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**Good practice guidelines for developing management recommendations
for the EU fleets operating outside European waters**

Einführendes Element — Haupt-Element — Ergänzendes Element

Élément introductif — Élément central — Élément complémentaire

ICS:

CCMC will prepare and attach the official title page.

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European foreword

This CEN Workshop Agreement has been developed in accordance with the CEN-CENELEC Guide 29 “CEN/CENELEC Workshop Agreements – A rapid prototyping to standardization” and with the relevant provisions of CEN/CENELEC Internal Regulations - Part 2. It was approved by a Workshop of representatives of interested parties on 2021-11-09, the constitution of which was supported by CEN following the public call for participation made on 2020-05-13. However, this CEN Workshop Agreement does not necessarily include all relevant stakeholders.

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The following organizations and individuals developed and approved this CEN Workshop Agreement:

- Ministerio de agricultura, pesca y alimentación (MAPA), Spain / Junical Ciudad Iglesias, Martínez González, Alba Ceballos Pérez-Canales, Carceller Ortega,
- Centro Tecnológico do Mar - Fundación CETMAR, Spain / Duarte Vidal,
- AZTI, Spain/Jefferson Murua,
- Sjókovin, Faroe Islands / Juliana Arias, Unn Laksá,
- Long Distance Advisory Council (LADC)/Alexandre Rodríguez Rodríguez, Sonia Doblado,
- ANFACO-CECOPECA, Spain / Gonzalo Ojea, Felicidad Fernández,
- The Arctic University of Norway (UiT), Norway / Karin Olsen, Michaela Aschan
- Nofima, Norway / Ingrid Kvalvik, Petter Olsen,
- Cadi Ayyad University, Morocco / Karima Khalil, Elkalay Khalid,
- University of São Paulo, Brazil / Juliana Galvão,
- Matis, Iceland / Anna K. Daníelsdóttir, Oddur M. Gunnarsson, Ragnhildur Fridriksdóttir, Thormodur Dagsson, Jónas R. Vidarsson.

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Introduction

The European long-distance fishing fleet makes up only about 1% of the total EU fleet but provided 14% of the total EU catches [1]. Access to non-EU waters, in the EEZ of other coastal states and on the high seas, is obtained in different ways [2]:

In the EEZ of another coastal state by

- Mutual access agreement with neighbouring states
- Sustainable Fisheries Partnership Agreement (SFPA) between the EU and a coastal state
- Private agreements issued directly to EU shipowners by the authorities of a coastal state
- Charter contracts of European flagged vessels operating with a non-EU license in another coastal state

On the high seas

- As a Contracting Party (CP) of a Regional Fisheries Management Organisation (RFMO)
- In areas not governed by a RFMO through flag State responsibility.

These guidelines are developed to strengthen the governance of the European vessels operating under SFPAs. The fish stocks targeted by the EU fleet within these coastal states' EEZs are essential to the coastal states' economies, diets, and livelihoods. In addition, the SFPAs fisheries contribute to employment and seafood in Europe. Therefore, ensuring responsible and sustainable fisheries is of utmost importance. Nevertheless, due to data limitation and inadequate monitoring, compliance and enforcement capabilities, concerns have been raised regarding the management of these fisheries and their sustainability.

The good practice guidelines support developing Management Recommendations (MR), which improve cooperation between the coastal state authorities and the EU resource users (operators). This process follows an adjusted results-based framework where the operators are involved in the management and decision-making processes. The authority and the operators agree on the management objectives and identify the responding Outcome Targets (OTs), finally set by the authority. The responsibility of fisheries management is partially transferred to the operator, who provide the relevant authorities with documentation on the Outcome Targets (OTs). Implementing the results-based framework in the MR process enhances cooperation between actors, data flow, transparency and compliance, thereby improving the sustainability of the fisheries. Non-EU fleets operating in the SFPA area should be encouraged to participate in the MR process to ensure a level playing field and sustainable resource management. Not including them in the process might jeopardise the expected results of the management recommendations.

This MR process is fully consistent with the idea of regionalisation laid out in the CFP Regulation 1380/2013, which has been a major shift from micro-management to simplification of legislation and results-based management. The idea of regionalisation of fisheries within EU waters is applied through article 15 in three areas: discard plans; multiannual management plans; and technical measures. This is done by setting overarching goals at EU level and letting the Member States and their fleets put in place the implementing measures to achieve these goals. This regional approach to fisheries could be exported outside EU waters, as CFP strives for coherence amongst its internal and external dimension. An example could be to set management objectives and outcome targets as part of the technical modalities and conditions for accessing fisheries under protocols of SFPAs, giving more responsibility to operators (fleet segments) in achieving the sustainability goals agreed by both parties.

The MR process consists of seven steps performed by either the authority, the operators, or both. This document provides detailed guidance for each of these seven steps, clarifying the roles and responsibilities in each step (see section 7).

1 Scope

This document offers good practice guidelines for developing Management Recommendations (MRs) for EU long-distance fisheries operating under Sustainable Fisheries Partnership Agreements (SFPA). These guidelines aim to improve cooperation between the EU distant water fleet and the coastal state authorities in question, enhance data collection, improve fisheries management and control. Thus, promoting their environmental, social and economic sustainability.

2 Normative references

There are no normative references in this document.

3 Terms and definitions

For the purposes of this document, the following terms and definitions apply.

ISO and IEC maintain terminological databases for use in standardization at the following addresses:

- IEC Electropedia: available at <http://www.electropedia.org/>
- ISO Online browsing platform: available at <http://www.iso.org/obp>

3.1

authority

democratically accountable entity entrusted with the resource management responsibility within the MR process, usually being the coastal state authorities of the non-EU country competent to manage the marine resources of the EEZ covered by the SFPA

Note 1 to entry: Examples: Ministries from Fisheries, Blue Economy, Trade, Directorates General dealing with Fisheries, control and inspection coastguard, autonomous port authorities, etc.

3.2

indicator

variable, pointer, or index related to a criterion

Note 1 to entry: Indicators are selected such that their variations reflect variations in key elements of the fishery resource, the social and economic well-being of the sector and/or the sustainability of the ecosystem.

