latvia are non-party states of ASCOBANS.

For seabirds, trial have been also undertaken in order to reduce the bycatch of sea ducks in the Baltic Sea, but again these measures have been only tested in fisheries of concern to these species, such as gillnets (Birdlife 2019).

General management measures are in place in the fishery to minimise mortality of sensitive species (mainly marine mammals), although pelagic trawlers do not seem to cause significant bycatch of these species in the Baltic Sea. **Sub-clause F1.3 is met**

References



ASCOBANS 2021. Agreement on the Conservation of Small Cetaceans of the Baltic, North East Atlantic, Irish and North Seas Regulation. Available at: https://www.ascobans.org/

Birdlife 2019. Seabird bycatch: new research on gillnet fisheries in the Baltic Sea. Available at: <u>https://www.birdlife.org/europe-and-central-asia/seabird-bycatch-new-research-gillnet-fisheries-baltic-sea</u>

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ICES 2020. Baltic Sea Ecoregion – Ecosystem overview. In Report of the ICES Advisory Committee, 2020. ICES Advice 2020, Section 4.1. <u>https://doi.org/10.17895/ices.advice.7635</u>

ICES WGBYC 2019. Working Group on Bycatch of Protected Species (WGBYC). ICES Scientific Reports. 1:51. 163 pp. http://doi.org/10.17895/ices.pub.5563

ICES WGBYC 2020. Working Group on Bycatch of Protected Species (WGBYC). ICES Scientific Reports. 2:81. 209 pp. <u>http://doi.org/10.17895/ices.pub.7471</u>

ICES WKEMBYC 2020. Workshop on fisheries Emergency Measures to minimize By-catch of short-beaked common dolphins in the Bay of Biscay and harbour porpoise in the Baltic Sea (WKEMBYC). ICES Scientific Reports. 2:43. 354 pp. http://doi.org/10.17895/ices.pub.7472

Regulation (EU) 2019/1241 of the European Parliament and of the Council of 20 June 2019 on the conservation of fisheries resources and the protection of marine ecosystems through technical measures, amending Council Regulations (EC) No 1967/2006, (EC) No 1224/2009 and Regulations (EU) No 1380/2013, (EU) 2016/1139, (EU) 2018/973, (EU) 2019/472 and (EU) 2019/1022 of the European Parliament and of the Council, and repealing Council Regulations (EC) No 894/97, (EC) No 850/98, (EC) No 2549/2000, (EC) No 254/2002, (EC) No 812/2004 and (EC) No 2187/2005.

Links	
MARINTRUST Standard clause	1.3.3.1
FAO CCRF	7.2.2 (d)
GSSI	D4.04, D.3.08

F2	Impacts on Habitats - Minimum Requirements			
	F2.1	Potential habitat interactions are considered in the management decision-making process.	Yes	
F2.2 There is no substantial evidence that the fishery has a significant negative impact on physical				
	habitats.			
	F2.3	If the fishery is known to interact with physical habitats, there are measures in place to minimise	Yes	
		and mitigate negative impacts.		
		Clause outcome:	Pass	



F2.1 Potential habitat interactions are considered in the management decision-making process.

Several regulations at the EU and regional level aimed at the protection of the marine habitats in the area:

- The aim of the Natura 2000 network, designated under the EU Habitats and Birds Directives, (92/43/EEC, 2009/147/EC) is to maintain and restore habitats that support a number of species that form qualifying features to these designations. The habitat directive states: "This network, composed of sites hosting the natural habitat types listed in Annex I and habitats of the species listed in Annex II, shall enable the natural habitat types and the species' habitats concerned to be maintained or, where appropriate, restored at a favourable conservation status in their natural range" (article 3) and further: "For special areas of conservation, Member States shall establish the necessary conservation measures involving, if need be, appropriate management plans specifically designed for the sites or integrated into other development plans, and appropriate statutory, administrative or contractual measures which correspond to the ecological requirements of the natural habitat types in Annex I and the species in Annex II present on the sites" (article 6).
- Regulation (EU) 2019/1241 on the conservation of fisheries resources and the protection of marine ecosystems through technical measures also contemplates in its article 21 the introduction of measures to minimise the impacts of fishing gear on sensitive habitats.
- The HELCOM Baltic Sea Action Plan (BSAP), adopted by the HELCOM Contracting Parties in 2007, is an ambitious
 and comprehensive regional programme of measures and action for a healthy marine environment. The main goal
 of the HELCOM Baltic Sea Protected Areas (BSPAs) is to protect valuable marine and coastal habitats in the Baltic
 Sea. This is done by designating suitable areas which have particular nature values as protected areas and by
 managing human activities within those areas (HELCOM 2013). Many BSPAs overlap with sites established under
 the EU nature legislation framework (Natura 2000 network). The network of MPAs in the Baltic Sea is gradually
 expanding and is now close to 15% of the total sea area (ICES 2020b) (in 2013, 15 and 17% of the marine waters
 were protected by BSPAs for Latvia and Estonia respectively (HELCOM 2013)). Management plans need to be
 developed for these MPAs within five years after their designation.

