

**AGREED RECORD OF CONCLUSIONS OF FISHERIES CONSULTATIONS
BETWEEN THE EUROPEAN COMMUNITY AND NORWAY FOR 2008**

BRUSSELS, 26 NOVEMBER 2007

1. A Community Delegation headed by Mr Constantin ALEXANDROU and a Norwegian Delegation headed by Ms Ann Kristin WESTBERG met in Brussels from 21 to 26 November 2007 to consult on mutual fisheries relations for 2008. The meeting was a continuation of a previous meeting held in Bergen.
2. The Heads of Delegation agreed to recommend to their respective authorities the fishery arrangements for 2008 as outlined in this Agreed Record including Annexes I to XI and Tables 1 to 5.
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. The Delegations noted with satisfaction the outcome of the policy seminar "Visions for a future European fishery policy" that took place in Lofoten in September 2007. The Delegations agreed that this had been very useful in facilitating an exchange of views as a common understanding of the challenges faced by managers. The Delegations agreed that this forum provides an important platform for exchanges of views and policy development and agreed to meet in a similar forum at one or two-year intervals in the future.
5. **JOINTLY MANAGED STOCKS**
 - 5.1. The Delegations noted with satisfaction that the fishing mortality of cod, according to the latest advice from ICES, has declined and is now below the precautionary reference point F_{pa} . Furthermore, they noted that the fishing mortality on saithe is now below the level recommended as a target by the EU – Norway ad hoc scientific Working Group on multi-annual management plans for stocks shared by EU and Norway. The Delegations, however, recognised that the fishing mortality on cod is still too high, being above the long-term target level and that a further reduction is needed to ensure the recovery of that stock.
 - 5.2. The Delegations also agreed to continue to improve the exploitation pattern through technical measures such as reduction of discards, improving 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.

5.3. Long-term management plans

- 5.3.1. The Delegations reaffirmed their commitment to manage the jointly managed stocks in accordance with the long-term management plans as set out in Annexes I to IV.
- 5.3.2. The Delegations noted their joint commitment to revise the long-term management plans for North Sea herring and saithe before 31 December 2007. However, they recognised that ICES had been unable to provide the necessary scientific advice to allow for this revision. To this end, they agreed that the existing long-term management plans for these two stocks would continue to be operational in 2008 and that they would revise both long-term management plans no later than 31 December 2008.
- 5.3.3. The Delegations recognised that a commitment was made at the fisheries consultations for 2007 to implement a new long-term management plan for plaice from 1 January 2008. They recognised that despite the considerable efforts in 2007, the Parties had been unable to agree upon a long-term management plan for plaice at this juncture. The Delegations agreed to continue the work on developing this long-term management plan and to consult no later than April 2008. This long-term management plan will be based upon a number of basic principles as set out in Annex V.

5.4. Cod

- 5.4.1. The Delegations expressed their continued concern at the reduced reproductive capacity of the cod stock as described in the latest ICES advice, which underlines that further action is needed. Furthermore, they noted that the assessment of the state of the cod stock is very uncertain due to incomplete catch data. They took note of the ICES evaluation of increased recruitment and the forecast of increasing spawning stock size. The Delegations acknowledged that there had been good collaboration between the two Parties on the recovery of cod in the North Sea and confirmed their willingness to continue this collaboration.
- 5.4.2. The Delegations also noted that because of the mixed nature of most cod fisheries in the North Sea, management measures must cover all fisheries catching cod. To rebuild the cod stock, the Delegations therefore agreed, when fixing the TACs for the stocks caught in association, to take the situation for the cod stock into account.
- 5.4.3. The Delegations agreed that a review of measures to improve the recovery prospects of cod was necessary. They agreed that the Parties should meet in the first half of 2008 in order to address this topic.
- 5.4.4. The Community Delegation informed the Norwegian Delegation of its intention of reducing the discard rate (i.e. the proportion of the catch that is discarded) of cod to 10%. This is to be implemented by three measures:
- Incentives to change the behaviour of fishermen, such as through cod avoidance measures to be developed at the industry's initiative and monitored with observer coverage; or

- Introduction of technical measures, to be tested in 2008 on a commercial scale with scientifically qualified observers during the test phase and introduced on a wide scale in 2009; and
- Where the two foregoing measures cannot be applied, a further reduction in fishing effort for vessels catching significant amounts of cod.

5.4.5. The Norwegian Delegation welcomed the intention of the Community to reduce the discard rate of cod to 10%. Furthermore, the Norwegian Delegation informed the Community about the Norwegian management of the cod fishery, i.e. a licensing scheme for vessels, discard ban, by-catch regulations, closed areas and other technical regulations.

5.5. Haddock

5.5.1. The Delegations welcomed the revision of the long-term management plan for haddock, which came into effect on 1 January 2007.

5.6. Saithe

5.6.1. The Community Delegation informed Norway about their intention of ensuring consistency between the quota, which they will set for saithe in ICES Division VIa for 2008 and the TAC fixed for ICES Divisions IV and IIIa. The Community Delegation informed Norway of its intention to fix a quota for saithe for Division VIa of 14,100 tonnes.

5.6.2. The Norwegian Delegation pointed to the fact that Norway has introduced a minimum mesh size of 120mm for trawling for demersal species in the North Sea. The Norwegian Delegation expressed their regret and concern that the Community had not fixed a minimum mesh size of 120mm when fishing for saithe in Community waters.

5.7. Whiting

5.7.1. The Community Delegation explained that during 2008, the Community will be identifying measures aimed at reducing discards of whiting in the North Sea by more than 30%. Once identified, the Community will trial these measures before introducing them into Community legislation. The Community will report the results of these trials to Norway prior to the annual consultations on the fisheries arrangements between the Community and Norway for 2009.

5.8. Plaice

5.8.1. The Community Delegation informed the Norwegian Delegation of the continued efforts made by Member States to reduce substantially the fishing effort in flatfish fisheries. Furthermore, the Community Delegation informed the Norwegian Delegation that effort management is already implemented as part of the Community's management of flatfish fisheries.

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5.9. Herring

- 5.9.1. The Delegations acknowledged that they had followed the long-term management plan referred to in Annex IV of this Agreed Record. However, they noted that the spawning stock biomass according to the latest advice from ICES was below B_{pa} and expressed their deep concern at the low recruitment to this stock in the last six years.
- 5.9.2. The Delegations concluded that the by-catches of herring in other fisheries will be limited to 18,806 tonnes in 2008; this quota will be allocated to the Community.

