

**AGREED RECORD OF FISHERIES CONSULTATIONS BETWEEN  
NORWAY AND THE EUROPEAN UNION FOR 2018**

**BERGEN, 1 DECEMBER 2017**

- 1 A Norwegian Delegation, headed by Ms Ann Kristin WESTBERG, and a European Union Delegation, headed by Mr Jacques VERBORGH, met in Bergen, Norway from 27 November to 1 December 2017 to consult on mutual fisheries relations for 2018.
- 2 The Heads of Delegations agreed to recommend to their respective authorities the fishery arrangements for 2018 as outlined in this Agreed Record, including Annexes I to XII and Tables 1 to 4.
- 3 The Delegations stated that the implementation of this Agreed Record of Conclusions is contingent on a parallel and simultaneous implementation of the provisions of the Agreed Record of Conclusions of Fisheries Consultations between the European Union and Norway on the Management of Mackerel in the North-East Atlantic signed in Brussels on 26 January 2010, as last amended by the Agreed Record of Conclusions of Fisheries Consultations between the European Union and Norway on the Management of Mackerel in the North-East Atlantic signed in London on 11 October 2017.
- 4 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.
- 5 **JOINTLY MANAGED STOCKS**
  - 5.1 The Delegations agreed to continue to work to improve the exploitation pattern and reduce discards through the use of technical measures to improve the selectivity of fishing gear, closed seasons and areas as well as any other appropriate measures. They acknowledged the usefulness of harmonised technical measures, noting that the aim of such measures should be to have compatibility of fishing gear, leading to the best possible selectivity achieved by the best possible means.
  - 5.2 The Delegations noted that the system of inter-annual quota flexibility, as set out in Annex VII, for the quotas of herring, haddock, saithe, plaice and whiting shall apply.
  - 5.3 The Delegations pointed out that Norway has had a landing obligation in place for more than two decades. The Delegations also noted that the progressive introduction of the EU landing obligation for all catch taken from stocks subject to catch limits is one of the main elements of the Common Fisheries Policy (CFP), and that the first measures for demersal fisheries in the North Sea entered into force 1 January 2016, and leading to full implementation by 2019. The Delegations welcomed this convergence of approaches between the EU and Norway.

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5.4 The Delegations recognised that discarding of fish represents a major waste of resources as well as a loss of potential income and is detrimental towards the rebuilding of fish stocks. Furthermore, they recognised that discarding implies that some catches are not recorded with the result that the scientific basis for the management decisions is weakened.

5.5 The Delegations recalled that they have discussed several measures that can contribute to reduce discards and unwanted catches. Examples of measures include a ban on high grading, technical measures to improve gear selectivity, improved control measures and Real Time Closure (RTC) systems. The Delegations agreed that technical measures can play a crucial role when it comes to reducing discards and unwanted catches, supporting the introduction of the landing obligation in the EU and the discard ban in Norway. The Delegations stated the importance of continuing to work in order to reduce discards of all commercial species, including juveniles and undersized fish.

5.6 The EU Delegation informed the Norwegian Delegation that in 2018 and in addition to EU fleet segments fishing on pelagic fish stocks and already implementing a full landing obligation, the expansion of the landing obligation would apply to the following jointly managed stocks:

- cod, haddock, saithe, whiting and plaice caught by fishing vessels equipped with trawls of mesh size equal to or greater than 100mm
- cod, haddock, saithe and whiting caught by fishing vessels equipped with trawls of mesh size equal to or greater than 70mm and less than 100mm
- cod, haddock, saithe, whiting and plaice caught by fishing vessels equipped with trawls of mesh size equal to or greater than 32mm and less than 70mm
- cod, haddock, saithe, whiting and plaice caught by fishing vessels equipped with beam trawls of mesh size equal or greater than to 120mm
- cod, haddock, saithe and whiting caught by fishing vessels equipped with beam trawls of mesh size equal or greater than to 80mm and less than 120mm
- cod, haddock, saithe and whiting caught by fishing vessels equipped with gillnets, trammel nets and entangling nets
- cod, haddock, saithe, whiting and plaice caught by fishing vessels equipped with hooks and lines
- cod, haddock, saithe, whiting and plaice caught by fishing vessels equipped with traps
- Northern prawn (*Pandalus*) taken by any gear.

5.7 The EU Delegation reminded that the gradual introduction of the landing obligation, which aims at immediately reducing discards for EU fleet segments concerned, and at improving progressively their selectivity patterns, implies adjustments on landing quotas until 2019 when a full landing obligation, applicable to all EU fisheries, will be in place.

5.8 The level of adjustment is calculated for each stock and for each fisheries management zone by estimating the contribution of each EU fleet segment concerned by the expansion of the EU landing obligation in 2018 to levels of unwanted catches arising from forecast in the latest ICES advice. These contributions computed by EU fleet segment were derived from the last available landings and discards data, covering

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the years 2015 and 2016, as compiled by the STECF for each of the stocks, and by assuming that the discard rates of those EU fleet segments in 2018 would be nil.

5.9 The EU Delegation pointed out that the TAC adjustments for plaice and cod, which have separate TACs for the North Sea and Skagerrak, were based on the discard rates in each of those fisheries management zones rather than the overall discard rates estimated over the entire area where biological stock is distributed. The EU Delegation explained that this was to ensure that the TAC adjustments are focused on the fleets segments that are most affected by the landing obligation.

5.10 The Delegations furthermore noted that the stock of haddock in ICES Div. 6.a, Subdivision 20 (Skagerrak) and Subarea 4 would be full covered by the EU landing obligation in 2018. Therefore, the Delegations agreed to fix TACs for the year 2018 and for each fisheries management zones corresponding to these biological stocks by referring to the full catch options computed by ICES in its latest advice.

5.11 In addition, the EU Delegation explained that the EU landing obligation fixed specific rules, the so called '*de minimis*', which have for main purpose to incentivize the use of selective devices and of more selective gears and which allow discarding very small quantities of unavoidable unwanted catch.

5.12 The Norwegian Delegation took note of the explanation from the EU Delegation and agreed that this approach was acceptable for 2018. However, the Norwegian Delegation also expressed concern regarding the lack of supporting technical measures and incentives. A Norwegian ban on discarding was introduced decades ago and this experience clearly showed that additional technical measures and control measures in support of a landing obligation are needed. The Norwegian Delegation expressed the view that setting a TAC based on the assumptions of perfect compliance with the landing obligation for fisheries previously associated with high levels of discards, might lead to fishing pressures well above F<sub>MSY</sub> and no improvement in exploitation pattern. The concern includes loss of future yield as well as underreported catches leading to serious bias in the future stock assessments to be used for management decisions.

5.13 The Delegations agreed that amounts of remaining discards relating to these '*de minimis*' shall not be included in the adjustment calculations.

5.14 The Norwegian Delegation encouraged the EU to design and implement monitoring programmes suitable to reveal the level of compliance.

5.15 The EU Delegation informed the Norwegian Delegation that the scope of its Special Control and Inspection Programme for the North Sea has been amended to include the control of the landing obligation. In order to support the implementation of the programme, the European Fisheries Control Agency has set up data collection systems to facilitate and to share information on catch composition and to establish the basis for risk assessment and to contribute to the evaluation of compliance. In addition a pilot project was carried out to assess the viability of using sales information to detect possible high grading in the North Sea.

5.16 **Long-term management strategies**

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5.16.1 The Delegations agreed that long-term management strategies should constitute the basis for the yearly management of joint stocks. They regretted that the long-term management strategies for a number of reasons had not been reviewed in the period 2015-2017 as originally envisaged, and reaffirmed their commitment to follow up the process which started in Svolve in May 2015 and continued in Tromsø in June 2016 on reviewing long-term management strategies. To this end the Delegations agreed to meet during the first half of 2018 to consult and review the long-term management strategies for, respectively, cod, saithe, haddock, herring, plaice and whiting.