Note 2 to entry: The position and trend of an indicator in relation to reference points or values indicate the progress towards reaching an OT through specific management measures.

3.3

management measure

specific action in the form of controls, processes, reports, etc., applied in the fisheries to contribute to achieving the OTs, approved by the authorities

Note 1 to entry: The OT is reached when the indicator value for the management measure is reached. When more than one management measure is needed to reach an OT, several management measures form a management strategy that targets that specific OT.

Note 2 to entry: Management measures can be in the form of technical measures (gear regulations, closed areas and time closures), input controls, output controls and user rights.

3.4**management objective**

Objective typically framed within the overall concept of sustainable development and reflects one or more of the various dimensions and criteria that relate to it, with the overarching aim to reach biological, environmental, social and economic sustainability of the fishery in question

Note 1 to entry: Management objectives are set by the enacting authority in the MR process in line with existing environmental, social and economic policies, with a view of current challenges in managing the fishery in question. Management objective can include, e.g. improve monitoring and control, enhance data collection, sustainable utilisation of resources, profitable industry, secure employment, reducing discards).

3.5**management recommendation****MR**

formal arrangement between a management authority and operators that specify the partners in the fishery and their respective roles, the agreed management objectives for the fishery, outcome targets and how they shall be achieved

3.6**management strategy**

one or more management measures proposed by the operators, that together form a strategy towards achieving the OTs, set forth by the authorities

3.7**operator**

organised group of resource users, i.e. the catching subsector

Note 1 to entry: This could be an association of fishermen with rights in a given fishery, i.e. fishing operators of distant water fleets fishing within the EEZ of the coastal state to which the MR applies.

3.8**outcome target****OT**

Specific and measurable requirements set forth by the authority based on the management objective

Note 1 to entry: The OT is the indicator value that the management measures aim to reach above or below e.g. $F < F_{msy}$.

Note 2 to entry: The OTs are presented to the operators in the initial MR invitation to reflect overall policy objectives in terms of biology, environment, economics and society.

Note 3 to entry: Example of OT is: $SSB > X t$, $EBIDTA > Y \%$, $employment > Z$, $discard\ rate < Q \%$.

3.9**responsive fisheries management system****RFMS**

fisheries management system where sustainability objectives are defined and then left to the operators to identify the means to meet the objectives, document the means' effectiveness, and ultimately achieve the objectives

Note 1 to entry: Sustainability objectives could include environmental, economic and social objectives.

4 Abbreviations

BBNJ	Marine Biodiversity of Areas Beyond National Jurisdiction
CFP	Common Fisheries Policy (of the EU)
DG Mare	Directorate-General for Maritime Affairs and Fisheries (EU)
EBITDA	Earnings before interest, taxes, depreciation, and amortisation
EEZ	Exclusive Economic Zone
F	Fishing mortality
MEY	Maximum Economic Yield
MR	Management recommendation
MR0	Management recommendation zero
MSY	Maximum Sustainable Yield
OT	Outcome target
RBM	Results-based management
RFMO	Regional Fisheries Management Organisation
RFMS	Responsive fisheries management system
SFPA	Sustainable Fisheries Partnership Agreement
SSB	Spawning Stock Biomass
TAC	Total Allowable Catch

5 Introduction to the MR process

5.1 General

The MR process has seven steps, conducted by either the authority, the operators or both, as shown in Figure 1. Stages of the MR process are:

- 1) Pre-invitation dialogue
- 2) MR invitation
- 3) MR proposal
- 4) MR evaluation and approval
- 5) MR implementation and documentation
- 6) Audit
- 7) MR revision

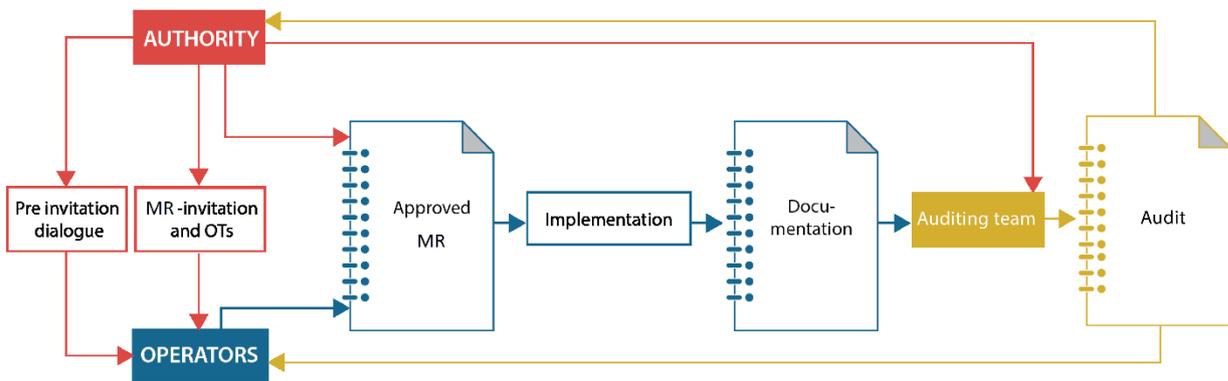


Figure 1 — Outline of the MR process

The MR process is built on the Responsive Fisheries Management System (RFMS) based on Results Based Management (RBM) principles. In RBM, the resource users are directly involved in the management and decision-making process. In principle, RFMS involves three agents, the authority, the operators and the auditor. In the MR process described in this document, the auditor's role has been amended to where the audit is performed by an auditing team, formed by individuals with proven knowledge and technical expertise on this subject commonly designated by both the authorities and the operators' groups by consensus. Based on RFMS, the authority is a democratically accountable entity entrusted with the final resource management responsibility within the MR process.