5.10. Mackerel

- 5.10.1. The Delegations discussed issues relating to the management of mackerel, referring in particular to the fisheries consultations between the European Community, the Faroe Islands and Norway. They expressed their satisfaction that at the consultations between these Parties in Oslo on 29 and 30 October 2007, they had concluded an ad hoc coastal State agreement on the management of mackerel for 2008.
- 5.10.2. The Delegations also expressed satisfaction about this year's Annual Meeting of the North-East Atlantic Fisheries Commission (NEAFC) which has resulted in the establishment of management measures for mackerel.
- 5.10.3. The Delegations agreed to the arrangement for mackerel set out in Tables 1 and 2. Furthermore, the Delegations agreed upon an allocation of their joint share of 11,158 tonnes of the NEAFC allowable catch, which results in a share of 3,246 tonnes to Norway and 7,912 tonnes to the Community. The Delegations agreed to inform NEAFC accordingly. They noted that the catch levels set for 2008, in respect of western mackerel, constitute an ad hoc arrangement and do not relate to an assessment of the distribution of the stock in the zones of the two Parties, this being without prejudice to future arrangements.
- 5.10.4. The Delegation of Norway declared that all fisheries of North-East Atlantic mackerel conducted within the zones under the fisheries jurisdictions of the three relevant coastal States in the North-East Atlantic should be jointly managed and consequently be covered within the total catch limitation.
- 5.10.5. The Community Delegation declared that the coastal State agreement only applied to the Northern area as defined by ICES for the North-East Atlantic mackerel stock.
- 5.10.6. The Delegations concurred that issues relating to the management of mackerel are complex and, therefore, merit in-depth scrutiny. They acknowledged the mutual sensitivity of these issues and recognised that, under these very circumstances, a constructive and unbiased dialogue must continue with a view to bringing about a further improved, comprehensive and rational management system for mackerel. This dialogue must continue both bilaterally and, as appropriate, in the context of the coastal States forum with the inclusion of the Faroe Islands. The

dialogue will have to address, inter alia, topics such as the relevant management areas, outstanding control and enforcement matters, measures to prevent misreporting and other appropriate technical regulations, the sharing of the mackerel stock, access and flexibility arrangements, economic factors and any other issues, which might be of relevance to the management of the mackerel stock.

5.10.7. With a view to achieving a more rational management system based upon improved scientific knowledge, the Delegations agreed to continue to advance activities in this area through the co-ordination of relevant research. Such research should cover genetics, biological markers of stock identity, extended tagging programmes, improved sampling and reporting of catch and discard data, as well as improved and extended surveys. Furthermore, the Delegations agreed to encourage financial means for such investigations to be made available from the relevant resources. The Delegations agreed to ensure adequate biological sampling from all mackerel fisheries by the two Parties. They noted with satisfaction that acoustic and aerial surveys are now co-ordinated through ICES and agreed to encourage all relevant countries to participate in such surveys, in particular in the northern areas.

6. BLUE WHITING

6.1. The Delegations expressed their satisfaction that at consultations between the Parties in London on 22 and 23 October 2007 the coastal States had reached an agreement on the management of the blue whiting stock for 2008. The Delegations agreed on the importance of continuing to ensure an optimal biological, sustainable and economic utilisation of the available fisheries resources for the fishermen of both Parties.

6.2. The Community Delegation explained that the Community is currently considering introducing measures for the protection of vulnerable habitats containing deep-sea corals from fishing activities in four areas west and southwest of Ireland. They stressed the Community's sensitivity to Norwegian concerns at possible restrictions on fishing for blue whiting and considered that the conservation measures should not prevent Norway's ability to utilise its agreed fishing possibilities in Community waters. Should practical problems be encountered concerning Norway's uptake of its blue whiting quotas in relation to these measures, the Delegations agreed that the Parties should meet in order to seek a practical solution to the problems.

6.3. The Norwegian Delegation appreciated the Community Delegation's efforts to prevent any negative impact on the blue whiting fisheries in the Special Conservation Areas west and southwest of Ireland. However, the Norwegian Delegation emphasised that such conservation measures should be proportionate to their objectives, as pelagic trawling has no negative impact on marine bottom habitats. Moreover, the Norwegian Delegation fears that this blanket approach to the protection of deep-water corals sets an unfortunate precedent. Such measures will undermine the legitimacy of fishery conservation measures taken in order to protect vulnerable marine bottom habitats.

7. OTHER JOINT STOCKS

7.1. The Delegations took due note of the joint European Community – Norway report on the ad hoc scientific working group on management measures for

sandeel, Norway pout, anglerfish and horse mackerel in the North Sea and Skagerrak held in Charlottenlund, Denmark from 23 to 27 May 2005. On the basis of this report, the Parties have met on four occasions, latterly in Copenhagen in June 2006. Despite their endeavours, the Delegations acknowledged that additional work on possible joint management measures for these stocks is still required before any possible decisions can be taken by the Parties. To this end, the Delegations agreed that the Parties would continue to work during 2008 and in the established ad hoc Working Group with the Terms of References as laid down in Annex IX. The Delegations agreed that the Working Group would meet during the first half of 2008.

7.2. Norway pout

7.2.1. The Delegations took note of the recent advice from ICES for 2008. Following internal agreement by the Parties on measures for this stock for 2008, the Delegations agreed that they would inform one another immediately of the nature of the measures for their respective fisheries, which would be taken in the light of this advice. Furthermore, in the light of any new scientific advice from ICES, they agreed that the Parties shall consult in 2008 on the possible revision of those measures.

7.3. Sandeel

7.3.1. The Delegations took note of the recent suggestion from ICES in reply to the joint Community – Norway request on this issue concerning the management procedures for sandeel for 2008. To this end, the Parties agreed to conduct a joint monitoring fishery for sandeel in the North Sea during 2008, restricted to the effort level deployed during the monitoring fishery carried out in 2007. The harvest control rule for the management of the sandeel in 2008 is outlined in Annex X.

7.4. Anglerfish

7.4.1 The Delegations took note of the ICES advice of October 2007 stating that the effort in fisheries that catch anglerfish should not be allowed to increase. 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 (see point 13). The Delegations recognised the need for improved scientific knowledge of the stock and enhanced scientific co-operation.

7.4.2. The Norwegian Delegation expressed its concern about the substantial and unsustainable trawl fishery on small anglerfish and declared the intention of Norway to continue to reduce this fishery.

8. EXCHANGE OF FISHING POSSIBILITIES

8.1 Redfish in the Norwegian Economic Zone

8.1.1. The Delegations referred to the enlargement of the Community in 1986 and to the commitment made by Norway to facilitate this enlargement under the terms of the Agreement in the form of an Exchange of Letters signed at Oporto on 2

May 1992, which includes an allocation to the Community of 1,500 tonnes of redfish north of 62°N outside the balance of the bilateral fisheries agreement.

