

**AGREED RECORD OF CONCLUSIONS OF FISHERIES CONSULTATIONS BETWEEN
NORWAY AND THE EUROPEAN UNION ON THE REGULATION OF FISHERIES IN
SKAGERRAK AND KATTEGAT FOR 2011**

BERGEN, 4 DECEMBER 2010

1 A Norwegian Delegation headed by Ms Ann Kristin WESTBERG and a European Union Delegation headed by Mr John SPENCER met in Bergen from 29 November to 4 December 2010 to consult on the regulation of fisheries in Skagerrak and Kattegat in 2011. This meeting was a continuation of a meeting held in Brussels.

2 The Heads of Delegations agreed to recommend to their respective authorities the arrangements for the regulation of fisheries in Skagerrak and Kattegat in 2011, outlined in this Agreed Record including the Annexes.

3 The Delegations reiterated their determination to cooperate, in their mutual interest, in securing continued responsible fisheries and ensuring the long-term conservation and sustainable exploitation of the marine living resources for which they are responsible.

4 In light of the expiry in August 2012 of the framework agreement between Norway, Denmark and Sweden on mutual access to fish in Skagerrak and Kattegat of 19 December 1966, the Delegations agreed to undertake exploratory talks in early 2011.

5 The Delegations further agreed to establish a Working Group in order to review the current technical and control measures in the area and, if appropriate, propose changes in order to have, to the largest degree possible, harmonised technical and control measures in the area in the future. The Working Group should include technical, control and scientific experts as well as industry observers. The Working Group shall recommend to the Parties a framework of technical and control measures in the Skagerrak during the course of 2011.

6 COD

6.1 The Delegations referred to the Agreed Record of Conclusions of Fisheries Consultations between Norway and the European Union for 2011 and agreed that the relevant provisions of section 5.4.7 are equally applicable to the Skagerrak.

7 HADDOCK

7.1 The Delegations noted that the TAC for haddock includes both a directed fishery for haddock and by-catches in the industrial fisheries.



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7.2 The Parties shall, during the annual consultations, communicate catch statistics (covering 2010 and preliminary statistics for 2011) specified as catches taken in the directed fishery for haddock and estimates for by-catches in the industrial fisheries.

8 SHRIMP

8.1 In respect of the shrimp stock, the Delegations took note of the ICES advice for 2011 regarding Divisions IIIa and IVa East, and agreed on a total allowable catch level of 11,900 tonnes in this area.

8.2 The Norwegian Delegation informed the EU Delegation of its intention to fix within the quantity given in point 8.1 a quota for shrimp for Division IVa East of 3,570 tonnes.

9 HERRING

9.1 The Delegations noted that the herring fisheries in the Skagerrak and Kattegat areas exploited several stocks, including both the North Sea herring and the Baltic spring-spawning herring.

9.2 The Delegations agreed that as an ad hoc measure for 2011, for the quotas established for herring in the Skagerrak and Kattegat areas, Norway would be able to fish 50 % of its quota in the North Sea in the Norwegian Economic Zone and the European Union can fish 50 % of its quota in European Union waters of ICES Area IV.

9.3 The Delegations concluded that the by-catches of herring taken in industrial and sprat fisheries would be limited to 6,659 tonnes in 2011.

9.4 The Norwegian Delegation expressed their concern that juvenile herring is taken as by-catch in the small meshed fishery. This is yet more serious in light of the poor recruitment to this stock the last decade. Therefore, the Norwegian Delegation urged the EU Delegation to phase out the fishery for juvenile herring.

9.5 The Delegations also agreed on the continuing need for closer co-operation between their respective scientists in order to promote transparency and mutual understanding of the sampling schemes for catches in industrial fisheries.

10 DISCARDS AND ASSOCIATED ACTIVITIES

10.1 The Delegations referred to the Agreed Record of Conclusions of Fisheries Consultations between Norway and the European Union for 2010 and agreed that the relevant provisions of chapter 11, notably section 11.2, 11.3 and 11.4, are equally applicable to the Skagerrak.

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11 TECHNICAL MEASURES

- 11.1 Fishing with beam-trawls for vessels with engines above 221kw is prohibited in an area inside 12 nautical miles from the coast between Hirtshals lighthouse to Hanstholm.
- 11.2 The Norwegian Delegation informed the EU Delegation that the requirement to use 120mm mesh size in large meshed trawls and the discard ban are applicable for all vessels fishing in the Norwegian Economic Zone in the Skagerrak, and that these requirements will be enforced from 1 January 2011.
- 11.3 The EU Delegation strongly disagreed with the Norwegian Delegation and stated that the Norwegian legislation is not in conformity with the 1966 Agreement. According to this, Denmark and Sweden can fish in the Skagerrak under EU legislation.