Moreover, when providing advice, ICES publishes an ecosystem overview for the main ecosystems in European waters, including the Baltic Sea, in which the Key signals within the environment and the ecosystem are listed. The ICES 2020b report indicates: *"Disturbance of seabed habitats due to physical abrasion from mobile bottom-contacting fishing gears occurs mostly in the southern Baltic Sea and may reduce benthic diversity and biomass depending on the substrate type"*.

Trawl fishery closures are established in both countries (ICES 2021b):

- Latvia: 12th May 10th June.
- Estonia: 20th April-22nd May, 31 days, can be shifted depending on ice conditions in winter (additional closure in certain rectangles from 1st April to 20 May). Also "Unofficial" (not established by the authorities) closure for trawl fishery 15th June -15th September.

Therefore, potential habitat interactions are considered in the advice and in the management decision-making process. **Sub**clause F2.1 is met.

F2.2 There is no substantial evidence that the fishery has a significant negative impact on physical habitats.

Pelagic trawls are designed to catch shoals of pelagic species, including herring and sprat, they operate in the water column, and they do not contact the seabed. The BENTHIS project assessed the impacts of European fisheries on the seabed, concluding that physical impacts of pelagic fisheries were insignificant (Eigaard et al., 2013). Therefore, **sub-clause F2.2 is met**.



F2.3 If the fishery is known to interact with physical habitats, there are measures in place to minimise and mitigate negative impacts.

Skippers of fishing vessels deploying pelagic gear typically use sonar transponders to determine the position of the fishing gear in the water column to avoid contact with the seabed. Therefore, **sub-clause F2.3**.

References

Council Directive 92/43/EEC of 21 May 1992 on the conservation of natural habitats and of wild fauna and flora. http://data.europa.eu/eli/dir/1992/43/oj

Eigaard et al., 2013. Benthic impact from the perspective of the fisheries. Deliverable 1.1 b. Available at: <u>https://www.benthis.eu/en/benthis/Results.htm</u>

HELCOM 2013. HELCOM PROTECT- Overview of the status of the network of Baltic Sea marine protected areas. 31 pp.

Links	
MARINTRUST Standard clause	1.3.3.2
FAO CCRF	6.8
GSSI	D.2.07, D.6.07, D3.09

F3	Ecosys	Ecosystem Impacts - Minimum Requirements			
	F3.1	The broader ecosystem within which the fishery occurs is considered during the management	Yes		
		decision-making process.			
	F3.2	There is no substantial evidence that the fishery has a significant negative impact on the marine	Yes		
	ecosystem.				
	F3.3	If one or more of the species identified during species categorisation plays a key role in the marine ecosystem, additional precaution is included in recommendations relating to the total permissible fishery removals.	Yes		
		Clause outcome:	Pass		

F3.1 The broader ecosystem within which the fishery occurs is considered during the management decision-making process.

As noted in previous clauses, the herring fishery is managed under the Baltic Sea MAP (Regulation (EU) 2016/1139. This regulation indicates in the introduction: "A management plan for the cod stocks has been in place since the entry into force in 2007 of Council Regulation (EC) No 1098/2007 (6) but the stocks of herring and sprat are not yet subject to similar plans. Since strong biological interactions exist between the cod and pelagic stocks, the size of the cod stock can affect that of the herring and sprat stocks and vice versa. In addition, Member States and stakeholders have expressed support for the development and implementation of management plans for the key Baltic stocks". Further it indicates: "It is appropriate to establish a multi-species fisheries plan taking into account the dynamics between the stocks of cod, herring and sprat, and also taking into consideration the by-catch species of the fisheries for those stocks, namely the Baltic stocks of plaice, flounder, turbot and brill". One of the main objectives listed in the plan is: "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".