8.1.2. The Delegations agreed that the ICES advice for 2008 stipulates that there should be no directed fishery upon this stock during 2008 and that only by-catches should be allowed when fishing north of 62°N. The Delegation of Norway informed the Community that no directed fishery would be allowed by its vessels or those of third countries on the basis of this advice. Against this background, the Community accepted that as an ad hoc measure for 2008, its fishing possibilities for redfish should be limited only to by-catches.

8.1.3. The Delegations restricted the transfer of redfish from Norway to the Community to the allocation outside the balance of the bilateral fisheries agreement. They acknowledged that this is an ad hoc arrangement for 2008 without prejudice to any future arrangement.

8.2. Redfish in ICES Areas XIV and Va

8.2.1. The Community informed Norway that it would confirm the quantity of redfish in ICES Areas XIV and Va available to Norway for 2008, from its own fishing possibilities in Greenland waters, following the adoption of management measures by NEAFC for the redfish in the Irminger Sea and adjacent areas.

8.2.2. In the event that the quantity of redfish specified in Table 5 of this Agreed Record could not be made available by the Community, the Delegations agreed to consult no later than 1 April 2008 in order to re-establish the balance of the arrangement to the mutual satisfaction of both Parties.

8.2.3. In case there was no agreement between the Parties, the Norwegian Delegation stated that it would notify the European Community of corresponding adjustments to Table 4 of this Agreed Record. The Norwegian Delegation stated that this would also be contingent upon Norway having full flexibility to fish this quota of redfish either in Greenland waters or in the NEAFC Regulatory Area.

8.2.4. The Community Delegation, noting that any solution to this issue should be reached to the mutual satisfaction of both Parties, added that this flexibility was not in its gift and was dependent upon Norway being granted flexibility bilaterally by Greenland.

8.2.5. Furthermore, the Community Delegation informed the Norwegian Delegation that for 2008, the arrangement for transfers of redfish to Norway is an ad hoc one and without prejudice to any future arrangement.

8.3. Shrimp in ICES Area XIV

8.3.1. The Community Delegation informed the Norwegian Delegation that for 2008, the arrangement for the additional transfers of shrimp to Norway is an *ad hoc* one and is without prejudice to any future arrangement.

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8.4. Capelin in ICES Area XIV

- 8.4.1. The Delegations agreed that as soon as the capelin in the waters of Greenland becomes available again at the levels of previous years, the Community will ensure that an additional quantity of 7,965 tonnes of capelin above the normal balance will be made available to Norway.

8.5. Anglerfish and Norway lobster

- 8.5.1. The Norwegian Delegation informed the Community Delegation that for 2008, the arrangement for transfers of anglerfish and Norway lobster to the Community are ad hoc and without prejudice to any future arrangements.

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.

9.2. Working group on quota flexibility

- 9.2.1 The Delegations discussed the issue of year-to-year quota flexibility, whereby some unutilised quotas could be transferred and added to the following year's quotas or over-fished quotas could be deducted from the following year's quota. The Delegations agreed that such flexibility could be considered insofar as the stocks concerned are within safe biological limits.

- 9.2.2. The Norwegian Delegation stated that it is still premature to introduce quota flexibility at this stage, considering that the Parties' management systems differ particularly on the subjects of discarding and catch recording.

- 9.2.3 The Community Delegation disagreed that it is premature and pointed to the fact that such a system had already been introduced for two stocks of common interest to the Community and Norway and managed by the coastal State process, namely blue whiting and Atlanto-Scandian / Norwegian spring spawning herring. Furthermore, the Community had been using a system of quota flexibility for certain autonomous stocks in the North Sea since 1996.

- 9.2.4. The Delegations agreed to establish a Working Group on quota flexibility which should meet during the first quarter of 2008 under the Terms of Reference set out in Annex XI.

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.

11. CATCH REPORTING DISCREPANCIES

- 11.1. It was noted that there is a recurring problem in relation to discrepancies between reported official catches or landings and catch statistics utilised by ICES. The discrepancies are assumed to be due to misreporting, inadequate accounting of discards, by-catches and other factors contributing to the total out-take of the stocks. In this context, the Delegations noted that a working group on catch reporting and catch statistics has been set up and will be convened if necessary.

12. NEW TECHNICAL MEASURES

- 12.1 The Delegations noted that for the purpose of improving the exploitation pattern in the fisheries in the North Sea and Skagerrak, an expert meeting had been held from 4 to 6 June 2007 in Ålesund, Norway. The Delegations shared the view that such an expert meeting should be convened on a regular basis, as appropriate.

The Delegations welcomed the report of the expert meeting, and they shared the view that the report would be one key document to be discussed at a meeting on technical measures between the Parties that they agreed to convene in the Community not later than March 2008. Based on this report, and other relevant documents, the Delegations are to identify technical measures that will improve exploitation pattern (i.e. reducing discards and by-catches) of the fish stocks in the North Sea and Skagerrak. Furthermore, they should outline a timetable for implementation of identified measures.

- 12.2. The Community Delegation informed the Norwegian Delegation of the Community's forthcoming review of its technical measures for the Atlantic and the North Sea. The main objectives of that revision will be:

- a) to bring together relevant technological information and, when appropriate, improve the effectiveness of existing technical measures;
- b) to simplify these rules which are often too complex and difficult to understand and enforce; and
- c) to adapt the technical measures to the context of the new Common Fisheries Policy in particular regarding the establishment of the Regional Advisory Councils and the environmental aspects such as the protection of marine habitats and the reduction of discards.

The Community Delegation informed the Norwegian Delegation that the new proposal will be discussed in the Community during 2008.

- 12.3. The Community Delegation informed the Norwegian Delegation that the recommendations presented in the report of the expert meeting on gear technology, which was held in Ålesund in June 2007, will be taken into account when drawing up the new technical measures.

- 12.4. With a view to gradually eliminating discards in the Community, the Community Delegation informed Norway that the first regulations in this direction will be proposed by the European Commission during 2008. The European Commission remains aware of the work carried out by Norway on reducing discards

and suggested that the exchange of views with Norway should continue with a view to preparing the Community's continued action in this area.