The authorities, therefore, oversee the MR process and issue the "MR invitation" to the operators. The MR invitation includes specification of measurable objectives, referred to as "outcome targets" (OTs), which are set to operationalise goals of existing policies. The operators (the resource users) develop, propose and implement an MR proposal, which includes a list of indicators or management measures that aim to reach the OTs set by the authorities. The MR proposal is discussed and revised as required. Once the management measures set forth by the operators in the MR proposal are acceptable in terms of achieving the OTs and all the authorities' requirements in terms of documentation and data collection are fulfilled, the authorities approve the MR proposal. After approval, the MR is implemented by the operators. The operators should document the implementation of the MR. The first audit is then performed by an auditing team with knowledge and technical expertise in the field formed by representatives designated from both the authorities and the operators, by consensus. The audit team assesses whether or not (or to what extent) the OTs are being implemented according to what was approved. Periodically, the MR is audited in terms of effectiveness in performance, compliance and achievement of the OTs. The recommendations provided by the auditing team will serve as a basis for a revised MR from the operators if requested by the authorities.

The MR process does not require any legal changes in the distribution of rights and duties between the contracting partners. However, agreements made within the MR process may be formalised and signed as a formal contract between the parties involved to increase their confidence and abidement in the agreement, if necessary.

5.2 Key outcomes of the MR process

The MR process delivers both direct and indirect outcomes. The main direct outcomes are the MR itself and its content, that is, the fishery specific management objectives and OTs, set by the coastal state authorities early on in the MR process, the management measures and associated indicators set by the operators, that together form the strategy to achieve the OTs (Fig. 2). Furthermore, the operators must develop a plan for monitoring and documenting the MR implementation that will allow the auditing team

to evaluate the performance of the MR. This documentation is likely to include data collection of varied nature, e.g. from both independent (scientific surveys, observer coverage) and dependent (science-industry partnerships, self-sampling programmes) fisheries data on key commercial species. Data of socio-economic nature, such as from value chain analysis and analysis of investment opportunities, could also be collected. If the MR is comprehensive and well-conducted, the new data can offer improved knowledge on environmental, governance, social and economic indicators that can benefit both the coastal state authorities and the EU fleets, e.g. through improved stock assessments, information on discard rates, VMS/AIS/ERS data, and knowledge on key economic and social indicators. These can be considered indirect outcomes of the MR process and improved cooperation and communication between the foreign fleets and the coastal state authorities.

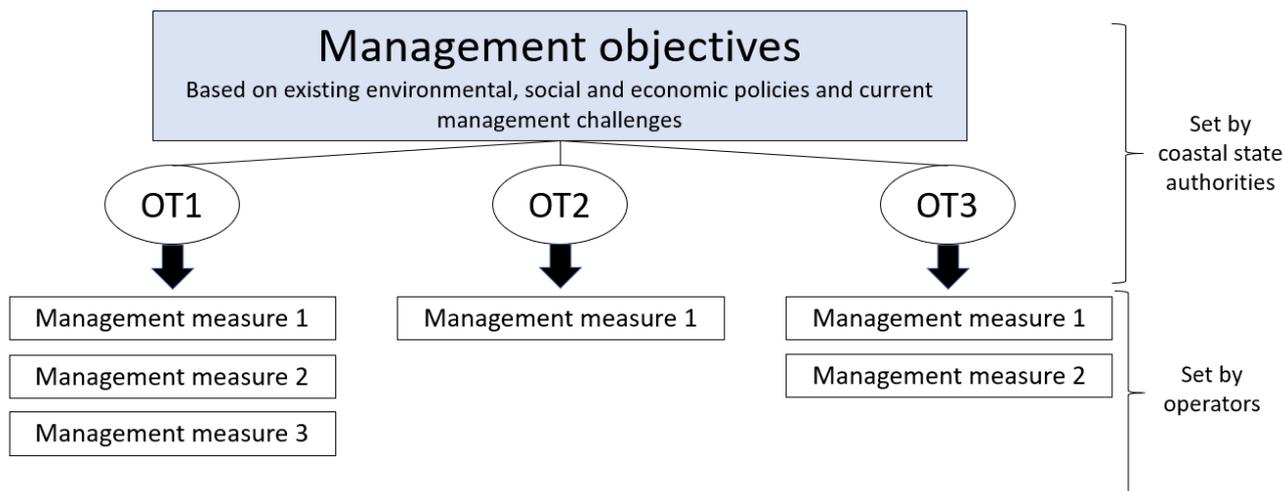


Figure 2 — Key direct outcomes of the MR process, showing how authorities set the OTs based on their own Management objectives and how the operators suggest management measures that aim to reach these OTs. An OT is reached when the indicator value for the management measure is reached

5.3 Incentives for applying the MR approach

The process of achieving the OTs set by the authorities and operators includes a common understanding on how to improve conservation and management of target fisheries for EU fleets, as well as collecting new biological, social and economic data and identifying possible communication gaps between institutions. This means that the operators will provide the coastal authorities with updated data and information, and in some cases, more extensive data than previously available to the authorities on a voluntary basis. This updated, and in some cases, new, data can benefit both the coastal authorities and the operators when it comes to negotiating new SFPAs; they will have more information than provided by official statistics, possibly replacing data that could be outdated. This cooperation between stakeholders and authorities could therefore help reach a more efficient and sustainable conservation and management of the targeted fisheries, increase transparency and showcase good practices, benefitting both managers and operators.

From a socioeconomic point of view, the MRs, and specifically the socioeconomic OTs, would improve the knowledge of the value chain (e.g. through added value measured in the different steps), its trade flows (e.g. market destinations and origin of products) and the economic return of fishing of a specific fishery. This would allow the participants to identify new investment opportunities and collaborations with coastal communities, contributing to the sustainable development of the fisheries industry as a whole.

5.4 Authorities. Role and responsibilities in the MR process

The authority from an RFMS perspective is an organisational entity in pursuit of the management objectives for the fishery in question. It represents the interests of the public and is ultimately responsible for the management of the fishery. Within the MR process, it is the relevant coastal State fisheries management authority managing the fishery in which the MR process and the SFPA applies to, that takes the role of the authority.

Where fishing authorities of a non-EU coastal State have signed an SFPA with the EU and wishes to initiate an MR process, it shall collect information on existing operating groups and contact their representatives. The following process, described in detail below, is overseen and managed by the coastal State authority, while the operators take responsibility for specific key tasks. Aside from managing the MR process and its advancement, the authorities are responsible for four key steps of the process: 1) Facilitation of the pre-invitation dialogues, 2) development and issuing of the MR invitation (including management objectives and outcome targets), 3) evaluation of the MR proposal from the operators, and its subsequent approval by the authorities once satisfactory in terms of reaching the set OTs, and 4) audit of the management strategies, post-implementation, as part of the auditing team.

