



Council of the  
European Union

**Brussels, 13 December 2018  
(OR. en)**

**15560/18**

**LIMITE**

**PECHE 539**

**NOTE**

---

From: General Secretariat of the Council

To: Delegations

---

Subject: - Agreed record of fisheries consultations between Norway and the European Union for 2019

- Agreed record of conclusions of fisheries consultations between Norway and the European Union on the regulation of fisheries in Skagerrak and Kattegat for 2019

- Protocol of fisheries consultations between Norway and the European Union, on behalf of Sweden, for 2019

---

Delegations will find attached the above-mentioned documents as received from the European Commission services.

**AGREED RECORD OF FISHERIES CONSULTATIONS BETWEEN  
NORWAY AND THE EUROPEAN UNION FOR 2019**

- 1 A European Delegation, headed by Mr Jacques VERBORGH, and a Norwegian Delegation headed by Ms Ann Kristin WESTBERG, met in Bergen, Norway from 26 November to 30 November and in London, United Kingdom from 5 December to 7 December 2018 to consult on mutual fisheries relations for 2019.
- 2 The Heads of Delegations agreed to recommend to their respective authorities the fishery arrangements for 2019 as outlined in this Agreed Record, including Annexes I to VIII 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 Bergen on 29 November 2018.
- 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 II, for the quotas of herring, haddock, saithe and plaice shall apply in 2019.
  - 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 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 EU landing obligation will apply in full as of 2019. The Delegations welcomed this convergence of approaches between the EU and Norway.
  - 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 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 Delegations noted that according to ICES advice estimated discards in 2017 are still at a high level (cod 19%, haddock 18%, saithe 7%, plaice 34% and whiting 39%).
- 5.7 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  $F_{MSY}$  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.
- 5.8 The EU Delegation informed about the extensive work taking place through regionalisation in order to implement the landing obligation and mitigate potential choke situations as the EU landing obligation applies to all catches subject to TACs, including by-catches. This has resulted in a number of discard plans underpinned by the EUs comprehensive data collection on catch composition, gear selectivity and discard survival. Discard survival estimates are essential in decisions to exempt catch of certain species in certain gears and areas as mentioned in 5.10.
- 5.9 The EU Delegation informed the Norwegian Delegation that in 2017, the landing obligation was only applicable to some fleet segments, which is in line with the gradual phasing in process. Plaice, cod, saithe and whiting were only applicable to the larger mesh (>100mm) fleets during this time. The EU Delegation notes that for some of the stocks, the levels of unwanted catches fell in 2017 compared to 2016. Given that the landing obligation will be fully implemented as of January 1 2019, it is anticipated that discards will be reduced further in 2019.
- 5.10 In addition, the EU Delegation explained that the EU landing obligation foresees specific exemptions, the so called "*de minimis*" and the *high survivability exemptions*. *De minimis* exemptions allow for discarding small quantities of unavoidable unwanted catch where scientific evidence indicates that increases in selectivity are very difficult to achieve or when handling unwanted catches would have disproportionate costs. Exemptions for high survivability concern catches of species for which scientific evidence demonstrates high survival rates taking into account the



characteristics of the gears, of the fishing practices and of the ecosystem. Furthermore the EU Delegation informed the Norwegian Delegation of its intention in 2019 to deduct from the EU quotas the estimated amounts of the discards in the light of those two exemptions.

5.11 The EU Delegation informed the Norwegian Delegation that the scope of its Special Control and Inspection Programme for the North Sea includes 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.

#### 5.12 Long-term management strategies

5.12.1 The Delegations recalled the Agreed Record of Consultations from 7 June 2018 on long-term management strategies for joint stocks between Norway and the European Union. The Delegations noted that they had submitted a joint request to ICES to evaluate possible elements for long-term management strategies for cod, haddock, saithe, whiting and North Sea autumn spawning herring, and that the response from ICES will be available in April 2019.

5.12.2 The Delegations agreed to meet as soon as possible after the ICES-advice is available in order to establish new management strategies for the said stocks. The Delegations agreed that the aim is to finalize this work during the spring of 2019, in order for ICES to be able to base their 2020 advice on these strategies.

5.12.3 The Delegations recalled that they had received advice from ICES in May and in October 2018 regarding options for a management strategy for Norway pout.

5.12.4 The EU Delegation suggested that a future strategy for Norway pout should be considered in relation with a sharing arrangement.

5.12.5 The Norwegian Delegation stated that discussion about allocation of Norway pout should be referred to a later stage. In the meantime the management of Norway pout would benefit from a joint management strategy between Norway and European Union.

5.12.6 The Delegations agreed to revisit the issue in connection with the consultations referred to in paragraph 5.12.2.

5.12.7 The EU Delegation informed the Norwegian Delegation that its multi-annual plan for demersal stocks in the North Sea has entered in force. The multi-annual plan opens the possibility for using ranges of fishing mortalities fixed around the  $F_{MSY}$  point value whereby fishing within the upper or lower limits of the ranges are linked to certain criteria. The target fishing mortality 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. For the joint stocks concerned, the EU will engage with Norway with a view to ensuring that these stocks are managed in a sustainable manner.

#### 5.13 Cod

5.13.1 Based on its MSY approach ICES advises that total and wanted catches in 2019



3

akw

should not be more than 28,204 and 22,331 tonnes, respectively. The Delegations noted that according to the latest ICES assessment the stock is stable at a low level. ICES consider the biomass to be close to  $B_{lim}$ . The fishing mortality has seen a major decline since 2001, but is still above  $F_{MSY}$ .

- 5.13.2 The Norwegian Delegation pointed out that ICES in its basis for advice assumes discards in 2017 to be 55% of total catch in numbers corresponding to 19% in biomass increasing to 24% of biomass in 2018. In the catch option table for 2019, ICES present levels of unwanted catches to be around 21% of total catch. These estimates show that technical measures aiming at reducing discards as well as increased control at sea is urgently needed.
- 5.13.3 The EU Delegation acknowledged the importance of flanking measures in order to reduce discards and stated that the EU are continuously developing and reviewing technical measures to improve avoidance and selectivity.
- 5.13.4 Considering the severe socio-economic consequences of rigidly following the ICES MSY advice, the Delegations agreed to establish a TAC in 2019 of 35,358 tonnes for cod in Subarea 4, Division 7.d, and Subdivision 20 (North Sea, Eastern English Channel, Skagerrak). This constitutes a decrease of 33% compared to the TAC in 2018.
- 5.13.5 The EU Delegation noted that following the ICES MSY advice would risk effective implementation of the EU's landing obligation. They further noted that the catch option  $F_{MSY}$  in the ICES advice was estimated to increase stock biomass by 15% by 2020.
- 5.13.6 The Delegations agreed that the resulting TAC for ICES Subarea 4 (North Sea) is 29,437 tonnes and the TAC in Subdivision 20 (Skagerrak) is 4,205 tonnes.
- 5.13.7 The EU Delegation informed the Norwegian Delegation of its intention to base its TAC in 2019 according to a traditional approach and yearly agreed split, resulting in a TAC for cod in ICES Div. 7.d. (Eastern Channel) of 1,715 tonnes.