Moreover, ICES has created a number of working groups, including the Working group on Multispecies Assessment Methods (WGSAM), the ICES Working Group on Multispecies Assessment Methods (WGSAM) and the ICES Working group on Mixed Fisheries (WGMIXFISH) and the ICES Working group of integrated assessment of the Baltic Sea (WGIAB), with the objective of implement the ecosystem-based approach to fisheries (ICES 2021b). The specific objectives of this last group for example, are:



- Synthesize and evaluate existing ecosystem-based advice frameworks, including MSEs,
- Evaluate existing proposals on ecosystem aspects, including MSFD descriptors that can be included in the stock assessments and advice,
- Synthesize existing and develop new ecosystem based indicators for the Baltic Sea, which can be used to adjust advice on future fishing opportunities.

Fisheries in the Baltic Sea, including the stocks assessed in this report, are managed according to a MSY strategy (see previous sections) where key trophic interactions are incorporated (predation mortality, etc) (ICES 2021b). Therefore, the ecosystem approach is embedded in the legislation managing the fishery and some aspects of the broader ecosystem are already incorporated in the advice (although more work needs to be done). **Sub-clause F3.1 is met**.

F3.2 There is no substantial evidence that the fishery has a significant negative impact on the marine ecosystem.

The Baltic Sea is one of the largest brackish water bodies in the world, covering 420 000 km². It is a semi-enclosed shallow sea with an average depth of 60 m, where one third of the area is less than 30 m deep. It is characterized by strong temperature and salinity gradients, from relatively warmer and saline waters in the southwestern part to cold and almost freshwater in the northernmost parts. In addition, there is strong permanent vertical stratification for much of the Baltic Sea (ICES 2020). According to the ICES ecosystem overview, the five most important pressures on the Baltic Sea are identified as: nutrient and organic enrichment, selective extraction of species, introduction of contaminating compounds, introduction of non-indigenous species, and abrasion and substrate loss – see figure below (ICES 2020).



FIGURE 4 BALTIC SEA ECOREGION OVERVIEW WITH THE MAJOR REGIONAL PRESSURES, HUMAN ACTIVITIES, AND ECOSYSTEM STATE COMPONENTS. THE WIDTH OF LINES INDICATES THE RELATIVE IMPORTANCE OF MAIN INDIVIDUAL LINKS (THE SCALED STRENGTH OF PRESSURES SHOULD BE UNDERSTOOD AS A RELEVANT STRENGTH BETWEEN THE HUMAN ACTIVITIES LISTED AND NOT AS AN ASSESSMENT OF THE ACTUAL PRESSURE ON THE ECOSYSTEM). CLIMATE CHANGE AFFECTS HUMAN ACTIVITIES, THE INTENSITY OF THE PRESSURES, AND SOME ASPECTS OF STATE, AS WELL AS THE LINKS BETWEEN THESE (ICES 2020).

According to this same report, structural shifts in the open sea foodweb (including phytoplankton and zooplankton communities) of the central Baltic Sea between late 1980s and early 1990s were attributed to changes in abiotic conditions, such as increasing water temperature and hypoxia, and decreasing salinity, in combination with overfishing of eastern Baltic cod, in particular, during years characterized by low reproductive success of cod. Since then, the open-sea system has



been dominated by small pelagic fish, such as sprat (ICES 2020). Changes in coastal fish communities over the past decades have been linked to increasing water temperatures, decreasing salinities, and eutrophication. Increasing abundances of fish from the carp family (Cyprinidae) and decreases in piscivorous fish have been seen in many coastal areas during the past decade (ICES 2020).

Therefore, although fisheries in the area have a potential impact on the ecosystem, a number of key signals within the Baltic Sea environment seem to indicate that fishery removals have a relatively low impact on the ecosystem, and other pressures predominate, including (ICES 2020):

- Overall fishing effort fell by approximately 50% from 2004 to 2012 [...]
- The spawning-stock biomass (SSB) of most pelagic stocks has increased and is above or close to the biomass reference points [...] (in the particular case of Gulf of Riga herring and sprat both stocks SSB is over SSB_{MSY}).
- In general, those seabird species eating sprat and herring have increased in number [...]
- Grey seal populations have had a high growth rate over the past few decades following the cessation of hunting in the 1980s, but this has levelled off in recent years. The growth rate of the southern Baltic harbour seal population has also been high.