- 12.5. The Community Delegation informed the Norwegian Delegation about its ban of the use of gillnets in depths greater than 200m, which was implemented in 2006, although it noted that there are two derogations up to 600m when deploying gillnets targeting hake and anglerfish. The extension of the area subject to that ban, in particular in the North Sea, is under examination by the Community.
- 12.6. The Norwegian Delegation informed the Community Delegation about Norway's intention, in line with recommendations of the report of the expert meeting, to introduce a sorting grid system in the trawl when fishing for blue whiting in the Norwegian Economic Zone during 2008.
- 12.7. The Norwegian Delegation furthermore expressed concern over the fishery for Norway pout, and noted that during 2008 Norway would consider the introduction of measure to reduce the level of by-catches and improve the control of the fishery. In this context it was observed that a Member State was to carry out surveys for the testing of a grid sorting system in the trawl when fishing for Norway pout.

13. GHOST FISHING AND GEAR CONFLICTS

- 13.1. The Community Delegation informed the Norwegian Delegation about the Community's considerations with the view to extend the geographical scope of Council Regulation No 41/2007, Annex III, to also apply to ICES area IV. The Delegations shared the view that the current Regulation No 41/2007, together with a possible geographical extension, would constitute an important step forward in the fight against ghost fishing and thereby in promoting environmentally friendly fishing practices.
- 13.2. The Delegations noted that both Parties would, in line with previous agreements, conduct gear retrieval surveys in 2008.

14. CONTROL AND ENFORCEMENT

14.1. IUU fishing

- 14.1.1. The Delegations agreed that there is a strong need for effective control and enforcement in order to combat IUU fishing. In this respect the Delegations noted that significant progress has been achieved within the framework of NEAFC and stressed the importance of close co-operation in order to achieve additional progress in eliminating IUU activities. The Delegations agreed that the Parties should continue to work closely together to improve control and enforcement on this issue.

14.2. Port State control

- 14.2.1. The Delegations agreed that measures on port State control would play an important role in combating IUU activities. In this regard the Delegations noted that significant progress has been achieved during 2007 following the successful

implementation of the NEAFC port State control scheme. The Delegations agreed that it would be necessary to continue to monitor closely the implementation of such measures by the Parties.

14.2.2. The Delegations agreed that in addition to an exchange of inspectors between the Parties, the exchange of inspectors with other NEAFC Contracting Parties should be encouraged. It was agreed that experts from the other Contracting Parties who work with the port State control scheme at an operational level could be invited to participate as observers for parts of future meetings of the Working Group.

14.3. Weighing and inspection of pelagic landings

14.3.1. The Delegations noted that the measures adopted in 2004 are being implemented along with the harmonised methodology for conducting full inspections. The introduction of these measures has improved control and the Delegations believe that the level of under-reporting due to undeclared landings has been significantly reduced. The measures agreed for the weighing and inspection of landings of mackerel, herring and horse mackerel are set down in Annex VII.

14.3.2. The Delegations agreed that it was necessary to continue to monitor closely the implementation of the measures agreed and to address outstanding control issues. The Delegations agreed that any situation that might undermine fair competition between the Parties must be avoided. In this regard, it was agreed that information on the follow up of infringements should also continue to be exchanged in accordance with procedures developed by the Working Group. It was also agreed that the Working Group should keep technical issues under review.

14.3.3. In response to concerns expressed by the Community Delegation with regard to differences between the Community and Norway on the application of prior notifications, authorisation to discharge, logbooks and cross checks, the Delegation of Norway informed the Community that as regards prior notification the Fisheries Directorate has full access in real time to this information from the sales organisation. The prior notice of landing would become an obligation when electronic logbooks are introduced.

14.3.4. The Delegations agreed that the Working Group should continue to pay particular attention to slipping, discards and high-grading. The work should focus on assessing the implications in the area of control and enforcement of the existing knowledge about the mortality of mackerel. Further focus should be put on examining the situation with regard to equipment that can be used by vessels to grade mackerel and the regulations put in place with regard to such equipment as well as the possibilities that may exist for discarding fish. Further consideration should be made to placing observers on board fishing vessels in order to monitor slipping, discards and high-grading in the mackerel fishery.

14.4. Landings of white fish

14.4.1. The Delegations noted the conclusions reached in the Working Group and agreed that cooperation should be increased between the inspection services of both Parties, in particular through the involvement in the Joint Deployment Plan drawn up by the Community Fisheries Control Agency (CFCA) following the establishment by the Community of a specific monitoring programme for cod. Given the state of certain stocks in the North Sea, the Delegations agreed that there is a need to keep the situation with regard to control measures and cooperation under review.

14.5. Exchange of information and inspectors

14.5.1. The Delegations agreed that the Parties should continue to exchange officials as observers in relation to control and enforcement. They agreed that officials may accompany inspectors from the other Party on missions related to the implementation of measures agreed in this Agreement. The Delegations also agreed to continue the exchange of information, on a monthly basis and at more frequent intervals upon request, on landings by vessels of either Party and landings by third country vessels in the respective ports of the Parties.

14.6. Working Group of Control Experts

14.6.1. The Delegations agreed that a Working Group of Control Experts should be established and that the Working Group shall meet in the first half of 2008 to address the control issues outlined in paragraphs 12.1 to 12.5. The Terms of Reference of the Working Group for 2008 are set down in Annex VII.

14.7. Satellite-based vessel monitoring systems for fishing vessels (VMS)

14.7.1. The Delegations noted that on 23 May 2007 the Parties had consulted on VMS with the view to develop the system further to form an even more effective tool in the overall Monitoring, Control and Surveillance (MCS) of fisheries, and in particular to curb IUU fishing activities. They reconfirmed their shared view that the most important aspect of such a development would be to increase the level of transparency with regard to fishing vessels activities no matter where they take place. A first step in this direction is the agreement at the meeting on 23 May 2007 on the exchange of VMS data between Denmark, Sweden and Norway in Skagerrak, ICES division IIIa, which has been implemented in 2007 in Denmark and is technically ready for implementation in Sweden.

14.7.2. The Delegations agreed to finalise the work of improving the electronic communication between Fisheries Monitoring Centres, inter alia to replace X.25 with HTTPS, during the first half of 2008.

14.7.3. The Delegations agreed to examine, during the first half of 2008, the possibility of amending point 9 of the Agreed Record of Conclusions between the European Community and Norway on issues related to satellite tracking of fishing vessels of 19 May 2004 so that the latest position message from the vessel shall be

communicated from the flag State FMC to the other Party without delay on an hourly basis.

14.7.4. The Norwegian Delegation informed the Community Delegation that Norway was in the process of extending VMS obligations to all Norwegian vessels greater than 21 metres in length as from 1 June 2008. Further more it is planned to oblige vessels greater than 15 metres to use VMS as from 1 January 2009.

14.7.5. The Delegations agreed to meet during the first half of 2008 for the purpose of reviewing the development of the VMS.