5.16.2 The EU Delegation informed the Norwegian Delegation that its North Sea mixed fisheries management plan is currently reviewed, through a trilogue process held between the European Parliament, the Council and the European Commission. Pending the ongoing reading of the current proposal, this plan, when adopted and entered into force, should set out objectives and safeguards for all North Sea demersal stocks. For the main demersal stocks the plan would open possibilities for using ranges of fishing mortalities fixed around  $F_{MSY}$  whereby fishing at the upper or lower limits of the ranges would lose no more than 5% of long term yield. The EU Delegation explained that the target fishing mortality in any year would normally be fixed in the lower half of the range, and fixed in the upper part of the range only if necessary to achieve the objectives of the plan in a mixed fisheries context, or to provide for inter-annual TAC stability. The plan would also introduce provisions for conservation measures, including certain technical measures to improve selectivity, to be introduced at a regional level. The EU also pointed out that the regional decision making provisions offered the opportunity for co-operation with Norway in the harmonization of technical measures.

## 5.17 Cod

5.17.1 Based on the MSY approach ICES advises that total and wanted catches in 2018 should not be more than 53,058 and 35,725 tonnes, respectively. The Delegations noted that according to the latest ICES assessment the stock is slowly increasing. ICES consider the biomass to be above  $B_{lim}$ . The fishing mortality has seen a major decline since 2001, but is still likely to be above  $F_{MSY}$ .

5.17.2 The Norwegian Delegation pointed out that ICES in its basis for advice assumes discards in 2017 to be at 31% of total catch. This is a substantial amount linked to increased recruitment in 2016. In the catch option table for 2018, ICES present levels of unwanted catches to be around 33% of total catch. Technical measures aiming at reducing discards as well as increased control at sea is urgently needed.

5.17.3 Taking into account EU cod fisheries both in area ICES Div. 7.d (Eastern Channel), in Subarea 4 (North Sea), in Subarea 20 (Skagerrak), which will be under landing obligation in 2018 and considering landings and discards records of these fleets as reported over the years 2015 and 2016, the Delegations agreed to adjust catch limits deriving from the ICES  $F_{MSY}$  catch option for wanted catch (35,725 tonnes) by applying a rate of 45.10 % increase in ICES Subarea 4 (North Sea) and a rate of 88.17 % increase in ICES Subdivision 20 (Skagerrak).

5.17.4 The Delegations noted that the resulting TACs for ICES Subarea 4 (North Sea) and in Subdivision 20 (Skagerrak) would be 29,742 tonnes and 4,249 tonnes, respectively, and that applying the TAC adjustments mentioned above would result in a

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TAC of 43,156 tonnes in ICES Subarea 4 (North Sea) of 7,995 tonnes in ICES Subdivision 20 (Skagerrak). This constitutes an increase of 10% compared to the 2017 TAC in ICES Subarea 4 (North Sea) and of 39% in ICES Subdivision 20 (Skagerrak).

5.17.5 The EU Delegation informed the Norwegian Delegation of its intention to base its TAC in 2018 on the agreed split for cod in ICES Div. 7.d. (Eastern Channel) of 1,733 tonnes.

5.17.6 The Delegations agreed that the deviation from the usual geographical allocation key between North Sea and Skagerrak is an ad hoc solution for 2018. The Delegations agreed to revert back to the traditional geographical allocation key for the fisheries arrangements for 2019.

## 5.18 Haddock

5.18.1 The Delegations recalled that the Parties in the 2015 Agreed Record decided that the overall TAC for 2015 onwards should be split between the areas according to the following percentages: 9.5% for haddock in Div. 6.a, 90.5% for haddock Subarea 4 and Div. 3.a West.

5.18.2 The Delegations noted that according to the ICES MSY approach, catches in 2018 should be no more than 48,990 tonnes. ICES estimates discards and below minimum size (BMS) landings at 18% of total catch in 2016. The Delegations also noted that recruitment has been low in average since 2000.

5.18.3 The Delegations recalled that haddock has fully been under the EU landing obligation since 2017. The TAC for 2018 was therefore fixed on the basis of the ICES total catch advice 48,990 tonnes. This constitutes a 24% increase compared to the TAC in 2017.

5.18.4 The EU Delegation informed the Norwegian Delegation of its intention to base its TAC in 2018 on the agreed split for haddock in ICES Div. 6.a. of 4,654 tonnes.

5.18.5 The Delegations agreed that the TAC for ICES Subdivision 20 (Skagerrak) and Subarea 4 (North Sea) would be fixed at 44,336 tonnes, split in 2,569 tonnes in ICES Subdivision 20 (Skagerrak) and 41,767 tonnes in ICES Subarea 4 (North Sea).

## 5.19 Saithe

5.19.1 The Delegations noted that according to the ICES MSY approach, total catches in 2018 should be no more than 118,460 tonnes. Recruitment has been below the long-term average since 2003. Recent fishing mortalities (F) have been above  $F_{MSY}$ . Spawning-stock biomass (SSB) has been below the long-term average since 2003 and fluctuated without trend above  $B_{lim}$  since 1996.

5.19.2 The Delegations also noted that ICES estimates discards and BMS landings in 2016 to be at the level of 13% of the total catch.

5.19.3 Taking into account EU saithe fisheries both in area ICES Subareas 6 and 4 and in ICES Subdivision 20, which will be under landing obligation in 2018 and considering landings and discards records of these fleets as reported over the years 2015 and 2016, the Delegations agreed to adjust catch limits deriving from the ICES  $F_{MSY}$  catch option for wanted catch (103,731 tonnes) by applying a rate of 4.76 %

increase in ICES Subarea 6 and applying a rate of 12.57 % increase in ICES Subdivision 20 and Subarea 4.

5.19.4 The EU Delegation informed Norway of its intention of ensuring consistency between the TACs that are set for saithe in ICES Subarea 6 and saithe in ICES Subarea 4 and Div. 3.a. The EU Delegation informed Norway of its intention to fix a quota for saithe for ICES Subarea 6 based on the quantity of 9,751 tonnes, which after an adjustment mentioned above results in a quota of 10,215 tonnes. This constitutes a decrease of 2% compared to the 2017 TAC in ICES Subarea 6.

5.19.5 The Delegations noted that the resulting TACs for ICES Div. 3.a and Subarea 4 would be based on an amount of 93,980 tonnes, and that applying the TAC adjustment mentioned above would result in a TAC of 105,793 tonnes. This constitutes an increase of 5% compared to the 2017 TAC in ICES Subarea 4 (North Sea) and Subdivision 20 (Skagerrak).

## 5.20 Whiting

5.20.1 The Delegations noted that fishing mortality has been fluctuating between  $F_{msy}$  and  $F_{PA}$  since 2002. SSB has since 2009 fluctuated above  $B_{lim}$ .

5.20.2 The Delegations recognized that a large fraction of the catch in 2018 will consist of unwanted catch. ICES estimates discard to be 39% of total catch in 2016. As a consequence ICES presents the  $F_{MSY}$  catch option for wanted catches to be no more than 13,799 tonnes. The ICES  $F_{MSY}$  total catch option for Subarea 4 and Div. 7.d. for 2018 is 26,191 tonnes.

5.20.3 The Delegations agreed that TACs for 2018 will be calculated taking into account ICES catch options corresponding to a reduction of 15% over the TAC fixed in 2017 for ICES Subarea 4 and more particularly the ICES catch option of 17,003 tonnes for ICES Subarea 4 and Div. 7.d and corresponding to wanted catches of 13,602 tonnes in ICES Subarea 4.

5.20.4 Taking into account EU whiting fisheries in area ICES Subarea 4 which will be under landing obligation in 2018 and considering landings and discards records of these fleets as reported over the years 2015 and 2016, the Delegations agreed to adjust the catch limit deriving from the catch option described above for wanted catches by increasing it, applying a rate of 62,15% in ICES Subarea 4 corresponding to a TAC of 22,057 tonnes. This represents a 38% increase of the TAC compared to 2017.

## 5.21 Plaice

5.21.1 The Delegations noted that the ICES advice now encompasses both the North Sea and Skagerrak and recalled that they in 2016 had agreed to apply 11.8% as the share for Skagerrak of the overall TAC.

5.21.2 Based on the MSY approach ICES advices that total and wanted catches in 2018 should not be more than 142,481 and 96,266 tonnes, respectively. The Delegations noted that ICES estimated discard to be 32% of total catch in 2016.

