

**AGREED RECORD OF CONCLUSIONS OF FISHERIES CONSULTATIONS BETWEEN
NORWAY AND THE EUROPEAN COMMUNITY ON THE REGULATION OF
FISHERIES IN SKAGERRAK AND KATTEGAT FOR 2009**

OSLO, 10 DECEMBER 2008

1. A Norwegian Delegation headed by Ms Ann Kristin WESTBERG and a Community Delegation headed by Mr John SPENCER met in Oslo from 8 to 10 December 2008 to consult on the regulation of fisheries in Skagerrak and Kattegat in 2009. This meeting was a continuation of previous meetings held in Bergen and Brussels.
2. The Heads of Delegations agreed to recommend to their respective authorities the arrangements for the regulation of fisheries in Skagerrak and Kattegat in 2009, outlined in this agreed record including the Annexes.
3. The Delegations reiterated their determination to cooperate, in their mutual interest, in securing continued responsible fisheries and ensuring the long-term conservation and sustainable exploitation of the marine living resources for which they are responsible.
- 4. HADDOCK**
 - 4.1. The Delegations noted that the TAC for haddock includes both a directed fishery for haddock and by-catches in the industrial fisheries.
 - 4.2. The Parties shall, during the annual consultations, communicate catch statistics (covering 2008 and preliminary statistics for 2009) specified as catches taken in the directed fishery for haddock and estimates for by-catches in the industrial fisheries.
- 5. SHRIMP**
 - 5.1. In respect of the shrimp stock, the Delegations took note of the ACFM advice for 2009 regarding Divisions IIIa and IVa East, and they took as a point of departure a total allowable catch level of 16,600 tonnes.
 - 5.2. Norway informed the Community of its intention to fix within this quantity a quota for shrimp for Division IVa East of 4,980 tonnes.

6. HERRING

- 6.1. The Delegations noted that the herring fisheries in the Skagerrak and Kattegat areas exploited both the North Sea herring and the Baltic spring-spawning herring.
- 6.2. The Delegations agreed that as an ad hoc measure for 2009, for the quotas established in the Skagerrak and Kattegat areas, Norway would be able to fish 20 % of its quota in the North Sea in the Norwegian economic zone.
- 6.3. The Delegations concluded that the by-catches of herring taken in industrial and sprat fisheries would be limited to 8,373 tonnes in 2009.
- 6.4. The Delegations also agreed on the continuing need for closer co-operation between their respective scientists in order to promote transparency and mutual understanding of the sampling schemes for catches in industrial fisheries.

7. OTHER JOINT STOCKS

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

8. DISCARDS AND ASSOCIATED ACTIVITIES

- 8.1. The Delegations referred to the Agreed Record of Conclusions of Fisheries Consultations between Norway and the European Community for 2009 and agreed that the relevant provisions of chapter 12, notably 12.2, 12.3, 12.4, section 12.5, section 12.9 and section 12.10, are equally applicable to the Skagerrak.

9. TECHNICAL MEASURES

- 9.1. Fishing with beam-trawls for vessels with engines above 221kw is prohibited in an area inside 12 nautical miles from the coast between Hirtshals lighthouse to Hanstholm.
- 9.2. The Delegations agreed to consider harmonising the technical regulations in Skagerrak with the regulations applicable in the North Sea.
- 9.3. The Norwegian Delegation informed the Community Delegation that Norwegian regulations in the Norwegian Economic Zone in the Skagerrak will be harmonised with the technical regulations in the Norwegian Economic Zone in the North Sea.
- 9.4. The Community Delegation, noting the Norwegian information, considered that this would require further reflections between the Parties.

9.5 The Delegations agreed to recommend that the Parties consult during early 2009 regarding the future of the 16-31 mm small-mesh fisheries in the Skagerrak and Kattegat.

10. WEIGHING OF PELAGIC LANDINGS

10.1. The Delegations noted that the issue of the weighing of landings of pelagic vessels has been covered under the Agreed Record of Conclusions of Fisheries Consultations between Norway and the European Community for 2009.

11. SATELLITE-BASED VESSEL MONITORING AND ELECTRONIC REPORTING SYSTEMS

11.1. The Delegations agreed that the issue of satellite-based vessel monitoring and electronic reporting systems will be dealt with in the framework of the Agreed Record of Conclusions of Fisheries Consultations between Norway and the European Community for 2009.

11.2. Norway and Denmark have implemented an agreement to extend the access of VMS data in Skagerrak. Sweden will adhere to that agreement and will to that effect from 1 January 2009 exchange VMS data for all fishing vessels equipped with VMS in Skagerrak with Norway and Denmark.

12. QUOTA ARRANGEMENTS

12.1. 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.

Oslo, 10 December 2008

For the Norwegian Delegation

For the Community Delegation

Ann Kristin WESTBERG

John SPENCER

ANNEX I

I. TACs AND ALLOCATIONS

Catches taken, during the period 1 January to 31 December 2009 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 2009	ALLOCATION TO NORWAY	ALLOCATION TO EUROPEAN COMMUNITY
COD	S	4,114	133 ⁽²⁾	3,981
HADDOCK ⁽³⁾	S + K	2,590	109	2,481
WHITING	S + K	1,050	19	1,031
PLAICE	S	9,350	187	9,163
MACKEREL	S + K		⁽⁴⁾	
SHRIMPS	S	11,620	5,415	6,205
HERRING	S + K	37,722	5,032	32,690
SPRAT	S + K	52,000	3,900	48,100

⁽¹⁾ Skagerrak (S): the area defined in Article 1 of the Agreement of 19.12.1966. Skagerrak and Kattegat (S + K): the area defined in Article 1 of the Agreement of 10.12.1966, extended to the southern boundary of Kattegat, and defined as a straight line from Hasenøre to Gnibens spids, from Korshage to Spodsbjerg and from Gilbjerg Hoved to Kullen.

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

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

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

II. GEAR

The use of trawl and purse-seine for the capture of pelagic species in the Skagerrak shall be prohibited from Saturday midnight to Sunday midnight.

III. SPRAT

Based on scientific information regarding the prevailing abundance of herring in relation to sprat in the Skagerrak and Kattegat, the Delegations agreed that it would be impractical to apply in 2009 the provisions in the Agreement of 4 May 1982 relating to by-catch and minimum size of herring in a fishery for sprat.

IV. CATCH STATISTICS

The Parties shall communicate to each other, on a monthly basis, catch statistics for fishing by their own vessels for the species referred to in paragraph I.

This monthly information shall be communicated not later than the end of the following month.

ANNEX II

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

The Expert Group is requested to:

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