#### 5.14 Haddock

- 5.14.1 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.
- 5.14.2 The Delegations noted that according to the ICES MSY approach, catches in 2019 should be no more than 33,956 tonnes. ICES estimates discards and below minimum size (BMS) landings at 18% of total catch in 2017. The Delegations also noted that recruitment on average has been low since 2000.
- 5.14.3 The Delegations agreed to establish a TAC for 2019 in ICES Subarea 4 (North Sea), Subdivision 20 (Skagerrak) and Division 6.a. (West of Scotland) of 33,956 tonnes. This constitutes a reduction of 31% compared to 2018.
- 5.14.4 Applying the split described in paragraph 5.14.1, the TAC for haddock in ICES Subarea 4 (North Sea) and Subdivision 20 (Skagerrak) is 30,730 tonnes.
- 5.14.5 The Delegations furthermore agreed to apply the traditional split resulting in

akw

4

28,950 tonnes of this TAC to the North Sea and 1,780 tonnes to Skagerrak.

- 5.14.6 The EU Delegation informed the Norwegian Delegation of its intention to apply the agreed split for haddock described in paragraph 5.14.1, resulting in a TAC of 3,226 tonnes in ICES Div. 6.a.

#### 5.15 Saithe

- 5.15.1 The Delegations noted that according to the ICES MSY approach, total catches in 2019 should be no more than 135,035 tonnes, corresponding to wanted catches of no more than 127,619 tonnes. Spawning-stock biomass (SSB) has fluctuated without trend and has been above  $MSY B_{Trigger}$  since 1996. Fishing mortality (F) has been decreasing, and it has been below  $F_{MSY}$  since 2013. Recruitment (R) has fluctuated over time and has been below the long-term average since 2003. The Delegations also noted that ICES estimates discards and BMS landings in 2017 to be at the level of 7% of the total catch.

- 5.15.2 The Delegations agreed to establish a TAC for saithe in ICES Subareas 4 (North Sea) and 6 (Rockall and West of Scotland), and in Division 3.a. (Skagerrak and Kattegat) for 2019 of all together 135,035 tonnes. This constitutes an increase of 16% compared to the TAC for 2018.

- 5.15.3 The Delegations furthermore agreed to establish a TAC for saithe in ICES Subarea 4 and Division 3.a. of 122,342 tonnes, which is in accordance with the traditional split.

- 5.15.4 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 of 12,693 tonnes.

#### 5.16 Whiting

- 5.16.1 The Delegations noted that spawning-stock biomass (SSB) has fluctuated around, and is now above,  $MSY B_{Trigger}$ . Fishing mortality (F) has been above  $F_{MSY}$  throughout the time-series, apart from 2005. Since 2002 recruitment (R) has been generally lower than in previous years. The Delegations recognized that a large fraction of the catch in 2019 will continue to consist of unwanted catch. ICES estimates discard to be 39% of total catch in 2017.

- 5.16.2 The Delegations noted that ICES advises that when the MSY approach is applied, catches for 2019 in ICES Subarea 4 (North Sea) and Div. 7.d (Eastern English Channel) should be no more than 24,195 tonnes. The corresponding amount for wanted catches is 13,052 tonnes.

- 5.16.3 The Delegations agreed to establish a TAC for whiting in 2019 at 24,195 tonnes. This is a reduction of 22% compared to 2018.

- 5.16.4 The Delegations furthermore agreed to apply the traditional split, resulting in 17,191 tonnes to ICES Subarea 4.a. (North Sea) and 4,476 tonnes to ICES Div. 7.d. (Eastern English Channel).

- 5.16.5 The EU Delegation informed the Norwegian Delegation of its intention to base



5



its TAC in 2019 according to the traditional approach for whiting in ICES Div. 7.d. The whiting in the North Sea, ICES Div. 4, and in the Eastern Channel, ICES Div. 7.d, is assessed as a single stock. The split between the ICES Div. 4 and 7.d has been historically made based on the relative catches from the two areas, landed during the previous year, as provided in the ICES advice.


#### 5.17 Plaice

- 5.17.1 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.
- 5.17.2 Based on the MSY approach ICES advises that total and wanted catches in 2019 should not be more than 142,217 and 92,764 tonnes, respectively. The Delegations noted that ICES estimated discard to be 34% of total catch in 2017.
- 5.17.3 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  $F_{MSY}$ .
- 5.17.4 The Delegations agreed to establish a TAC for plaice in ICES Subarea 4 (North Sea) and Subdivision 20 (Skagerrak) in 2019 at 142,217 tonnes. This is an increase of 11% compared to 2018.
- 5.17.5 The Delegations agreed to split the TAC in 125,435 tonnes to Subarea 4 (North Sea) and 16,782 tonnes to Subarea 20 (Skagerrak), which is in accordance with the scheme described in paragraph 5.17.1.

#### 5.18 Herring

- 5.18.1 The Delegations noted that ICES advises that when its MSY approach is applied, catches in 2019 should be no more than 311,572 tonnes, including 291,040 tonnes for the A-fleet. The Delegations also noted that the advised catch in 2019 is substantially lower than last year's advice due to the spawning stock being below MSY  $B_{trigger}$  in 2019 (the very weak 2014 year class enters) and the change in  $F_{msy}$  (from 0.33 to 0.26).
- 5.18.2 The Norwegian Delegation noted that ICES advises a considerable increase in the TAC for the B-fleet. The reason is that the 2017 year class is stronger than the 2016 year class and that ICES uses  $F=0.05$  in its calculations. This  $F$  is taken from the previous Norway-EU management strategy, which is no longer valid. The Norwegian Delegation noted that the overall recruitment has been at a low level since 2002, and stated that it would be appropriate to limit the catches of juvenile herring in order to rebuild the stock and that this quota should be reduced by at least the same proportion as the general reduction of the stock.
- 5.18.3 The Norwegian Delegation stated that fishing of juvenile herring represents a serious case of growth overfishing. Such fishery will reduce future yield from the stock and is of particular concern given the current state of the stock.
- 5.18.4 The Delegations agreed to establish a TAC in 2019 of 385,008 tonnes. This represents a 35.9% decrease compared to the TAC for 2018.