5.21.3 The Delegations noted that the stock of plaice in the North Sea and Skagerrak is at a high level. The SSB is well above MSY  $B_{trigger}$  and recruitment has been around the long-term average since the mid-1990s. Since 2009, fishing mortality has been

estimated at around  $F_{MSY}$ .

5.21.4 The Delegations agreed that TACs for 2018 will be calculated taking into account ICES catch options corresponding to a reduction of 15% over the TAC fixed in 2017 for ICES Subdivision 20 (Skagerrak) and Subarea 4 and more particularly the ICES catch option of 125,423 tonnes for ICES Subdivision 20 (Skagerrak) and Subarea 4 and corresponding to wanted catches.

5.21.5 Taking into account EU plaice fisheries both in ICES Subdivision 20 (Skagerrak) and Subarea 4 which will be under landing obligation in 2018 and considering landings and discards records of these fleets as reported over the years 2015 and 2016, the Delegations agreed to adjust catch limits deriving from the agreed ICES catch options for wanted catches by increasing them applying a rate of 3.67% in ICES Subdivision 20 (Skagerrak) and applying a rate of 1.83% in ICES Subarea 4.

5.21.6 The Delegations noted that the resulting TACs for ICES Subdivision 20 (Skagerrak) and Subarea 4 would be 14,800 tonnes and 110,623 tonnes, respectively, and that applying the TAC adjustments mentioned above would result in a TAC of 15,343 tonnes in ICES Subdivision 20 (Skagerrak) and of 112,643 tonnes in ICES Subarea 4. This gives a 13% decrease as compared to the 2017 TAC in both fisheries management areas.

## 5.22 Herring

5.22.1 ICES advises that when the European Union (EU)–Norway management strategy is applied, catches in 2018 should be no more than 517,891 tonnes, including 491,355 tonnes for the A-fleet.

5.22.2 Because of the changes in the time-series of natural mortality, ICES re-estimated the fishing mortality reference points for North Sea herring. This resulted in a higher  $F_{msy}$  (0.33) compared to the current management strategy (0.26). Applying  $F_{msy}$  corresponds to a TAC of 600,588 tonnes in 2018 for the A-fleet.

5.22.3 For these reasons the Delegations agreed that it would be appropriate to follow the ICES MSY advice rather than the management strategy. The TAC of 600,588 tonnes represents a 25% increase compared to 2017.

5.22.4 The Delegations concluded that the by-catches of herring in other fisheries would be limited to 9,669 tonnes in 2018; this quota will be allocated to the EU.

5.22.5 The Norwegian Delegation stated that as a principle all landings should be counted against ordinary TACs, instead of having additional by-catch quotas, as is now the case for the North Sea herring. With the EU landing obligation fully implemented, by-catches in general will be landed and counted against national quotas. There should thus be no need for an exemption for North Sea herring.

## 6 OTHER JOINT STOCKS (NOT JOINTLY MANAGED)

6.1 The Delegations noted that Norway pout, anglerfish, and horse mackerel are considered shared stocks, but so far not jointly managed.

6.2 They agreed that latest knowledge on sandeel indicates that this stock consists of several sub-populations. The Delegations noted that ICES had a benchmark meeting

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on sandeel in October 2016, and decided to change the sandeel areas used for giving advice. The change was based on larval drift, comparisons of demography and stock trends, as well as management considerations. All these areas are now either within the EU or the Norwegian EEZ. This means that for practical purposes sandeel is not a shared stock, and can therefore be managed separately by the Parties. The Delegations recognised avoidance of local depletion as an important management objective.

6.3 The Delegations noted that hake occurs in significant quantities in the North Sea, and therefore the Parties should consider developing joint management measures for this stock.

#### 6.4 Anglerfish

6.4.1 The Delegations took note of the ICES advice for 2018 indicating that the stock has been increasing over the last four years and that landings of anglerfish could be increased by 20% in relation to the 2017 advice. They agreed that management should ensure the improvement of the exploitation pattern, through, *inter alia*, increased minimum mesh sizes, reduced discards, protection of juveniles and appropriate measures to counter ghost fishing. The Delegations recognised the need for improved scientific knowledge of the stock and enhanced scientific co-operation.

#### 6.5 Horse Mackerel

6.5.1 The Norwegian Delegation stated that Norway for 2018 will establish regulatory measures for this stock in the Norwegian Economic Zone.

6.5.2 The EU Delegation stated that it would continue to manage the horse mackerel stock consistent with  $F_{MSY}$  advice.

#### 6.6 Norway pout

6.6.1 According to the latest ICES advice, catches in the period 1 November 2017 – 31 October 2018 should not exceed 151,955 tonnes.

6.6.2 The Delegations informed that they would set a quota for 2018 based on the latest ICES advice.

6.6.3 The Delegations noted that ICES is currently evaluating a joint request regarding a management strategy for Norway pout, and is expected to release an advice by May 2018.

### 7 EXCHANGE OF FISHING POSSIBILITIES

#### 7.1 Capelin in ICES Area XIV

7.1.1 The Delegations referred to the Agreed Record of Fisheries Consultations between the European Union and Norway, signed in Brussels on 21 May 2015, whereby Norway was granted fishing possibilities for capelin during the 2015/2016 season. The Delegations then agreed that in the event of the possible inability of Norway to catch its full entitlement of 20,000 tonnes of capelin as a result of a reduction in the fishing possibilities agreed by Coastal States, the EU will ensure that appropriate compensation would be made available to Norway for the quotas that could not be caught. The Delegations noted that Norway has outstanding 2, 290 tonnes of this

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capelin quota.

7.1.2 The Delegations noted that the Coastal States to Capelin in the waters of Iceland, Greenland and Jan Mayen in October 2017 had agreed on a TAC for winter season of 2018 at 208,000 tonnes. The Delegations agreed that the EU will transfer 16,016 tonnes of capelin to Norway of which 13,726 tonnes shall be taken into account in the balance and 2,290 tonnes are used to cover the outstanding capelin quantity outside the balance.

7.1.3 The Norwegian Delegation informed that the capelin quota might be revised in the beginning of 2018. The Delegations agreed that in the event of an increased capelin quota the EU will offer Norway an additional quota of no more than 3,984 tonnes. The corresponding cod equivalent will be added to the balance for 2019.

## 7.2 Redfish in the Norwegian Economic Zone

7.2.1 The Delegations referred to the Exchange of Letters signed at Oporto on 2 May 1992, which includes an allocation to the EU of 1,500 tonnes of redfish north of 62°N outside the balance of the bilateral fisheries agreement.

7.2.2 The Norwegian Delegation informed the EU Delegation that the allocation of redfish for 2018 entirely relates to *Sebastes mentella*. Moreover, the Norwegian Delegation underlined that this amount refers to total allowable catch, and includes both by-catch and catches taken in a directed fishery for redfish.

7.2.3 The Norwegian Delegation reminded the European Delegation that Norway and the Russian Federation are the two only coastal States to this redfish stock, and that Norway and the Russian Federation for years have implemented strong conservation measures, including a direct ban on direct fishery until 2014. This precautionary regime resulted in an increase of the stock, allowing a small part of the stock to migrate into international waters for a few months during the year.

7.2.4 The Norwegian Delegation regretted that the European Union continues to undermine the conservation efforts of the Coastal States, by ignoring the best available scientific evidence and giving itself unsustainably high unilateral quotas for redfish in international waters in ICES I and II. The size of the unilateral quotas are so exaggerated that they constitute a de facto unlimited fishery, evidenced by the fact that the EU-fleet are only able to catch a small part of their quota.

7.2.5 The Norwegian Delegation stated that despite several attempts by Norway to find a common understanding, both within the framework of NEAFC and through bilateral initiatives, the European Union has showed no interest in finding an agreement, and have even expressed preference for the present situation.

7.2.6 The Norwegian Delegation also pointed to that the European Union's establishment of inflated quotas in international waters is a violation of the obligation under international law to cooperate and establish compatible measures to those of the Coastal States.

7.2.7 The EU Delegation noted that there are markedly divergent views on the management of this stock. The EU Delegation has repeatedly expressed its approach in respect of the management of redfish during Coastal States consultations and during NEAFC meetings. Consultations should be resumed in those settings.

