

**AGREED RECORD OF CONCLUSIONS OF FISHERIES CONSULTATIONS BETWEEN
THE EUROPEAN UNION AND NORWAY ON THE REGULATION OF FISHERIES IN
SKAGERRAK AND KATTEGAT FOR 2015**

CLONAKILTY, 4 DECEMBER 2014

- 1 A European Union Delegation, headed by Mr John SPENCER, and a Norwegian Delegation, headed by Ms Ann Kristin WESTBERG met in Clonakilty, Ireland from 1 to 4 December 2014 to consult on the regulation of fisheries in the Skagerrak in 2015. The meeting was a continuation of a previous meeting held in Bergen.
- 2 The Heads of Delegations agreed to recommend to their respective authorities the arrangements for the regulation of fisheries in Skagerrak in 2015, outlined in this Agreed Record, including its 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 **Discard ban and related technical measures in the Skagerrak**
 - 4.1 The Norwegian Delegation recalled that the Parties had agreed to introduce new technical measures including a discard ban in the Skagerrak as of 1 January 2013, cf. the Agreed Record on the Regulation of Fisheries in Skagerrak and Kattegat for 2012, Annex III, and the Agreed Record on Measures for the Implementation of a Discard Ban and Control Measures in the Skagerrak area signed 4 July 2012. Regrettably, the agreed measures have not been implemented by the EU. However, Sweden and Denmark have implemented the agreed technical measures in their respective national legislation
 - 4.2 The Norwegian Delegation stated that it would continue to work with the EU on issues relevant to improving the utilisation of marine resources in the Skagerrak area. However, the Norwegian Delegation stated it would consider introducing appropriate measures unilaterally in Norwegian waters in the Skagerrak area, including harmonisation of reporting requirements in the North Sea and Skagerrak.
 - 4.3 The EU Delegation noted that the agreed technical and control measures may be adopted as regional measures under the provisions of the reformed Common Fisheries Policy.
 - 4.4 The Delegations agreed that the Working Group, with revised Terms of Reference (Annex II), should meet in early 2015 and submit its report to the Parties by 15 April 2015 with respect to the first phase of their Terms of Reference. The report on the second phase should be submitted by 31 October 2015.

5 Monitoring, Control and Surveillance

5.1 The Delegations noted that because of significant differences in their respective control systems, a wide-ranging harmonisation between the regimes would not be feasible. Nevertheless, the Delegations recognised that there is a need to reinforce cooperation and contact between the control services, in order to increase the effectiveness of the control.

5.2 The Delegations noted that the issue of the weighing of landings of pelagic vessels is covered under the Agreed Record of Conclusions of Fisheries Consultations between the European Union and Norway for 2015.

6 Access agreement for Skagerrak

6.1 The Delegations referred to the expiry in August 2012 of the Framework Agreement of 19 December 1966 between Norway, Denmark and Sweden on mutual access to fish in Skagerrak and Kattegat.

6.2 The Delegations noted that the 1966 Agreement will be replaced by a new Agreement which will enter into force as soon as the Parties legislative procedures have been fulfilled.

6.3 The Delegations agreed to continue the practice of establishing a separate Agreed Record, on an annual basis, for the regulation of fisheries in the Skagerrak.

7 Total allowable catches and quotas

7.1 The Delegations agreed that vessels should have adequate quota or fishing possibilities to cover expected catch composition when fishing in Skagerrak.

8 Cod

8.1 The Delegations referred to the Agreed Record of Conclusions of Fisheries Consultations between Norway and the European Union for 2015 and agreed that the relevant provisions of section 5.4.11 are equally applicable to the Skagerrak.

9 Haddock

9.1 The Delegations noted that haddock is taken both in directed human consumption fisheries and as by-catches in the industrial fisheries. The Parties shall, during the annual consultations, communicate catch statistics (covering 2014 and preliminary statistics for 2015) on catches taken in the directed fisheries and estimates for by-catches in the industrial fisheries.