5.5 Operators: Role and responsibilities in the MR process

The operator is an designated professional organisation entrusted with developing and implementing the MRs approved by the authority. Successful development and implementation of MRs requires well-organised and committed operators. The operators within the MR process refers to the EU long-distance fleets operating within the EEZ of a coastal State, targeting the same resource with the same gear type. They should be represented by their fishing organisation and/or operating group, who ideally would work together as a single entity to meet the OTs set by the authorities. An effective MR process may therefore require cooperation between several EU fisheries organisations, potentially from different Member States, and representatives of other foreign fleets operating in the area. It is the authority's responsibility to collect and contact the representatives of the relevant operators, who will all be invited to the pre-invitation dialogue to explore grounds for initiating the MR process in the particular setting.

Where the SFPA covers mixed fisheries, selecting one or more target fisheries to enter the MR process through a phased approach may be necessary for the authority as a starting point. Simultaneously initiating multiple processes may be inefficient, expensive and overcomplicated for all parties.

6 General guidelines for making MRs

6.1 Overview

The MR process is composed of 7 steps, four of which are conducted by the relevant coastal authorities and three by the operators. Both entities can initiate the process, but it should be managed by the coastal authorities, which should organise the pre-invitation dialogue (step 1).

Given the different roles of the two participating entities (authorities and operators), the guidelines in this document are divided into two separate sections: *Section 8.1 Guidelines for the authorities* and *8.2 Guidelines for the operators*. This is shown in figure 3.

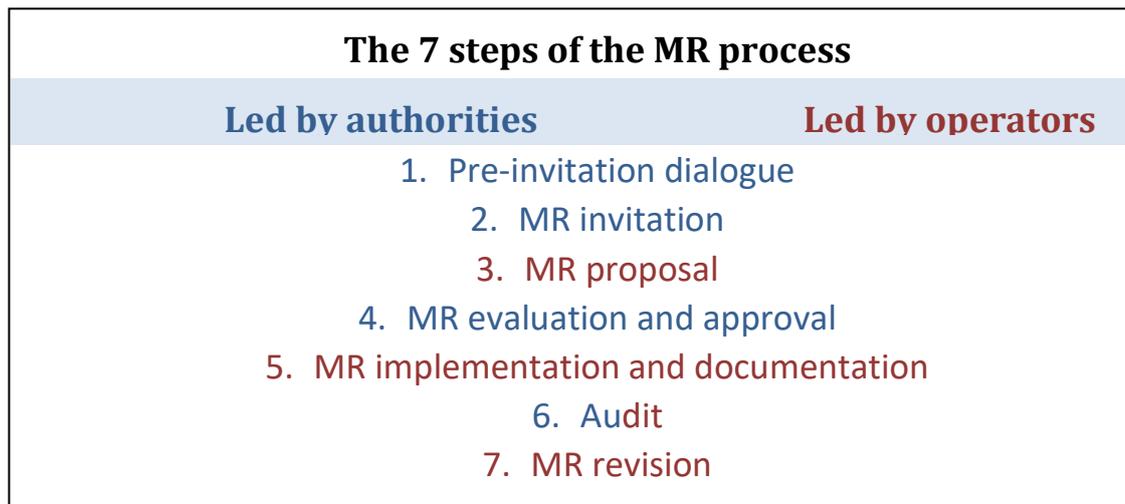


Figure A.1 — Overview of the MR process and role by authorities and operators

6.2 Guidelines for authorities

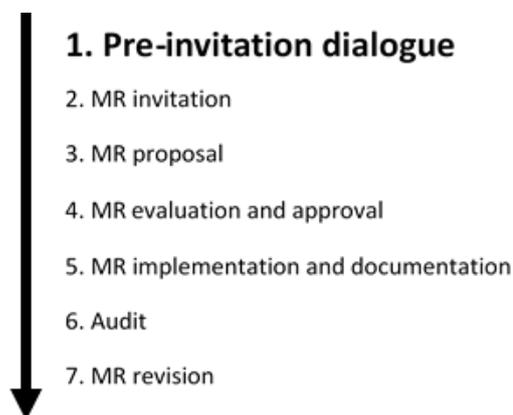
6.2.1 General

This section contains guidelines for conducting the four steps of the MR process that are the responsibility of the coastal state authorities. These guidelines include the task descriptions for the four steps and the guidelines on how to perform them and instructions on their execution. The authorities' four steps within the MR process are 1) the pre-invitation dialogue, 2) MR invitation, 3) MR evaluation and approval, and 4) MR audit (as part of the auditing team).

6.2.2 Step 1. Pre-invitation dialogue

Summary

The first step of the MR process is when the authorities initiate a bilateral dialogue between them and the operator(s). This step means identifying the operators in the area fishing under the existing SFPAs and contacting their designated representatives (operating groups/fishing associations) and inviting them to a pre-invitation dialogue. If the pre-invitation dialogue concludes with a common understanding to initiate the MR process, the authority shall continue to step 2 of the MR process: to formally submit an MR invitation to the operator(s).



Task description

1. Identifying all operators

Coastal States should make a list with the name, address and contact information of all the operators with licensed vessels under the SFPAs agreements, selecting those whose categories participate in the fishery targeted by the MR (i.e. trawlers, long-liners, seiners) and start contacting their representatives. Ideally, all operators would participate in the pre-invitation dialogue, but the authority should at least aim to have one representative per gear and per nationality. Operators should be contacted formally, with a letter stating what the MR process is, which fisheries are targeted and a summary of what is expected from the operators during the process. Examples of previous MRs processes and their results, if existing, could be added to the information package in order to encourage their participation.