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7.2.8 In the meantime and in the absence of NEAFC measures, the Union has regulated the fisheries in ICES Sub-Areas 1 and 2 by setting an overall catch limit.

### 7.3 Sprat

7.3.1 The Delegations noted that the ICES advice for sprat covers the period 1 July to 30 June rather than a calendar year, and that as a consequence transfers of sprat from the EU to Norway could be fished only during the period 1 July 2018 to 30 June 2019. They further noted that the transfer of 10,000 tonnes shown in Table 4 is conditional on an ICES catch advice in 2018 of no less than 100,000 tonnes. Should this not be the case, it was agreed that the EU would compensate Norway with the same quantity in cod equivalents in the quota exchanges for 2019.

### 7.4 Pandalus

7.4.1 The Delegations agreed that the transfer of Pandalus in Subarea 4.a. from Norway to the EU (Table 2) may be adjusted when the TAC is revised. Any resulting effect on the balance of quota exchanges will be rectified in the balance for 2019.

7.4.2 The Delegations noted that according to the arrangement decided upon for 2017 (see paragraph 7.4.1. in the Agreed Record of Fisheries Consultations for 2017 signed 2 December) EU has an outstanding "debt" of 6 tonnes of Pandalus. This outstanding amount has been incorporated into the balance of quota exchanges in this Agreed Record.

## 8 EXPLORATORY FISHERIES

8.1 The EU Delegation expressed the interest of some EU operators in exploring the potential of under-utilised resources evolving in Norwegian waters, such as crab and prawns. The EU Delegation invited the Norwegian authorities to examine duly motivated requests transmitted by EU operators and to issue where justified fishing authorizations for exploratory campaigns subject to the applicable conditions. The provision of existing scientific and other basic information to interested operators would be much appreciated.

8.2 The Norwegian Delegation stated that this subject is outside the scope of this Agreed Record and referred to the website of the Directorate of Fisheries for further information in this respect.

## 9 FULL UTILISATION OF QUOTAS

9.1 The Delegations agreed that the Parties should consult in the event that the exhaustion of any quotas taken in a directed fishery or as a by-catch might prevent the full utilisation of established quotas.

## 10 CATCH INFORMATION

10.1 Each Party shall, when appropriate and on request, inform the other Party of catches, by stock, made in its fishing zone by the vessels of the other Party, the information provided by Norway being broken down by flag.

10.2 The Delegations agreed that the catch information, including inter-annual quota flexibility, should be attached to future Agreed Records.

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## 11 TECHNICAL MEASURES

11.1.1 The Delegations agreed on the importance of technical regulations that are both practical and effective. This will strengthen the legitimacy as well as the control and enforcement aspect of the regulations. Furthermore, sensible technical regulations will improve exploitation pattern and contribute in reducing discard.

11.1.2 The Delegations recalled that they have received reports and recommendations from several Working Groups during the last decade on harmonising technical measures in the North Sea and Skagerrak. These reports have served as important input for the development of regulations on technical measures.

11.1.3 The EU Delegation informed the Norwegian Delegation regarding the current status of the European Commission's proposal for technical measures is now expected to be adopted during 2018. The EU Delegation explained that the Council adopted its General Approach during May 2017 and that the European Parliament PECH Committee voted on its proposed amendments on November 21 where it was agreed to enter into negotiations with the Council but that the amendments would first be considered by the European Parliament in Plenary in February 2018 before negotiations can commence.

### 11.2 Real Time Closures

11.2.1 The Delegations consider that it is of great importance to continue the Real Time Closure (RTC) systems to protect small fish and juveniles, and furthermore that they will continue to share information on the operation of the RTC systems.

## 12 CONTROL AND ENFORCEMENT

### 12.1 Coastal State Monitoring, Control and Surveillance (MCS) Working Group for pelagic fisheries

12.1.1 The Delegations took note of the Report from the Working Group on the activity in 2017. The report is based on work carried out in five separate subgroups. The Working Group met two times, in addition to a planning meeting and the work in the subgroups. The Working Group has conducted two fact-finding missions in 2017. One took place in Shetland and focused on landing activities. The other was conducted at sea, and focused on the activities of pelagic freezer trawlers.

12.1.2 The Delegations took note of the conclusions of the Coastal State consultations on the management of mackerel in the North-East Atlantic for 2018 and the terms of reference for 2018 and 2019 (Annex X). The Delegations noted that the Working Group will continue the review of the Annex regarding slipping, discards and high-grading in pelagic fisheries (Annex VIII), as well as the Annex regarding weighing and inspection of pelagic landings (Annex IX).

### 12.2 Monitoring, control and surveillance measures for joint stocks

12.2.1 The Delegations agreed to strengthen the efforts relating to MCS measures for joint stocks. To this end they agreed to establish a Working Group of MCS Experts.

12.2.2 In order to facilitate the establishment of the Working Group the Delegations agreed to organise a workshop in 2018 with the intention of describing the fisheries

sector, identify MCS related topics and challenges, and recommend Terms of Reference including a work plan for the Working Group of MCS experts. Terms of Reference for the workshop are set out in Annex XI.

### 12.3 Cooperation, exchange of information and inspectors

- 12.3.1 The Delegations agreed that dynamic cooperation on monitoring, control and surveillance related issues between the inspections services of both Parties is important to achieve level playing field and to increase compliance.
- 12.3.2 The Delegations stated that exchanging relevant data and information would improve risk management by both Parties, taking into account an increased demand for cost effectiveness in monitoring, control and surveillance.
- 12.3.3 The Delegations expressed satisfaction with the operational collaboration between their respective control authorities and encouraged them to continue such cooperation.
- 12.3.4 The Delegations agreed that the Parties could exchange officials as observers in relation to control and enforcement and that these may accompany inspectors from the other Party.
- 12.3.5 Furthermore, the Delegations agreed that the Parties, on an operational level, should exchange information and views regarding issues related to monitoring, control and surveillance of bilateral interest and facilitate meetings when appropriate.
- 12.3.6 The Norwegian Delegation recalled that Norway repeatedly has asked to attend meetings in European Fisheries Control Agency (EFCA) regarding planning of MCS activities within EU waters on joint stocks. The Norwegian Delegation is still of the view that cooperating on this would be of mutual interest, e.g. in light of transparency, securing level playing field, improved use of resources and to increase the general understanding of the Parties' MCS regimes.
- 12.3.7 The EU Delegation informed Norway that EFCA is set up to coordinate inspection activities of EU Member States, and that there are legal issues concerning the involvement of a third party in such arrangements. However, involvement of Norway in NAFO/NEAFC control activities coordinated by EFCA is possible.
- 12.3.8 The Norwegian Delegation took note of the EU Delegation explanations and encouraged the EU Delegation to accommodate the Norwegian request.
- 12.3.9 The Delegations took note of the Report of the Joint Operational Seminar hosted by the Swedish Agency for Marine and Water Management in June 2017. The theme of the Seminar was the control of the landing obligation/discard ban. MCS experts from the Parties and the Faroe Islands, Greenland and Iceland participated in the Seminar. Experts expressed satisfaction with the Seminar, both with the organization and outcome. The Delegations agreed to arrange such seminars bi-annually, and Norway volunteered as host for the next Joint Operational Seminar to be held in 2019.

