

**AGREED RECORD OF FISHERIES CONSULTATIONS BETWEEN
THE EUROPEAN UNION AND NORWAY FOR 2024**

8 DECEMBER 2023

- 1 A Norwegian Delegation, headed by Ms. Ann Kristin WESTBERG and a European Union Delegation, headed by Mr. Thomas BRÉGEON, met in Oslo from 30th to 31st October and from 27th to 29th November 2023 and by means of video-conference on 7th and 8th December 2023 to consult on mutual fisheries relations for 2024.
- 2 The Delegations referred to the Agreed Record of Fisheries Consultations between United Kingdom, Norway and the European Union signed on 8 December 2023.
- 3 The scope of this Agreed Record is quota exchange, zonal access and other bilateral issues relating to fisheries between the Parties.
- 4 The Heads of Delegations agreed to recommend to their respective authorities the fishery arrangements for 2024 as outlined in this Agreed Record, including Annex 1 and II and Tables 1 to 5.

5 EXCHANGE OF FISHING POSSIBILITIES

- 5.1 The Parties agreed to exchange a number of fish quotas. The exchange is reflected in Tables 2, 3 and 4.

5.2 *Capelin in ICES Area XIV*

- 5.2.1 The Delegations agreed that in the event that there is a positive TAC-advice for capelin for the fishing season 2023/2024 and subject to Norway maintaining access to Icelandic waters for that season, the EU will offer Norway a quota of 10,000 tonnes. The corresponding cod equivalents are added to the EU balance for 2024. Should the level of the TAC not allow the EU to transfer 10 000 tonnes or Norway not get access to fish this quantity in Icelandic waters, the EU would compensate Norway with the corresponding amount of cod equivalents in the quota exchanges for 2025.

5.3 *Sprat*

- 5.3.1 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 transfer of sprat from the EU to Norway could be fished only during the period 1 July 2024 to 30 June 2025. They further noted that the transfer of 10,000 tonnes shown in Table 2 is conditional on the level of the EU North Sea fishing opportunities in 2024/2025: for a range of 60,000 to 100,000 tonnes, the EU will transfer 10% of its quota to Norway. Should the level of the quota not allow the EU to transfer 10.000 tonnes, it was agreed that the EU would compensate

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Norway with the corresponding amount of cod equivalents in the quota exchanges for 2025.

5.4 *Shrimp (Pandalus borealis) in ICES area IV*

5.4.1 The Delegations agreed to consider exchanges of shrimp (*Pandalus borealis*) in the North Sea from Norway to EU in addition to the level set out in Table 2 once the TAC for the season 2024/2025 has been established. In case of such transfer the EU would compensate Norway with the corresponding amount of cod equivalents for 2025. The Parties also agreed that an alternative option could be that EU compensates Norway with the corresponding amount of cod equivalents already in 2024, if so agreed by the Parties.

5.5 *Northeast Arctic cod*

5.5.1 This Agreed Record does not cover issues related to the implementation of the EU-Norway understanding on fisheries in ICES areas 1 and 2, which is being dealt with in another forum.

5.6 *Redfish in the Norwegian Economic Zone*

5.6.1 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.

6 ZONAL ACCESS

6.1 The Parties agreed to establish zonal access for jointly managed stocks in the North Sea: cod, saithe, North Sea herring, haddock, plaice and whiting. The levels and condition of such access are reflected in Table 1.

6.2 The Parties also agreed to grant zonal access in each other's waters for Norwegian Spring spawning herring and blue whiting to the level reflected in Table 5. Norwegian vessels fishing blue whiting in EU waters shall be subjected to control provisions as set out in Annex II.

6.3 The Parties noted that any access granted, comes in addition to the implicit access from quotas that Parties have acquired from the quota exchange arrangement between Norway and the European Union described in Tables 2, 3 and 4 in waters of the other Party or in Greenlandic waters (Table 4).

6.4 The Norwegian Delegation regretted that the EU had introduced discriminatory area closures affecting Norwegian but not EU-vessels (the so-called Irish box), and underlined that this approach, if continued, creates an unfortunate precedence. Currently, the EU-fleets are not met with any discriminatory measures in Norwegian waters, but this action by EU could open up for similar consideration from the Norwegian side.

6.5 The EU Delegation noted that the access for Union vessels for blue whiting to Norwegian waters is limited to certain areas of the Norwegian EEZ, and that these limitations do not apply to Norwegian vessels. Prior to 2021, the decades-long access arrangements between the Parties for Norwegian vessels to fish for blue whiting never included Union waters South of 56°30'N and East of 12°W. The *ad hoc* access granted by the EU to this area for 2021 and 2022 was exceptional and cannot be seen as setting a precedent.