Therefore, due to good status of these species and the increase in the number of predator populations that rely on the stock, it is considered that **sub-clause F3.2 is met.**

F3.3 If one or more of the species identified during species categorisation plays a key role in the marine ecosystem, additional precaution is included in recommendations relating to the total permissible fishery removals.

Herring and sprat play a key role in the marine ecosystem of the Baltic Sea. Both species constitute a key prey for some species, including seabirds and marine mammals (ICES 2020). However, as noted in F1.3 predation is taken into consideration when assessing the stocks. For example for the herring stock the ICES advice states: *"Since the cod stock has remained at a low level in the Gulf of Riga, the natural mortality was taken to be the same as that used in the previous years - 0.2"* and in the case of sprat: *"In 2019 new estimates of predation mortality (M2) covering 1974-2018 were available from updated SMS (WGSAM 2019), using analytical estimates of cod stock as an external variable"*.

Therefore, as permissible fishery removals are set on the results of these assessments, it is considered that this key role is considered in the recommendations. Moreover, a number of measures have been implemented in the area to reduce fishing capacity and effort and protect the ecosystem, such as: trawling restrictions, fishing closures, protected areas, etc (see previous sections). For example, the ecosystem overview indicates that overall fishing effort fell by approximately 50% from 2004 to 2012 (ICES 2021b). Impacts on ETP species are also considered by ICES (see section F2).

The key role of the species is taking into consideration when recommending total permissible fishery removals. Therefore, **sub-clause F3.3 is met.**

References

ICES 2020. Baltic Sea Ecoregion – Ecosystem overview. In Report of the ICES Advisory Committee, 2020. ICES Advice 2020, Section 4.1. <u>https://doi.org/10.17895/ices.advice.7635</u>

ICES 2021b. Baltic Fisheries Assessment Working Group (WGBFAS). ICES Scientific Reports. 3:53. 717 pp. https://doi.org/10.17895/ices.pub.8187

Links

MARINTRUST Standard clause

1.3.3.3



FAO CCRF	7.2.2 (d)
GSSI	D.2.09, D3.10, D.6.09

SOCIAL CRITERION

In addition to the scored criteria listed above, applicants must commit to ensuring that vessels operating in the fishery adhere to internationally recognised guidance on human rights. They must also commit to ensuring there is no use of enforced or unpaid labour in the fleet(s) operating upon the resource.



Appendix A - Determining Resilience Ratings

The assessment of Category B species described in this assessment report template utilises a resilience rating system suggested by the American Fisheries Society. This approach was chosen because it is also used by FishBase, and so the resilience ratings for many thousands of species are freely available online. As described by FishBase, the following is the process used to arrive at the resilience ratings:

"The American Fisheries Society (AFS) has suggested values for several biological parameters that allow classification of a fish population or species into categories of high, medium, low and very low resilience or productivity (Musick 1999). If no reliable estimate of r_m (see below) is available, the assignment is to the lowest category for which any of the available parameters fits. For each of these categories, AFS has suggested thresholds for decline over the longer of 10 years or three generations. If an observed decline measured in biomass or numbers of mature individuals exceeds the indicated threshold value, the population or species is considered vulnerable to extinction unless explicitly shown otherwise. If one sex strongly limits the reproductive capacity of the species or population, then only the decline in the limiting sex should be considered. We decided to restrict the automatic assignment of resilience categories in the Key Facts page to values of K, t_m and t_{max} and those records of fecundity estimates that referred to minimum number of eggs or pups per female per year, assuming that these were equivalent to average fecundity at first maturity (Musick 1999). Note that many small fishes may spawn several times per year (we exclude these for the time being) and large live bearers such as the coelacanth may have gestation periods of more than one year (we corrected fecundity estimates for those cases reported in the literature). Also, we excluded resilience estimates based on r_m (see below) as we are not yet confident with the reliability of the current method for estimating rm. If users have independent r_m or fecundity estimates, they can refer to Table 1 for using this information."