 8

- 5.18.5 The Delegations concluded that the by-catches of herring in other fisheries would be limited to 13,190 tonnes in 2019; this quota will be allocated to the EU.
- 5.18.6 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.
- 5.18.7 The EU Delegation stated that all EU catches are already counted against TACs. On the one hand, catches of herring taken as by-catch in fisheries using nets with mesh sizes smaller than 32mm are counted against the by-catch quota. On the other hand, catches of herring taken in fisheries using nets with mesh sizes equal to or larger than 32mm are counted against the A-fleet herring quotas. If the EU were to follow the Norwegian approach of counting all catches of herring against the A-fleet herring quotas the EU should be attributed a higher share than the present 71 percent.
- 5.18.8 The Delegations agreed to meet early in 2019 to consult on the management for herring in the North Sea and Skagerrak, including TAC-setting methods.

## **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 **Sandeel**
- 6.2.1 The Delegations agreed that latest knowledge on sandeel indicates that this stock consists of several sub-populations. The Delegations noted that ICES had a benchmark meeting 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 **Hake**
- 6.3.1 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.
- 6.3.2 The Norwegian Delegation noted that the increasing stock of Northern hake has expanded its distribution and that a substantial proportion of hake in the North Sea is distributed in the Norwegian zone and that most of hake spawning in the North Sea is in the Norwegian zone. The Norwegian Delegation informed that Norway will consider setting a TAC for catches of Northern hake in the Norwegian economic zone.
- 6.4 **Anglerfish**
- 6.4.1 The Delegations took note of the ICES advice for 2019 indicating that during the period 2011-2017 the stock increased, but decreased in 2018 from a historical high.



7



Applying the ICES approach for data poor stocks, catches of anglerfish could be increased by 20% in relation to the 2018 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 2019 will establish a TAC consistent with ICES advice 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 FMSY advice.

#### 6.6 Norway Pout

6.6.1 According to the latest ICES advice, catches in the period 1 November 2018 – 31 October 2019 should not exceed 135,459 tonnes.

6.6.2 The Delegations informed that they would set a quota for 2019 based on the latest ICES advice.

### 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 Bergen on 1 December 2017, where Norway was granted fishing possibilities for up to 20,000 tonnes of capelin during the 2017/2018 season. The Delegations recalled that an additional quantity of 3,984 tonnes of capelin was transferred to Norway, which means that 398 tonnes in cod equivalents should be added to the EU balance for 2019.

7.1.2 The Delegations noted that the preliminary advice for capelin is zero. However, a new survey is expected to take place early in 2019. The Delegations agreed that in the event that this survey leads to a TAC, the EU will offer Norway a quota of no more than 10,000 tonnes. The corresponding cod equivalents will be added to the EU balance for 2020.

#### 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 2019 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

akw

8

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.
- 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 2019 to 30 June 2020. They further noted that the transfer of 10,000 tonnes shown in Table 4 is conditional on an ICES catch advice in 2019 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 2020.

## 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

## 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.

## 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 2019. The EU Delegation explained that while some important elements such as quantitative targets had been agreed, negotiations on other elements are ongoing and at an advanced stage.

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

- 12.1.1 The Delegations recalled the decision to establish a Working Group of MCS Experts. In order to facilitate the establishment of the Working Group, a Workshop was organized in Kristiansand 19-20 June 2018. At the Workshop MCS experts drafted terms of reference and a work plan for the new Working Group. The Delegations took note of the Report from the Workshop, including the proposed terms of reference and work plan for the next four years.
- 12.1.2 The Delegations agreed to a Terms of Reference for the Working Group on Monitoring, Control and Surveillance of Fisheries on Joint Stocks in the North Sea as well as a work plan. The Terms of Reference and work plan are attached in Annex VI



and Annex VII, respectively. The Working Group should submit an annual report to the Parties well in advance of the annual consultations.

12.1.3 The Delegations noted that EU and Norway have transposed the recommendations made by the Coastal States regarding Norwegian Spring Spawning herring (Atlanto-scandic herring) in their respective legislations, and that the legislation is also applied for other herring stocks in the North-East Atlantic.

12.1.4 The Delegations agreed that in order to avoid duplication of work especially concerning North Sea herring, relevant information and recommendations made by the Coastal State MCS Working Group for pelagic fisheries should be transposed to the Working Group on joint stocks.

12.1.5 The Delegations agreed that the Working Group of MCS experts should meet for the first time no later than 15 April 2019.

**12.2 Coastal State Monitoring, Control and Surveillance (MCS) Working Group for pelagic fisheries**

12.2.1 The Delegations took note of the Report from the Working Group on the activity in 2018. The report is based on work carried out in three 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 2018. One took place at Faroe Islands and focused on landing activities. The other was hosted by the EU and conducted at sea, and focused on issues related to slipping, discard and high-grading.

12.2.2 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 V). The Delegations noted that the Working Group will continue the work in three different subgroups as described in the Report from the Working Group in 2018, including the review of the Annex regarding slipping, discards and high-grading in pelagic fisheries (Annex III), as well as the Annex regarding weighing and inspection of pelagic landings (Annex IV).

12.2.3 Furthermore, the Delegations took note of the Report from the International Seminar on Manipulation of Weighing Systems in Pelagic Sector held in February 2018. The Delegations considered the outcome of the seminar to be of importance for future MCS cooperation.

**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 expressed satisfaction with the operational collaboration between their respective control authorities. Further, they encouraged them to continue exchanging information of relevant data and views regarding issues to improve risk management and increase cost effectiveness related to monitoring, control and surveillance of bilateral interests, hereunder facilitate meetings when appropriate.

12.3.3 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.