12 WEIGHING OF PELAGIC LANDINGS

- 12.1 The Delegations noted that the issue of the weighing of landings of pelagic vessels has been covered under the Agreed Record of Conclusions of Fisheries Consultations between the European Union and Norway for 2011.

13 QUOTA ARRANGEMENTS

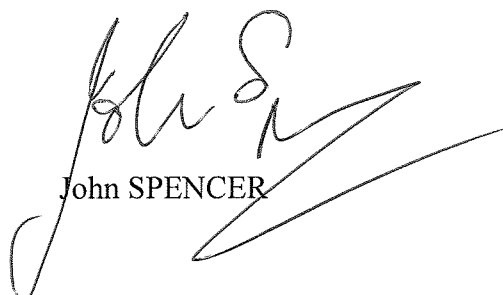
- 13.1 The Delegations agreed that the negotiated quota arrangements constitute an ad hoc solution and shall be without prejudice to future fishery arrangements between the Parties.

Bergen, 4 December 2010

For the Norwegian Delegation

For the European Union Delegation


Ann Kristin WESTBERG


John SPENCER

ANNEX I

I. TACs AND ALLOCATIONS

Catches taken, during the period 1 January to 31 December 2011 in the Skagerrak and the Kattegat of the species mentioned below, shall be limited as follows (metric tonnes, fresh round weight):

SPECIES	AREA ⁽¹⁾	TAC 2011	ALLOCATION TO NORWAY	ALLOCATION TO EUROPEAN UNION
COD	S	3,835 ⁽⁵⁾	124 ⁽²⁾	3,711
HADDOCK ⁽³⁾	S + K	2,095	88	2,007
WHITING	S + K	1,050	19	1,031
PLAICE	S	7,950	159	7,791
MACKEREL	S + K		(4)	
SHRIMPS	S	8,330	3,882	4,448
HERRING	S + K	30,000	4,001	25,999
SPRAT	S + K	52,000	3,900	48,100

- (1) Skagerrak (S): the area defined in Article 1 of the Agreement of 19.12.1966. Skagerrak and Kattegat (S + K): the area defined in Article 1 of the Agreement of 10.12.1966, extended to the southern boundary of Kattegat, and defined as a straight line from Hasenøre to Gnibens spids, from Korshage to Spodsbjerg and from Gilbjerg Hoved to Kullen.
- (2) This quantity does not include catches to be taken with passive gear inside the Norwegian baselines.
- (3) The TAC for haddock includes both a directed fishery for haddock and by-catches in the industrial fisheries.
- (4) A part of Norway's quota in the North Sea may be fished in the Skagerrak by vessels not exceeding 90 feet.
- (5) An additional amount of 460 tonnes is available to the Parties (Norway: 15 tonnes, EU 445 tonnes) under point 6.1 of this Agreed Record

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II. GEAR

The use of trawl and purse-seine for the capture of pelagic species in the Skagerrak shall be prohibited from Saturday midnight to Sunday midnight.

III. SPRAT

Based on scientific information regarding the prevailing abundance of herring in relation to sprat in the Skagerrak and Kattegat, the Delegations agreed that it would be impractical to apply in 2011 the provisions in the Agreement of 4 May 1982 relating to by-catch and minimum size of herring in a fishery for sprat.

IV. CATCH STATISTICS

The Parties shall communicate to each other, on a monthly basis, catch statistics for fishing by their own vessels for the species referred to in paragraph I.

This monthly information shall be communicated not later than the end of the following month.

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ANNEX II

TERMS OF REFERENCE FOR AN FOR THE WORKING GROUP ON TECHNICAL MEASURES AND CONTROL IN SKAGERRAK

With the objective of improving the exploitation pattern in Skagerrak the Working Group shall:

- Compile a list of current European Union and Norwegian rules on technical measures in Skagerrak and compare these with technical regulations in the 1982 Agreement on Technical Measures, as amended, as well as the technical regulations in the North Sea and Kattegat.
- Recommend, to the largest degree possible, harmonised technical regulations in Skagerrak.
- Recommend appropriate control and enforcement measures in Skagerrak.

The Working Group shall give their recommendations during the course of 2011.

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