Parameter	High	Medium	Low	Very low
Threshold	0.99	0.95	0.85	0.70
r _{max} (1/year)	> 0.5	0.16 - 0.50 0.05 - 0.15		< 0.05
K (1/year)	> 0.3	0.16 - 0.30	- 0.30 0.05 - 0.15	
Fecundity (1/year)	> 10,000	100 - 1000	10 - 100	< 10
t _m (years)	< 1	2 - 4	5 - 10	> 10
t _{max} (years)	1 - 3	4 - 10	11 - 30	> 30

[Taken from the FishBase manual, "Estimation of Life-History Key Facts", http://www.fishbase.us/manual/English/key%20facts.htm#resilience]



Glossary

Non-target: Species for which the gear is not specifically set, although they may have immediate commercial value and be a desirable component of the catch. OECD (1996), Synthesis report for the study on the economic aspects of the management of marine living resources. AGR/FI(96)12

Target: In the context of fishery certification, the target catch is the catch of stock under consideration by the unit of certification -i.e. the fish that are being assessed for certification and ecolabelling. (GSSI)

Appendix

MarinTrust Fishery Assessment Peer Review Template

This section comprises a summary of the fishery being assessed against version 2 of the MarinTrust Standard.

Fishery under assessment	Gulf of Riga Herring Entire fishery (Latvia + Estonia)
Management authority (Country/State)	EU, Denmark
Main species	Baltic Sea Herring (Clupea harengus)
Fishery location	Sprat (Sprattus sprattus)
Gear type(s)	ICES Subdivision 28.1 (Gulf of Riga)
Overall recommendation. (Approve/ Fail)	Approve

Summary: in this section, provide any additional information about the fishery that the reviewers feel is significant to their decision.

The fishery assessment provides a detailed evaluation of the fishery following the recognised methods for the standard and gives evidence for the scorings made.

The following comments are of note:



- 1. Are there recent relevant examples of Latvian and Estonian fishing industry input (and/or NGOs) or evidence of past consultations in fishery stakeholder engagement meetings?
- 2. To confirm effectiveness of MCS is there any evidence of fishers providing additional information to managers to support the effective management of the fishery? And are there any reports of repeat offences?
- 3. The assessor documents no evidence of cetacean by-catch by observers is there any evidence of seals or seabird by-catch and if so what are the levels of these as by-catch?
- 4. Is there and evidence of mitigation measures e.g. seal scaring devices, escape panels, bird scaring lines and net cleaning between hauls to reduce by-catch? Any evidence of crew training on release of captured species/voluntary by-catch reporting for ETP species?

General Comments on the Draft Report provided to the peer reviewer

Summary of Peer Review Outcomes

Peer reviewers should review the fishery assessment report with the primary objective of answering the key questions listed in the table below. Where the situation is more complicated, reviewers may instead answer "See Notes".

	YES	NO	See Notes
A – Fishery Assessment			
1. Has the fishery assessment been fully completed, using the recognised MarinTrust fishery assessment methodology and associated guidance?	Yes		
2. Does the Species Categorisation section of the report reflect the best current understanding of the catch composition of the fishery?	Yes		
3. Are the scores in the following sections accurate (i.e. do the scores reflect the evidence provided)?	Yes		
Section M - Management	Yes		
Category A Species	Yes		
Category B Species	N/A		
Category C Species	Yes		
Category D Species	Yes		
Section F – Further Impacts	Yes		

Detailed Peer Review Justification

Peer reviewers should provide support for their answers in the boxes provided, by referring to specific scoring issues and any relevant documentation as appropriate.

Detailed justifications are only required where answers given are one of the 'No' options. In other (Yes) cases, either confirm 'scoring agreed' or identify any places where weak rationales could be strengthened (without any implications for the scores).

Boxes may be extended if more space is required.

1. Is the scoring of the fishery consistent with the MarinTrust standard, and clearly based on the evidence presented in the assessment report?

The scoring is consistent with the MT standard and the appropriate evidence is provided within the assessment report, and notwithstanding the remarks in this peer review report (see each section below and summary).

Certification body response

Thanks for the comments, these have been addressed in the assessment report or in the relevant sections of this document.

2. Has the fishery assessment been fully completed, using the recognised MARINTRUST fishery assessment methodology and associated guidance?

The fishery assessment has been fully completed following the MARINTRUST methodology. The assessment determination section could include a statement on control and enforcement as per the guidance. Good detail has been provided on the stock assessment and other impacts of the fishery in this section.



Certification body response

A statement on control and enforcement has been included in the assessment determination.