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## 12.4 Electronic reporting systems (ERS) and Vessel Monitoring Systems (VMS) for fishing vessels

- 12.4.1 The Delegations noted that ERS has given an improved basis for management, monitoring, control and surveillance, and for statistical and scientific purposes. However, the Delegations recognised that there is still room for improving and developing ERS.
- 12.4.2 The Delegations recalled that an Agreed Record was signed in 2014 introducing a separate transportation layer for the electronic exchange of data. They took note of the work of the Working Group of electronic reporting and recording experts in 2017 where initial tests have been performed in order to facilitate the operation of VMS, which should become first business content using the transportation layer. Consequently, the *Agreed Record of Conclusions between Norway and the European Union on Issues Related to Satellite Tracking of Fishing Vessels signed by Norway 15 February 2013 and by the European Union 31 January 2013*, is being revised.
- 12.4.3 Furthermore, the Delegations noted that NEAFC adopted Recommendation 16:2018 to apply the UN/CEFACT standard for communications between the NEAFC Secretariat and Fisheries Monitoring Centres. The Delegations agreed that measures taken by NEAFC are an important continued step towards harmonisation of ERS.
- 12.4.4 The Delegations reiterated the agreed principle outlined in the *Agreed Record of Conclusions of Fisheries Consultations between Norway and the European Union on Electronic Exchange of catch and activity data* signed 14 November 2011 point 6.3 that additional catch and activity data shall be made available to the Parties. The Delegations considered that including fishing activity of the vessel before entering and after exiting the economic zone of the other Party in the exchange of ERS data, would improve monitoring, control and surveillance. However, such approach needs to be elaborated.
- 12.4.5 Therefore, the Delegations agreed to continue the Working Group of electronic reporting and recording experts in 2018. The Delegations agreed that the main focus of the Working Group should be on installing and testing the transportation layer for electronic exchange of VMS data, and on the ERS format allowing the fulfilment of the business requirements in EU and Norway. The Working Group should also address issues concerning extended exchange of ERS data. The Working Group should meet before 31 May 2018 under the Terms of Reference set out in Annex XII.
- 12.4.6 The EU Delegation informed the Norwegian Delegation that within the EU the exchange of electronic catch and activity data in UN/CEFACT format is currently being installed, with a mandatory use by 1 May 2018 at the latest. Exchanges with non-EU partners may continue in the existing format, until a date agreed with the non-EU-partner. It is the intention to roll-out UN/CEFACT exchanges with non-EU partners in 2018 and 2019.
- 12.4.7 The Norwegian Delegation informed the EU Delegation that bilateral arrangement on exchange of electronic catch and activity data have been agreed with Faroe Islands, Iceland and Russia. These agreements are in line with the electronic reporting system that Norway and EU has committed to in the Agreed Record between Norway and EU on electronic exchange of catch and activity data. Furthermore, Norway have started discussions on exchange of electronic catch and activity data with

Greenland.

12.4.8 The Delegations recalled that the Parties in 2015 agreed that the Agreed record of Conclusions of Fisheries Consultations between Norway and the European Union on Electronic Exchange of Catch and Activity data, signed in Bergen on 23 February 2010, and updated in Brussels on 14 November 2011, shall apply for all vessels above 12 meters from 1 October 2015.

### 13 NOTIFICATION OF NEW LEGISLATION

13.1 In view of the importance of each Party communicating in a timely manner the introduction of new fisheries legislation and, in particular, of the need to provide such information in an expeditious manner to fishermen from both Parties, the Delegations agreed to devote renewed attention to the respect of this principle.

13.2 The EU Delegation once again reminded the Norwegian Delegation of the need to provide new legislation in a format which is easily understandable, i.e. English, as soon as such legislation is available.

### 14 UNITED KINGDOM – FAROE ISLANDS SPECIAL AREA

14.1 With regard to Norwegian vessels fishing in the Special Area between the EU fishing zone (United Kingdom waters) and the Faroe Islands fishing zone, the following rules shall apply:

- (1) Vessels fishing in the Special Area shall comply with all relevant fishery rules established by the Party issuing a fishing licence for that vessel.
- (2) If a vessel has obtained a fishing licence from both Parties, the vessel shall report its total catches in the Special Area to both Parties. The catches shall be deducted from the quotas allocated by each Party, divided equally between them. If the quota allocated by one Party is exhausted, the catches shall be deducted from the quota allocated by the other Party.
- (3) Catches taken in the Special Area shall be registered in the logbook.
- (4) Vessels fishing in the Special Area shall be equipped with VMS and be subject to control by the Party or Parties issuing the fishing licence.

14.2 The EU Delegation, furthermore, informed Norway that a specific hail-in and hail-out system for the Special Area will be introduced as soon as possible.

14.3 The Delegations agreed to continue to examine practical solutions in regard to technical regulations in the Special Area, which are applicable to any vessel, which has obtained a fishing licence from either Party.

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Bergen, 1 December 2017

For the Norwegian Delegation

  
Ann Kristin WESTBERG

For the European Union Delegation

  
Jacques VERBORGH

## RECOVERY AND LONG TERM MANAGEMENT STRATEGY FOR COD

The Strategy covers an initial recovery phase as well as a long-term management phase and shall consist of the following elements.

### *Objective*

1. The Parties agree to restrict their fishing on the basis of TACs consistent with a fishing mortality rate that maximises long-term yield and maintains spawning stock biomass above  $B_{pa}$ .

### *Transitional arrangement*

2. The fishing mortality will be reduced by setting a TAC at a level not exceeding that corresponding to a fishing mortality which is a fraction of the estimate of fishing mortality on appropriate age groups in 2008 as follows: 75% for the TACs in 2009, 65% for the TACs in 2011, and applying successive decrements of 10% for the following years.

The transitional phase ends (and will not apply) as from the first year in which the long-term management arrangement (paragraphs 3, 4 and 6) leads to a higher TAC than the transitional arrangement.

### *Long-term management*

3. If the size of the stock on 1 January of the year prior to the year of application of the TACs is:
  - a. Above the precautionary spawning biomass level, the TACs shall correspond to a fishing mortality rate of 0.4 on appropriate age groups;
  - b. Between the minimum spawning biomass level and the precautionary spawning biomass level, the TACs shall not exceed a level corresponding to a fishing mortality rate on appropriate age groups equal to the following formula:
 
$$0.4 - (0.2 * (\text{Precautionary spawning biomass level} - \text{spawning biomass}) / (\text{Precautionary spawning biomass level} - \text{minimum spawning biomass level}))$$
  - c. At or below the limit spawning biomass level, the TAC shall not exceed a level corresponding to a fishing mortality rate of 0.2 on appropriate age groups.
4. Notwithstanding paragraphs 2 and 3, the TAC for 2011 and subsequent years shall not be set at a level that is more than 20% below or above the TACs established in the previous year.
5. When scientific advice indicates that the application of the rules set out in paragraphs 2 to 4 is not appropriate to meet the objectives of the strategy, the Parties may, notwithstanding



the above mentioned provisions, decide on an alternative TAC level.

6. Where the stock has been exploited at a fishing mortality rate close to 0.4 during three successive years, the parameters of this strategy shall be reviewed on the basis of advice from ICES in order to ensure exploitation at maximum sustainable yield.
7. The TAC shall be calculated by deducting the following quantities from the total removals of cod that are advised by ICES as corresponding to the fishing mortality rates consistent with the management strategy:
  - a. A quantity of fish equivalent to the expected discards of cod from the stock concerned;
  - b. A quantity corresponding to other relevant sources of cod mortality.
8. The Parties agree to adopt values for the minimum spawning biomass level (70,000 tonnes), the precautionary biomass level (150,000 tonnes) and to review these quantities as appropriate in the light of ICES advice.

***Procedure for setting TACs in data-poor circumstances***

9. If, due to a lack of sufficiently precise and representative information, it is not possible to implement the provisions in paragraphs 3 to 7, the TAC will be set according to the following procedure.
  - a. If the scientific advice recommends that the catches of cod should be reduced to the lowest possible level the TAC shall be reduced by 25% with respect to the TAC for the preceding year.
  - b. In all other cases the TAC shall be reduced by 15% with respect to the TAC for the previous year, unless the scientific advice recommends otherwise.

This arrangement entered into force on 1 January 2013 and shall be reviewed no later than 31 December 2015.

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## LONG-TERM MANAGEMENT STRATEGY FOR HADDOCK

The Parties agreed to implement a long-term management strategy for the haddock stock in the North Sea and Skagerrak. The objective of the strategy is to provide for sustainable fisheries with high and stable yields in conformity with the precautionary approach.