- 12.3.4 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.
- 12.3.5 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.
- 12.3.6 The Norwegian Delegation took note of the EU Delegation explanations and encouraged the EU Delegation to accommodate the Norwegian request.
- 12.3.7 The Delegations agreed to arrange the 4<sup>th</sup> Joint Operational Seminar no later than June 2019, and recalled that Norway had volunteered to host this seminar. The Delegations also agreed to invite third countries as usual.
- 12.4 Electronic reporting systems (ERS) and Vessel Monitoring Systems (VMS) for fishing vessels**
- 12.4.1 The Delegations noted at the Annual Meeting of NEAFC in 2018 the Commission adopted a recommendation to introduce an Electronic Reporting System (ERS) in NEAFC based on the FLUX UN/CEFACT International Standard (Recommendation 19:2019), including provisions for a transition period. When the new ERS becomes operational and has entered into force the transition period will last for a maximum of two years.
- 12.4.2 The Delegations agreed that measures taken by NEAFC are an important continued step towards harmonisation of ERS.
- 12.4.3 Furthermore, the Delegations agreed that the new NEAFC ERS should be taken into consideration in the further development and revisions of the existing bilateral agreements on VMS, ERS and licensing. To this end, the Delegations recalled that an Agreed Record was signed in 2014 introducing a separate transportation layer for the electronic exchange of data and noted that this agreement should be aligned with the new ERS in NEAFC. The Delegations reiterated that VMS should become first the 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.
- 12.4.4 Furthermore, 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, and noted that the

12



new NEAFC ERS would allow the Parties to revisit this issue with the intention to make necessary amendments to the Agreed Record to implement this point.

12.4.5 Therefore, the Delegations agreed to continue the Working Group of electronic reporting and recording experts in 2019. The Delegations agreed that the main focus of the Working Group should be to align the FLUX UN/CEFACT standard which has also been chosen for NEAFC ERS. In order to improve risk assessment and ensure a cost effective control, the Working Group should also address issues concerning extended exchange of ERS data. The Working Group should meet before 31 May 2019 under the Terms of Reference set out in Annex VIII.

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 rolled out.

12.4.7 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. The EU Delegation highlights that the lack of understandable rules substantially increases the risk of unintentional non-compliance with Norwegian law and creates a climate of legal uncertainty for the masters of European Union member states vessels. Furthermore, it multiplies the risk of discrepancies between the original Norwegian version and unofficial translation(s) by the EU or its Member States. The implications of this is that reliance on unofficial translations increases the risk of inadvertently contravening Norwegian rules. This means vessel owners may be subject to legal proceedings even if they are operating in good faith as a result of an incorrect interpretation.

### 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



13



quota allocated by the other Party.

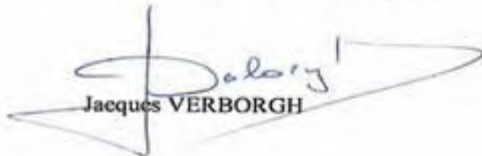
- (3) Catches taken in the Special Area shall be registered in the logbook.
- (4) Vessels fishing in the Special Area shall be equipped with VMS and be subject to control by the Party or Parties issuing the fishing licence.

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.

*Brussels, 12 December 2018*

For the European Union Delegation

  
Jacques VERBORGH

*Oslo, 12 December 2018*

For the Norwegian Delegation

  
Ann Kristin WESTBERG

## CONDITIONS FOR FISHERIES BY THE PARTIES IN 2019

## I. JOINT STOCKS

1. The Total Allowable Catches (TACs) for the stocks mentioned in Table 1 for 2019 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 2019 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 2019, 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

15

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

3. Vessels, which were authorised to fish on 31 December 2018, may continue their activities in 2019.
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.





## 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 2019	Catches in 2019	Transfers to 2020	Quotas in 2020	Quotas after transfers in 2020
Norway					
European Union					
Total					

**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.



**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.

*JD*

*ald*



**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.

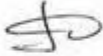
The MCS Working Group should:

- 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.

20

- 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.



**TERMS OF REFERENCE  
FOR A WORKING GROUP ON MONITORING, CONTROL AND SURVEILLANCE OF FISHERIES ON  
JOINT STOCKS FROM 2019 TO 2022**

The objective of the Working Group is to cooperate, exchange information and best practices related to control of joint stocks, in mutual interest in securing continued responsible fisheries and ensuring the long-term conservation and sustainable exploitation of the marine living resources for which the Parties are responsible.

The scope of the Working Group are mainly fisheries for cod, haddock, saithe, whiting, plaice and herring in the North Sea.

The MCS Working Group should:

- a) Compare existing inspection practices and guidelines with the view to recommend best practices for:
  - Sea inspections (e.g. gear, catch composition, discard ban/landing obligation).
  - Landing inspections.
- b) Compare relevant topics with the view to, as appropriate, recommend best practices such as:
  - Weighing requirements, including sampling plans etc.,
  - Logbook, landings, sales documentation and traceability requirements.
- c) Conduct missions (exchange of inspectors) to identify inspection best practices, weighing and documentation practices as appropriate.
- d) Consider the need and topics for training or workshops for inspectors taking advantage of other fora or meetings.
- e) Exchange experience on other relevant issues such as discard ban/landing obligation, post landing inspections, procedures and practices, including as regards enforcement measures further to the identification of violations.
- f) Exchange experience on existing risk assessment methods and consider the possibility to share relevant output data related to risk assessment (identified risks and risk handling) (see also Annex X point 7 of the 2018 bilateral agreement).

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



TENTATIVE WORK PLAN FOR THE MCSWG NORTH SEA

ANNEX VII

Task	2019	2020	2021	2022
a) Sea Inspections	Compare	Rec best practice	-	-
b) Landing inspections	Compare	Rec best practice	-	-
c) Weighing requirements	-	-	Compare	Rec
d) Logbook, landing, sales data and traceability requirements	-	-	Compare	Rec
e) Training/Workshop as appropriate	Training TBD	Training TBD	Training TBD	Training TBD
f) Exchange inspectors/missions (as appropriate)	Missions TBD	Missions TBD	Missions TBD	Missions TBD
g) Post Landing Inspections	-	Compare	Rec best practice	-
h) Risk assessment	Exchange experience and exchange relevant output data (strategic level)	Exchange experience and exchange relevant output data (strategic level)	Exchange experience and exchange relevant output data (strategic and tactical level)	Exchange experience and exchange relevant output data (strategic and tactical level)

*J*

*akw*

**TERMS OF REFERENCE OF THE WORKING GROUP ON  
ELECTRONIC REPORTING AND RECORDING EXPERTS FOR 2019**

The Delegations agreed that the Working Group on Electronic Reporting and Recording Experts should meet before 31 May 2019 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 2020, and where appropriate make proposals for measures to be adopted in accordance with the agreed ERS format life cycle.

