



**POSITION PAPER: The collective voice of the market is
calling for change: will Coastal States listen?**

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The collective voice of the market is calling for change: will Coastal States listen?

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1. Summary

NAPA recommends Coastal States and/or NEAFC adopt the following measures:

- a) Urgently agree and employ an allocation mechanism for North East Atlantic mackerel, Atlanto-Scandian herring and blue whiting;
- b) The Coastal States adopt NEAFC Guidelines for Coastal State Consultations in the North East Atlantic in their discussions, and both the Coastal States and NEAFC employ a secondary, compulsory binding dispute settlement system if agreement is not reached.
- c) Consider a cap on catching in international waters to constrain further overfishing.

2: Aims of this Position Paper

As the barriers are political, the aim of this paper is to support coastal States in achieving NAPA's goals (see Annex 1) by demonstrating some of the options available to them.

We do this by exploring the options available around:

1. Agreeing an appropriate allocation mechanism;
2. Employing a dispute resolution mechanism; and
3. Considering a cap on international catches.

3. Introduction

Since 1997, there have only been four years (2006-2009) where North East Atlantic Coastal States have been in agreement on allocation of stock total allowable catch (TAC) for three commercially important North East Atlantic pelagic fisheries. Since this time, the combined unilateral TACs that have subsequently been set have significantly exceeded the scientific advice. Currently, due to lack of political agreement, the TACs for North East Atlantic mackerel, Atlanto-Scandian herring and blue whiting are 130-140% of the scientific advice.

As a consequence of this overfishing, and the absence of a long-term management strategy, the Marine Stewardship Council (MSC) certificates in this region for these fisheries were suspended. This greatly impacted supply chain companies who had made public commitments to sourcing sustainable seafood.

This position paper explores three opportunities that the Coastal States could, and should, employ to help combat this failing.

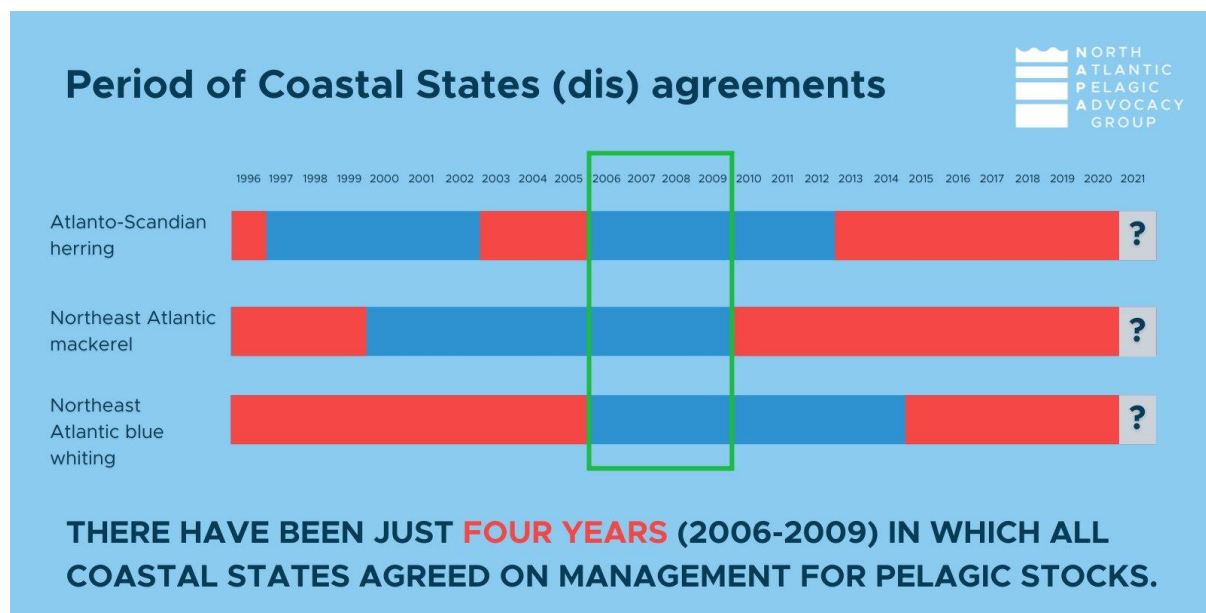
The issue is political, rather than environmental.

4. Agreeing an appropriate allocation mechanism

Background

The Coastal States have not been able to agree on an overall TAC allocation that adheres to the scientific advice for any of the three stocks of interest to NAPA since 2014 (Figure 1). Although established decision-making processes exist, it is apparent that they are not functioning in an effective, precautionary manner when it comes to TACs.

Figure 1: Status of Coastal States Agreements (1996-2020)



We are calling on the Coastal States to *prioritise resolving the allocation issues* around these stocks and re-establish the NEAFC Working Group (WG) on Allocation as a first step.

What is Allocation?

The term “allocation” refers to the distribution of the opportunity to participate in a fishery among user groups or individuals. Allocation of fishery resources is challenging due to the perceptions of fairness that arise with allocation decisions.

Initial allocations are commonly done on the basis of catch history, but because fisheries management, participation and the conditions surrounding fisheries are not static, allocation decisions ideally need to be considered in the context of adaptive management¹.

A ‘good’ allocation mechanism will ensure that no participant (or State in this case) is worse off from acting cooperatively. In the case of international fisheries, successful allocation agreements must also be capable of being self-enforcing as there is no third party to ensure enforcement

There is not collective allocation mechanism in place for the NEA pelagics.

¹ <https://media.fisheries.noaa.gov/dam-migration/01-119-02.pdf>

Allocation Mechanisms in RFMOs

The UN Fish Stocks Agreement defines the functions of an effective RFMO; one of which is to “agree, as appropriate, on participatory rights such as allocations of allowable catch or levels of fishing effort” (Article 10(b)).

Most RFMOs tend to base allocation schemes on historical catch records, zonal attachment, or a combination of these.

For example, the Common Fisheries Policy (CFP) uses historic track record as one of the key factors in determining the distribution of the EU’s quota among Member States. Fishing opportunities are allocated among the Member States in such a way as to ensure the relative stability of the fishing activities of each Member State for each stock concerned. This principle of relative stability, which is based in particular on historical catch levels, requires the maintenance of a fixed percentage of authorised fishing effort for the main commercial species for each Member State.

Historical criteria are the easiest to use as a basis for allocation because it is the simplest measure to objectively quantify. However, such mechanisms can be problematic for vessels that were inactive for any reason during the agreed reference period. It also favours those fleets that may have contributed to over-exploitation of stocks in the past, and penalises those countries that may have a legitimate interest in the fishery but have fished sustainably. Furthermore, it reflects past fishing patterns (relating to stock distribution and fleet specialisation) and may not reflect contemporary stock abundance and distribution.