The strategy shall consist of the following elements:

1. Every effort shall be made to maintain a minimum level of Spawning Stock Biomass greater than 100,000 tonnes ( $B_{lim}$ ).
2. For 2009 and subsequent years the Parties agreed to restrict their fishing on the basis of a TAC consistent with a fishing mortality rate of no more than 0.3 for appropriate age-groups, when the SSB in the end of the year in which the TAC is applied is estimated above 140,000 tonnes ( $B_{pa}$ ).
3. Where the rule in paragraph 2 would lead to a TAC, which deviates by more than 15 % from the TAC of the preceding year, the Parties shall establish a TAC that is no more than 15% greater or 15% less than the TAC of the preceding year.
4. Where the SSB referred to in paragraph 2 is estimated to be below  $B_{pa}$  but above  $B_{lim}$  the TAC shall not exceed a level which will result in a fishing mortality rate equal to  $0.3 - 0.2 * (B_{pa} - SSB) / (B_{pa} - B_{lim})$ . This consideration overrides paragraph 3.
5. Where the SSB referred to in paragraph 2 is estimated to be below  $B_{lim}$  the TAC shall be set at a level corresponding to a total fishing mortality rate of no more than 0.1. This consideration overrides paragraph 3.
6. In the event that ICES advises that changes are required to the precautionary reference points  $B_{pa}$  (140,000t) or  $B_{lim}$ , (100,000t) the Parties shall meet to review paragraphs 1-5.
7. In order to reduce discarding and to increase the spawning stock biomass and the yield of haddock, the Parties agreed that the exploitation pattern shall, while recalling that other demersal species are harvested in these fisheries, be improved in the light of new scientific advice from *inter alia* ICES.
8. No later than 31 December 2014, the Parties shall review the arrangements in paragraphs 1 to 7 in order to ensure that they are consistent with the objective of the strategy. This review shall be conducted after obtaining *inter alia* advice from ICES concerning the performance of the strategy in relation to its objective.

This arrangement entered into force on 1 January 2009.

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## LONG-TERM MANAGEMENT STRATEGY FOR SAITHE

The Parties agreed to implement a long-term management strategy for the saithe stock in the Skagerrak, the North Sea and west of Scotland, which is consistent with a precautionary approach and designed to provide for sustainable fisheries and high yields.

The strategy shall consist of the following elements:

1. Every effort shall be made to maintain a minimum level of Spawning Stock Biomass (SSB) greater than 106,000 tonnes ( $B_{lim}$ ).
2. Where the SSB is estimated to be above 200,000 tonnes the Parties agreed to restrict their fishing on the basis of a TAC consistent with a fishing mortality rate of no more than 0.30 for appropriate age groups.
3. Where the SSB is estimated to be below 200,000 tonnes but above 106,000 tonnes, the TAC shall not exceed a level which, on the basis of a scientific evaluation by ICES, will result in a fishing mortality rate equal to  $0.30 - 0.20 * (200,000 - SSB) / 94,000$ .
4. Where the SSB is estimated by the ICES to be below the minimum level of SSB of 106,000 tonnes the TAC shall be set at a level corresponding to a fishing mortality rate of no more than 0.1.
5. Where the rules in paragraphs 2 and 3 would lead to a TAC, which deviates by more than 15% from the TAC of the preceding year the Parties, shall fix a TAC that is no more than 15% greater or 15% less than the TAC of the preceding year.
6. Notwithstanding paragraph 5 the Parties may where considered appropriate reduce the TAC by more than 15% compared to the TAC of the preceding year.
7. A review of this arrangement shall take place no later than 31 December 2015.

This arrangement entered into force on 1 January 2009.

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**LONG-TERM MANAGEMENT STRATEGY FOR HERRING  
OF NORTH SEA ORIGIN AND ALLOCATION OF CATCHES**

The Parties agreed to continue to implement the management system for North Sea herring, which entered into force on 1 January 1998 and which is consistent with a precautionary approach and designed to ensure a rational exploitation pattern and provide for stable and high yields. This system consists of the following:

1. Every effort shall be made to maintain a minimum level of Spawning Stock Biomass (SSB) greater than 800,000 tonnes ( $B_{lim}$ ).
2. Where the SSB is estimated to be above 1.5 million tonnes the Parties agree to set quotas for the directed fishery and for by-catches in other fisheries, reflecting a fishing mortality rate of no more than 0.26 for 2 ringers and older and no more than 0.05 for 0 - 1 ringers.
3. Where the SSB is estimated to be below 1.5 million tonnes but above 800,000 tonnes, the Parties agree to set quotas for the direct fishery and for by-catches in other fisheries, reflecting a fishing mortality rate on 2 ringers and older equal to:
 

$0.26 - (0.16 * (1,500,000 - SSB) / 700,000)$  for 2 ringers and older, and  
no more than 0.05 for 0 - 1 ringers
4. Where the SSB is estimated to be below 800,000 tonnes the Parties agree to set quotas for the directed fishery and for by-catches in other fisheries, reflecting a fishing mortality rate of less than 0.1 for 2 ringers and older and of less than 0.04 for 0-1 ringers.
5. Where the rules in paragraphs 2 and 3 would lead to a TAC which deviates by more than 15% from the TAC of the preceding year the parties shall fix a TAC that is no more than 15% greater or 15% less than the TAC of the preceding year. However, if the resulting fishing mortality rate would be more than 10% higher or more than 10% lower than that indicated by the rules in paragraphs 2 and 3, the TAC shall be fixed at a level corresponding to a fishing mortality that is respectively 10% higher or 10% lower than that indicated by the rules of paragraphs 2 and 3.
6. Notwithstanding paragraph 5 the Parties may, where considered appropriate, reduce the TAC to a level that corresponds to a fishing mortality more than 10% lower than that indicated by the rules of paragraphs 2 and 3.
7. By-catches of herring may only be landed in ports where adequate sampling schemes to effectively monitor the landings have been set up. All catches landed shall be deducted from the respective quotas set, and the fisheries shall be stopped immediately in the event that the quotas are exhausted.
8. The allocation of the TAC for the directed fishery for herring shall be 29% to Norway and 71% to the EU. The by-catch quota for herring shall be allocated to the EU.
9. A review of this arrangement shall take place no later than 31 December 2017

This arrangement shall enter into force on 1 January 2015.

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**LONG-TERM MANAGEMENT STRATEGY FOR WHITING IN THE NORTH SEA**

The Parties agreed to implement a long-term management strategy for the whiting stock in the North Sea, which is consistent with a precautionary approach and designed to provide for sustainable fisheries and high yields.

The strategy shall consist of the following elements:

1. The Parties shall establish a TAC that is consistent with a fishing mortality rate of no more than 0.15 for appropriate age groups.
2. Where the rule in paragraph 1 would lead to a TAC, which deviates by more than 15% from the TAC of the preceding year, the Parties shall establish a TAC that is no more than 15% greater or 15% less than the TAC of the preceding year.
3. A review of this arrangement shall take place no later than 31 December 2017.

This arrangement entered into force on 1 January 2014.

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## CONDITIONS FOR FISHERIES BY THE PARTIES IN 2018

## I. JOINT STOCKS

1. The Total Allowable Catches (TACs) for the stocks mentioned in Table 1 for 2018 shall be as indicated in that table. If ICES make new scientific recommendations, the Parties will review these TACs.
2. The TACs referred to in paragraph 1 shall be divided between the Parties as indicated in Table 1.
3. Each Party shall inform the other Party of allocations granted to third countries for fishing on the stocks referred to in Table 1.
4. The Parties shall supply each other with monthly catch statistics for fishing on the stocks referred to in Table 1 by their own vessels. Communication of these statistics for the preceding month shall take place at the latest on the last day of each month.

## II. OTHER STOCKS

Each Party shall authorise fishing by vessels of the other Party for the stocks mentioned in Tables 2 to 4 within the quotas set out in these tables.

## III. LICENSING

1. Licensing by either Party of the other Party's vessels in 2018 shall be limited to the following fisheries.
  - A. EU fishing in the Norwegian Economic Zone:
    - all fishing north of 62° N;
    - all industrial fishing and fishing for mackerel in the North Sea;
    - all other fishing with vessels over 200 GRT in the North Sea.
  - B. Norwegian fishing in the EC zone and in Greenland waters:
    - all fishing in NAFO Sub-area 1 and ICES Sub-area XIV and Division Va;
    - all fishing in the EU's fishing zone with vessels over 200 GRT.

For 2018, the number of licences and the conditions of those licences shall be in accordance with the Agreed Record of Conclusions on Licence Arrangements for 1995 between the European Community and Norway signed at Bergen on 13 May 1995.