- 6.6 The EU Delegation noted that the reciprocal access for jointly managed stocks in the North Sea is one of the fundamental elements of the bilateral cooperation on fisheries management between the Parties. It is of mutual interest that the access arrangements are set at levels allowing both Parties optimal utilisation of the available quotas and fisheries management.
- 6.7 The Norwegian Delegation noted that EU vessels currently enjoy a very high level of zonal access in Norwegian waters of the North Sea and Skagerrak.
- 6.8 The EU Delegation noted that, for 2024, Norwegian vessels are provided with approximately 3 times more zonal access than Union vessels in terms of tonnage for all stocks, and that the utilisation of that access in recent years reflects a similar ratio.

7 EXPLORATORY FISHERIES

- 7.1 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.
- 7.2 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.
- 7.3 The Delegations referred to a technical meeting arranged by the EU Delegation on 20 November 2023 in Brussels, where experts from the Belgian authorities informed Norway about the use of beam trawl in dynamic sandy areas, and expressed the wish to also test fishing gear technology in the Norwegian Exclusive Economic Zone.
- 7.4 The Norwegian Delegation informed the EU Delegation of the possibility to submit a request for authorisation for an exploratory fishery, testing fishing gear technology in Norwegian waters. Applications to engage in marine scientific research in waters under Norwegian jurisdiction are to be sent to Missions accredited to Oslo to the Directorate of Fisheries. The application will be subject to ordinary administrative procedures by the Directorate of Fisheries.
- 7.5 The EU Delegation expressed the wish to hold a stock taking meeting at the end of the first quarter of 2024.

8 CATCH INFORMATION

- 8.1 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.

9 TOTAL ALLOWABLE CATCHES AND QUOTAS

- 9.1 The Delegations agreed that vessels should have adequate quota or fishing possibilities to cover expected catch composition when fishing in the waters of the other Party in the North Sea.

10 LICENSING

- 10.1 The Delegations agreed to continue the system with licensing as outlined in Annex I.
- 10.2 The Norwegian Delegation referred to the Agreed Record of Fisheries Consultations between Norway and the European Union on an electronic licensing scheme for fishing vessels signed 15 May 2013, and highlighted the necessity of continuously revision and sharing of updated information to the other party in real time, as described in that Agreed Record.
- 10.3 The Delegations referred to the ongoing work between the Parties in updating and modernising the existing systems for notification and authorisation of fishing vessels and emphasised the importance of finalising this work as soon as possible.

11 CONTROL AND ENFORCEMENT

- 11.1 *Monitoring, Control and Surveillance (MCS) measures for joint stocks in the North Sea*
- 11.1.1 The Delegations referred to Agreed Record of Fisheries Consultations between the European Union, Norway and the United Kingdom for 2024, where it is noted that for a comprehensive management regime, efficient and trustworthy MCS measures are crucial, and that strategic and operative MCS cooperation between the inspections services of the Parties is a prerequisite to improve compliance and to achieve a level playing field.
- 11.2 *Control Measures for Pelagic Stocks in the Northeast Atlantic*
- 11.2.1 The Delegations also referred to the November 2022 Agreed Record of Conclusions of Fisheries Consultations between Greenland, Iceland, the United Kingdom, Norway, the European Union and the Faroe Islands on Control Measures for Pelagic Stocks in the Northeast Atlantic.
- 11.3 *Cooperation, exchange of information and inspectors*
- 11.3.1 The Delegations agreed that both strategic and operative MCS cooperation between the inspections services of the Parties is a prerequisite to improve compliance with the regulations and thereby achieve a level playing field. Enhanced cooperation between inspection services in Norway and the EU (including at Member States level) is of mutual interest, e.g. in light of transparency, compliance, securing level playing field, effective use of resources and to increase the general understanding of the Parties' MCS regimes.
- 11.3.2 The Delegations agreed to strengthen their cooperation and dialogue on Monitoring, Control and Surveillance to enhance compliance with fisheries regulations and further improve MCS measures. To this end, the Delegations agreed that they would seek to revise the existing Memorandum of Understanding from 4 October 2006 between the Kingdom of Norway and the European Community on the Conclusion of Future Bilateral Arrangements for Enhanced Fisheries Cooperation on Control and Enforcement between Norway and the Member States of the European Community. The aim of this revision is to facilitate the cooperation between their respective control authorities both at strategic and operational levels, covering also risk management and joint operational activities. The Delegations agreed to discuss and prepare such an agreement in the spring of 2024, with the ambition of signing at the intersessional meeting in 2024.

