

**AGREED RECORD OF CONCLUSIONS OF FISHERIES CONSULTATIONS BETWEEN  
THE EUROPEAN UNION AND NORWAY ON THE REGULATION OF FISHERIES IN  
SKAGERRAK AND KATTEGAT FOR 2010**

**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 regulation of fisheries in Skagerrak and Kattegat in 2010. This meeting was a continuation of previous meetings held in Bergen and 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 2010, 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 The Delegations noted that the framework agreement between Norway, Denmark and Sweden on mutual access to fish in Skagerrak and Kattegat of 19 December 1966 has been denounced, by Norway and agreed that a process should start in 2010 with a view to agreeing upon a new fisheries agreement for Skagerrak and Kattegat no later than 6 August 2012.

**5 COD**

5.1 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 section 4.4.4 are equally applicable to the Skagerrak.

**6 HADDOCK**

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

6.2 The Parties shall, during the annual consultations, communicate catch statistics (covering 2009 and preliminary statistics for 2010) specified as catches taken in the directed fishery for haddock and estimates for by-catches in the industrial fisheries.



## **7 SHRIMP**

- 7.1 In respect of the shrimp stock, the Delegations took note of the ACFM advice for 2010 regarding Divisions IIIa and IVa East, and they took as a point of departure a total allowable catch level of 14,000 tonnes.
- 7.2 Norway informed the EU of its intention to fix within this quantity a quota for shrimp for Division IVa East of 4,200 tonnes.

## **8 HERRING**

- 8.1 The Delegations noted that the herring fisheries in the Skagerrak and Kattegat areas exploited both the North Sea herring and the Baltic spring-spawning herring.
- 8.2 The Delegations agreed that as an ad hoc measure for 2010, for the quotas established in the Skagerrak and Kattegat areas, Norway would be able to fish 20 % of its quota in the North Sea in the Norwegian economic zone.
- 8.3 The Delegations concluded that the by-catches of herring taken in industrial and sprat fisheries would be limited to 7,515 tonnes in 2010.
- 8.4 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.

## **9 OTHER JOINT STOCKS**

- 9.1 With a view to considering the possible inclusion of additional stocks such as roundnose grenadier, greater silver smelt, common sole and Norway lobster in the allocation table in Annex I to this Agreed Record, the Delegations agreed to establish an Expert Group in order to review all relevant biological information for these stocks. The Expert Group will base its work on the Terms of Reference as set out in Annex II to this Agreed Record.

## **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 11.2, 11.3, 11.4, and section 11.10, are equally applicable to the Skagerrak.

## **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 Delegations agreed to consider harmonising the technical regulations in Skagerrak with the regulations applicable in the North Sea.

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11.3 The Norwegian Delegation informed the EU Delegation that Norwegian regulations in the Norwegian Economic Zone in the Skagerrak are applicable for all vessels fishing in the area, and will hereafter be enforced. As a first step in the process of harmonising the technical regulations in the North Sea and Skagerrak, the minimum allowed mesh size when fishing with large mesh trawl or seine in the Norwegian Economic Zone of the area has been increased to 120mm.

11.4 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.

11.5 The Delegations agreed to recommend that the Parties consult during early 2010 regarding the future of the 16-31 mm small-mesh fisheries in the Skagerrak and Kattegat.

## **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 2010.

## **13 SATELLITE-BASED VESSEL MONITORING AND ELECTRONIC REPORTING SYSTEMS**

13.1 The Delegations agreed that the issue of satellite-based vessel monitoring and electronic reporting systems will be dealt with in the framework of the Agreed Record of Conclusions of Fisheries Consultations between the European Union and Norway for 2010.

## **14 QUOTA ARRANGEMENTS**

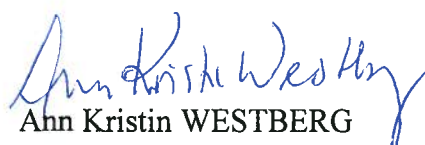
14.1 The Delegations agreed that the negotiated quota arrangements constitute an ad hoc solution and shall be without prejudice to future fishery arrangements between the Parties.

Brussels, 26 January 2010

For the European Union Delegation

For the Norwegian Delegation

  
John SPENCER

  
Ann Kristin WESTBERG

## ANNEX I

### I. TACs AND ALLOCATIONS

Catches taken, during the period 1 January to 31 December 2010 in the Skagerrak and the Kattegat of the species mentioned below, shall be limited as follows (metric tonnes, fresh round weight):

SPECIES	AREA <sup>(1)</sup>	TAC 2009	ALLOCATION TO NORWAY	ALLOCATION TO EUROPEAN UNION
<b>COD</b>	<b>S</b>	4,793 <sup>(5)</sup>	155 <sup>(2)</sup>	4,638
<b>HADDOCK</b> <sup>(3)</sup>	<b>S + K</b>	2,201	93	2,108
<b>WHITING</b>	<b>S + K</b>	1,050	19	1,031
<b>PLAICE</b>	<b>S</b>	9,350	187	9,163
<b>MACKEREL</b>	<b>S + K</b>		(4)	
<b>SHRIMPS</b>	<b>S</b>	9,800	4,567	5,233
<b>HERRING</b>	<b>S + K</b>	33,855	4,515	29,340
<b>SPRAT</b>	<b>S + K</b>	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 240 tonnes is available to the Parties (Norway: 8 tonnes, EU 232 tonnes) under point 6.1 of this Agreed Record

### 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.

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### 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 2010 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.



## ANNEX II

### **TERMS OF REFERENCE FOR AN EXPERT GROUP ON THE DISTRIBUTION OF FISH STOCKS IN THE SKAGERRAK**

The Expert Group is requested to:

1. collate available historical data on the geographical and seasonal distribution of catches by Party of the stocks of roundnose grenadier and other species including greater silver smelt, common sole and Norway lobster in the Skagerrak; and
2. compile and review relevant biological information on the stocks concerned including information on geographical and seasonal distribution of adults and juveniles