Zonal attachment of a stock is the share of the stock residing within a particular country’s economic zone weighted by the time it spends in a country’s zone over a year. This, then, determines the share that each country gets of the total catch quota for that stock. Zonal attachment may not be an appropriate way of allocating the TAC where a country has only a minor interest in all the stocks under consideration, as it would give the Coastal State with a minor interest a worse outcome than if it were to pursue its own interest in the absence of cooperation. This is arguably the case for Iceland and the Faroe Islands for mackerel, herring and blue whiting. In such cases, cooperation can still be achieved, but probably through providing more generous shares of quotas than zonal attachment would prescribe.

Changes in fish migration patterns can be caused by changes in environmental conditions and increases or decreases in spawning stock biomass (among other factors). These types of changes can cause problems for agreements based on zonal attachment, which are based on the distribution of the stock at a particular point in time.

Allocation in NEAFC²

Fish stocks in the NEAFC area fall into three different categories:

1. primarily within NEAFC regulatory area (Figure 2; orange areas);
2. In regulatory area and single Coastal State EEZ; or
3. In the regulatory area and the EEZs of several Coastal States).

The category affects the management arrangements for each.

² Annex 2 provides a wider presentation of North East Atlantic Coastal States Fishery Management

NE Atlantic mackerel, Atlanto-Scandian herring and blue whiting fall into the last category which means that the fisheries exist across both Coastal State EEZs and in international waters. To manage mackerel, herring and blue whiting, Coastal State groups (Table 1) adopt management measures and allocations for the whole distribution area of the fish stocks, this includes proposing measures to be adopted by NEAFC for areas beyond the jurisdiction of EEZs (i.e. the NEAFC Regulatory Area).

NEAFC takes management measures for the part of the stock that occurs within the Regulatory Area, but only after the relevant Coastal States have agreed on TACs and allocations outside of NEAFC.

The result is that NEAFC's current role in allocation is relatively limited. The Coastal States take the main decisions with NEAFC fisheries conservation and management measures only applying to the portion of the stock within the NEAFC Regulatory Area (unless parties agree that NEAFC measures should also apply to areas within national jurisdiction).

Figure 2: Map of the North East Atlantic Fisheries Commission (NEAFC) Regulatory Area (orange blocks)



Ultimately, all relevant parties must be involved and must come to an agreement on allocations - unilateral quotas should not be an option. At present there is little incentive for States to remain at the negotiating table if they feel they are not getting the allocation they want. One suggestion³ to achieve this is that if Coastal States do not come to an agreement on the sharing of the TAC, the TAC should be set to zero. Alternatively, interim or default allocation keys could be applied to a reduced TAC for years when Coastal States fail to reach agreement. Such arrangements should ensure that the benefits of being part of a cooperative arrangement are greater than the potential benefits of withdrawing from the arrangement.

³ Dankel, D., Haraldsson, G., Heldbo, J., Hoydal, K., Lassen, H., Siegstad, H., Schou, M., Sverdrup-Jensen, S., Waldo, S. and Ørebech, P., 2015. Allocation of fishing rights in the NEA: Discussion paper (Vol. 2015546). Nordic Council of Ministers.
<https://www.diva-portal.org/smash/get/diva2:815984/FULLTEXT01.pdf>

5. Employing a dispute resolution mechanism

Background

Fisheries negotiations by their very nature are complex. Achieving satisfactory resolutions is a daunting task.

Frequently, dispute resolution mechanisms are used in fisheries negotiations, and have been incorporated into a number of fisheries agreements⁴. Dispute resolution mechanisms can be described as a structured process that addresses disputes or grievances that arise between two or more parties that aims to reach a consensual agreement that will accommodate their needs. Dispute resolution mechanisms may incorporate conciliation, conflict resolution, mediation, and negotiation.

Since 1997, there have only been four years (2006-2009) where North East Atlantic Coastal States have been in agreement on allocation of stock total allowable catch (TAC) for the three commercially important North East Atlantic pelagic fisheries. NAPA believes that a dispute resolution mechanism would assist the parties in reaching a mutually acceptable agreement for these stocks.

Operation in NEAFC

In 2004, the EU proposed an amendment to the NEAFC Convention:

ARTICLE 18bis

The Commission shall make recommendations establishing procedures for the settlement of disputes arising under this Convention.

The EU also submitted a [set of procedures](#) for the settlement of disputes which incorporated a *fast-track dispute settlement procedure* which made it mandatory to explain the reasons for any objections and established procedures for setting up arbitration panels to settle disputes.

This was adopted at the Annual Meeting of the Commission in November 2004⁵. However, no arbitration panel has been used to date. The question of using the NEAFC dispute settlement procedures for disagreements on allocations has been mooted, but despite Contracting Parties of NEAFC agreeing on the procedures they did not want to use the NEAFC rules in the Coastal State meetings.

At an extraordinary NEAFC meeting in October 2015, the Commission agreed to establish a Working Group on a framework for negotiations, which aimed to help to address the contentious issue of how to share these pelagic fish stocks. This concluded its work in 2017, followed by the adoption by the Commission of [Guidelines for Coastal State Consultations in the North East Atlantic](#) and a [Model Framework Arrangement](#).

While these documents are a step forward in finding more long-term stability for Coastal State agreements, they are non-binding and have yet to be applied to allocation discussions. Such negotiations that lack binding dispute resolution mechanisms are almost guaranteed to fail as a stock decreases, because the result is a zero-sum game. That is, resolutions to disputes over who gets what piece of an ever-decreasing pie worsen the situation rather than actually settle it because, by "winning," parties likely hasten the stock decline.

⁴ For example, the Fisheries Framework Agreement Between the United Kingdom of Great Britain and Northern Ireland and The European Union

⁵ See chapter 8 of the NEAFC Rules of Procedure

Operation in Coastal States Discussions

Coastal State arrangements for the management of the fisheries on North East Atlantic mackerel, Atlanto – Scandian herring and blue whiting are informal in the sense that they are formulated as annual recommendations and not as official agreements. However, these arrangements play a central role in the management of the pelagic fisheries in the North East Atlantic by being the forum for setting the TACs for the stocks concerned and the sharing of the TACs between the parties (as discussed in the Allocations section).