The Working Group shall:

- a) 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:
  - o Establish technical procedures and specifications taking into account the use of the FLUX UN/CEFACT standards, in line with the arrangements of the new NEAFC ERS.
  - o Develop the possibility to pull data covering fishing activities before entering and after exiting the economic zone of the other Party.
  - o Allow for the reporting in EU waters necessary for the landing obligation.
- b) Revise the arrangements set down in 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*.
- c) 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.



**Table 1**

**2019 JOINT STOCK QUOTAS IN THE NORTH SEA**

Species and ICES Area	TAC	Zonal Attachment <sup>(1)</sup>				Transfer from Norway to European Union <sup>(2)</sup>	Transfer from EU to Norway <sup>(3)</sup>	Quota to Norway		Quota to European Union	
		Norway		European Union				Total	EU Zone <sup>(4)</sup>	Total	Norwegian Zone <sup>(5)</sup>
		%	Tonnes	%	Tonnes						
<b>Cod</b> 4	29,437	17	5,004	83	24,433			5,004	5,004	24,433	21,236
<b>Haddock</b> 4	28,950 <sup>(2)</sup>	23	6,659	77	22,291	300		6,359	6,359	22,591	16,804
<b>Saithe</b> 4, 3.a	122,342	52	63,618	48	58,724		200	63,818	63,818	58,524	58,524
<b>Whiting</b> 4	17,191 <sup>(3)</sup>	10	1,719	90	15,472	500		1,219	1,219	15,972	10,821
<b>Plaice</b> 4	125,435	7	8,780 <sup>(6)</sup>	93	116,655			8,780	8,780	116,655	47,868
<b>Herring</b> 4, 7.d	385,008	29	111,652	71	273,356			111,652	50,000 <sup>(3)(4)</sup>	273,356	50,000 <sup>(4)</sup>

- <sup>(1)</sup> Any part of this allocation not taken may be added to the allocation in the Party's own zone.
- <sup>(2)</sup> TAC to include industrial by-catches.
- <sup>(3)</sup> Limited to ICES Divisions 4.a and 4.b.
- <sup>(4)</sup> An additional quantity of maximum 10,000 tonnes will be granted if such an increase is called for.
- <sup>(5)</sup> The Delegations may consider in 2019 possible further transfers.
- <sup>(6)</sup> Of which 300 tonnes may be fished in the Skagerrak.
- <sup>(7)</sup> Based on the Nantes Report.



*apd*

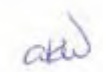


**TABLE 2**

**2019 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 4	14,500 <sup>(10)</sup>	
Blue ling 4; 5.b; 6; 7; 2.a	250	
Ling 4; 5.b; 6; 7; 2.a	8,000 <sup>(1) (2)</sup>	
Tusk 4; 5.b; 6; 7; 2.a	2,923 <sup>(1) (2)</sup>	
Combined quota 5.b; 6; 7	280 <sup>(3)</sup>	
Shrimps 4		200
Horse mackerel 4;b, c	2,550 <sup>(4)</sup>	
Others 4; 2.a (EU Zone)	6,750 <sup>(5)</sup>	11,000 <sup>(3)</sup>
Sole 4	10	
Anglerfish 4		1,700
Norway lobster 4		600
Ling 4		1,350
Tusk 4		170
Saithe 6.a	940 <sup>(6)</sup>	
Blue Whiting 2; 4.a; 6.a <sup>(6)</sup> ; 6.b; 7 <sup>(9)</sup>	99,900 <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

**TABLE 3****2019 QUOTAS TO THE EU OF NORWEGIAN EXCLUSIVE STOCKS**

<b>SPECIES</b>	<b>ICES AREA</b>	<b>QUANTITY (TONNES)</b>
Arcto-Norwegian cod	1; 2	21,518
Arcto-Norwegian haddock	1; 2	1,100
Saithe	1; 2	2,550
Greenland halibut (by-catches)	1; 2	50
Others (by-catches)	1; 2	350

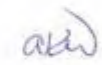


**TABLE 4**

**2019 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>	1,250
Shrimp	14; 5.a	1,200
Greenland halibut	NAFO 1 ICES 14; 5.a	575 575
Grenadier (by-catches)	NAFO 1	40
Grenadier (by-catches)	ICES 14; 5.a	25
Redfish	14; 5.a	561 <sup>(2)</sup>
Capelin	14; 5.a	10,000

- (1) In ICES Division 6 with long-lines only.  
 (2) May be fished with pelagic trawls.  
 (3) May only be fished with long-lines.  
 (4) To be fished after 1 July 2019 to 30 June 2020



**AGREED RECORD OF CONCLUSIONS OF FISHERIES CONSULTATIONS BETWEEN  
NORWAY AND THE EUROPEAN UNION ON THE REGULATION OF FISHERIES IN  
SKAGERRAK AND KATTEGAT FOR 2019**

- 1 A European Union Delegation, headed by Mr Jacques VERBORGH and a Norwegian Delegation, headed by Ms Ann Kristin WESTBERG, met in Bergen, Norway from 26 November to 30 November and in London, United Kingdom from 5 December to 7 December 2018 to consult on the regulation of fisheries in the Skagerrak in 2019.
- 2 The Heads of Delegations agreed to recommend to their respective authorities the arrangements for the regulation of fisheries in Skagerrak in 2019, outlined in this Agreed Record, including Annex I to IV.
- 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 landing obligation in the Skagerrak**
  - 4.1 The Delegations recalled that in 2012 the EU and Norway worked towards the development of harmonised measures for the implementation of a common discard ban in the Skagerrak, including the harmonisation of certain technical measures. It was noted that although the common discard ban was never implemented, Norway, Denmark and Sweden adopted the harmonised technical measures at national level, and that these measures have been incorporated into EU legislation, with effect from 1 January 2016.
  - 4.2 The Delegations noted that the EU landing obligation will apply in full as of 2019.
  - 4.3 The Norwegian Delegation 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  $F_{MSY}$  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.