9.2 The Delegations referred to the Agreed Record of Conclusions of Fisheries Consultations between Norway and the European Union for 2015 and agreed that the relevant provisions of section 5.2 of that Agreed Record are equally applicable to the Skagerrak.

10 Shrimp

- 10.1 In respect of the shrimp stock, the Delegations took note of the ICES advice for 2015 regarding Divisions IIIa and IVa East, and agreed on a total allowable catch level of 10,900 tonnes for these areas.
- 10.2 The Norwegian Delegation informed the EU Delegation of its intention to fix within the quantity given in point 10.1 a quota for shrimp for Division IVa East of 3,270 tonnes.
- 10.3 The Delegations agreed to continue developing a management strategy for shrimp during the first quarter of 2015
- 10.4 The Delegations agreed that each Party may transfer up to 10% of its 2015 quota to 2014. Quantities transferred shall be deducted from the 2015 quota.
- The Delegations further agreed that each Party may transfer 10% of its 2014 quota to 2015. Quantities transferred shall be added to the 2015 quota.
- 10.5 The Delegations agreed that this inter-annual quota flexibility would be addressed in conjunction with the work on developing a management strategy for shrimp.

11 Herring

- 11.1 The Delegations already agreed in 2014 on a management strategy based on the report of the Working Group on management measures for herring in the Skagerrak and Kattegat. During 2014, they also requested ICES to review the parameters together with the management strategy and they noted that ICES would only deliver that advice in early 2015.
- 11.2 The Delegations agreed, however, to set a TAC for herring in ICES sub-area IIIa in line with the agreed method, applying the parameters 41% of the WBSS MSY advice, and 5.7 % of the TAC for NSAS.
- However, in the interests of stability, the Delegations agreed that the application of this management strategy should be associated with a TAC constraint of +/- 15%.
- This results in a TAC in the Skagerrak and Kattegat of 43,604 tonnes for 2015. The Delegations agreed that for the quotas established for herring in the Skagerrak and Kattegat areas, Norway would be able to fish 50% of its quota in the North Sea in the Norwegian Economic Zone and the European Union would be able to fish 50% of its quota in European Union waters of ICES Area IV.
- 11.3 The Delegations agreed that the system of inter-annual quota flexibility, as set out in paragraph 5.2 of the Agreed Record of Conclusions of Fisheries Consultations between Norway and the European Union for 2015, shall also apply to the quotas of herring in the Skagerrak.
- 11.4 The Delegations concluded that the by-catches of herring taken in industrial and sprat fisheries would be limited to 6,659 tonnes in 2015.

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

11.6 The EU Delegation considered that the fishing mortality on juveniles represents a very small proportion of the natural mortality rate, and was therefore of no significance.

12 Plaice

12.1 The Delegations noted the options for an interim management strategy for plaice, which were considered by ICES as potentially forming the basis of a harvest control rule.

12.2 The Delegations agreed to set the TAC for plaice in the Skagerrak based on this strategy, which consists of comparing the difference in the SSB by using a combined North Sea and Skagerrak assessment, and that using an assessment for the North Sea only. This results in a TAC for 2015 of 10,056 tonnes.

12.3 The Delegations agreed to request ICES to review this strategy in relation to the precautionary approach (Annex III).

13 Sprat

13.1 The Delegations agreed to maintain the TAC for 2015 at 33,280 tonnes.

14 Technical measures

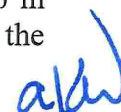
14.1 The Delegations agreed that it would be appropriate to consider alternatives to the technical measures given in Annex III of the Agreed Record on the Regulation of Fisheries in Skagerrak and Kattegat for 2012, if any new information demonstrates that these alternatives are as effective in terms of selectivity.

14.2 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.

14.3 The Delegations agreed that the Working Group on Skagerrak should be mandated to examine whether any of the provisions of the Agreed Record of 4 May 1982 should be reinstated.