14.8. Electronic reporting systems for fishing vessels

14.8.1. The Delegations noted that at the meeting on 23 May 2007 there had also been consultations on ERS and electronic logbooks. They recognised the fact that the Parties had pursued different approaches as to the development of electronic recording and reporting. Whilst Norway had chosen to develop ERS as a transitional phase towards a fully fledged electronic logbook system, as agreed in point 11.8.1 of the Agreed record for 2007, the Community had chosen not to establish such a transitional phase.

14.8.2. The Norwegian Delegation informed the Community Delegation about its decision, under the circumstances, not to oblige fishing vessels from EU to report electronically when fishing in Norwegian waters in 2008. Consequently, Norway would not implement the requirement of prior notification of landing into Norwegian ports.

14.8.3. The Community Delegation informed the Norwegian Delegation about the Commission's proposal for an Implementation Regulation based upon Council Regulation (EC) No 1966/ 2006 on electronic recording and reporting of fishing activities and on means of remote sensing. As the proposal foresees entry into force on 1 January 2008, EU fishing vessels greater than 24 metres in length would be obliged to electronically record and transmit catch and landing data from 1 January 2010.

14.8.4. The Norwegian Delegation informed the Community Delegation about its intention to introduce the electronic logbook during 2009 for Norwegian vessels beyond 24 metres in length.

14.8.5. The Delegations reiterated the necessity of developing electronic logbook systems that will be compatible between the Parties. They agreed that the close cooperation on issues related to the electronic logbook would be necessary, inter alia by way of information and technical consultations.

14.9. Vessel detection system (VDS)

14.9.1. The Community Delegation gave an update on VDS developments. 4 campaigns were carried out in 2007. The objective was to improve image quality and speed of data reception. Progress had also been made with integration of VDS data with AIS and VMS data. The overall cost of processing VDS images has been

reduced. The final report on this work is being prepared and the results will be presented during the meeting on VMS in the first half of 2008.

14.10. Licensing

14.10.1. The Delegations noted that an electronic system now was provided for, so that it could be utilised for vessel notification purposes for 2008.

14.10.2. The Delegations realised, however, that the comprehensive electronic licensing system would need further testing before being implemented, and urged the parties to give this project the highest priority during the first quarter of 2008.

14.11. Control of blue whiting fisheries in Community waters

14.11.1. The Norwegian Delegation requested an amendment of current control regime relating to the Norwegian blue whiting fishery in Community waters by way of establishing an additional control area to the west of Ireland. The rationale behind the request was to facilitate a traditional fishing pattern and to reduce steaming distance and costs for the vessels.

14.11.2. The Community Delegation informed the Norwegian Delegation that in order to maintain an effective control of the blue whiting fishery the current provisions on control would continue to be applied.

14.12. Conversion factors

14.12.1. The Delegations noted that a meeting between the Parties on the application of conversion factors had been held in The Norwegian Directorate of Fisheries in March 2007. They shared the view that it would be beneficial if the Parties through consultations could be able to harmonise conversion factors for products of joint stocks in the North Sea and Skagerrak. They agreed to start such harmonisation process for saithe during 2008.

15. UNITED KINGDOM – FAROE ISLANDS SPECIAL AREA

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

- a. A vessel fishing in the Special Area shall comply with all relevant fishery rules established by the Party issuing a fishing licence for that vessel.
- b. If a vessel has obtained a fishing licence from both Parties, the vessel shall report its total catches in the Special Area to both Parties. The catches shall be deducted from the quotas allocated by each Party, divided equally between them. If the quota allocated by one Party is exhausted, the catches shall be deducted from the quota allocated by the other Party.
- c. Catches taken in the Special Area shall be registered in the logbook.

- d. 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.

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

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.

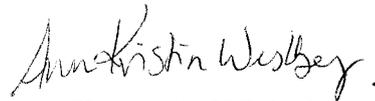
Brussels, 26 November 2007

For the Community Delegation



Constantin ALEXANDROU

For the Norwegian Delegation



Ann Kristin WESTBERG

ANNEX I

LONG-TERM MANAGEMENT PLAN FOR COD

The Parties agreed to implement a long-term management plan for the cod stock, which is consistent with the precautionary approach and is intended to provide for sustainable fisheries and high yield.

Once the stock of cod has been measured for the current year and for the previous year as no longer being at risk of reduced reproductive capacity, the plan will come into operation on 1 January of the subsequent year.

The plan shall consist of the following elements:

1. Every effort shall be made to maintain a minimum level of Spawning Stock Biomass (SSB) greater than 70,000 tonnes (B_{lim}).
2. Where the SSB is estimated to be above 150,000 tonnes the parties agreed to restrict their fishing on the basis of a TAC consistent with a fishing mortality rate that maximises long term yield. The parties agreed to use $F=0.4$ on appropriate age-groups.
3. Where the rule in paragraph 2 would lead to a TAC which deviates by more than 15% from the TAC for the preceding year, the Parties shall fix a TAC that is neither more than 15% greater nor 15% less than the TAC of the preceding year.
4. Should the SSB of cod fall below 150 000t (B_{pa}) the Parties shall decide on a TAC that is lower than that corresponding to the application of the rules in paragraphs 2 and 3.
5. The Parties may where considered appropriate reduce the TAC by more than 15% compared to the TAC of the preceding year.
6. This plan shall be subject to triennial review, the first of which will take place before 1 January 2009, including appropriate adaptations to the target mortality rate specified in paragraph 2.

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ANNEX II

LONG-TERM MANAGEMENT PLAN FOR HADDOCK

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

The plan shall consist of the following elements:

1. Every effort shall be made to maintain a minimum level of Spawning Stock Biomass greater than 100,000 tonnes (B_{lim}).
2. For 2007 and subsequent years the Parties agreed to restrict their fishing on the basis of a TAC consistent with a fishing mortality rate of no more than 0.3 for appropriate age-groups, when the SSB in the end of the year in which the TAC is applied is estimated above 140,000 tonnes (B_{pa}).
3. Where the rule in paragraph 2 would lead to a TAC which deviates by more than 15% from the TAC of the preceding year the Parties shall establish a TAC that is no more than 15% greater or 15% less than the TAC of the preceding year.
4. Where the SSB referred to in paragraph 2 is estimated to be below B_{pa} but above B_{lim} the TAC shall not exceed a level which will result in a fishing mortality rate equal to $0.3 - 0.2 * (B_{pa} - SSB) / (B_{pa} - B_{lim})$. This consideration overrides paragraph 3.
5. Where the SSB referred to in paragraph 2 is estimated to be below B_{lim} the TAC shall be set at a level corresponding to a total fishing mortality rate of no more than 0.1. This consideration overrides paragraph 3.
6. In order to reduce discarding and to increase the spawning stock biomass and the yield of haddock, the Parties agreed that the exploitation pattern shall, while recalling that other demersal species are harvested in these fisheries, be improved in the light of new scientific advice from *inter alia* ICES.
7. In the event that ICES advises that changes are required to the precautionary reference points B_{pa} (140,000t) or B_{lim} (100,000t) the Parties shall meet to review paragraphs 1-5.
8. No later than 31 December 2009, the parties shall review the arrangements in paragraphs 1 to 7 in order to ensure that they are consistent with the objective of the plan. This review shall be conducted after obtaining *inter alia* advice from ICES concerning the performance of the plan in relation to its objective.