JD

akw

- 4.4 The EU Delegation informed about the extensive work taking place through regionalisation in order to implement the landing obligation and mitigate potential choke situations as the EU landing obligation applies to all catches subject to TACs, including by-catches. This has resulted in a number of discard plans underpinned by the EUs comprehensive data collection on catch composition, gear selectivity and discard survival. Discard survival estimates are essential in decisions to exempt catch of certain species in certain gears and areas.
- 4.5 The EU Delegation informed the Norwegian Delegation that in 2017, the landing obligation was only applicable to some fleet segments, which is in line with the gradual phasing in process. Plaice, cod, saithe and whiting were only applicable to the larger mesh (>100mm) fleets during this time. The EU Delegation notes that for some of the stocks, the levels of unwanted catches fell in 2017 compared to 2016. Given that the landing obligation will be fully implemented as of January 1 2019, it is anticipated that discards will be reduced further in 2019.
- 4.6 In addition, the EU Delegation explained that the EU landing obligation foresees specific exemptions, the so called "*de minimis*" and the *high survivability* exemptions. *De minimis* exemptions allow for discarding small quantities of unavoidable unwanted catch where scientific evidence indicates that increases in selectivity are very difficult to achieve or when handling unwanted catches would have disproportionate costs. Exemptions for high survivability concern catches of species for which scientific evidence demonstrates high survival rates taking into account the characteristics of the gears, of the fishing practices and of the ecosystem. Furthermore, the EU Delegation informed the Norwegian Delegation of its intention in 2019 to deduct from the EU quotas the estimated amounts of the discards in the light of those two exemptions.

## 5 Management, including Monitoring, Control and Surveillance

- 5.1 The Delegations noted that the cooperation on management has been fruitful in recent years.
- 5.2 The Delegations recognised that there is a need to further strengthen cooperation and contact between the control services, in order to increase the effectiveness of the control.
- 5.3 The Delegations noted that the Monitoring, Control and Surveillance measures for joint stocks and the issue of the weighing of landings of pelagic vessels are covered under the Agreed Record of Conclusions of Fisheries Consultations between Norway and the European Union for 2019.
- 5.4 The Delegations took note of the 2015 report from the Working Group on management in the Skagerrak as well as the Consultations in September 2016 in Stockholm regarding catch reporting and control in cross border fisheries.

JS

akw

5.5 The Delegations noted that, so far, they had not been able to identify an approach that would allow for cross-border fishing activities, while also securing adequate possibilities for control and enforcement. The Delegations therefore agreed that the Parties would study this issue further.

5.6 The Delegations noted that over the years there have been inaccuracies in catch reporting with respect to the allocation of the catches relative to fishing activity to the different economic zones in Skagerrak. The Delegations therefore agreed to develop a new approach to the allocation of catches. The main feature of this method would be to base the allocation on VMS position reports and allocate the catches in proportion to the time spent in each zone. During the annual consultations for 2018, the Delegations had agreed to further develop the allocation method and to make a report no later than June 2018. The Delegations noted that this report is still outstanding and therefore agreed that a status report should be submitted no later than March 2019. The Delegations would address the issue during the forthcoming consultations concerning Skagerrak.

#### **6 Reciprocal access agreement for Skagerrak**

6.1 The Delegations referred to the *Agreement of 15 January 2015 between the Kingdom of Norway and the European Union on Reciprocal Access to Fishing in the Skagerrak for Vessels Flying the Flag of Denmark, Norway and Sweden*.

6.2 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 agreed that the TAC for 2019 should be 4,205 tonnes in Skagerrak.

#### **9 Haddock**

9.1 The Delegations agreed to base the TAC for 2019 on the ICES  $F_{msy}$  advice, resulting in a TAC of 1,780 tonnes.

9.2 The Delegations referred to the Agreed Record of Conclusions of Fisheries Consultations between Norway and the European Union for 2019 and agreed that the system of inter-annual quota flexibility, as set out in paragraph 5.2 of that Agreed Record, are equally applicable to the Skagerrak.

JD

akw



## 10 Pandalus

- 10.1 The Delegations noted that ICES advises that total allowable catches for the first half of 2019 should be no more than 4,608 tonnes. The Delegations also noted that this advice will be revised early 2019.
- 10.2 The Delegations agreed to establish a preliminary TAC for 2019 of 4,608 tonnes, and agreed to apply this on a pro rata basis to cover the first four months of the year in the case of Norway, and the first six months of the year in the case of EU.
- 10.3 The Norwegian Delegation informed the EU Delegation of its intention to fix within the quantity given in point 10.2 a quota for *Pandalus* for Division 4.a. East of 1,382 tonnes.
- 10.4 The Delegations agreed to consult on establishing a final TAC for 2019 as soon as the final ICES advice for *Pandalus* is available.
- 10.5 The Delegations recalled that they on 25<sup>th</sup> April 2018 had agreed to a Long-Term Management Strategy (LTMS) for *Pandalus* in Skagerrak and in the Norwegian Deep that will be applicable from 1 January 2019 onwards. The joint LTMS is set out in Annex II.

## 11 Herring

- 11.1 The Delegations agreed in 2014 on a TAC-setting method based on the report of the Working Group on management measures for herring in the Skagerrak and Kattegat.
- 11.2 The Delegations noted that there are serious concerns about the status of the western Baltic spring spawning herring (WBSS) stock. ICES therefore advises a zero catch for the WBSS, which implies that if the TAC for Division 3.a is set to zero in 2019, the catches of NSAS by the C- and D-fleets would also be zero.
- 11.3 The Delegations noted that the European Union had established a TAC for herring in Subdivisions 22-24 (Western Baltic) corresponding to a TAC of 18,002 tonnes for the WBSS stock.
- 11.4 The EU Delegation informed the Norwegian Delegation that this TAC was established with reference to the EU multiannual plan for the stocks of cod, herring and sprat in the Baltic Sea.
- 11.5 The Delegations decided to apply this TAC when calculating the WBSS proportion of the TAC for herring in Skagerrak and Kattegat.
- 11.6 Based on this TAC-setting method, the Delegations agreed to establish a TAC of 29,326 tonnes in the Skagerrak and Kattegat for 2019.





- 11.7 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 4.
- 11.8 The Delegations concluded that the by-catches of herring taken in industrial and sprat fisheries would be limited to 6,659 tonnes in 2019.
- 11.9 The Norwegian Delegation reiterated 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.
- 11.10 The EU Delegation considered that the fishing mortality on juveniles represents a very small proportion of the natural mortality rate, and was therefore of negligible significance.
- 11.11 The Delegations agreed to meet early in 2019 to consult on the management for herring in the North Sea and Skagerrak, including TAC-setting methods.