3. Does the Species Categorisation section of the report reflect the best current understanding of the catch composition of the fishery?

The species categorisation section (see Table 4) indicates the majority of the catch composition is Baltic herring, with sprat landings reaching 5-15%, and the stock for both species is assessed annually by ICES. The by-catch species are Central Baltic Herring, Flounder and Smelt. Species categorisation is based on data in MSC report from 2020 so represents best current understanding of the fishery.

Certification body response

Thanks, no further comments needed.

3M. Are the scores in "Section M – Management" clearly justified?	
M1.1 There is an organisation responsible for managing the fishery.	Yes
There is an organisation responsible for collecting data and assessing the fishery.	Yes
Fishery management organisations are publicly committed to sustainability.	Yes
Fishery management organisations are legally empowered to take management actions.	Yes
There is a consultation process through which fishery stakeholders are engaged in decision-	Yes
making.	
The decision-making process is transparent, with processes and results publicly available.	Yes

The scores in this section are clearly justified by the assessor with detailed responses and supported by references. Good reference of the sanctioning system of both Lativa and Estonia and application of sanctions (Sanz et al 2020).

Comments:

- 1. Are there recent relevant examples of Latvian and Estonian fishing industry input or evidence of past consultations relevant to the fishery documented within Baltic Sea Advisory Council (BSAC) meetings?
- 2. Whilst there is adequate evidence that the processes (assessments, advice, quota assignation, etc) are publicly available, is there evidence (eg minutes of meetings of advisory, consultation groups) of documented formal communication with fishery stakeholders?
- 3. The referenced JDP report gives good information regarding level of infringements. Is there any evidence of fishers providing additional information to managers to support the effective management of the fishery? Are there any reports of repeat offences? Could document the scale of the observer programme in this section.

Certification body response

Note: the peer review comments have been numbered above in order to facilitate replying to them

1. This sentence has been added to the report: "Information about the recent meetings held can be found in http://www.bsac.dk/Meetings/BSAC-meetings". Although the comments made during the meetings

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does not seem to be addressed to a specific individual, a list of participants is also included for each meeting and Estonian and Latvian representatives participate regularly in the meetings (see for example http://www.bsac.dk/getattachment/Meetings/BSAC-meetings/Future-Common-Fisheries-Policy-Session-1/ParticipantslistCFPmeetingSession1_190121.pdf.aspx?lang=en-GB or http://www.bsac.dk/getattachment/Meetings/BSAC-meetings/BSAC-meetings/Future-Common-Fisheries-Policy-Session-1/ParticipantslistCFPmeetings/BSAC-meetings/BSAC-Executive-Committee-10/">http://www.bsac.dk/getattachment/Meetings/BSAC-meetings/BSAC-meetings/Future-Committee-10/ Or http://www.bsac.dk/getattachment/Meetings/BSAC-meetings/BSAC-Executive-Committee-10/ (3)/ParticipantslistExCom290121FINAL.pdf.aspx?lang=en-GB)

- 2. As above. In the previous link (http://www.bsac.dk/Meetings/BSAC-meetings) information on a number of meetings related to different issues (ICES advice, ecosystem management, seal and cormorant predation, etc) can be found. Fishery stakeholders participated in all those meetings. TAC/Quota issues are also discussed in the meetings (see example: for http://www.bsac.dk/getattachment/Meetings/BSAC-meetings/BSAC-Joint-Working-Group-(3)/BSACJointWG8 9June2021DraftagendaREV-(1).pdf.aspx?lang=en-GB)
- 3. In section M2.3 the number of inspections made in 2020 is included. Only 6 suspected infringements were detected on 4 fishing vessels. Information on observer coverage (which was already included in section F) has been also added here and the relevant references included. As in previous sections, fishermen stakeholders participate in the BSAC meetings and information on different issues, including management, is provided by them.

3A. Are the "Category A Species" scores clearly justified?

The scores in this section are accurate.

The most recent ICES stock evaluation is available and advice is followed. Both fishery and fishery independent data is collected and utilised.

The assessment models for both stocks are managed under the EU Baltic Sea multiannual plan (MAP) and are peer reviewed by ICES working group.

The assessment highlights the stock is precautionarily managed and that "the spawning stock biomass (SSB) of the Gulf of Riga herring is well above MSY Btrigger, Bpa, and Blim. Fishing pressure on the stock has decreased in recent years and it is below FMSY."