2. The Parties shall notify each other, according to the types of fishing indicated above, the name and characteristics of the vessels for which licences may be issued.

It is agreed that the requirement for each Party's vessels to keep on-board a licence

whilst fishing in the other Party's zone shall no longer apply.

3. Vessels, which were authorised to fish on 31 December 2017, may continue their activities in 2018.
4. Each Party shall submit to the other Party the names and characteristics of the other Party's vessels which will not be authorised to fish in its fishing zone the next month(s) as a consequence of an infringement of its rules.

#### **IV. FISHERY REGULATIONS**

1. The Parties will consult on fishery regulations in the North Sea, with a view to achieving, as far as possible, the harmonisation of regulatory measures in the zones of the two Parties.
2. A Party intending to introduce or amend fishery regulations, applicable to vessels of the other Party, shall inform the latter of such intentions with a notice of at least two weeks. Exceptionally, the introduction or amendment of fishery regulations, due to concentrations of young fish in limited areas, may be implemented with advance notice of one week. Consultations shall be held if so requested by either Party.

#### **V. CONSULTATIONS**

The two Parties will consult on the implementation of the arrangements set out herein.

#### **VI. IMPLEMENTATION**

In the event that the implementation of the fishery arrangements is delayed, the Parties agreed that the arrangements shall be subject to re-negotiation upon the request of either Party.

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### INTER-ANNUAL QUOTA FLEXIBILITY

1. The Inter-annual quota flexibility scheme as described in this Annex is applicable for the quotas of herring, haddock, saithe, plaice and whiting established in this Agreed Record.
2. 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.
3. 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.
4. Complete catch statistics and quotas for the previous year should be made available to the other Party no later than 1 April in the format as set out below. The Delegations agreed that in order to ensure transparency in the operation of inter-annual quota flexibility, more detailed information on catch utilisation shall be exchanged.
5. The inter-annual quota flexibility scheme should be terminated if the stock is estimated to be under the precautionary biomass level ( $B_{pa}$ ) and the fishing mortality is estimated to be above the precautionary mortality level ( $F_{pa}$ ) the following year, or if the SSB is estimated to be below  $B_{pa}$  in two consecutive years.

### REPORTING OF QUOTAS AND CATCHES

	Quotas for 2018	Catches in 2018	Transfers to 2019	Quotas in 2019	Quotas after transfers in 2019
Norway					
European Union					
Total					

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**MEASURES TO BE MONITORED CONCERNING SLIPPING, DISCARDS  
AND HIGH-GRADING OF PELAGIC SPECIES**

The Delegations agreed that the following control measures shall be applied in fisheries for mackerel, herring and horse mackerel:

1. High grading (*discarding of fish which can be landed legally*) of these species is banned throughout the entire migratory range of the stocks in the North-East Atlantic.
2. Slipping (*releasing the fish before the net is fully taken on board the fishing vessel, resulting in the loss of dead or dying fish*) of these species is banned throughout the entire migratory range of the stocks in the North-East Atlantic.
3. Fishing vessels shall move their fishing grounds when the haul contains more than 10% of undersized fish (*below the minimum landing sizes or the minimum catching sizes*) of these species.
4. The maximum space between bars in the water separator on board fishing vessels shall be 10mm. The bars must be welded in place. If holes are used in the water separator instead of bars, the maximum diameter of the holes must not exceed 10mm. Holes in the chutes before the water separator must not exceed 15mm in diameter.
5. The possibility to discharge fish under the water line of the vessel from buffer tanks or RSW tanks shall be prohibited.
6. Drawings related to catch handling and to discharge capabilities of the vessels, which are certified by the competent authorities of the flag State, as well as any modifications thereto shall be sent to the competent fisheries authorities of the flag State. The competent authorities of the flag State of the vessel shall carry out periodic verifications of the accuracy of the drawings submitted. Copies shall be carried on board at all times.
7. Unless fish is frozen on board the vessel, the carrying or use on board a fishing vessel of equipment, which is capable of automatically grading by size herring, mackerel or horse mackerel, is prohibited. In the case of fish being frozen on board, the fish shall be frozen immediately after grading.

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**MEASURES TO BE APPLIED CONCERNING THE  
WEIGHING AND INSPECTION OF PELAGIC LANDINGS**

The Delegations agreed that the following measures shall be applied to the weighing and inspection of landings exceeding 10 tonnes of mackerel, herring, blue whiting and horse mackerel:

1. All quantities of fresh herring, mackerel, blue whiting and horse mackerel landed must be weighed before sorting and processing. When determining the weight, any deduction for water shall not exceed 2% for landings for human consumption and 0% for landings for industrial purposes.
2. For fish landed frozen the weight shall be determined by weighing all the boxes minus the tare weight (cardboard and plastic) or by multiplying the total number of boxes landed by the average weight of the boxes minus tare weight landed in the same shipment calculated in accordance with an agreed sampling methodology.
3. Landings shall take place in designated ports. Masters of fishing vessels shall submit prior notice of landing including notification of catch on board and submit the estimated catch information to the competent authorities before commencing the discharge of catch.
4. The processor or buyer of the fish shall submit sales information for the payment of the quantities landed to the competent authorities. In cases where fish is placed in storage for a period of time after landings before being sold, information on the catch (weighing note/landing declaration, etc.) should be submitted to the competent authorities.
5. A minimum of 5% of landings and 7.5% of the quantities landed for each species should be subject to a full inspection. This should be based on a risk assessment. A full inspection shall also include cross checks of prior notifications and information submitted to competent authorities of estimated catch, weighing and sales information.

In the case of vessels pumping catch ashore the weighing of the entire discharge from the vessels selected for inspection shall be monitored and a cross-check undertaken between the quantities by species recorded in the landing declaration or sales note and the record of weighing held by the buyer or processor of the fish.

In the case of freezer trawlers, the counting of boxes shall be monitored. The sample weighing of boxes/pallets carried out in order to determine the tare weight shall also be monitored.

It shall be verified that the vessel is empty, once the discharge has been completed.

6. In each case where the checks reveal a significant discrepancy it shall be followed up as an infringement.

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**TERMS OF REFERENCE FOR  
A MONITORING, CONTROL AND SURVEILLANCE (MCS)  
WORKING GROUP FOR 2018 AND 2019**

The Monitoring, Control and Surveillance (MCS) Working Group should meet before 1 April 2018 under the Terms of Reference described below:

The Working Group should submit its reports to the Parties 15 working days in advance of the Coastal State consultations in 2018 and 2019.

Representatives of the Parties should meet no later than 31 January 2018 to plan the activity of the Working Group during 2018.

The objective of the Working Group should be to establish best practice in monitoring, control and surveillance both at sea and on land, to increase compliance and secure a level playing field for fisheries on the following pelagic stocks; mackerel, Norwegian spring-spawning (Atlanto-Scandian) herring, blue whiting and horse mackerel.

The Working Group should be composed of operative MCS experts.

The MCS Working Group should:

- 1) Conduct fact finding missions as appropriate concerning;
  - a. Sea-going missions focusing on slipping, discards and high grading, by-catch issues and other relevant issues in the context of MCS;
  - b. Missions on land focusing on weighing and inspections, by-catch issues and other relevant issues in the context of MCS; and
  - c. Consider findings in fact-finding missions with a view to recommend harmonised practises and regulations;
- 2) Review and identify possible differences in current practises by individual Parties when conducting full inspections, and as appropriate make recommendations to harmonise practices;
- 3) Follow up interagency cooperation between fisheries authorities and metrology services.
- 4) Recommend harmonised requirements for the use of weighing systems that reflect the need for additional national requirements established by individual Parties today, and new requirements on storing data, to reduce the possibility of manipulating weighing systems and landing figures;
- 5) Recommend harmonised requirements for the use of water draining installations used on landings for industrial purposes and consider the effect of such installations with the regard to loss of biological material;
- 6) Follow up on EU's evaluation regarding the tare deduction for landings of pelagic species;
- 7) Identify possible new elements for risk assessment methods and exchange experience in risk assessment. Consider the possibility to share relevant data related to risk assessment and possible share point solutions.

