

**AGREED RECORD OF CONCLUSIONS OF FISHERIES CONSULTATIONS
BETWEEN THE EUROPEAN COMMUNITY AND NORWAY FOR 2006**

BRUSSELS, 2 DECEMBER 2005

1. A Community Delegation headed by Mr. Constantin ALEXANDROU and a Norwegian Delegation headed by Mr. Petter MEIER met in Brussels from 28 November to 2 December 2005 to consult on mutual fisheries relations for 2006. 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 2006 as outlined in this Agreed Record including Annexes I to VIII and Tables 1 to 5.

CATCH REPORTING DISCREPANCIES

3. 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.

JOINTLY MANAGED STOCKS

- 4.1.1. The Delegations noted with satisfaction that fishing mortalities on some of the joint demersal stocks in the North Sea and Skagerrak, according to the latest advice from ICES, have declined in recent years and that the fishing mortalities on haddock and saithe now are close to the levels recommended as targets 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 and that further reduction is needed to ensure recovery of the stock.
- 4.1.2. 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.
- 4.1.3. The Community Delegation informed the Norwegian Delegation of the Community's intention to review its technical measures and to invite Norwegian representatives to participate in this process.

Long-term management plans

- 4.2.1. 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.
- 4.2.2. The Delegations agreed on a new long-term management plan for cod as set out in Annex I.
- 4.2.3. The Delegations agreed that a new long-term management plan for plaice should be implemented from 1 January 2007. To this end, the Delegations agreed to meet before July 2006 to continue the work so that a decision by the Delegations can be made at the time of the annual consultations for 2007.

Cod

- 4.3.1. The Delegations expressed their deep concern at the serious state 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. 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. The Community Delegation explained to the Norwegian Delegations that the Community had implemented a recovery plan for this stock.
- 4.3.2. 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.
- 4.3.3. The Norwegian Delegation informed the Community Delegation of measures introduced in the Norwegian cod fishery in the North Sea which include a general prohibition against a directed trawl fishery for cod, a licensing scheme and closure of an area for the protection of juveniles.

Haddock

- 4.4.1. The Delegations agreed to obtain scientific advice concerning an amendment of the long-term management plan for the haddock stock, which would improve the stability of fishing opportunities.
- 4.4.2. The Community Delegation expressed the opinion that the TAC for haddock recommended by the Delegations is consistent with the long-term management plan taking into account scientific advice provided in 2004 and 2005.

Saithe

- 4.5.1. 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 2006 and the TAC fixed for ICES Divisions IV and IIIa. The Community Delegation informed Norway of its intention to fix within this quantity a quota for saithe for Division VIa of 12,787 tonnes.
- 4.5.2. 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.
- 4.5.3. The Community Delegation took note of the Norwegian concern on the minimum mesh size when fishing for saithe, a concern which they do not share.

Plaice

- 4.6. The Community Delegation informed the Norwegian Delegation of the commitment by at least two Member States to reduce substantially the fishing effort in flatfish fisheries. The Community will inform Norway of the results at the end of 2006.

Herring

- 4.7.1. The Delegations acknowledged that they had followed the long-term management plan referred to in Annex IV of this Agreed Record. Whilst they noted with satisfaction that the spawning stock biomass was above B_{pa} , they expressed their concern at the recent low recruitment to this stock.
- 4.7.2. The Delegations concluded that the by-catches of herring in other fisheries will be limited to 42,500 tonnes in 2006; this quota will be allocated to the Community.

Mackerel

- 4.8.1. 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 Tórshavn on 25 and 26 October 2005, they had concluded an ad hoc coastal State agreement on the management of mackerel for 2006.
- 4.8.2. 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.
- 4.8.3. 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 9,208 tonnes of the NEAFC allowable catch, which results in a share of 2,679

tonnes to Norway and 6,529 tonnes to the Community. The Delegations agreed to inform NEAFC accordingly. They noted that the catch levels set for 2006, 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.

4.8.4. 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.

4.8.5. 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.

4.8.6. 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.

4.8.7. 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.

OTHER JOINT STOCKS

5.1.1. 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 during 2005 on two occasions, namely in Bergen in June and Edinburgh in September. The Delegations agreed that additional work on possible joint management measures for these stocks is 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 2006 and establish an ad hoc Working Group with the Terms of References as laid down in Annex VIII.

5.1.2. The Community Delegation expressed the view that prior to the implementation of any possible new technical measures, the Parties should consult one another in the appropriate Working Groups.

5.1.3. The Norwegian Delegation took note of this statement.

Blue whiting

5.2. The Delegations noted with satisfaction that the coastal States had reached a technical agreement in Copenhagen on 2 November 2005 on a sharing arrangement for the blue whiting stock from 2006. The Delegations also agreed on the importance of ensuring an optimal biological, sustainable and economic utilisation of the available fisheries resources for the fishermen of both Parties. To this end, they agreed on the importance of having an appropriate access arrangement in place for the zones of each Party.

Norway pout

5.3.1. In view of the recent advice from ICES on the Norway pout stock in the North Sea the Delegations recognised the need to introduce measures to protect the stock and agreed that no directed fisheries for Norway pout should take place in 2006.