## 12 Plaice

- 12.1 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 share for Skagerrak of the overall TAC.
- 12.2 Based on its MSY approach ICES advises that total catches in 2019 should be no more than 142,217 tonnes.
- 12.3 The Delegations agreed to establish a TAC for plaice in ICES Subarea 4 (North Sea) and Subdivision 20 (Skagerrak) in 2019 at 142,217 tonnes. This is an increase of 11% compared to 2018.
- 12.4 The Delegations agreed to apply the scheme described in paragraph 12.1 and establish a TAC of 16,782 tonnes in Skagerrak (Subdivision 20).

## 13 Sprat

- 13.1 The Delegations noted that for a number of years the TAC for sprat in Skagerrak has been much higher than the actual catches. Since sprat is a data limited stock, for which ICES gives advice based on recent landings, this has led to a TAC, which is apparently much higher than that advised. However, the Delegations also noted that the sprat fishery is limited by the herring by-catch ceiling in the fishery rather than by the sprat TAC itself. In view of this, the Delegations agreed to establish a TAC of 26,624 tonnes in 2019.

*J*

*5  
aku*

#### 14 Whiting

14.1 The Delegations agreed to establish a TAC of 1,660 tonnes in 2019.

#### 15 «Others» quota

15.1 The Norwegian Delegation informed the EU Delegation that Norway would set an "others" quota of 2,000 tonnes for the EU vessels fishing in the Norwegian zone. Norway also informed EU that Norwegian vessels catch of "others" species in the EU zone, will be restricted to 2,000 tonnes. Jointly managed stocks (cod, haddock, whiting, saithe, plaice, mackerel, *Pandalus*, herring and sprat) as well as blue whiting, Norway pout, sandeel and horse mackerel are not to be counted against the "others" quotas.

15.2 The EU Delegation was not yet in a position to set an "others" quota for Norwegian vessels in the EU zone, and therefore only require that all vessels continue to report the catches taken in each Party's waters.

#### 16 Technical measures

16.1 The Delegations referred to the *Agreed Record of Fisheries Consultations between the European Union and Norway on Technical Measures in Skagerrak*, signed in Gothenburg 6 September 2018, and in particular to Annex I in that Agreed Record. The Delegations recalled that a joint Real Time Closure (RTC) system for *Pandalus* in Skagerrak should be established no later than 1 July 2019.

16.2 The Delegations agreed to continue the Working Group on Technical Regulations in Skagerrak. The Working Group will undertake a comparison between EU and Norwegian technical regulations for all fisheries, identify specific elements where there are differences and propose possible approaches to harmonization where relevant, also including joint RTC in other fisheries than *Pandalus*. In light of the findings, the Working Group can also review other issues *inter alia* regarding the improvement of gear selectivity. Terms of Reference for this Working Group are set out in Annex IV.

16.3 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.

16.4 The Delegations noted that authorities, industry and scientists have been working together on solving issues related to management of *Pandalus*, in particular regarding reduction of discard. This cooperation has been fruitful and the Delegations are convinced that the technical solutions being developed and implemented, will contribute to reduced discard of *Pandalus*. The Delegations endorsed this form of cooperation in order to handle specific issues.

6

## 17 Catch statistics

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

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

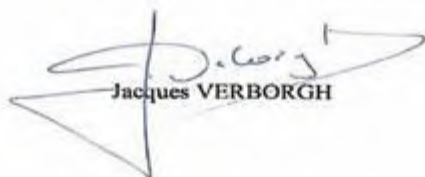
## 18 Quota arrangements

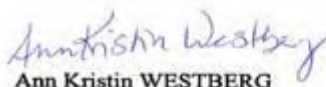
18.1 The Delegations agreed that the negotiated quota arrangements constitute an *ad hoc* solution and shall be without prejudice to future fishery arrangements between the Parties.

Brussele, 12 Desember 2018      Oslo, 12 December 2018

For the European Union Delegation

For the Norwegian Delegation

  
Jacques VERBORGH

  
Ann Kristin WESTBERG

## TACs AND ALLOCATIONS IN 2019

Catches taken, during the period 1 January to 31 December 2019 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 2019	ALLOCATION TO NORWAY	ALLOCATION TO EUROPEAN UNION
COD	S	4,205	136 <sup>(2)</sup>	4,069
HADDOCK <sup>(3)</sup>	S + K	1,780	75	1,706
WHITING	S + K	1,660	30	1,630
PLAICE	S	16,782	336	16,446
MACKEREL	S + K	pm	pm <sup>(4)</sup>	Pm
PANDALUS	S	3,226	1,503	1,723
HERRING	S + K	29,326	3,911	25,415
SPRAT	S + K	26,624	1,997	24,627

<sup>(1)</sup> 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.

<sup>(2)</sup> This quantity does not include catches to be taken with passive gear inside the Norwegian baselines.

<sup>(3)</sup> The TAC for haddock includes both a directed fishery for haddock and by-catches in the industrial fisheries.

<sup>(4)</sup> A part of Norway's quota in the North Sea may be fished in the Skagerrak by vessels not exceeding 90 feet.



**LONG TERM MANAGEMENT STRATEGY FOR NORTHERN SHRIMP (*PANDALUS BOREALIS*) IN DIVISIONS 3.A. AND 4.A.EAST (SKAGERRAK AND KATTEGAT AND NORTHERN NORTH SEA IN THE NORWEGIAN DEEP)**

The Parties agree to implement a Long Term Management Strategy (LTMS) for the Northern shrimp in the Northern North Sea (Norwegian Deep) and in the Skagerrak and Kattegat. The objective of this LTMS is to provide for sustainable fisheries with high and sustainable yields in conformity with the precautionary approach.

For the purpose of this LTSM, the following definitions shall apply:

- "SSB" means the estimate according to ICES of the Spawning Stock Biomass at the beginning of the TAC year.
- $B_{TRIGGER}$  is the value of spawning stock biomass (SSB) that triggers a specific management action.
- $F_{TARGET}$  is the fishing mortality to be included in the algorithm for pre-agreed management actions as a function of variables related to the status of the stock.

Values for  $B_{TRIGGER}$  and  $F_{TARGET}$  are fixed in the light of the latest available ICES advice, at levels of 9 900 t and 0.59 respectively. The TAC will be established for each calendar year (from January 1<sup>st</sup> to December 31<sup>st</sup>).

- By end of the year N-1, a preliminary TAC will be adopted by the Parties based on ICES catch forecast for the six first months of the year N, released in March of year N-1.
- The Parties will establish the final TAC for the entire year N in light of the ICES stock advice released in March of year N.