2. Preparing and facilitating the pre-invitation dialogue

Once information about the operators fishing under the SFPA within the EEZ of the coastal authority has been collected, and their representatives have been contacted, the authority organises a meeting named pre-invitation dialogue. While this meeting has the overarching goal of determining whether initiating an MR process is possible and welcomed by both entities, other essential elements must be discussed and agreed upon, such as the main goals of the MR, key challenges, costs and benefits for all participants. In addition, initial discussion on the auditing team, i.e. its potential members and role, should also occur. Key decisions made at this meeting will feed into the MR invitation (Step 2). Therefore, the meeting invitation and its facilitation must be well prepared by the authorities, including by sending a comprehensive agenda and any other relevant information to all participants beforehand.

Although the official OTs will not be formally established until the MR invitation is submitted (Step 2), the coastal authorities shall present their candidate OTs at the pre-invitation dialogue. This will help all participants to evaluate whether reaching the desired OTs will be realistic and, thus, whether the MR process should be initiated. As OTs can both be recommended and obligatory, the authority should clarify the priority level assigned to each OT while presenting them. Once this initial discussion on the OTs has occurred, the authorities may revise their OTs and their priority level based on feedback received by operators and other stakeholders if deemed necessary before submitting the formal OTs in the MR invitation.

Once the pre-invitation dialogue has taken place and participants agree on initiating the MR process, the authorities should publicly announce the initiation of the MR process, e.g. via press release and/or social media. This will increase transparency and ensure participation of all interested stakeholders.

6.2.3 Step 2: MR invitation

Summary

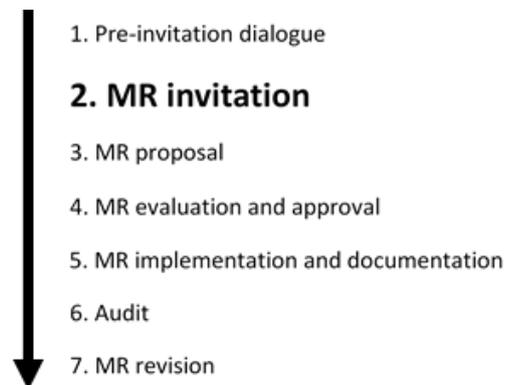
The MR invitation is a formal document submitted by the coastal authority to the operator(s) in question after the pre-invitation dialogue has occurred and an agreement to initiate the MR process has been reached. The MR invitation shall contain three main sections:

1. Introduction
2. MRO
3. Outcome targets

Task description

Setting outcome targets

The MR process requires that operators develop management recommendations (MRs) to reach the OTs set by the authorities in the MR invitation. These OTs and their priority level (obligatory or recommended) should be clearly laid out in the MR invitation, and they should be phrased in the form of specific and measurable requirements. Within the MR invitation, OTs can either be set by the authorities as either obligatory or recommended. OTs that are largely or solely the responsibility of the operators to address and are considered key outcomes to reach the existing management objectives are listed as obligatory. The operators must address these OTs within the MR proposal for it to be approved. OTs that are outside of the operators' scope to address and/or include outcomes that are not considered vital for improved sustainability of the fishery in question should be listed as recommended. These include OTs



requiring a management strategy that includes policy recommendations, filling knowledge gaps, or changes in regulations. Although the responsibility of reaching such recommended OTs cannot realistically be delegated to operators, they should still be identified in the MR invitation. This will allow the operators to delegate responsibility, e.g. to research institutions or other sub-sectors of the value chain, and offer the operators a platform to express their views and needs on the issues in question.

The OTs reflect overall policy objectives in terms of biology, environment, governance, economics and society and should be set with the ultimate aim to reach existing management objectives. A single OT can touch on more than one of these dimensions. For instance, while an MSY related OT primarily has a biological focus, it will also have implications for the other dimensions. This is also clearly the case if an OT is defined in relation to the concept of Maximum Economic Yield (MEY). While the primary purpose of MEY is to maximise the economic performance of the fishery, it can be associated with lower exploitation rates than MSY, and therefore be more conservative in biological terms. It is recommended that the OTs, to the extent possible, are set in a way that they do not need to be updated annually, have a multiannual average target or a target date (e.g. it could be better to define OTs in terms of biological reference points such as SSB or F as compared to in terms of TACs).

An indicator is a variable, pointer, or index related to a criterion. Indicators should be selected so that variations reflect changes in key elements of the fishery resource, the social and economic well-being of the sector and the protection, recovery or resilience of a healthy ecosystem. The position and trend of an indicator in relation to reference points or values indicate the present state and dynamics of the system. Indicators, therefore, provide a bridge between the objectives and actions [5](FAO 1999). An example of a biological indicator could be F (Fishing mortality), an economic indicator EBITDA (Earnings Before Interest, Taxes, Depreciation and Amortisation) and a social indicator number of jobs (in FTE). The indicators that relate to OTs should be SMART, i.e. specific, measurable, attainable, relevant and timely. As OTs are an essential element of a successful MR process, effort should be made to identify relevant indicators so that the MR process can deliver the desired outcome.

Table 1 — Examples of OTs. The OTs may address different dimensions of the fishery in question. The authority preparing the MR invitation should assign a clear priority to each OT.

Dimension	Example type	Example OTs
Biological	1) MSY related reference points 2) By-catch and discard limits 3) Biodiversity and habitat protection	1) Maintain SSB > 100.000 t 2) Discard < 5 % individuals of commercial species; Bycatch of red-listed species= 0 3) No fishing in defined area A; avoidance of VME features and move-on rules; gear restrictions
Economic	Minimum EBIDTA, fleet capacity limits; revenue, gross profit	Maintain average EBIDTA > 0; not to exceed certain fleet capacity limits; Achieve positive revenue and gross profit;
Social and cultural	Professional Training/Recruiting young fishers; equal fishing opportunities for national and foreign fleets; upskilling and ongoing learning courses for national and migrant workers; compliance with safety at sea and watchkeeping rules onboard fishing vessels;	Ensure on-board training opportunities for > X many newcomers; landing in the area; processing in local factories; Ensure a number of national jobs of vessels at sea in FTEs by fleet segment/vessel type.

Setting up the MR invitation

The authority will prepare and write the MR invitation based on decisions made at the pre-invitation dialogue and submit it to the operators. The content of each of the three MR invitation sections are as follows: 1) the introduction, 2) the MR0, and 3) OTs. Details on each section are below.