5.3.2. Notwithstanding the above paragraph, the Delegations agreed to keep the situation for this stock under review during 2006 in the light of any new advice from ICES. In the event of there being indications of a possible reopening of a directed fishery for this stock, the Delegations agreed that the Parties would consult one another.

Sandeel

5.4.1. The Delegations took note of the recent recommendation from ICES that the fisheries on the sandeel stock in the North Sea should be managed through effort control based on a real-time monitoring of the sandeel stock in the beginning of the fishing season. The Community Delegation informed the Norwegian Delegation of its intention to implement a real-time monitoring system and effort limitations in accordance with ICES advice. The Norwegian Delegation informed the Community Delegation of their intention of implement a real-time monitoring system in accordance with ICES advice.

5.4.2. The Delegations agreed to convene a technical meeting concerning sandeel management early in 2006.

Anglerfish

5.5.1. The Delegations took note of the ICES advice of October 2005 that fisheries are mainly conducted on the immature part of the stock. 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 9). The Delegations

recognised the need for improved scientific knowledge of the stock, and to enhance scientific co-operation.

- 5.5.2. The Norwegian Delegation expressed its concern about the substantial and unsustainable trawl fishery on small anglerfish and declared the intention of Norway to prevent any expansion in this fishery.

EXCHANGE OF FISHING POSSIBILITIES

Redfish in the Norwegian Economic Zone

- 6.1.1. 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.

- 6.1.2. The Delegations agreed that the ICES advice for 2006 stipulates that there should be no directed fishery upon this stock during 2006 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 2006, its fishing possibilities for redfish should be limited only to by-catches.

- 6.1.3. 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 2006 without prejudice to any future arrangement.

Redfish in ICES Areas XIV and Va

- 6.2. The Community Delegation informed the Norwegian Delegation that for 2006, the arrangement for transfers of redfish to Norway is an *ad hoc* one and without prejudice to any future arrangement.

Shrimp in ICES Area XIV

- 6.3. The Community Delegation informed the Norwegian Delegation that for 2006, the arrangement for the additional transfers of shrimp to Norway is an *ad hoc* one and without prejudice to any future arrangement.

Capelin in ICES Area XIV

- 6.4. 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.

Anglerfish

- 6.5. The Norwegian Delegation informed the Community Delegation that for 2006, the arrangement for transfers of anglerfish to the Community is an *ad hoc* one and without prejudice to any future arrangement.

FULL UTILISATION OF QUOTAS

7. 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.

CATCH INFORMATION

8. 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.

GHOST FISHING AND GEAR CONFLICTS

- 9.1. The Delegations acknowledged the recurring problem of ghost fishing and gear conflicts caused by the accumulation of lost and abandoned gears at the fishing grounds. The Delegations shared the view that there is an urgent need for introducing and maintaining measures in order to counter the problem and thereby promoting environmentally friendly fishing methods. Such measures should *inter alia* include provisions on soak-time, maximum length and the marking of gillnet fleets, as well as retrieval surveys.
- 9.2. The Delegations noted that the enhanced cooperation between Norway and the European Community in this field has resulted in the conducting of gear retrieval surveys in both Norwegian and Community waters during 2005, and the Delegations agreed to provide for annual surveys in the future.

UNITED KINGDOM – FAROE ISLANDS SPECIAL AREA

10. 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.

CONTROL AND ENFORCEMENT

11.1.1. 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. To this end, they agreed to establish a plan for the exchange of officials as soon as possible. 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.

11.1.2. The Delegations agreed that given the state of the stocks of white fish in the North Sea there is a need to consider possible measures to improve the control of landings. In this regard the European Community Delegation referred to the adoption in June 2005 by the Community of a specific monitoring programme for cod.

11.1.3. The Delegations agreed that there is a strong need for improved and effective control and enforcement in order to combat IUU fishing. In this respect the Delegations took note of the bilateral agreement between Norway and the Russian Federation where it is stated that it is a priority to combat IUU fishing using all possible measures.

Weighing and inspection of pelagic landings

11.2.1. The Delegations agreed that a great deal of progress had been achieved during 2005 in implementing the measures adopted in 2004. It was noted that the standardised percentage for the deduction of water had been introduced by all Parties and the primary objective of introducing the obligation to weigh all fish landed had been achieved. The Delegations also noted that agreement had also been reached in the Working Group of Control Experts on Methods and Procedures for Weighing Pelagic Fish on a harmonised methodology for conducting full inspections of landings. The measures agreed for the weighing and inspection of landings of mackerel, herring and horse mackerel are set down in Annex VI.

11.2.2. The Delegations agreed to examine whether the measures agreed between the Parties for the weighing and inspection of mackerel, herring and horse mackerel should also cover landings of blue whiting.