12 ELECTRONIC REPORTING SYSTEMS (ERS) AND VESSEL MONITORING SYSTEMS (VMS) FOR FISHING VESSELS

12.1 Electronic reporting

- 12.1.1 The Delegations noted the decision by the North-East Atlantic Fisheries Commission (NEAFC) to implement and set into production the new Electronic Reporting System (ERS) based on the Fisheries Language for Universal Exchange (FLUX) UN/CEFACT Standard on the 15th of January 2024. This date will also be the start of the two-year transition period wherein the remaining Contracting Parties shall test and implement the new ERS data exchange system based on the FLUX UN CEFACT standard. The Delegations agreed that the timeframe established by NEAFC would also be an appropriate timeframe to finalise revisions of the current agreements on bilateral electronic exchange of data between the Parties, including position data, catch and activity data, and notification and authorisation data.
- 12.1.2 The Delegations noted that Norway and EU from 1 January 2023 had already implemented and set into production exchange of position data (VMS) based on the FLUX UN/CEFACT standard.
- 12.1.3 Furthermore, the Delegations noted the progress made at technical level to develop a template for an electronic notification and authorisation scheme based on the FLUX UN/CEFACT standard with the intention to establish bilateral data exchanges, as appropriate. They also noted the ongoing technical work on the electronic exchange of catch and activity data (ERS) based on the FLUX UN/CEFACT standard, and agreed to continue this scoping exercise in a trilateral setting to establish a template with the intention to establish bilateral data exchanges, as appropriate.
- 12.1.4 The Delegations highlighted that well-functioning and reliable systems are of exceptional importance for science, management, control and enforcement of the regulations. Furthermore, the Delegations underlined the requirement of the flag State FMC to forward information of the RET message from the coastal State FMC without undue delay to the master of the vessel to enable the master to fulfil the reporting requirements in Norwegian waters, as well as the importance of the agreed fallback procedures in case of technical issues.
- 12.1.5 The Delegations agreed to seek suitable arrangements within the scope of the trilateral Working Group on Notifications and Authorisations of Fishing Vessels as outlined in Annex IX to the Agreed Record of fisheries consultations between the EU, Norway and the United-Kingdom for 2024, signed on 8 December 2023.

13 NOTIFICATION OF NEW LEGISLATION

- 13.1 The Parties agreed to communicate in a timely manner the introduction of new fisheries legislation that are of relevance for the other Party's fishing vessels.
- 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.

- 13.3 The Norwegian Delegation reiterated that no additional translations will be provided and stressed that the current notification practice is in line with the requirements under the United Nations Convention on the Law of the Sea.
- 13.4 The Norwegian Delegation reminded the EU that every fishing vessel that intend to fish in areas under Norwegian jurisdiction has the duty to seek information on the relevant laws and regulations. Norway expects the EU vessels to comply with the regulations adopted by Norway when fishing in Norwegian waters.

8 December 2023

For the Norwegian Delegation



Ann Kristin WESTBERG

For the European Union Delegation



Thomas BRÉGEON

TABLE 1

ZONAL ACCESS FOR JOINTLY MANAGED STOCKS IN THE NORTH SEA FOR 2024

Species	ICES Areas	TAC		Norwegian Quota		EU Quota		Norwegian access in EU waters		EU access in Norwegian waters	
		Tonnes	Tonnes	Tonnes	Tonnes	Tonnes	Tonnes	Tonnes	Tonnes	Tonnes	Tonnes
Cod	4	24,900		4,233		9,054		3,522		6,551	
Haddock	4	101,421		23,327		12,769		19,410		7,907	
Saithe	4, 3a	66,876		34,776		23,995		28,937		19,976	
Whiting	4	76,697		7,670		19,420		6,382		10,953	
Plaice	4	136,413		9,549		90,755		7,946		31,003	
North Sea herring	4, 7d	510,323		147,994		258,785		2,700		2,700	

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TABLE 2

EXCHANGE OF QUOTAS FROM NORTH SEA AND OTHER AREAS FOR 2024

SPECIES	ICES AREA	QUOTA TO NORWAY IN THE EU ZONE (TONNES)	QUOTA TO THE EU IN THE NORWEGIAN ZONE (TONNES)
Saithe	4, 3a	1,125	
Pandalus	4		50
Anglerfish	4		900
Norway lobster	4		250
Sole	4	5	
Hake	4		1,870
Sprat ¹	4	10,000	
Tusk	4		50
Blue whiting	2a, 4, 6a ² , 6b, 7 ³	48,000	
Ling	4		500
Others ⁴	4	500	1,650