These Coastal States arrangements constitute the basis for NEAFC recommendations for fisheries in the NEAFC regulatory area and for bilateral arrangements and unilateral measures on the management of the stocks. This means that if the Coastal States fail to reach an agreement on a management arrangement there will be no joint management of the fisheries concerned.

Despite the significance of these discussions, there is no dispute resolution mechanism.

The NEAFC Guidelines for Coastal State Consultations in the North East Atlantic provides for a variety of dispute settlement avenues, which the Coastal States could employ. However, the weakness is the non-binding nature and apparent reluctance by the Coastal States to employ.

Recommendation

It is recommended that the Coastal States adopt the NEAFC guidelines in their discussions, and in both fora, if the parties are unable to resolve a dispute, a secondary, compulsory binding dispute settlement system is employed.

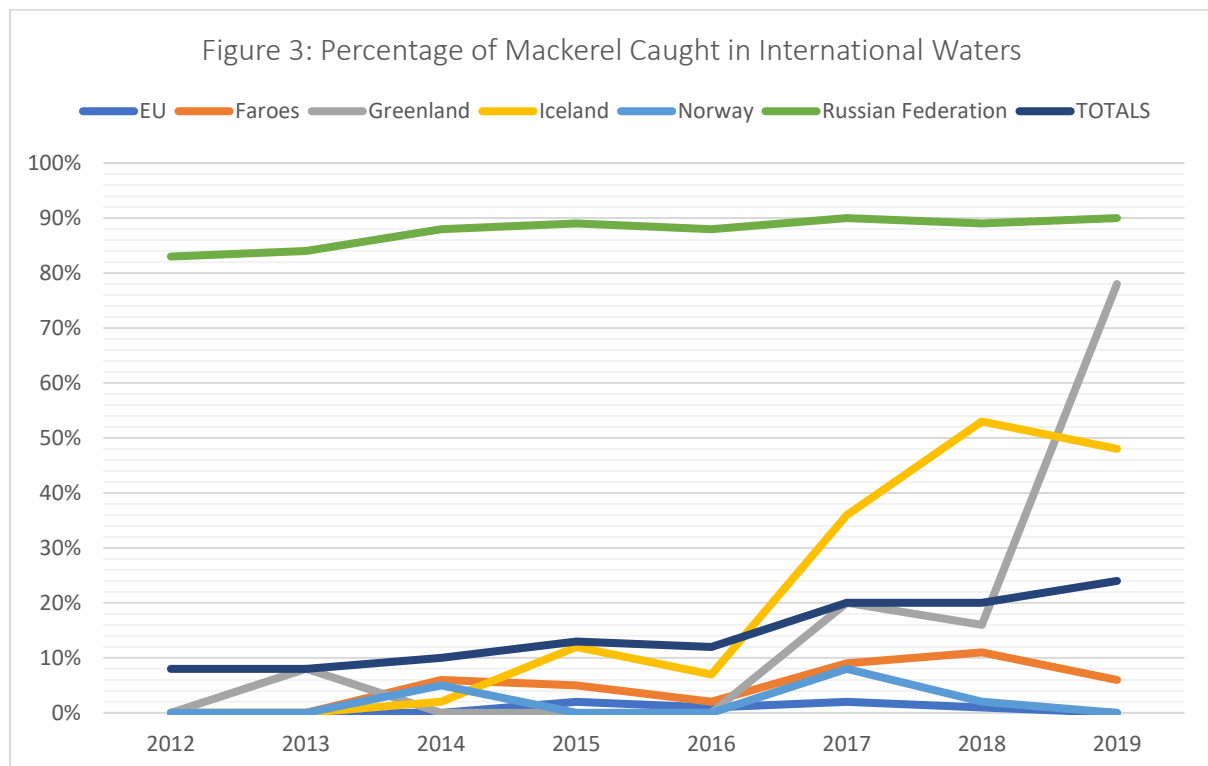
6. Considering a cap on international catches.

Background

There has been an increase in the percentage of mackerel and herring caught from international waters in the last decade (Figures 3 & 4; tables 2 & 3 in Annex 3).

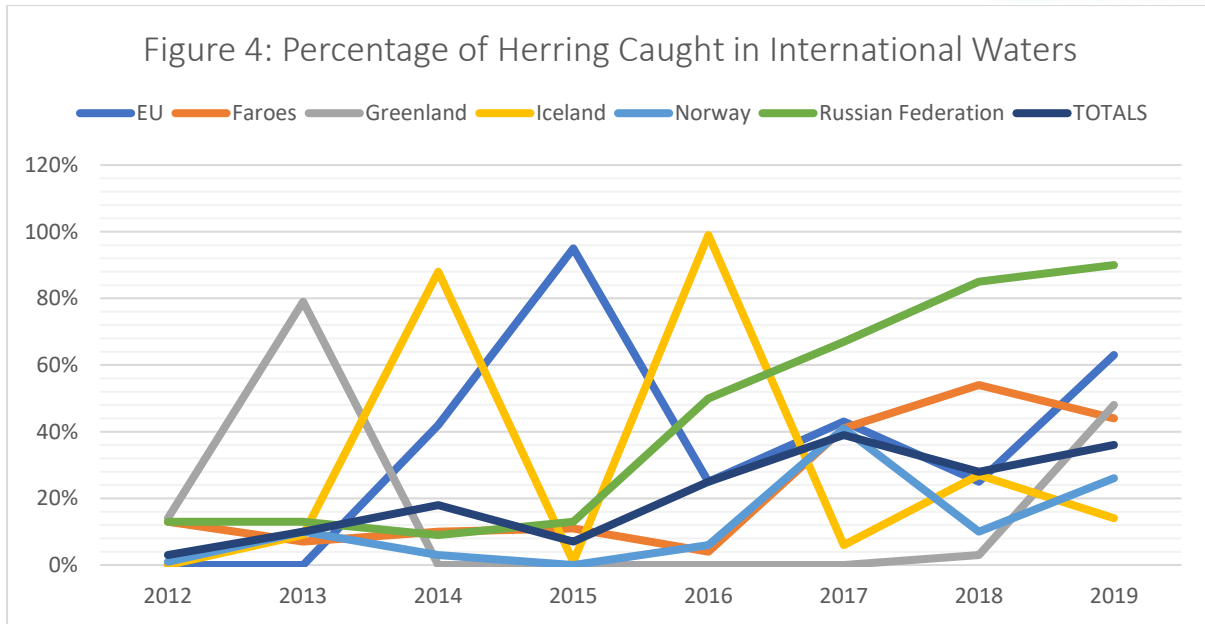
The volume of mackerel caught in international waters has steadily increased from 62,124mt in 2012 to 202,230mt; the percentage of total catch caught in international waters has increased from 8% to 24%.