This arrangement entered into force on 1 January 2007.

ANNEX III

LONG-TERM MANAGEMENT PLAN FOR SAITHE

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

The plan shall consist of the following elements:

1. Every effort shall be made to maintain a minimum level of Spawning Stock Biomass (SSB) greater than 106,000 tonnes (B_{lim}).
2. Where the SSB is estimated to be above 200,000 tonnes the Parties agreed to restrict their fishing on the basis of a TAC consistent with a fishing mortality rate of no more than 0.30 for appropriate age groups.
3. Where the SSB is estimated to be below 200,000 tonnes but above 106,000 tonnes, the TAC shall not exceed a level which, on the basis of a scientific evaluation by ICES, will result in a fishing mortality rate equal to $0.30 - 0.20 * (200,000 - SSB) / 94,000$.
4. Where the SSB is estimated by the ICES to be below the minimum level of SSB of 106,000 tonnes the TAC shall be set at a level corresponding to a fishing mortality rate of no more than 0.1.
5. Where the rules in paragraphs 2 and 3 would lead to a TAC which deviates by more than 15% from the TAC of the preceding year the Parties shall fix a TAC that is no more than 15% greater or 15% less than the TAC of the preceding year.
6. Notwithstanding paragraph 5 the Parties may where considered appropriate reduce the TAC by more than 15% compared to the TAC of the preceding year.
7. A review of this arrangement shall take place no later than 31 December 2008.
8. This arrangement entered into force on 1 January 2005.

ANNEX IV

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

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

1. Every effort shall be made to maintain a minimum level of Spawning Stock Biomass (SSB) greater than 800,000 tonnes (B_{lim}).
2. Where the SSB is estimated to be above 1.3 million tonnes the Parties agree to set quotas for the directed fishery and for by-catches in other fisheries, reflecting a fishing mortality rate of no more than 0.25 for 2 ringers and older and no more than 0.12 for 0-1 ringers.
3. Where the SSB is estimated to be below 1.3 million tonnes but above 800,000 tonnes, the Parties agree to set quotas for the direct fishery and for by-catches in other fisheries, reflecting a fishing mortality rate equal to:
 $0.25 - (0.15 * (1,300,000 - SSB) / 500,000)$ for 2 ringers and older, and
 $0.12 - (0.08 * (1,300,000 - SSB) / 500,000)$ for 0-1 ringers
4. Where the SSB is estimated to be below 800,000 tonnes the Parties agree to set quotas for the directed fishery and for by-catches in other fisheries, reflecting a fishing mortality rate of less than 0.1 for 2 ringers and older and of less than 0.04 for 0-1 ringers .
5. Where the rules in paragraphs 2 and 3 would lead to a TAC which deviates by more than 15% from the TAC of the preceding year the parties shall fix a TAC that is no more than 15% greater or 15% less than the TAC of the preceding year.
6. Notwithstanding paragraph 5 the Parties may, where considered appropriate, reduce the TAC by more than 15% compared to the TAC of the preceding year.
7. By-catches of herring may only be landed in ports where adequate sampling schemes to effectively monitor the landings have been set up. All catches landed shall be deducted from the respective quotas set, and the fisheries shall be stopped immediately in the event that the quotas are exhausted.
8. The allocation of the TAC for the directed fishery for herring shall be 29% to Norway and 71% to the Community. The by-catch quota for herring shall be allocated to the Community.
9. A review of this arrangement shall take place no later than 31 December 2008.
10. This arrangement entered into force on 1 January 2005.

ANNEX V

BASIC PRINCIPLES FOR A LONG-TERM MANAGEMENT PLAN FOR PLAICE

- The initial aim of this long-term management plan will be to bring the spawning stock biomass (SSB) up to an agreed minimum target level (B_{pa}) and fishing mortality below an agreed maximum level (F_{pa}).
- After having reached this level, the plan should provide for an agreed target mortality rate for sustainable fisheries and high yield in the longer term.
- Where either or both the SSB is estimated to be below the precautionary biomass level (B_{pa}) and the fishing mortality is above the precautionary level (F_{pa}), the Parties will restrict their fishing on the basis of a TAC consistent with a gradual reduction in the fishing mortality rate.
- Where this leads to a TAC which deviates by more than 15% from the TAC for the preceding year, the Parties shall fix a TAC that is neither more than 15% greater nor 15% less than the TAC of the preceding year.
- Should the SSB of plaice fall below the minimum level (B_{lim}), the Parties shall decide on a TAC that is lower than that corresponding to the application of the applicable deviation rules.
- This plan shall be subject to regular review after consulting the relevant scientific bodies. It shall include if necessary adaptations to the appropriate target mortality rate as decided by the Parties. In particular, a decision shall be taken on the long-term target fishing mortality rates once the fishery exploiting the stock of plaice is operating within safe biological limits.
- Further measures to reduce discards of plaice should be considered. Other measures should also be considered.

ANNEX VI

CONDITIONS FOR FISHERIES BY THE PARTIES IN 2008

I. JOINT STOCKS

1. The Total Allowable Catches (TACs) for the stocks mentioned in Table 1 shall for 2008 be as indicated in that table. If new scientific recommendations are made by ICES, 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 3 to 5 within the quotas set out in these tables.

III. LICENSING

1. Licensing by either Party of the other Party's vessels in 2008 shall be limited to the following fisheries.
 - A. EC 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 Community's fishing zone with vessels over 200 GRT.

For 2008, 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 2007 may continue their activities in 2008 on the basis of this authorisation until the new lists of vessels for 2008 have been approved.
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.