¹ To be fished from 1 July 2024 to 30 June 2025

² North of 56°30'N

³ West of 12°W

⁴ Defined as species not specifically mentioned in Tables 1 to 5

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TABLE 3

QUOTAS TO THE EU OF NORWEGIAN EXCLUSIVE STOCKS FOR 2024

SPECIES	ICES AREA	QUANTITY (TONNES)
Arcto-Norwegian cod	1; 2	9,983
Arcto-Norwegian haddock	1; 2	500
Saithe	1; 2	550
Greenland halibut (by-catches)	1; 2	175
Others (by-catches)	1; 2	175

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TABLE 4

QUOTAS TO NORWAY FROM THE EU QUOTAS IN GREENLANDIC WATERS FOR 2024

SPECIES	ICES AREA	QUANTITY (TONNES)
Shrimp	14; 5.a	1,700
Greenland halibut	NAFO 1	325
	ICES 14; 5.a	650
Grenadier (by-catches)	NAFO 1	55
Grenadier (by-catches)	ICES 14; 5.a	40
Redfish (demersal)	NAFO 1; ICES 14; 5.a	750
Capelin (2023/2024 fishing season)	ICES 14; 5.a	10,000

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TABLE 5

ZONAL ACCESS FOR BLUE WHITING AND NORWEGIAN SPRING SPAWNING HERRING FOR 2024

Species	ICES Area	Access for EU vessels in Norwegian EEZ		Access for Norwegian vessels in EU Zone	
		Tonnes		Tonnes	
Blue whiting	2a, 4, 6a ⁵ , 6b, 7 ⁶	10,000		150,000	
Norwegian Spring spawning herring	Norwegian fisheries jurisdiction North of 62°N	15,107		-	

⁵ North of 56°30'N

⁶ West of 12°W

CONDITIONS FOR FISHERIES BY THE PARTIES IN 2024**I. JOINT STOCKS**

1. The Total Allowable Catches (TACs) for the stocks mentioned in Table 1 for 2024 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 Parties of allocations granted 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 1 to 5 within the quotas set out in these tables.

III. FISHERY REGULATIONS

1. The Parties will consult on fishery regulations in the North Sea, with a view to achieving, as far as possible, the harmonization 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 duly inform the Parties of such intentions without delay.

IV. LICENSING

1. Licensing by either Party of the other Party's vessels in 2024 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 EU 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 2024, the number of licences and the conditions of those licences shall be in

accordance with the Agreed Record of Conclusions on Licence Arrangements for 1995 between the European Community and Norway signed at Bergen on 13 May 1995.

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

It is agreed that the requirement for each Party's vessels to keep on-board a licence whilst fishing in the other Party's zone shall no longer apply.

3. Vessels, which were authorised to fish on 31 December 2023, may continue their activities in 2024.
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.



**CONDITIONS FOR NORWEGIAN VESSELS INTENDING TO FISH
FOR BLUE WHITING IN EUROPEAN UNION WATERS**

The following provisions shall apply to Norwegian vessels intending to fish for blue whiting in European Union waters in 2024:

1. Vessels that already have catch on board.
 - 1.1. Vessels that already have catch on board may only commence their fishing trip after having received authorisation from the competent authority of the coastal Member State concerned.
 - 1.2. Upon entering European Union waters, the master of the vessel shall contact the Fisheries Monitoring Centre of the coastal Member State concerned, as follows:
Ireland (Haulbowline) by e-mail at the following address: fmciireland@defenceforces.ie or by telephone (+353 21 4378752) at least 12 hours prior to entering one of the control areas referred to in point 1.1.
 - 1.3. The notification shall specify the name, international radio call sign and port letters and number (PLN) of the vessel, the total quantity by species on board and the position (longitude/latitude) where the master estimates that the vessel will enter European Union waters as well as the area where he intends to commence fishing. The vessel shall not commence fishing until it has received acknowledgement of the notification and instructions on whether or not the master is required to present the vessel for inspection. Each acknowledgement shall have a unique authorisation number which the master shall retain until the fishing trip is terminated.
 - 1.4. Notwithstanding any inspections that may be carried out at sea the competent authorities may in duly justified circumstances require a master to present his vessel for inspection in waters of Blacksod Bay or in the port of Killybegs.
 - 1.5. Vessels that enter European Union waters with no catch on board shall be exempt from the requirements laid down in point 1.
 - 1.6. Vessels that transit through European Union waters must stow their nets so that they may not readily be used in accordance with the following conditions:
 - a. Nets, weights and similar gear shall be disconnected from their trawl boards and towing and hauling wires and ropes; and
 - b. Nets, which are on or above deck, shall be securely lashed to same part of the superstructure.