Russian Federation catch in international waters has remained consistently high - between 80-90%, while EU, Faroes and Norway have remained consistently low – generally below 10%. Both Greenland and Iceland have seen the greatest variation – from 0% to 78% and 0% to 53% respectively.



The volume of herring caught in international waters has increased from 24,726mt in 2012 to 278,260mt; the percentage of total catch caught in international waters has increased from 3% to 36%.

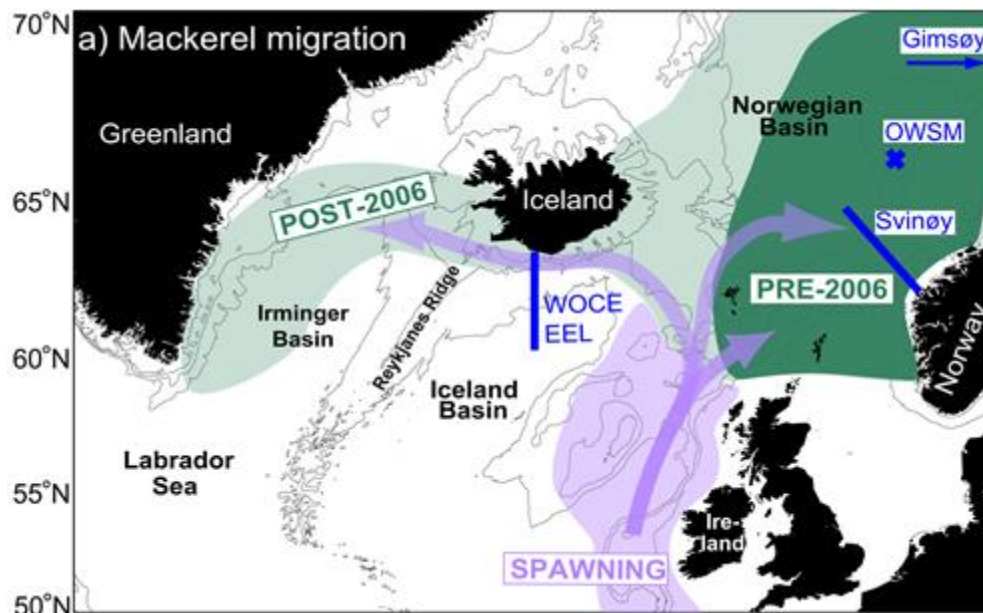
There was significant variation in the percentage of herring caught in international waters by Coastal States; Iceland had the most extreme variation from 0% in 2012 to 99% in 2016.



Why the Increase?

A 2016 paper⁶ found that the North East Atlantic mackerel stock had increased and expanded its summer feeding migration west- and northwards since 2006 (figure 5).

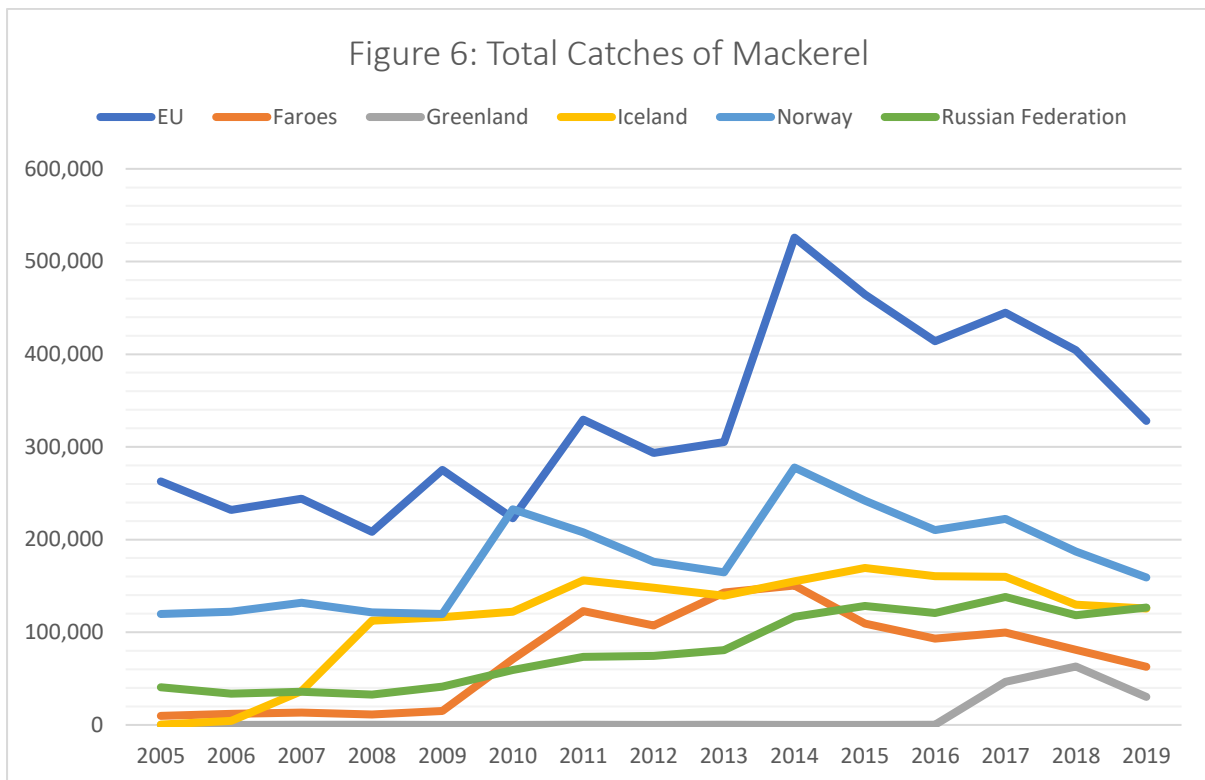
Figure 5: Mackerel spawning areas (purple shading) along the European shelf and the post-spawning and summer feeding migrations (purple arrows).



The pre-2006 mackerel summer feeding areas are shown as dark green with the post-2006 expansion in light green.