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- 8) Consider measures to reduce slipping, discarding and high-grading in pelagic fisheries, e.g. catch and size distribution analysis, share point solutions, measuring systems on board vessels and other relevant measures, and as appropriate make proposals on this topic.

If there are any other relevant issues, which the Working Group believes would result in a more efficient Monitoring, Control and Surveillance of pelagic fisheries, the Working Group could explore these as appropriate.

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**TERMS OF REFERENCE  
FOR A WORKSHOP REGARDING MONITORING, CONTROL AND SURVEILLANCE OF FISHERIES  
ON JOINT STOCKS**

The Parties agreed to arrange a workshop regarding Monitoring, Control and Surveillance of fisheries on joint stocks in 2018. Both strategic and operative MCS experts should participate in the workshop.

The objectives for the workshop should be to:

- a) describe the fisheries in both whitefish sector (demersal species) and pelagic (North Sea herring and sprat) in the North Sea and Skagerrak,
- b) identify MCS related topics and challenges,
- c) elaborate and prioritize identified issues for future cooperation,
- d) identify possible synergies undertaken in other fora, and
- e) recommend terms of reference including a work plan for the Working Group for future cooperation.

If there are any other relevant issues, which the participants of the workshop believes would result in improved Monitoring, Control and Surveillance of fisheries in the North Sea and Skagerrak, the Working Group could explore these as appropriate.

Representatives of the Parties should meet before 28 February 2018 to plan the workshop. The workshop should be arranged no later than 25 June 2018.

The results from the workshop should be submitted to the Parties well in advance of the fisheries consultations for 2019 and not later than 30 September.

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**TERMS OF REFERENCE OF THE WORKING GROUP ON  
ELECTRONIC REPORTING AND RECORDING EXPERTS FOR 2018**

The Delegations agreed that the Working Group on Electronic Reporting and Recording Experts should meet before 31 May 2018 under the Terms of Reference described below. After that the Working Group should meet as appropriate to closely follow and evaluate the development, tests performed and solve practical questions the Parties may encounter.

The Working Group should submit its report to the Parties well in advance of the annual consultations for 2019, and where appropriate make proposals for measures to be adopted in accordance with the agreed ERS format life cycle.

The Working Group shall:

- Follow up the implementation of the Agreed Record on a Transportation layer on exchange of electronic data signed by the Parties 20 June 2014, focusing on VMS data.
- Follow up the implementation of the agreed electronic reporting system between Norway and the European Union, to secure satisfactory exchange and increased quality of catch and activity data.
- Raise issues concerning exchange of ERS data covering fishing activity before entering and after exiting the economic zone of the other Party.
- Revise the arrangements set down in the Agreed Record of Conclusions of Fisheries Consultations between the European Union and Norway on Electronic exchange of catch and activity data of 14 November 2011, with a view to:
  - Allow for the new reporting in EU waters necessary for the landing obligation
  - Further harmonise business in EU, Norway and NEAFC, based on a push approach, complemented with an additional pull where needed.
  - Establish more harmonised technical procedures and specifications taking into account the use of the transportation layer and UN/CEFACT standards.

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**Table 1**

**2018 JOINT STOCK QUOTAS IN THE NORTH SEA**

Species and ICES Area	TAC	Zonal Attachment <sup>(7)</sup>				Transfer from Norway to European Union <sup>(5)</sup>	Transfer from EU to Norway <sup>(5)</sup>	Quota to Norway		Quota to European Union	
		Norway		European Union				Total	EU Zone <sup>(1)</sup>	Total	Norwegian Zone <sup>(1)</sup>
		%	Tonnes	%	Tonnes						
<b>Cod</b>	43,156	17	7,337	83	35,819		7,337	7,337		31,132	
<b>Haddock</b>	41,767 <sup>(2)</sup>	23	9,606	77	32,161	300	9,306	9,306		24,146	
<b>Saithe</b>	105,793	52	55,012	48	50,781		55,262	55,262	250	50,531	
<b>Whiting</b>	22,057 <sup>(2)</sup>	10	2,206	90	19,851	800	1,406	1,406		13,991	
<b>Plaice</b>	112,643	7	7,885 <sup>(6)</sup>	93	104,758		7,885	7,885		42,986	
<b>Herring</b>	600,588	29	174,171	71	426,417		174,171	50,000 <sup>(3)(4)</sup>		50,000 <sup>(4)</sup>	

(1) Any part of this allocation not taken may be added to the allocation in the Party's own zone.

(2) TAC to include industrial by-catches.

(3) Limited to ICES Divisions 4.a and 4.b.

(4) An additional quantity of maximum 10,000 tonnes will be granted if such an increase is called for.

(5) The Delegations may consider in 2018 possible further transfers.

(6) Of which 300 tonnes may be fished in the Skagerrak

(7) Based on the Nantes Report

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**TABLE 2**

**2018 JOINT STOCK QUOTAS (NOT JOINTLY MANAGED)**

SPECIES AND ICES AREA	QUOTA TO NORWAY IN THE EU ZONE (TONNES)	QUOTA TO EU IN THE NORWEGIAN ZONE (TONNES)
Norway pout	15,000 <sup>(1)</sup>	
Blue ling	150	
Ling	7,500 <sup>(1)(2)</sup>	
Tusk	2,923 <sup>(1)(2)</sup>	
Combined quota	250 <sup>(3)</sup>	
Shrimps		211
Horse mackerel	2,550 <sup>(4)</sup>	
Others	5,750 <sup>(5)</sup>	10,000 <sup>(5)</sup>
Sole	10	
Anglerfish		1,700
Norway lobster		800
Ling		1,350
Tusk		170
Saithe	640 <sup>(6)</sup>	
Blue Whiting	110,000 <sup>(7)(8)</sup>	

- (1) The quotas for ling and tusk are interchangeable of up to 2,000 tonnes and may only be fished with long-lines in ICES Division 5.b and Subareas 6 and 7.
- (2) Of which an incidental catch of other species of 25 % per vessel at any moment is permitted in ICES Subareas 5.b, 6 and 7. However, this percentage may be exceeded in the first 24 hours following the beginning of the fishing on a specific fishing ground. This total incidental catch of other species in 5.b, 6 and 7 may not exceed 3,000 tonnes. By-catch of cod under this provision in area 6.a. may not be more than 5%.
- (3) Fishing with long-lines for grenadiers, rat tails, mora mora and greater forkbeard.
- (4) This quota may be fished in ICES Division 4.a.
- (5) Including fisheries not specifically mentioned; exceptions may be introduced after consultations as appropriate
- (6) North of 56°30'N.
- (7) Of which up to 500 tonnes of argentine (*Argentina spp.*) may be fished.
- (8) Of which up to 40,000 tonnes may be fished in ICES Division 4.a.
- (9) West of 12°W.
- (10) Use of a sorting grid is obligatory

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**TABLE 3**

**2018 QUOTAS TO THE EU OF NORWEGIAN EXCLUSIVE STOCKS**

SPECIES	ICES AREA	QUANTITY (TONNES)
Arcto-Norwegian cod	1; 2	23,008
Arcto-Norwegian haddock	1; 2	1,200
Saithe	1; 2	2,550
Greenland halibut (by-catches)	1; 2	50
Others (by-catches)	1; 2	350

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**TABLE 4**

**2018 QUOTAS TO NORWAY FROM EU EXCLUSIVE STOCKS  
AND FROM EU QUOTAS IN GREENLAND WATERS**

SPECIES	ICES AREA	QUANTITY (TONNES)
Sprat	4	10,000 <sup>(4)</sup>
Greenland halibut	2.a; 6 <sup>(1)</sup>	1,100
Shrimp	14; 5.a	1,500
Greenland halibut	NAFO 1 ICES 14; 5.a	575 575
Grenadier (by-catches)	NAFO 1	80
Grenadier (by-catches)	ICES 14; 5.a	20
Redfish	14; 5.a	628 <sup>(2)</sup>
Capelin	14; 5.a	16,016

<sup>(1)</sup> In ICES Division 6 with long-lines only.

<sup>(2)</sup> May be fished with pelagic trawls.

<sup>(3)</sup> May only be fished with long-lines.

<sup>(4)</sup> To be fished after 1 July 2018 to 30 June 2019

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