When establishing the preliminary and the final TACs the following rules shall apply:

- a. When the SSB at the start of the year is estimated at or above  $B_{TRIGGER}$  the Parties will fix a TAC consistent with a fishing mortality rate of  $F_{TARGET}$ .
- b. When the SSB at the start of the year is estimated below  $B_{TRIGGER}$ , the Parties will fix a TAC consistent with a fishing mortality rate of  $F_{TARGET} \times (SSB/B_{TRIGGER})$ .

The TAC will include all removals made from the stock.

When SSB is estimated to be at or above  $B_{TRIGGER}$ , the TAC derived from paragraph (a) can be deviated with up to 10 % according to the "banking and borrowing" scheme described in Annex III to this Agreed Record.

This LTMS will be applicable from 1<sup>st</sup> January 2019 onwards.

It shall be revised by the end of 2021 or following the next ICES benchmark of the stock.

jo

akw

## INTER-ANNUAL QUOTA FLEXIBILITY FOR PANDALUS BOREALIS

1. 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. The quantity cannot be transferred further to the quotas for subsequent years.
2. 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.
3. Complete catch statistics, quotas and inter-annual quota transfers for the previous year should be made available to the other Party no later than 1 May.
4. The inter-annual quota flexibility scheme shall not apply when the SSB is estimated at the beginning of the year to be below  $B_{TRIGGER}$ .

JD

ak2

**TERMS OF REFERENCE  
FOR THE WORKING GROUP ON TECHNICAL MEASURES IN SKAGERRAK**

1. The Working Group shall develop and prepare a system for the introduction of a comprehensive and harmonised Real Time Closure (RTC) as a tool to enhance exploitation pattern in the *Pandalus* fishery in the Skagerrak.

The Working Group shall make recommendations, *inter alia*, for:

**Biological and technical parameters**

- The minimal set of data needed to close an area (size, and number of samples);
- Identify the length that could be used to trigger the RTC;
- The percentage of *Pandalus* below trigger length (in number and/or weight) that will lead to closure of an area, and explore mechanisms for equivalence between weight and number;
- Guidelines for delimiting the geographical boundaries of a closed area;
- Guidelines for which gear may be used inside a closed area;
- The period for which the area should be closed;

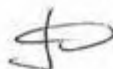
**Procedural issues**

- Procedures for notifying relevant parties of a closure;
- The mechanism by which a closure would be initiated and lifted;

**Control issues**

- The monitoring of closed areas;
  - The exchange of information between control bodies;
  - Requirements for monitoring;
2. The Working Group shall review the selectivity characteristics of the following gears:
    - Danish anchor seines, in particular consider whether the cod-end selectivity across a range of species for Danish seines is different to that of otter trawls and Scottish seines (fly shooting). The Working Group should also present data on the species composition, including seasonal and temporal trends for both Danish seines and otter trawlers operating in similar fisheries in the Skagerrak.
    - Analyze and evaluate the efficacy of species selective grids in pelagic trawl, considering the technical design features and level of use in the fishery.
    - Analyze and evaluate the efficacy of size selective grids in the *Pandalus* fishery, considering the technical design features and level of use in the fishery.
  3. The Working Group will undertake a comparison between EU and Norwegian technical regulations for all fisheries, identify specific elements where there are differences and propose possible approaches to harmonization where relevant, also including joint RTC in other fisheries than *Pandalus*.

The Working Group shall make recommendations by 01/07/2019.



11  


**PROTOCOL OF FISHERIES CONSULTATIONS BETWEEN NORWAY AND THE  
EUROPEAN UNION, ON BEHALF OF SWEDEN, FOR 2019**

Consultations on the Swedish fishery in the Norwegian Economic Zone south of 62° North for 2019, within the framework of the fisheries agreement between Norway and Sweden of 9 December 1976, took place in London on 7 December 2018 between a European Union Delegation on behalf of Sweden, headed by Mr Jacques VERBORGH and a Norwegian Delegation, headed by Ms Ann Kristin WESTBERG.

**1. REPORT ON THE SWEDISH FISHERY IN THE NORWEGIAN ECONOMIC ZONE**

1.1. The EU Delegation, on behalf of Sweden, reported on the Swedish fishery during 2017 and 2018.

It was concluded that the official catch statistics were in conformity with the catch reports submitted by Swedish vessels to the Norwegian fisheries authorities.

1.2. In order to increase transparency, the Delegations agreed to further discuss co-operation in the field of catch statistics. In this context, it was agreed that monthly catch statistics for the preceding month, broken down by species for fisheries regulated under section 2.1 in the Norwegian Economic Zone will be forwarded.

**2. QUOTAS AND LICENCES FOR A SWEDISH FISHERY IN THE NORWEGIAN ECONOMIC ZONE FOR 2019**

2.1. Quotas

The Norwegian Delegation informed the EU Delegation, on behalf of Sweden, that the following quotas would be allocated to Sweden in the Norwegian Economic Zone in 2019:

	Tonnes
Cod	382
Haddock	707
Saithe	880
Pollack and Whiting	190
Herring	886
Mackerel	253 <sup>1</sup>
Shrimps	123
Industrial species, of which a maximum of 400 tonnes of horse mackerel	800
Other species:	At a traditional level

<sup>1</sup> May also be fished north of 62°N

1



By-catches of Cod, Saithe, Haddock, Pollack and Whiting shall be counted against the quotas for these species.

## 2.2. Licences

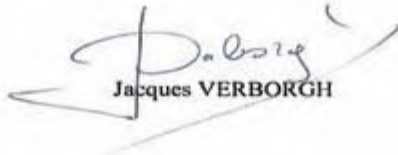
The Norwegian Delegation informed the EU Delegation, on behalf of Sweden, that the licences for Swedish vessels in 2019 will be issued on the same basis as previously, in line with established practice.

Regarding mackerel licences, applications shall be forwarded no later than 31 July 2019 and will be processed and issued before the mackerel fishery is opened in the Norwegian Economic Zone.

The two Delegations agreed that licences issued for fishing under this arrangement in the Norwegian Economic Zone may only be used by vessels flying the flag of Sweden.

*Brussels, 12 December 2018*

For the European Union Delegation,  
on behalf of Sweden

  
Jacques VERBORGH

*Oslo, 12 December 2018*

For the Norwegian Delegation

  
Ann Kristin WESTBERG