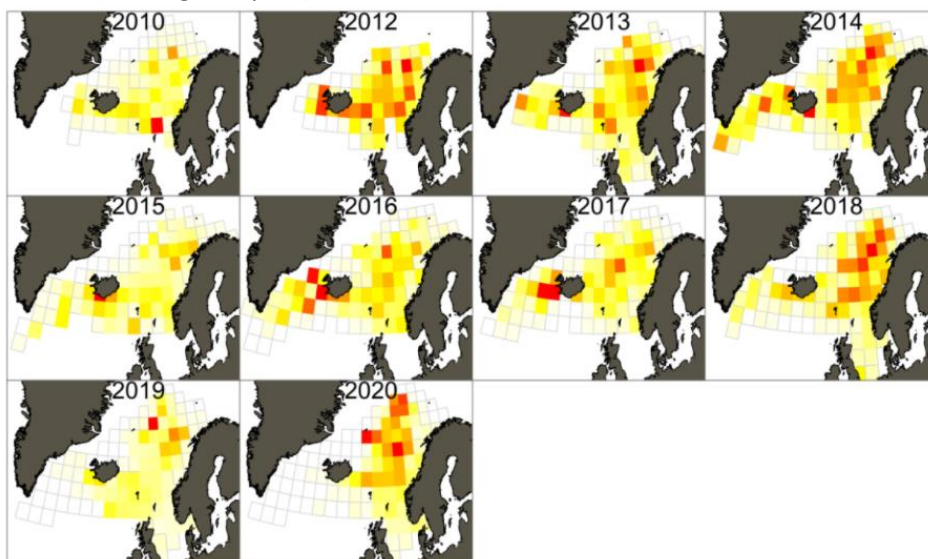
It has been proposed that the increasing availability of mackerel in the waters of Iceland and the Faroe Islands, drove these Coastal States to increase their catches. Iceland increased their national annual quota from 363 tonnes in 2005 to 112,353 tonnes in 2008, and the Faroe Islands increased theirs from 9,770 in 2005 to 122,985 tonnes in 2011 (Figure 6).

⁶ <https://online.ucpress.edu/elementa/article/doi/10.12952/journal.elementa.000105/112913/Nutrient-driven-poleward-expansion-of-the>



It has also been proposed that the increase in international catches, primarily by Iceland and Greenland, has been driven by a retreat of mackerel eastwards from 2017 (figure 7); with the fisheries followed into international waters. The percentage of mackerel caught in international waters by Iceland and Greenland certainly supports the migration hypothesis (figure 3); percentage caught in international waters increased significantly from 2016/17.

Figure 7: Annual distribution of mackerel. Colour scale goes from white (= 0) to red (= maximum value for the highest year).⁷



⁷ Taken from the cruise report from the International Ecosystem Summer Survey in the Nordic Seas (IESSNS) 1st July – 4th August 2020

The easterly retreat has, to date, remained stable. In 2020 the cruise report from the International Ecosystem Summer Survey in the Nordic Seas (IESSNS) notes “mackerel had disappeared altogether from Greenland waters according to our survey results”.

Will the westerly migration occur again? It is difficult to predict, but it does suggest that an effective allocation mechanism needs to be flexible and adaptive (see Allocation section).

Concept

It has been proposed, by the UK Government (NEAFC, 2020) and the [Blue Marine Foundation](#) that a cap on catches in international waters could act to ‘contain’ the fishery and limit the ability to overfish.

The North East Atlantic Fisheries Commission (NEAFC) has employed this method before: in 2002, NEAFC set a cap on the international catch of many, though not all, deep-water species taken in bottom trawl fisheries in international waters of the NEAFC area. The cap, however, specified that the fishing effort was not to exceed the “highest level put into deep-sea fishing in previous years”. Ultimately, this language allowed deep sea bottom trawl fisheries in the Northeast Atlantic to expand up to sevenfold and still be within the limit set! Greenpeace criticised this as a ‘lowest common denominator’ approach⁸. This suggests that any international cap measure would need to be carefully worded to avoid unintended consequences.

The North West Atlantic Fisheries Organization (NAFO) also employs caps on international catches to manage the cod fishery; there is a 5% cap of catches in the NAFO regulatory area (i.e. international waters).

International Catch Cap Scenarios

Table 5 (in annex 3), along with figures 8 and 9 demonstrate the projected catches⁹ (using 2019 catch data) of various caps (5-20%). Table 6 summarises the overall percentage reduction of mackerel and herring catches in each of these scenarios. In summary, for herring, a larger cap allows for a larger catch in all the Coastal States, but even a 20% cap would provide a 15.9% reduction in total catch. The impact on mackerel catches is more varied: a 5% cap would, in theory, allow EU & Norway to increase their catch as they only catch a very small proportion in international waters. As the cap increases, the Faroes are able to increase their catch also.