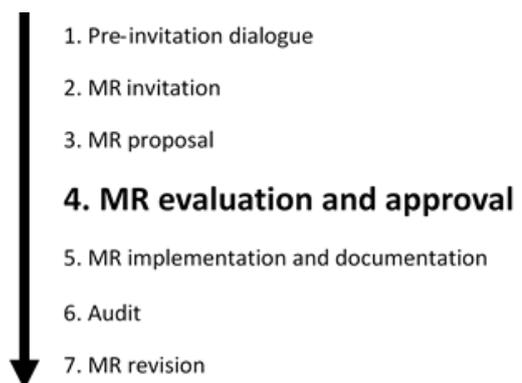
1. **MR invitation introduction:** The MR invitation should start with an introduction containing the following information:
 - The scope (geological and biological) and goals of the MR process
 - The identity and main characteristics of the fishery in question: target species, location, gears, brief notes on the ecosystem and mixed fisheries context
 - Details on the coastal authority leading the process, including information on the primary contact point for both the operators and other stakeholders. Provide contact details where necessary.
 - The identity and main characteristics of the operators qualified to respond (flag state, share in the fishery, fleet segment, gear type, organisational requirements)
 - MR process description: process timeline, key tasks and responsibilities assigned to them, main running (fixed and variable) costs, details on reporting and documentation.

- Clear definition of the roles, rights and responsibilities of both the operators and the authorities within the MR process.
2. MR invitation introduction: The MR invitation should start with an introduction containing the following information:
- The scope (geological and biological) and goals of the MR process
 - The identity and main characteristics of the fishery in question: target species, location, gears, brief notes on the ecosystem and mixed fisheries context
 - Details on the coastal authority leading the process, including information on the primary contact point for both the operators and other stakeholders. Provide contact details where necessary.
 - The identity and main characteristics of the operators qualified to respond (flag state, share in the fishery, fleet segment, gear type, organisational requirements)
 - MR process description: process timeline, key tasks and responsibilities assigned to them, main running (fixed and variable) costs, details on reporting and documentation.
 - Clear definition of the roles, rights and responsibilities of both the operators and the authorities within the MR process.

6.2.4 Step 4: MR evaluation and approval

Summary

Once the authorities have submitted the MR invitation to the operators, the operators will review the information therein, including the OTs, and submit an initial MR proposal to the authorities. The MR proposal contains bottom-up strategies proposed by the operators to achieve the OTs set forth by the authorities in the MR invitation. Once the operators have submitted the initial MR proposal, the authorities will review and evaluate whether it meets all requirements and is aligned with OTs. In the case where the MR proposal is not considered sufficient to meet the OTs or other specific requirements detailed within the MR invitation, the MR proposal will be sent back to the operators with specific requests for revision and amendment. Once the MR proposal is considered adequate and acceptable by both entities, it is officially approved by the authorities.



Task description

The operators participating in the MR process will submit an *MR proposal* based on the MR invitation sent by the authorities. The MR proposal will contain seven items, including the proposed management strategies and management measures, set forth with the aim to successfully meet the OTs in the MR invitation. As described below in the Guidelines for the operators (Section 8.2.2), the MR proposal contains the following outline:

- 1) Introduction
- 2) Fishery overview
- 3) Outcome targets and indicators
- 4) Management strategies, management measures and adaptive planning
- 5) Monitoring compliance and sanctions
- 6) Documentation plan
- 7) Implementation plan.

Evaluating the MR proposal

Items 1-3 of the MR proposal mostly contain background and contextual information derived from either the pre-invitation dialogue or the MR invitation. It requires little revision efforts from the authorities. A thorough review of items 4-7 is required, and any requests for revision or clarifications by the authorities are detailed in an issue log. Each management measure proposed under item 4 must be explicitly evaluated. The evaluation criteria will vary between fisheries, depending on e.g. the target species, the fishing ground(s) and the fleet(s). However, in any case, the evaluation will aim to estimate a) the likelihood of achieving the OT it has been assigned to and b) its feasibility in the given setting.

Requesting revision of the MR proposal

Where the evaluation of the MR proposal reveals issues that should be addressed in terms of the effectiveness of proposed strategies and measures, their applicability in the given context, or any other issues that arise, which cannot be ignored, the authority should request a revision of the proposed MR from the operator(s). The revision shall be based on the authorities' detailed documentation from the evaluation process within the issue log. The issue log should contain a) detailed descriptions of key shortcomings/issues, b) clear rationale for the revision request and c) proposed solutions, if relevant.

Detailed instructions regarding the MR proposal's re-submission timeframe should be included in the authorities' revision request. The request should also include details on any proposed meetings or other dialogues if needed. Once all parties have agreed to the MR, it is approved and signed by both authorities' and operators' representatives.

6.2.5 Step 6. MR audit

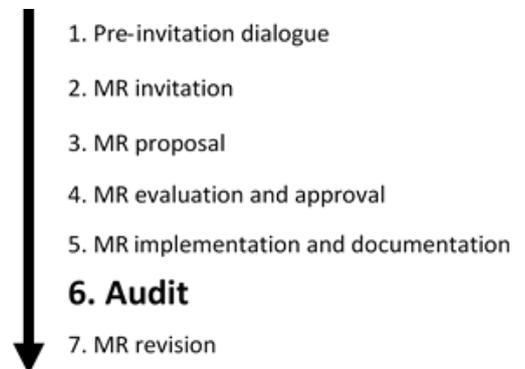
Summary

When a MR is implemented, this should be adequately documented and subject to an audit. The timing and frequency of the audit of the MR implementation and performance should be clearly stated in the MR proposal. The documentation provided by the operators during the implementation of an approved MR is reviewed by an auditing team. The auditing team could be composed of designated individuals from the two entities (authorities and operators) or assigned to an external organisation. The audit team will evaluate whether or not (or to the extent to which) the OTs are being achieved by assessing the selected indicators.

This audit is a tool for ensuring responsiveness of the MR, by providing updated information on the implementation and performance of the management objectives. The audit will serve as a basis for drafting a revised MR if needed.

