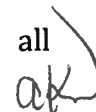


**AGREED RECORD OF CONCLUSIONS OF FISHERIES CONSULTATIONS
BETWEEN THE EUROPEAN UNION AND NORWAY ON THE
MANAGEMENT OF MACKEREL IN THE NORTH-EAST ATLANTIC**

BRUSSELS, 26 JANUARY 2010

1. A European Union Delegation headed by Mr John SPENCER and a Norwegian Delegation headed by Ms Ann Kristin WESTBERG met in Brussels from 18 to 26 January 2010 to consult on the management of mackerel in the North-East Atlantic. The meeting was a continuation of previous meetings held in Clonakilty, Bergen, Edinburgh and Brussels.
2. The Heads of Delegation agreed to recommend to their respective authorities the following arrangements on bilateral cooperation on mackerel management.
3. **Management objectives**
 - 3.1. The Delegations agreed that the Parties would commit themselves to managing the North-East Atlantic mackerel stock in a sustainable manner in line with the current long-term management plan adopted by the Coastal States in 2008 (Annex I) and any subsequent long-term management plans agreed by the Coastal States.
 - 3.2. The Delegations agreed that all fisheries of North East Atlantic mackerel should be jointly managed and consequently be covered within a total catch limitation covering all fisheries
 - 3.3. To that end, the Delegations reaffirmed their commitment to the adoption of a Coastal State agreement, on an annual basis, covering the entire mackerel stock in the North-East Atlantic and including all



fisheries. In that regard, the Delegations agreed that they would consult in advance of such Coastal State consultations.

3.4. In the event that an annual Coastal State agreement is not reached, the Delegations agreed that the EU and Norway would endeavour to reach agreement on effective management arrangements with as many Coastal States as possible.

3.5. The Delegations agreed that the Parties would develop, on an annual basis and in cooperation with other parties to a Coastal State Agreement, a joint proposal for NEAFC regulatory measures for the mackerel stock covering the NEAFC Regulatory Area.

4. Relative quota shares

4.1. The Delegations agreed that the EU and Norway would maintain throughout the period of application of these arrangements their relative quota shares at the levels established for 2008, EU: 68.65%, Norway: 31.35 %.

4.2. The southern component fishery (ICES Divisions VIIIc and IXa) will be integrated over no more than three years into the mackerel sharing arrangements. Any part that is integrated will be allocated to the EU and Norway in proportion to their relative shares mentioned in point 4.1.

4.3. The Delegations agreed that the integration of the southern component fishery would commence in 2011 and would coincide with a corresponding proportionate phasing out of the corresponding quota that Norway has established.



4.4. In the event that it is necessary to adjust the shares of other Parties to the Coastal State agreement and/or in the context where new shares have to be established for new Coastal States, the Delegations agreed to maintain their relative shares as set out in point 4.1 above.

4.5. In the event that a Party to a Coastal State agreement, other than Norway, accedes to the EU, the Delegations agreed that the quota share of that Party would be added to the EU share. This will mean a corresponding adjustment to the relative shares of the EU and Norway set out in point 4.1.

5. Access arrangements

5.1. The fishery conducted under the access arrangement shall be conducted in accordance with the technical regulations (including opening and closing dates) applicable to the waters of the Party granting the access.

5.2. The Delegations agreed that the EU and Norway would continue to have full access to fish their respective shares of the North Sea TAC in the waters of the other Party in ICES Division IVa. This mutual access regime and TAC is set out in Table 1 of the annual Agreed Record of Conclusions of Fisheries Consultations between the European Union and Norway.

5.3. The EU shall within the sharing arrangement mentioned under 5.2 be allocated an additional fixed component of 1,865 tonnes which may be fished in ICES Division IVa and IIIa, including Norwegian waters.

5.4. The Delegations agreed that for 2010, Norway shall transfer a quota of 11,626 tonnes of the Norwegian Sea TAC to the EU for fishing in ICES Divisions IIa and IVa, and that the EU shall transfer a quota of 11,626 tonnes to Norway for fishing in ICES Divisions IIa, VIa (north of 56°30'N), VII d, e, f, h and IVa.



For 2011 and subsequent years, the Delegations agreed that Norway shall transfer annually a quota equivalent to 10.8 % of the Norwegian Sea TAC to the EU for fishing in ICES Divisions IIa and IVa, and that the EU shall transfer annually a quota of identical volume to Norway for fishing in ICES Divisions IIa, VIa (north of 56°30'N), VII d, e, f, h and IVa.

5.5. For 2010, the Delegations agreed that there would be reciprocal access of 115,000 tonnes in each other's waters of ICES Division IVa. This amount includes the full access for the quotas referred to in points 5.2, 5.3 and 5.4.