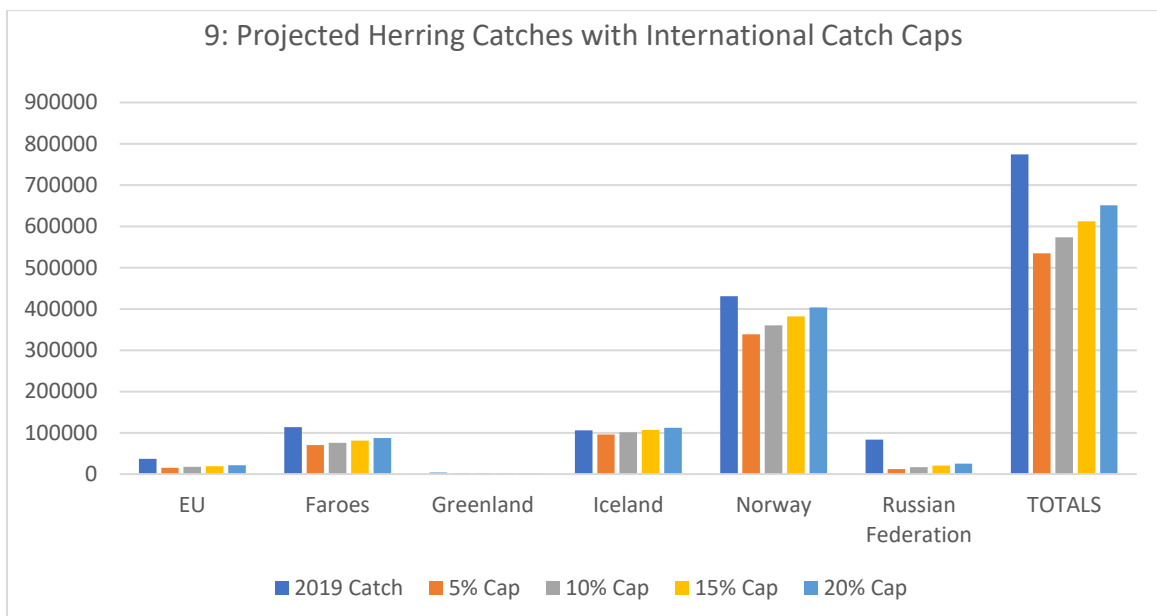
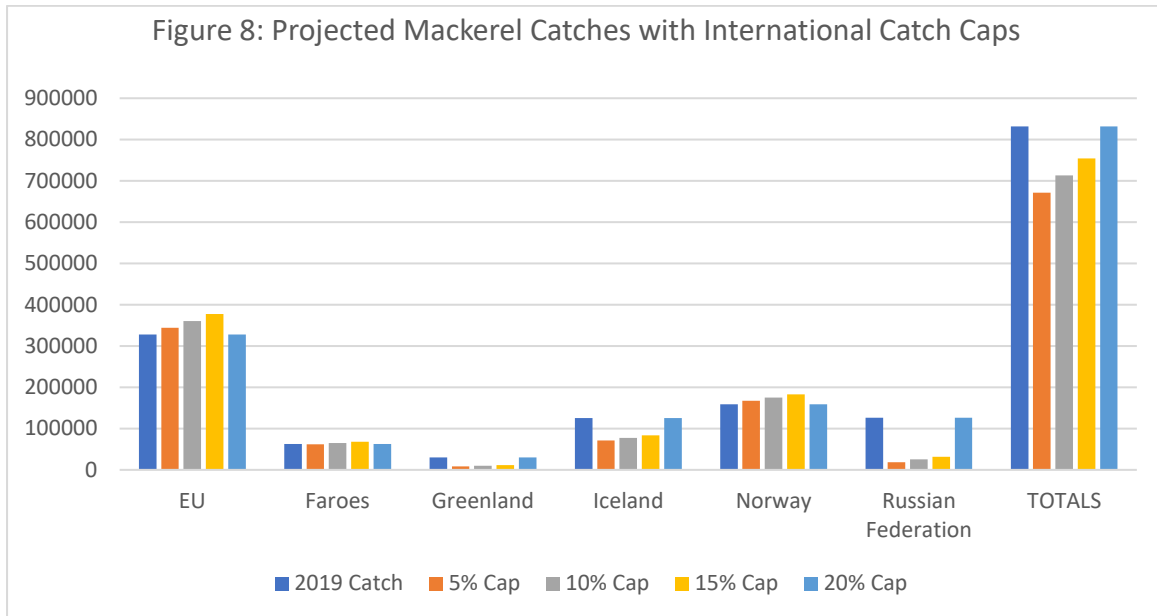
Table 6: Overall Reductions of Mackerel and Herring Catches under Cap Scenarios

	2019 Catch	5% Cap			10% Cap		
		New Total Catch	Total Change	% Change	New Total Catch	Total Change	% Change
Mackerel	832,028	671,399	-160,629	-19.3%	713,001	-119,027	-14.3%
Herring	774,150	534,597	-239,553	-31.0%	573,305	-200,845	-25.9%
	2019 Catch	15% Cap			20% Cap		
		New Total Catch	Total Change	% Change	New Total Catch	Total Change	% Change
Mackerel	832,028	754,602	-77,426	-9.3%	796,204	-35,824	-4.3%
Herring	774,150	612,012	-162,138	-20.9%	650,720	-123,430	-15.9%

⁸ https://www.greenpeace.de/sites/www.greenpeace.de/files/murky_waters_low_res_0.pdf

⁹ These projections assume a combined UK/EU fleet. This is unavoidable as we do not have access to UK catch data at the present time.

These reductions do not compensate for the current 130-140% of scientific advice TACs, but could act to constrain further expansions. Even a 1% cap would only get a 23% reduction for mackerel – this is because it would allow those states that have previously caught small volumes in international waters the ability to do so. As noted above, care needs to be taken in any measure to avoid such unintended consequences.



Recommendation

NEAFC considers employing a cap on catching North East Atlantic mackerel and Atlanto-Scandian herring in international waters to constrain further overfishing.

7: Conclusions

Since 1997, there have only been four years (2006-2009) where North East Atlantic Coastal States have been in agreement on allocations of stock total allowable catch (TAC) for North East Atlantic mackerel, Atlanto-Scandian herring and blue whiting. As a consequence, the total catches are 130-140% of the scientific advice, and the Marine Stewardship Council (MSC) certificates in this region for these fisheries have been suspended.

However, the situation is straightforwardly addressed: the Coastal States need to put self-interest aside and ensure that the overall catch for each stock does not exceed scientific advice.

To assist them in achieving this, this position paper explores three systems which should be employed by the Coastal States, and NEAFC.

Firstly, all parties should prioritise resolving the allocation issues around these stocks and reestablish the NEAFC WG on Allocation as a first step in agreeing an allocation mechanism.

Once an allocation mechanism has been established, there has to be sufficient incentives for parties to adhere to it; unilateral quotas should not be an option. It has previously been suggested¹⁰ that if coastal states do not come to an agreement on the sharing of the TAC, the TAC should be set to zero. Alternatively, interim or default allocation keys could be applied to a reduced TAC for years when coastal states fail to reach agreement. The purpose for this would be to ensure that the benefits of being part of a cooperative arrangement are greater than the potential benefits of withdrawing from the arrangement.

A dispute resolution mechanism should be utilised to facilitate successful negotiations. The NEAFC Guidelines for Coastal State Consultations in the North East Atlantic provides for a variety of dispute settlement avenues, but the weakness is the non-binding nature and apparent reluctance by the Coastal States to employ. It is recommended that the Coastal States adopt NEAFC Guidelines for Coastal State Consultations in the North East Atlantic in their discussions, and both the Coastal States and NEAFC employ a secondary, compulsory binding dispute settlement system if agreement is not reached.

Finally, while our analysis suggests that a cap on catching in international waters would not compensate for the current overfishing, it could act to constrain further overfishing, and should be considered further by NEAFC.

The collective voice of the market is calling for change: will Coastal States listen?

¹⁰ Dankel, D., Haraldsson, G., Heldbo, J., Hoydal, K., Lassen, H., Siegstad, H., Schou, M., Sverdrup-Jensen, S., Waldo, S. and Ørebech, P., 2015. Allocation of fishing rights in the NEA: Discussion paper (Vol. 2015546). Nordic Council of Ministers.

<https://www.diva-portal.org/smash/get/diva2:815984/FULLTEXT01.pdf>

8: Annex 1 - Background to NAPA

The North Atlantic Pelagic Advocacy Group (NAPA) was formed in 2019 in response to the ongoing dispute over mackerel quota allocation in the North East Atlantic which resulted in annual catches well in excess of the scientific advice and the eventual suspension of all mackerel MSC certificates in this region. In late 2020, blue whiting and Atlanto-Scandian herring followed mackerel in losing their MSC certifications – as with mackerel, due entirely to the emergent trend for unilateral quota-setting above the scientific advice.