Comments:

- 1. Is there any evidence within fisheries management of policies regarding the frequency of the external benchmarking, given the last external benchmark was in 2008 (for herring)?
- 2. "According to the MAP, catches higher than those corresponding to FMSY (44,945 tonnes) can only be taken under conditions specified in the plan" are the details of those conditions available?
- 3. Is there evidence of what measures would be taken in the event of a decline in stock status?
- 4. Is there any evidence that landing or observer data has been used to quantify the level of misreporting of sprat catches?
- 5. "The MAP takes into account the dynamics between the stocks of cod, herring and sprat, and also taking into consideration the by-catch species of the fisheries for those stocks, namely the Baltic stocks of plaice, flounder, turbot and brill". Is there evidence that the MAP considers the stocks of smelt?

Certification body response

Note: the peer review comments have been numbered above to facilitate replying to them

1. No information has been found about benchmarking but the WGBFAS report indicates: "The biological reference points for the Gulf of Riga herring were estimated at WGBFAS meeting



in 2015 (ICES, 2015). Following the ACOM's decision in 2020 (see Expert Groups general ToR c) vi)), the basis for Fpa was changed in 2021 to Fp.05, the F that leads SSB \geq Blim with 95% probability. The new corresponding Fpa = 0.38 (ICES, 2015)". So, it seems that reference points are regularly updated.

 Chapter III (Conservation reference points) of the MAP in the article 5 (Safeguards) indicates: 1. The conservation reference points expressed as minimum and limit spawning stock biomass levels that are to be applied in order to safeguard the full reproductive capacity of the stocks concerned are set out in Annex II.

2. When scientific advice indicates that the spawning stock biomass of any of the stocks concerned is below the minimum spawning stock biomass reference point as set out in Annex II, column A, to this Regulation, all appropriate remedial measures shall be adopted to ensure rapid return of the stock concerned to levels above the level capable of producing MSY. In particular, by way of derogation from Article 4(2) and (4) of this Regulation and in accordance with Article 16(4) of Regulation (EU) No 1380/2013, to achieve such levels, fishing opportunities for the stock concerned shall be fixed at a level consistent with a fishing mortality that is reduced below the range set out in Annex I, column B, to this Regulation, taking into account the decrease in biomass of that stock.

3. When scientific advice indicates that the spawning stock biomass of any of the stocks concerned is below the limit spawning stock biomass reference point as set out in Annex II, column B, to this Regulation, further remedial measures shall be taken to ensure the rapid return of the stock concerned to levels above the level capable of producing MSY, which may include, by way of derogation from Article 4(2) and (4) of this Regulation and in accordance with Article 16(4) of Regulation (EU) No 1380/2013, suspending the targeted fishery for the stock concerned and the adequate reduction of fishing opportunities.

4. Remedial measures referred to in this Article may include:

(a) Commission measures in case of a serious threat to marine biological resources in accordance with Article 12 of Regulation (EU) No 1380/2013;

(b) Member State emergency measures in accordance with Article 13 of Regulation (EU) No 1380/2013;

(c) measures pursuant to Articles 7 and 8 of this Regulation.

5. The choice of measures referred to in this Article shall be made in accordance with the nature, seriousness, duration and repetition of the situation where the spawning stock biomass is below the levels referred to in paragraph 1.

6. Where, on the basis of scientific advice, the Commission considers that the conservation reference points set out in Annex II no longer correctly express the objectives of the plan, the Commission may, as a matter of urgency, submit a proposal for the revision of those conservation reference points.

- 3. As above.
- 4. In regard to the level of misreporting (Unallocated landings), interviews have been used, for herring, as indicated in the report. In the case of sprat, the WGBFAS report indicates: "No information on unallocated catches was presented to the group. It is expected, however, that

misreporting of catches occurs, as the estimates of species composition of the clupeid catches are imprecise in some mixed pelagic fisheries". The ICES report for sprat indicates: "These effects (misreporting) have not been quantified or included in the assessment". No information has been found referring to landing or observer data been used to quantify the level of misreporting of this species.

5. Smelt does not seem to be named specifically in the plan but there are several clauses referring to bycatch species. For example: "(19) In the case of stocks taken as by-catches, in the absence of scientific advice on the levels of minimum spawning biomass of such stocks, specific conservation measures should be adopted when scientific advice indicates that remedial measures are needed". And a number of technical measures included in Chapter VI to improve selectivity.