Task description

Once the MR has been approved and is being implemented, the operators will have records of detailed documentation in line with the requirements set out in the MR proposal (section 8.2.2 Step 3: MR proposal). The auditing team shall be formed either by designated members from both the authorities' side and the operators' side or by an external organisation, independent and agreed upon by the parties by consensus. In the event of forming an audit team within the authority and the operators, the designated individuals shall form a group of 5-6 members who will serve as the auditing team for the MR in question. The representation on the auditing team should be balanced and ideally divided equally



between operators and the authority. This way, the audit will represent both sides of the contract and will minimise the risk of mishandling of sensitive information. If selecting an external organisation for conducting the audit, the parties should ensure the independence and relevance of this entity, commissioning a contract for service with a liability clause.

The role of the auditing team is to ensure the MR contract is implemented by both parties, with both fulfilling all requirements therein. The auditing team is only required to audit the MR documents and agreements therein and is not entitled to request any sensitive documentation other than that required in the MR. During the audit, any statements made by the auditing team are recommendations that serve to advance the progress towards reaching the OTs, ensure that all topics are progressing in line with the agreed MR, or improve or redirect any actions that are not considered sufficiently progressed and/or inefficient in reaching the OTs. The audit is, therefore, a platform to ensure the responsiveness of the MR.

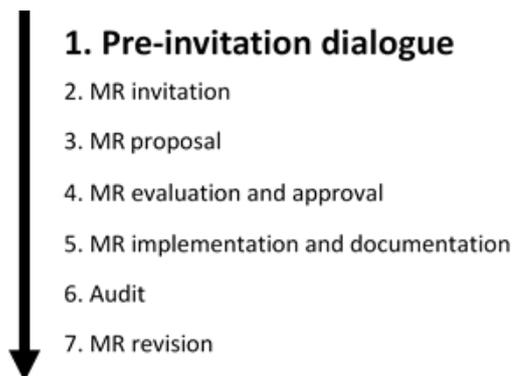
After receiving the audit from the auditing team, the authority shall evaluate whether revision of the MR is necessary (see MR Step 7: *MR revision*). If the audit concludes that the OTs are not (or only partially) being achieved, the authority should request a revision of the MR from the operators. The assessment provided by the auditing team can serve as a basis for drafting a modified, new versions of the MR.

6.3 Guidelines for operators

6.3.1 Step 1: Pre-invitation dialogue

Summary

The initial step of the MR process is when the authority initiates a dialogue with the operator(s), which, if both parties agree on continuing the process, ends with the authority formally inviting the operators to submit an MR proposal for the fishery in question. While the pre-invitation dialogue is organised and overseen by the authorities, the operators have responsibilities before, during and after the event and should prepare accordingly.



Task description

Once the coastal authorities have collected the necessary information to identify the key operators in the area and contacted their representatives, the authorities organise a pre-invitation dialogue meeting. While this meeting has the overarching goal to determine whether initiating an MR process is possible and welcomed by both entities, other important elements must be discussed and agreed upon. These may include main goals of the MR, key challenges, members and formation of the MR auditing team, costs and benefits for all participants. Key decisions made at this meeting will feed into the MR invitation (Step 2). Although the official OTs are not established until the authorities submit the formal MR invitation (Step 2), the authorities should present their candidate OTs at the pre-invitation dialogue meeting and facilitate its discussion. This will help all participants evaluate whether reaching the desired OTs will be realistic and, thus, whether the MR process should be initiated. Once this initial discussion on the OTs has taken place, the authorities will use the outcome of this discussion to revise their OTs and their priority level, if necessary, before submitting the formal OTs in the MR invitation.

Once the pre-invitation dialogue has taken place and all participants agree on moving forward with the MR process, the authorities should publicly announce the initiation of the MR process. This will increase transparency and ensure the participation of all interested stakeholders. Then, the authorities will submit a formal MR invitation to the operators, containing both obligatory and/or recommended OTs.

6.3.2 Step 3: MR proposal

Summary

Upon receiving the MR invitation from the authorities, containing the OTs, the operators will prepare the MR proposal. The MR proposal contains suggested strategies on how to achieve the OTs.

Task description

The MR proposal should be structured as follows:

- 1) Introduction
- 2) Fishery overview
- 3) Outcome targets and indicators
- 4) Management strategies, management measures and adaptive planning
- 5) Monitoring, compliance and sanctions
- 6) Documentation plan
- 7) Planning process

- 
1. Pre-invitation dialogue
 2. MR invitation
 - 3. MR proposal**
 4. MR evaluation and approval
 5. MR implementation and documentation
 6. Audit
 7. MR revision

The content of each section of the MR proposal is described below.

1) Introduction

Presentation and detailed description of the entities involved:

- authority leading the process
- operator(s) involved
- MR auditing team

The main objectives, the time plan and the cost estimates of the MR process should be established in the introduction for the MR implementation. The auditing team, composed either of members from both the authorities and the operators or by an external organization upon agreement of both parties, shall be described and their role clarified.

2) Fishery overview

This section provides a detailed overview of the fishery, including information on recent trends, specific issues and management challenges, such as bycatch and discards. Detailed information on the target species, catch data, stock status, past, and current fishing efforts, fleet structure and fishing gear(s) should be provided here. This is mainly contextual information and may draw from information provided in the MR invitation.

3) Outcome targets and indicators

The key management objectives and OTs, set forward by the authorities, should be listed here, along with indicators defined to achieve the OTs addressed by the MR. For the MR to be considered ready for evaluation, it should include a management strategy composed of one or more management measures and associated indicators to achieve all obligatory OTs. Suggested strategies for achieving recommended OTs are expected in the MR proposal as well.

4) Management strategies, management measures and adaptive planning

The strategies and management measures by which the operators plan to achieve the OTs should be outlined and described. For instance, an OT related to the state of the resource (e.g. MSY related OTs)

may be achieved through some combination of catch quotas, technical measures such as gear selectivity, temporal/spatial closures or other area-based management tools. By working together with relevant experts when necessary, the operators will achieve obligatory OTs through implementation of management measures. When possible, it is recommended to identify and describe ways for internal monitoring of performance towards achieving the OTs.