5.6. The EU and Norway shall have the following access arrangements for 2011 and subsequent years of these arrangements, subject to the conclusion of the annual EU/Norway bilateral fisheries arrangements, as well as a Coastal State Agreement or a bilateral EU/Norway agreement on mackerel:

For the EU:

- a) Full access to Norwegian waters of ICES Division IVa for the mackerel quotas that the EU authorises to be fished in its own waters of ICES Division IVa.
- b) Access to Norwegian waters of ICES Division IIa for a tonnage equivalent to 20% of the tonnage permitted in point (a) above. Deducted from this quantity is any catch taken in ICES Division IIa under the reciprocal exchange of quotas mentioned in point 5.4

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For Norway:

- c) Full access to EU waters of ICES Division IVa for mackerel quotas that Norway authorises to be fished in its own waters of ICES Division IVa.
- d) Access to ICES Division VI a (north of 56°30'N) for a tonnage equivalent to 20 % of the tonnage permitted in point (c) above. Deducted from this quantity is any catch taken in ICES Division VIa under the reciprocal exchange of quotas mentioned in point 5.4.

6. Inter-annual quota flexibility

6.1. The Delegations agreed that a system of inter-annual quota flexibility on this stock should be introduced with effect from 1 January 2011 in the following manner:

- a) Each Party may transfer to the following year unutilised quantities of up to 10 % of the quota allocated to it. The quantity transferred shall be in addition to the quota allocated to the Party concerned in the following year. This quantity cannot be transferred further to the quotas for subsequent years.
- b) Each Party may authorise fishing by its vessels of up to 10 % beyond the quota allocated. All quantities fished beyond the allocated quota for one year shall be deducted from the Party's quota allocated for the following year.

7. Control and enforcement

7.1. The Delegations agreed that control and enforcement is an integrated part of management of the North-East Atlantic mackerel stock and therefore should be an integrated part of this agreement. To this end, the Delegations agreed that the EU and Norway should continue to monitor



the implementation of agreed measures and address new outstanding issues on control and enforcement.

7.2. Whilst noting that considerable progress has been made in addressing outstanding issues on control and enforcement, in particular at the time when mackerel is landed, the Delegations agreed on the need to intensify the cooperation of the EU and Norway in order to maintain effective control of the mackerel fishery throughout its migratory range. In that regard, they particularly commended the continuing work of the Working Group of Control Experts.

7.3. The Delegations recognised that slipping, discards and high grading remain issues to be addressed in the mackerel fishery, since these practices constitute a considerable waste of resources. The European Union Delegation stated that the objective should be to minimise and, through effective regulation, eradicate discards, including the consideration to a discard ban in the context of the review of the Common Fishery Policy to be finalised in 2012.

8. Duration and mid term review of the arrangements

The Delegations agreed that the arrangements laid down in this Agreed Record should apply for a period of 10 years from 26 January 2010. The Parties shall undertake a mid term review in 2015 of the functioning of the arrangements, and where appropriate, make the necessary adjustments.

Brussels, 26 January 2010

For the European Union Delegation


John SPENCER

For the Norwegian Delegation


Ann Kristin WESTBERG

**ARRANGEMENT ON THE LONG-TERM MANAGEMENT
FOR THE MACKEREL STOCK IN THE NORTH-EAST ATLANTIC**

The Delegations agreed to implement a long-term management plan for the mackerel stock in the North-East Atlantic for 2010 and subsequent years, which is consistent with a precautionary approach and designed to provide for sustainable fisheries and a greater potential yield. The long-term management plan shall consist of the following elements:

1. For the purpose of this long-term management plan, "SSB" means the estimate according to ICES of the spawning stock biomass at spawning time in the year in which the TAC applies, taking account of the expected catch.
2. When the SSB is above 2,200,000 tonnes, the TAC shall be fixed according to the expected landings, as advised by ICES, on fishing the stock consistent with a fishing mortality rate in the range of 0.20 to 0.22 for appropriate age groups as defined by ICES.
3. When the SSB is lower than 2,200,000 tonnes, the TAC shall be fixed according to the expected landings, as advised by ICES, on fishing the stock at a fishing mortality rate determined by the following:

$$\text{Fishing mortality } F = 0.22 * \text{SSB} / 2,200,000$$

4. Notwithstanding paragraph 2, the TAC shall not be changed by more than 20% from one year to the next, including from 2009 to 2010.
5. In the event that the ICES estimate of SSB is less than 1,670,000 tonnes, the Parties shall decide on a TAC which is less than that arising from the application of paragraphs 2 to 4.
6. The Parties may decide on a TAC that is lower than that determined by paragraphs 2 to 4.
7. The Parties shall, as appropriate, review and revise these management measures and strategies on the basis of any new advice provided by ICES.