NAPA was created to advocate for long-term, sustainable management of North East Atlantic pelagic fisheries, and is sector-wide, multi-stakeholder, global and non-competitive. Since its inception, NAPA has attracted nearly 50 members - covering food service businesses, processors, buyers and retailers from Europe, Africa, Canada, Australia and Japan. As a collective of businesses with a major share of North East Atlantic pelagic purchasing, NAPA is directly invested in the responsible, science-driven management of these fisheries.

To achieve this, NAPA is seeking an agreement on total allowable catches for North East Atlantic mackerel, Atlanto-Scandian herring, and North East Atlantic blue whiting in line with scientific advice, and the implementation of a long-term science-based management agreement. Specifically, we are calling on the Coastal States involved in North East Atlantic pelagic fisheries to:

- **Follow the ICES advice** - Ensure that the overall catch for each stock does not exceed scientific advice.
- **Implement Management Plans** - Multi-annual management should be the underlying approach by default. That includes stable sharing arrangements and harvest strategies that include precautionary harvest control rules for setting catch limits, a periodic review process, and any necessary mechanisms to transition from previous arrangements to a new system.
- **Resolving the allocation issues around these stocks** - Prioritise and re-establish the NEAFC WG on Allocation as a first step. In addition, a dispute resolution mechanism should be employed at both the Coastal States meeting and NEAFC.

9. Annex 2 - North East Atlantic Coastal States Fishery Management

The North East Atlantic sustains a number of pelagic fish stocks, the most important of which are North East Atlantic mackerel (*Scomber scombrus*), Norwegian Spring Spawning (Atlanto-scandian) herring (*Clupea harengus*), and North East Atlantic blue whiting (*Micromesistius poutassou*). All these stocks are classified as straddling stocks in the sense that they not only cross boundaries between the EEZs of Coastal States, but also traverse the high seas areas between those boundaries.

The North East Atlantic Fisheries Commission (NEAFC) was formed to recommend measures to maintain the rational exploitation of fish stocks in the Atlantic and Arctic Oceans. Most of this area is under the fisheries jurisdiction of NEAFC's Contracting Parties (Denmark (in respect of the Faroe Islands and Greenland), the EU, the UK, Iceland, Norway and the Russian Federation), but four large areas (including the area around the North Pole) are international waters and constitute the NEAFC Regulatory Area (Figure 1).

NEAFC's primary objective is to ensure the long-term conservation and optimum utilization of the fishery resources, providing sustainable economic, environmental and social benefits.

Every agreement on shared fishing in the NEAFC area includes a scheme for allocation of the fishing opportunities among the parties involved. The allocations are based on the UNCLOS principles and agreed through negotiations between the involved parties. The Faroe Islands and Greenland have full jurisdictions in their fishing zones, but these territories are not always considered Contracting Parties in their own rights. The Faroe Islands and Greenland are accepted as Coastal States in NEAFC.

To manage mackerel, herring and blue whiting, Coastal State groups adopt management measures and allocations for the whole distribution area of the fish stocks, this includes proposing measures to be adopted by NEAFC for areas beyond the jurisdiction of Contracting Parties (i.e. the Regulatory Area).

NEAFC Allocations

Mackerel

The main fishery for mackerel before the general extension of fishery EEZs to 200 miles in 1977 was in the North Sea. The zonal attachment of the mackerel in the North Sea was used as the basis for agreement between the EU and Norway on the sharing of mackerel. Norway and the EU dealt with other parties under bilateral agreements from 1977 to 1999. In practice Norway and the EU laid down a "reference TAC" which in addition to quotas for Norway and the EU, also includes a fixed quantity for the Faroe Islands.

An expansion of the unregulated mackerel fishery in international waters in the NE Atlantic in the 1990s raised concern in the three affected Coastal States, the EU, Faroe Islands and Norway. At an extraordinary annual meeting in NEAFC in February 1999, they therefore put forward a joint proposal for regulating the mackerel fishery in international waters. The proposal was adopted against the votes of the Russian Federation and Iceland.

The submission of the joint coastal proposal marked the beginning of a new trilateral management regime for mackerel in the North East Atlantic from 2000. In this regime annual quota distributions were agreed based on a fixed allocation key up to and including 2009. From 2008 to 2013 no agreement was reached on the total TAC and the TAC-sharing among the mackerel fishing countries.

From 2014 to 2020, the EU, Norway, and the Faroe Islands agreed on a share between them and set aside 15.6 percent for Iceland, Russia, and Greenland to share. But in recent years, Iceland alone has fished enough mackerel to account for about 16.5 percent of the limit set by ICES.

In 2021, the Norwegian government to set a unilateral quota for North East Atlantic mackerel. They increased the Norwegian national catch of mackerel by 55% from 106,456 tonnes up to 298,299 tonnes. This increase was matched by the Faroe Islands (table 2).

Table 2: 2021 Mackerel TACs

		TAC								ICES Advice
		UK	EU	Norway	Faroes	Iceland	Greenland	Russia	TOTAL	
NE Atlantic Mackerel	tonnes	222,288	200,179	298,299	167,048	140,627	60,000	120,423	1,208,864	852,284
	% of Advice	26.1	23.5	35.0	19.6	16.5	7.0	14.1	141.8	

Atlanto-Scandian herring

Discussions around the allocation of the Atlanto-Scandian herring TAC started when the stock in the early nineties started to migrate out of Norwegian and Russian waters, following the recruitment of the large 1983 year class and good recruitment in the early 1990s. It was agreed between the Coastal States in 1995 to have an analysis undertaken by a group composed of scientists and a mandate from Iceland, Norway, Faroe Islands and the Soviet Union on the zonal attachment of the Atlanto-Scandian herring. This was the basis for an agreement between the 4 Coastal States for 1996.

The EU set its own quota for 1996 (about 14% of the TAC). This led to new negotiations, which included the EU. An agreement was reached for 1997, which gave the EU the status of Coastal State and a substantial allocation (8.4%).

In 2002 Norway opted out of the agreement because of dissatisfaction with the allocation key and there was no allocation agreement in the year 2003–2006. A new agreement was reached in 2007, giving Norway some compensation. There have been no quota sharing agreements in place since 2012¹¹, and the combined intended catch from the involved nations has exceeded scientific advice every year since.