ANNEX VII

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 and horse mackerel:

1. All quantities of fresh herring, mackerel and horse mackerel landed must be weighed before sorting and processing. When determining the weight, any deduction for water shall not exceed 2%.
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. Skippers of fishing vessels shall give prior notice of landing including notification of catch on board and give the logbook sheet to the competent authorities before commencing the discharge of catch.
4. The processor or buyer of the fish shall submit a copy of the sales note for the payment of the quantities landed to the competent authorities.
5. A minimum of 10% of landings and 15% of the quantities landed should be subject to a full inspection. A full inspection shall include:
 - a) Cross-checks of the quantities by species indicated in the prior notice of landing and the quantities recorded in the vessel's logbook;
 - b) Cross-checks of the quantities by species recorded in the vessel's logbook and the landing declaration;
 - c) Cross-checks of the quantities by species recorded on the landing declaration and the sales note issued by the buyer.

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.

ANNEX VIII

TERMS OF REFERENCE OF THE WORKING GROUP ON CONTROL FOR 2008

The Delegations agreed that the Working Group of Control Experts shall meet during the first half of 2008 under the Terms of Reference described below. The Working Group shall submit its report to the Parties well in advance of the annual consultations for 2008, and where appropriate make proposals for measures to be adopted.

Port State Control

- Monitor the implementation of measures introduced in the framework of NEAFC, in particular as regards landings of Arcto-Norwegian cod;
- Co-ordinate the exchange of inspectors to observe inspections by third country fishing vessels and reefers and invite Russian inspectors to participate in such exchanges;
- Review and consider existing control measures and regulations implemented by the Parties.

Weighing and inspection of pelagic landings

- Monitor the implementation of the measures set down in Annex VI.
- Co-ordinate the exchange of inspectors;
- Consider the information exchanged between Parties on the follow-up to infringements concerning discrepancies between logbooks, quantities landed, landing declarations and sales notes and evaluate the application of the harmonised methodology for full inspections;
- Slipping, discards and high-grading:
 - Assess the implications in the area of control and enforcement of existing knowledge about the mortality of mackerel.
 - Examine the situation with regard to equipment used by vessels to grade mackerel. Review and consider the situation as well as the relevant regulations in place in this area as well as the possibilities that may exist for discarding fish. To this end, they agreed that consideration should be made to placing observers on board fishing vessels in order to monitor slipping, discards and high-grading in this fishery.
- Review of technical issues, inter alia:
 - The feasibility of using flow meters on board vessels.
 - The calibration of RSW tanks.
 - Density factors applied for mackerel.

Landings of white fish from the North Sea

Keep the situation under review as regards control measures and cooperation between the inspection services of both Parties.

ANNEX IX

TERMS OF REFERENCE OF THE WORKING GROUP ON THE MANAGEMENT MEASURES FOR ANGLERFISH, HORSE MACKEREL, NORWAY POUT AND SANDEEL

The Working Group shall:

1. Further develop the work of the Working Group between the European Community and Norway on the management of the fisheries on the stocks of horse mackerel, sandeel, Norway pout, Norway lobster and anglerfish on the collation of historical data on the geographical and seasonal distribution of catches by Party of the stocks of Western horse mackerel, anglerfish, Norway pout and sandeel in the Skagerrak, North Sea and West of Scotland;
2. Compile and review relevant biological information on the stocks concerned including information on geographical and seasonal distribution of adults and juveniles;
3. Recommend management systems including management strategies and objectives, ecosystem considerations and allocations between the Parties for the stocks concerned. In this respect the Working Group shall consider relevant advice on long-term management from ICES;
4. The Working Group shall meet during the first half of 2008 at a venue and time to be decided as appropriate.

ANNEX X

HARVEST CONTROL RULE FOR SANDEEL IN THE NORTH SEA IN 2008

The Parties agreed to establish the TAC for 2008 based on the advice from ICES on the size of the 2007 year class of North Sea sandeel and taking into account the following principle as well as other elements contained in the scientific advice:

- (1) The aim of the management in 2008 shall be to rebuild SSB to above B_{pa} in 2009;
- (2) An exploratory fishery shall start no earlier than 1 April 2008 and end no later 6 May 2008;
- (3) The TAC shall be established according to the following function:

$$TAC_{2008} = -138 + 3.77 \times N1 \times Wobs / Wm$$

$N1$ is the real-time estimate of age group 1 in billions derived from the exploratory fishery in 2008; the TAC is expressed in 1,000 tonnes; $Wobs$ is the observed mean weight of age group 1 during the exploratory fishery; and Wm (4.75 g) is the long-term mean weight of age group 1;

- (4) If the TAC calculated in point (3) exceeds 400,000 tonnes, the TAC shall be set at 400,000 tonnes;
- (5) With the aim of avoiding unnecessary interruptions of the sandeel fishery, the Parties will consult on the level of a preliminary TAC for 2008 and take the necessary measures based on preliminary scientific advice from ICES no later than 6 May 2008;
- (6) The Parties agreed to request ICES to provide a preliminary scientific advice concerning a preliminary TAC level, as early as possible but no later than 5 May 2008;
- (7) The final TAC will be based on the final advice from ICES and established no later than 15 May 2008;
- (8) The fishery shall be closed no later than 1 August 2008.

The Parties will agree on the details of the data collection procedure and the planning of the monitoring fishery before 15 February 2008.

ANNEX XI

TERMS OF REFERENCE FOR THE WORKING GROUP ON INTER-ANNUAL QUOTA FLEXIBILITY

The Parties shall establish a Working Group to identify the relative advantages and disadvantages of introducing an inter-annual quota flexibility system for jointly managed shared stocks that are considered to be within safe biological limits. The aim of the Parties is to introduce such a system if possible from the beginning of 2009.

The Working Group shall examine the following:

- Catch statistics of the two Parties for all jointly managed shared stocks
- The potential advantages and disadvantages of introducing quota flexibility for the management of stocks within safe biological limits
- The potential biological advantages and disadvantages of introducing quota flexibility for stocks within safe biological limits
- The appropriate level of flexibility for stocks within safe biological limits
- A possible joint system for the reporting of quotas and catches in order to ensure transparency between the Parties on the transfer of either unutilised quotas or the deduction of overfishing from quotas allocated to the Parties
- A method for Parties to introduce such a system
- Procedures for the introduction and termination of quota flexibility for a particular stock

The Working Group shall meet during the first quarter of 2008 with a view to submitting its report to the Parties well in advance of the consultations on fisheries arrangements for 2009.