Main risks and uncertainties that may jeopardise the process of achieving obligatory OTs should also be addressed. Where such risks and uncertainties are significant, mitigation strategies with specific measures to tackle or minimise the risks should be identified. In most cases, the main uncertainties to be addressed in the MRs relate to data, implementation of measures and changes in environmental conditions.

5) Monitoring and compliance

The following should be described:

- the extent to which the operator can oversee and ensure that its participants act in accordance with the proposed MR
- how the operator(s) should deal with breaches when such are detected (e.g. penalties or exclusion)
- details on how the responsibility of the above is to be divided between the authority and operator(s) should be outlined, as well as details on how these actions are to be financed and by whom

6) Documentation plan

The documentation plan should be described in the MR proposal. The MRs includes a documentation system designed for measuring the performance on relevant indicators so that appropriate management responses may be triggered accurately. The documentation plan aims to achieve an effective and precise assemble of reliable information for data collection, monitoring and regular progress reports, enabling the auditing team to review the progress of implementing the relevant indicators towards achieving the OTs.

7) Implementation plan

The implementation plan shall include information on the operators' plan to implement the suggested management strategies and related decision-making processes within the operator's organisation(s). In addition, the plan shall establish key actors in the implementation process, their roles and responsibilities, plan for implementation (including timing) and ideally, cost estimates for the implementation of each management measure. The plan shall also establish regular uptake meetings between the operators and the authorities during the implementation period. These meetings should take place at regular interval, at least annually.

6.3.3 Step 5: MR implementation and documentation

Summary

Once the MR proposal has been approved by the authorities, including any necessary revisions, the next step is the MR implementation. The operators should supply the auditors with detailed documentation of the implementation process to evaluate both the implementation progress and the progress towards reaching the OTs.

- 
1. Pre-invitation dialogue
 2. MR invitation
 3. MR proposal
 4. MR evaluation and approval
 - 5. MR implementation and documentation**
 6. Audit
 7. MR revision

Task description

Once the OTs and their indicators have been formulated, it is the obligation of the MR participants to aim to achieve each of the indicators, for which they are the responsible entity, to the highest level. During the MR implementation phase, participants should collect all the information previously agreed to be supplied in the documentation plan (e.g. through logbooks, bycatch data). Communication should be continuous and fluent between authorities and operators to solve any possible issues that may arise during the implementation of the MR (i.e. technical issues, logistics or timing of implementation). Uptake meetings should be held annually between authorities and operators to evaluate the progress of the MR implementation. These meetings will be also aimed to monitor compliance and mitigate risks and uncertainties.

The operators shall ensure that the documentation plan described on the MR proposal is followed. The authorities will monitor this and may raise any concerns or comments at the uptake meetings.

6.3.4 Step 6: Audit

The auditing team shall be formed either by designated members from both the authorities' side and the operators' side or by an external organisation, independent and agreed upon by the parties by consensus. See section 6.2.5. for information about the execution of the audit.

- 
1. Pre-invitation dialogue
 2. MR invitation
 3. MR proposal
 4. MR evaluation and approval
 5. MR implementation and documentation
 - 6. Audit**
 7. MR revision

6.3.5 Step 7: MR revision

Summary

After formally receiving the audit from the auditing team, the authority may request the operator(s) to adapt or revise specific parts or the whole of the MR. If the audit demonstrates that the OTs have been achieved or are in the right course, the operators may proceed with the MR implementation.

Task description

The auditing team will deliver its review, including a set of recommendations that shall form the basis for any necessary improvements/modifications of the MR, its implementation process or the OTs. In the event of an unfavourable audit and a consequent request for MR revision by the authorities, the operators can use the auditor team assessment recommendations as a basis for drafting a revised MR. The operator(s) shall submit the revised MR to the authority within a timeframe set by the authorities. The authority will then provide feedback, and dialogue will proceed until all parties agree on the appropriate modification (repeating MR step 4: MR evaluation and approval). If an agreement on a revised MR cannot be reached between the operator(s) and the authority, the MR process shall be terminated.

- 
1. Pre-invitation dialogue
 2. MR invitation
 3. MR proposal
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 5. MR implementation and documentation
 6. Audit
 - 7. MR revision**

Annex A **(informative)**

MR process checklists for authorities and operators

A.1 MR process – checklist for authorities

- 1) Initiate and facilitate pre-invitation dialogues with the operator(s) to determine whether initiating an MR process is feasible and welcomed by both entities. Key discussions include main goals of the MR, key challenges, costs and benefits for all participants and auditing approach (auditing team or third-party auditor).
- 2) Prepare MR invitation, reflecting the outcome of the pre-invitation dialogues, including the OTs.
- 3) Ensure the selected OTs are coherent and consistent with other policies.
- 4) Ensure constructive dialogue with operators and provide feedback on the operator(s) MR proposal drafts.
- 5) Evaluate the operator(s) MR proposal, including whether strategies, measures and indicators are satisfactory in terms of reaching obligatory OTs.
- 6) If MR proposal submitted by the operator(s) is not considered sufficient in terms of meeting the OTs or other specific requirements detailed within the MR invitation not satisfactory, authorities must request a revision of the MR proposal.
- 7) Approve the MR.
- 8) Audit the MR, post implementation, as part of the auditing team. If the audit is performed by a third-party auditor, the authorities ensure that the audit is performed.

A.2 MR process – checklist for operators

- 1) Participate in the pre-invitation dialogues with authorities to determine whether initiating an MR process is feasible and welcomed by both entities. Key discussions include main goals of the MR, key challenges, costs and benefits for all participants and auditing approach (auditing team or third-party auditor).
- 2) Develop the MR proposal based on the MR invitation from authorities.
- 3) If authorities request a revision of the MR proposal, address issues identified in the authorities' issue log and re-submit the MR proposal.
- 4) Once MR has been approved by authorities, initiate the implementation process.
- 5) During implementation: Follow the documentation plan described in the MR proposal.
- 6) Audit the MR, post implementation, as part of the auditing team, unless an agreement regarding a third-party auditor has been reached.
- 7) If authorities request MR modifications post audit: Draft a modified version of the MR proposal, addressing the audit recommendations in a dialogue with the authorities.
- 8) Once authorities have approved a modified version of the MR, implement modifications.

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