Blue Whiting

The fishery of blue whiting started in the 1970s. Russia and Norway primarily fished this species. Russia did not fish in its own waters, but mainly in the Faroe Islands and the Norwegian zone. The Faroe Islands, the EU and Iceland have since then also caught large quantities of blue whiting. Blue whiting in the North East Atlantic was unregulated for many years, though NEAFC discussed the problem in the 1980s and 1990s but there was no interest in discussing allocations until the late 1990s. A NEAFC Working Group analysed the zonal attachment in 1999 and the report was discussed in the following years. In 2006 an allocation agreement was reached for 2007 and onwards. Coastal States requested a further study on the zonal attachment of the stock in 2009. As a result of the study the EU indicated its intention to request a re-evaluation of the allocation of the TAC, and in 2015 the allocation arrangement broke down, with Coastal States setting unilateral quotas.

¹¹ In 2012, the Faroe Islands opted out and set its own quota. This led to sanctions from the EU and Norway against the Faroe Islands. The Faroe Islands set a quota for herring at a lower level than in 2013 and, in consequence, sanctions against the Faroe Islands were revoked.

10: Annex 3 - International Catch Cap Analysis Data

Table 3: Catches of North East Atlantic Mackerel and Atlanto-Scandian Herring

Coastal State	2012		2013		2014		2015		2016		2017		2018		2019	
	Total Catch	International Catch	Total Catch	International Catch	Total Catch	International Catch	Total Catch	International Catch	Total Catch	International Catch	Total Catch	International Catch	Total Catch	International Catch	Total Catch	International Catch
Mackerel																
EU	293405	0	305203	0	525793	9	464306	8891	414125	4384	444628	7431	404341	2992	327959	19
Faroes	107204	89	143001	266	150419	9168	109334	5036	93266	2151	99667	8482	81078	9167	62662	3986
Greenland	0	0	50	4	0	0	0	0	145	0	46569	9536	63021	9848	30263	23608
Iceland	147876	0	139532	21	154790	3246	169337	19508	160443	11129	159834	56927	129822	69388	125516	60535
Norway	176109	0	164728	76	277734	13185	241987	0	210345	0	222397	17102	187223	2843	159084	0
Russian Federation	74587	62035	80822	67907	116465	102420	128430	114030	120915	106380	138062	123600	118255	104763	126544	114082
TOTALS	799181	62124	833336	68274	1225201	128028	1113394	147465	999239	124044	1111157	223078	983740	199001	832028	202230
Herring																
EU	51658	0	38546	11	26613	11113	14186	13409	22190	5529	39372	17066	29549	7529	36934	23241
Faroes	36534	4911	105037	7297	26898	2805	25864	2897	44726	1829	98163	40388	81962	44155	113939	49590
Greenland	2352	340	9910	7840	2022	0	2059	0	2350	0	12824	42	2891	92	3298	1569
Iceland	118533	0	90723	8535	56976	50260	42627	419	48998	48451	88594	4884	81858	21908	105895	15273
Norway	491000	4315	360696	36549	263130	7255	176176	0	197422	12341	389383	157794	332027	34849	430506	113309
Russian Federation	118595	15160	78524	10143	60292	5586	45726	5745	50455	24982	91118	61311	64185	54421	83578	75278
TOTALS	818672	24726	683436	70375	435931	77019	306638	22470	366141	93132	719454	281485	592472	162954	774150	278260

Table 4: Percentage of Catch from International Waters

	2012	2013	2014	2015	2016	2017	2018	2019
Mackerel								
EU	0%	0%	0%	2%	1%	2%	1%	0%
Faroes	0%	0%	6%	5%	2%	9%	11%	6%
Greenland	0%	8%	0%	0%	0%	20%	16%	78%
Iceland	0%	0%	2%	12%	7%	36%	53%	48%
Norway	0%	0%	5%	0%	0%	8%	2%	0%
Russian Federation	83%	84%	88%	89%	88%	90%	89%	90%
TOTALS	8%	8%	10%	13%	12%	20%	20%	24%
Herring								
EU	0%	0%	42%	95%	25%	43%	25%	63%
Faroes	13%	7%	10%	11%	4%	41%	54%	44%
Greenland	14%	79%	0%	0%	0%	0%	3%	48%
Iceland	0%	9%	88%	1%	99%	6%	27%	14%
Norway	1%	10%	3%	0%	6%	41%	10%	26%
Russian Federation	13%	13%	9%	13%	50%	67%	85%	90%
TOTALS	3%	10%	18%	7%	25%	39%	28%	36%

Table 5: Impacts of International Catch Cap Limit Scenarios

Coastal State	2019 Catch	2019 Catch in International Waters	5% Cap			10% Cap			15% Cap			20% Cap		
			Potential catch in Int. Waters	Total Change	New Catch	Potential catch in Int. Waters	Total Change	New Catch	Potential catch in Int. Waters	Total Change	New Catch	Potential catch in Int. Waters	Total Change	New Catch
Mackerel														
EU	327959	19	16398	16379	344338	32796	32777	360736	49194	49175	377134	65592	65573	327965
Faroes	62662	3986	3133	-853	61809	6266	2280	64942	9399	5413	68075	12532	8546	62668
Greenland	30263	23608	1513	-22095	8168	3026	-20582	9681	4539	-19069	11194	6053	-17555	30269
Iceland	125516	60535	6276	-54259	71257	12552	-47983	77533	18827	-41708	83808	25103	-35432	125522
Norway	159084	0	7954	7954	167038	15908	15908	174992	23863	23863	182947	31817	31817	159090
Russian Federation	126544	114082	6327	-107755	18789	12654	-101428	25116	18982	-95100	31444	25309	-88773	126550
TOTALS	832028	202230	41601	-160629	671399	83203	-119027	713001	124804	-77426	754602	166406	-35824	832034
Herring														
EU	36934	23241	1847	-21394	15540	3693	-19548	17386	5540	-17701	19233	7387	-15854	21080
Faroes	113939	49590	5697	-43893	70046	11394	-38196	75743	17091	-32499	81440	22788	-26802	87137
Greenland	3298	1569	165	-1404	1894	330	-1239	2059	495	-1074	2224	660	-909	2389
Iceland	105895	15273	5295	-9978	95917	10590	-4684	101211	15884	611	106506	21179	5906	111801
Norway	430506	113309	21525	-91784	338722	43051	-70258	360248	64576	-48733	381773	86101	-27208	403298
Russian Federation	83578	75278	4179	-71099	12479	8358	-66920	16658	12537	-62741	20837	16716	-58562	25016
TOTALS	774150	278260	38708	-239553	534597	77415	-200845	573305	116123	-162138	612012	154830	-123430	650720