TABLE 1

2008 JOINT STOCK QUOTAS IN THE NORTH SEA

Species and ICES Area	TAC	Zonal Attachment				Transfer from Norway to European Community ⁽⁸⁾	Transfer from EC to Norway ⁽⁸⁾	Quota to Norway		Quota to European Community	
		Norway		European Community				Total	EC Zone ⁽¹⁾	Total	Norwegian Zone ⁽¹⁾
		%	Tonnes	%	Tonnes						
Cod IV	22,152	17	3,766	83	18,386	-----	-----	3,766	3,766	18,386	15,980
Haddock IV	46,444 ⁽²⁾	23	10,682	77	35,762	2,600	-----	8,082	8,082	38,362	28,535
Saithe IV, IIIa	135,900	52	70,668	48	65,232	-----	-----	70,668	70,668	65,232	65,232
Whiting IV	17,850 ⁽²⁾	10	1,785	90	16,065	-----	-----	1,785	1,785	16,065	10,884
Plaice IV	49,000	7	3,430	93	45,570	2,325	-----	1,105	1,105	47,875	19,653
Mackerel IV, IIIa	48,566 ⁽³⁾		31,134		17,432 ⁽³⁾	-----	-----	31,134 ⁽⁴⁾	31,134 ⁽⁴⁾	17,432 ⁽⁵⁾	17,432 ⁽⁵⁾
Herring IV, VIIId	201,227	29	58,356	71	142,871	-----	-----	58,356	50,000 ⁽⁶⁾⁽⁷⁾	142,871	50,000 ⁽⁷⁾

- (1) Any part of this allocation not taken may be added to the allocation in the Party's own zone.
- (2) TAC to include industrial by-catches.
- (3) Includes a fixed component of 1,865 tonnes
- (4) May be fished in ICES Division IVa only, except for 3,000 tonnes which may be fished in ICES Division IIIa.
- (5) Of which no more than 6,000 tonnes may be fished in ICES Divisions IVb, IVc and IIIa.
- (6) Limited to ICES Divisions IVa and IVb.
- (7) An additional 10,000 tonnes will be granted if such an increase is called for.
- (8) The Delegations agreed to consider in 2008 possible further transfers.

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TABLE 2

2008 TAC AND SHARING OF MACKEREL STOCK

AREA	TAC (TONNES)	NORWEGIAN TRANSFER TO EUROPEAN COMMUNITY (TONNES)	EC TRANSFER TO NORWAY (TONNES)	FLEXIBILITY LIMITS (TONNES)
IV, IIIa	48,566 ⁽¹⁾	-----	-----	-----
IIa ⁽²⁾	85,821	9,300 ⁽³⁾	-----	100,000 ⁽⁴⁾
Vb (European Community zone), VI, VII, VIIIa, b, d, e, XII, XIV	239,550	-----	9,300 ⁽⁵⁾	105,000 ⁽⁶⁾
TOTAL	373,937			

- (1) See Table 1.
- (2) Norwegian economic zone and international waters.
- (3) May be fished in the Norwegian zone in ICES Division IVa.
- (4) May be fished in ICES Division IVa.
- (5) To be fished in ICES Divisions IIa, VIa, (north of 56°30'N), VIIId, e, f and h; may also be fished in ICES Division IVa.
- (6) May be fished in the Community zone in ICES Division IVa.

TABLE 3

2008 JOINT STOCK QUOTAS (NOT JOINTLY MANAGED)

SPECIES AND ICES AREA		QUOTA TO NORWAY IN THE EC ZONE (TONNES)	QUOTA TO EC IN THE NORWEGIAN ZONE (TONNES)
Norway pout	IV	1,000 ⁽⁴⁾	5,000 ⁽¹⁾
Sandeel	IV	20,000	20,000
Blue whiting	IV		8,000
Blue whiting	II, IVa, VIa ⁽²⁾ , VIb, VII ⁽³⁾	108,000 ^{(5) (6)}	
Blue ling	IV, Vb, VI, VII, IIa	150	
Ling	IV, Vb, VI, VII, IIa	5,638 ^{(7) (8)}	
Tusk	IV, Vb, VI, VII, IIa	3,350 ^{(7) (8)}	
Combined quota	Vb, VI, VII	140 ⁽⁹⁾	
Dogfish	IV, VI, VII	50 ⁽¹⁰⁾	
Shrimps	IV		500
Horse mackerel	IV	1,600	
Others	IV, IIa (EC Zone)	2,720 ⁽¹¹⁾	5,000 ⁽¹¹⁾
Sole	IV	90	
Anglerfish	IV		1,610
Norway lobster	IV		1,250
Ling	IV		850
Tusk	IV		170

- (1) Including inextricably mixed horse mackerel.
- (2) North of 56°30'N.
- (3) West of 12°W.
- (4) This quota may be fished in ICES Division VIa, north of 56°30'N.
- (5) Of which up to 500 tonnes of argentine (*Argentina spp.*) may be fished.
- (6) Of which up to 40,000 tonnes may be fished in ICES Division IVa.
- (7) 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 Vb and Sub-areas VI and VII.
- (8) Of which an incidental catch of other species of 25% per vessel at any moment is permitted in ICES Sub-areas Vb, VI and VII. 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 Vb, VI and VII may not exceed 3,000 tonnes.
- (9) Fishing with long-lines for grenadiers, rat tails, mora mora and greater fork beard.

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- (10) Including catches taken with long-lines of Tope shark (*Galeorhinus galeus*), kitefin shark (*Dalatias licha*), bird beak dogfish (*Deania calceus*), leafscale gulper shark (*Centrophorus squamosus*), greater lantern shark (*Etmopterus princeps*), smooth lantern shark (*Etmopterus spinax*), and Portuguese dogfish (*Centroscymnus coelolepis*).
- (11) Including fisheries not specifically mentioned, exceptions may be introduced after consultations as appropriate.

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TABLE 4

2008 QUOTAS TO THE EC OF NORWEGIAN EXCLUSIVE STOCKS

SPECIES	ICES AREA	QUANTITY (TONNES)
Arcto-Norwegian cod	I, II	17,057
Arcto-Norwegian haddock	I, II	2,500
Saithe	I, II	3,832
Greenland halibut (by-catches)	I, II	50
Others (by-catches)	I, II	350

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TABLE 5

**2008 QUOTAS TO NORWAY FROM EC EXCLUSIVE STOCKS
AND FROM EC QUOTAS IN GREENLAND WATERS**

SPECIES	ICES AREA	QUANTITY (TONNES)
Sprat	IV	10,063
Greenland halibut	IIa, VI ⁽¹⁾	350
Shrimp	XIV, Va	3,250
Greenland halibut	NAFO 1 XIV, Va	800 824
Redfish	XIV, Va	3,500 ⁽²⁾
Halibut	NAFO 1 XIV, Va	100 ⁽³⁾ 100 ⁽³⁾
Grenadier (by-catches)	NAFO 1, XIV, Va	120

- ⁽¹⁾ In Sub-area VI with long-lines only.
- ⁽²⁾ May be fished with pelagic trawls.
- ⁽³⁾ May only be fished with long-lines.

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