15 Catch statistics

15.1 The Delegations agreed to communicate to each other, on a monthly basis, catch statistics for fishing by their own vessels for the species referred to in Annex I. This monthly information shall be communicated not later than the end of the following month.



16 Quota arrangements

- 16.1 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.

Clonakilty, 4 December 2014

For the European Union Delegation


John SPENCER

For the Norwegian Delegation


Ann Kristin WESTBERG

TACs AND ALLOCATIONS IN 2015

Catches taken, during the period 1 January to 31 December 2015 in the Skagerrak and the Kattegat of the species mentioned below, shall be limited as follows (metric tonnes, fresh round weight):

SPECIES	AREA ⁽¹⁾	TAC 2015	ALLOCATION TO NORWAY	ALLOCATION TO EUROPEAN UNION
COD	S	4,171 ⁽⁵⁾	136 ⁽²⁾	4,035
HADDOCK ⁽³⁾	S + K	2,504	105	2,399
WHITING	S + K	1,050	19	1,031
PLAICE	S	10,056	201	9,855
MACKEREL	S + K	pm	pm ⁽⁴⁾	pm
SHRIMPS	S	7,630	3,556	4,074
HERRING	S + K	43,604	5,816	37,788
SPRAT	S + K	33,280	2,496	30,784
OTHERS	S + K	10,000		

⁽¹⁾ Skagerrak (S): the area bounded on the west by a straight line running through the Hanstholm lighthouse and the Lindesnes lighthouse and on the south by a straight line running through the Skagen lighthouse and the Tistlarna lighthouse. Skagerrak and Kattegat (S + K): the area defined as Skagerrak, 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 501 tonnes is available to the Parties (Norway: 16 tonnes, EU: 485 tonnes) under point 8 of this Agreed Record.

**TERMS OF REFERENCE FOR THE
WORKING GROUP ON MANAGEMENT IN THE SKAGERRAK**

Taking into account that currently, that there are two different management regimes in the Skagerrak, one for EU vessels and one for Norwegian vessels, the Working Group shall:

1. Exchange information on status of introducing discard-reducing measures in each Parties zone.
2. Identify possible practical arrangements for fisheries activities in the different economic zones of the Skagerrak, including the continuation of cross border fisheries, with particular emphasis on reporting requirements.
3. Consider options for setting an “other species quota” in the Skagerrak, taking into account, inter alia, the requirement for adequate quota coverage for all species, the differences in the lists of species that are under specific quota management in EU waters and Norwegian waters, the need for efficient and controllable catch reporting and quota management, and any other relevant issues. The advantages and disadvantages of each of these options should be compared, and should include the option of setting “other species” quotas in each Party’s zone similar to those currently set in the North Sea.
4. Consider options for provisions allowing up to 10% quota flexibility between Skagerrak and the North Sea for stocks, which are common for both areas, i.e. shrimps, haddock and cod. The provisions shall give particular considerations to any potential distortions of the marine ecosystems and the traditional fishing patterns.
5. Evaluate whether any of the provisions of the Agreed Record of 4 May 1982 should be reinstated.

The Working Group shall, in a first phase, address points 1 to 3 and convene its first meeting no later than by 28 February 2015, and is requested to submit its report to the Parties before 15 April 2015. In a second phase, the Working Group shall address points 4 and 5, for which it shall submit its report to the Parties by 31 October 2015.



**JOINT REQUEST TO ICES TO EVALUATE OPTIONS FOR A
MANAGEMENT STRATEGY FOR PLAICE**

In its advice of October 2014, ICES noted that there were two options for potential management strategies for plaice in the Skagerrak and that the harvest control rules should be reconsidered after the benchmarking exercise in 2015.

The Parties therefore request ICES to evaluate by 1 November 2015 both options for consistency with the precautionary approach and with MSY objectives once this exercise has been completed.

As part of its evaluation, ICES is asked to highlight any assumptions that are based on incomplete knowledge, or based on current fishing patterns that are liable to change, and consider the sensitivity of their analyses to these assumptions.