3B. Are the "Category B Species" scores clearly justified?

No Category B species were identified.

Certification body response

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3C. Are the "Category C Species" scores clearly justified?

The scores in this section are accurate.

The most recent ICES stock evaluation is available, and the spawning-stock size is below MSY Btrigger and fishing pressure is above FMSY.

Comments: Is there any evidence of control measures in place to reduce landings of by-catch species? Certification body response

These pelagic fisheries have a low level of bycatch. However, a number of (general) technical measures are included in Chapter VI of the MAP to improve selectivity of the fishery: CHAPTER VI TECHNICAL MEASURES

Article 8

Technical measures

1. The Commission is empowered to adopt delegated acts in accordance with Article 16 of this Regulation and Article 18 of Regulation (EU) No 1380/2013 regarding the following technical measures:

- (a) specifications of characteristics of fishing gears and rules governing their use, to ensure or improve selectivity, to reduce unwanted catches or to minimise the negative impact on the ecosystem;
- (b) specifications of modifications or additional devices to the fishing gears, to ensure or improve selectivity, to reduce unwanted catches or to minimise the negative impact on the ecosystem;
- (c) limitations or prohibitions on the use of certain fishing gears and on fishing activities, in certain areas or periods to protect spawning fish, fish below the minimum conservation reference size or non-target fish species, or to minimise the negative impact on the ecosystem; and
- (d) the fixing of minimum conservation reference sizes for any of the stocks to which this Regulation applies, to ensure the protection of juveniles of marine organisms.

2. The measures referred to in paragraph 1 of this Article shall contribute to the achievement of the objectives set out in Article 3.

3D. Are the "Category D Species" scores clearly justified?

The scores in this section are accurate for both species.

Certification body response

Thanks. No further comments needed.

3F. Are the scores in "Section F – Further Impacts" clearly justified?

The scores in this section are justified by the assessor with details on the ETP species given. As some of the species are threatened or endangered, evidence of by-catch levels of these species should be provided, if possible, especially given mitigation measures are only required on other fisheries and not the fishery being assessed.

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Comments:

- 1. The assessor documents no evidence of cetacean by-catch by observers is there any evidence of seals or seabird bycatch and if so levels of by-catch?
- 2. Is there and evidence of mitigation measures e.g. seal scaring devices, escape panels, bird scaring lines and net cleaning between hauls to reduce bycatch. Any evidence of crew training on release of captured species/voluntary by-catch reporting for ETP species?
- 3. The assessor states that "the ecosystem approach is embedded in the legislation managing the fishery and some aspects of the broader ecosystem are already incorporated in the advice (although more work needs to be done)" is there evidence that more research is being undertaken or additional management strategies being considered to address the gaps identified?

Certification body response

Note: the peer review comments have been numbered above to facilitate replying to them

- 1. No seabird bycatch has been reported in the last years in this fishery. The bycatch of these pelagic fisheries seems very low in the area comparing to other gears as gillnets. I have included a sentence in the report indicating it: "In the case of seabird bycatch, in the Baltic Sea most bycatches were reported in nets (n=55), traps (n=10) and longlines (n=4). No bird bycatch was reported by pelagic trawls in the area (ICES WGBYC 2020)".
- 2. No measures to reduce seabird bycatch seem to be necessary in the fishery. In the Baltic Sea the use of acoustic deterrent devices is mandatory only for bottom-set gill net or entangling net.
- 3. Yes, there is a working group for ecosystem-based management in the BSAC. In 2020, a meeting was held by the BSAC to discuss the Future of the Common Fisheries Policy with the aim of providing input to the Commission. The first session dealt with how to improve the living conditions for fish and address ecosystem-based management and it was led by the chair of the Ecosystem Based Working Group, Nils Höglunds n ecosystem approach meeting was held in 2020.

Optional: General comments on the Peer Review Draft Report

The fishery meets the standards and has been correctly reviewed by the assessor with a good level of detail provided and useful references. The overall target stock status are above limit reference points and fishing pressure has reduced in recent years. Whilst improved management in the fishery regarding ETP and the broader ecosystem could be implemented, there is confidence in the assessment report evidence and outcome.

Certification body response

Thanks for the comments.