- 11.2.3. The Delegations took note of the latest advice from ICES, which indicated that there was a broad perception that there are substantial discards and undeclared landings in the mackerel fishery and agreed that it was necessary to continue to closely monitor the implementation of the measures agreed and to evaluate the application of the harmonised methodology for full inspections. In this regard the Delegations agreed that information on the follow up of infringements should be exchanged as proposed by the Working Group. The Delegations also agreed that close attention should be paid to landings by vessels outside the geographical areas in which the fisheries on the pelagic stocks covered by the agreement between the Parties take place.
- 11.2.4. The Delegations agreed that further consideration should be given to the development of the joint pilot project to place observers on board fishing vessels to monitor discards and high grading. It was also agreed that technical issues should be kept under review, such as tamper proofing and reliability of weighing equipment, problems of calibration of such equipment and the percentage of water content deduction.
- 11.2.5. The Delegations also took note of goals that had been previously identified such as the need for appropriate sanctions in case of violations and agreed that the work should be continued in order to make further progress on outstanding issues identified in the report of the Working Group.

Landings of white fish

- 11.3.1. As coastal states responsible for managing the stock of Arcto-Norwegian cod, Norway and the Russian Federation have recognised bilaterally the existence of considerable unregistered catches of Arcto-Norwegian cod. The Delegations agreed that these problems shall be regarded as IUU-fishing.
- 11.3.2. The Delegations noted that a considerable amount of Arcto-Norwegian cod is landed in the ports of Community Member States by third country fishing vessels and reefers. The Delegations agreed that it was necessary to obtain specific information on the total amount of Arcto-Norwegian cod landed in order to make a more precise calculation of the total catch and thereby determine the level of IUU activity. The Delegations agreed to exchange information on such landings.
- 11.3.3. The Delegations agreed to work within NEAFC to address this issue.
- 11.3.4. The Delegations agreed to invite inspectors from the Russian Federation to observe inspections in port of landings by third country fishing vessels and reefers.

Working Group of Control Experts

- 11.4. The Delegations agreed that a Working Group of Control Experts should be established and that the Working Group shall meet early in 2006 to address the control issues outlined in paragraphs 11.1, 11.2 and 11.3. The Terms of Reference of the Working Group for 2006 are set down in Annex VII.

Satellite-based vessel monitoring systems for fishing vessels

- 11.5. The Delegations noted that on 3 and 4 February and on 5 and 6 July 2005 the Parties had consulted on the implementation 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, where, before the end of 2005, it was agreed to exchange information for the purpose of assessing the functioning of the Agreement. The Delegation agreed to meet before July 2006 with the view to further develop the VMS to form an effective tool in the overall monitoring, control and surveillance of fisheries.

Electronic reporting systems for fishing vessels

- 11.6. The Delegations noted that on 3 and 4 February, 17 and 18 March, and 5 and 6 July 2005, the Parties had consulted on the implementation of electronic reporting systems (ERS) for fishing vessels. The Delegations noted that a basis for a full-scale implementation of ERS has been established and agreed to encourage fishing vessels to utilise this possibility. The Delegations agreed to consult as appropriate before July 2006. The Norwegian Delegation stated that ERS would in future become obligatory for vessels operating in Norwegian waters and that Norway would inform the Community well in advance of the introduction of such a measure, in conformity with Article 5 of the 1980 agreement between the Community and Norway.

Transmission of information by Third Country vessels to the European Commission

- 11.7. The Community Delegation informed the Norwegian Delegation that for vessels not participating in the ERS project, a specific format for the information to be transmitted to the European Commission by vessels operating in Community waters will be introduced from 1 January 2006.

Electronic logbooks

- 11.8. The Delegations exchanged information on the development of electronic logbooks and agreed on the importance of continuing close cooperation particularly as regards having systems that are compatible between the Parties as well as between ERS and electronic logbooks.

Licensing

- 11.9. The Delegations noted that on 5 and 6 July 2005 the Parties had initiated a process of modernising the current Licence Arrangements. The Delegations agreed to continue this process with a view to phasing in an electronic licensing system from 1 April 2006.

Furthermore the Delegations agreed to review the Licensing Arrangement of 13 May 1995 and amend it as appropriate during the first half of 2006.

Control of blue whiting fisheries in Community waters

- 11.10. The Community Delegation informed the Norwegian Delegation that from 1 January 2006, a specific licence arrangement for the blue whiting fishery would be introduced, whereby third-country vessels intending to fish for blue whiting in Community waters that have a catch on board shall, if required, present themselves for inspection and only commence their fishing trip after being authorised to do so. It would also be required of such vessels that at the end of the fishing trip, they either fully discharge their catch in a Community port or leave Community waters through specified control areas. Notwithstanding any inspections that may be carried out at sea, the competent authorities of the coastal Member State concerned may, under duly justified circumstances, require vessels to present themselves for inspection at a convenient port.

Conversion factors

- 11.11. The Community Delegation expressed its desire of discussing conversion factors with Norway at the time of the annual consultations for 2007.

Brussels, 2 December 2005

For the Community Delegation

For the Norwegian Delegation

Constantin ALEXANDROU

Petter MEIER

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.

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, 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 100,000 tonnes (B_{lim}).
2. For 2005 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 0.30 for appropriate age groups.
3. Should the SSB fall below a reference point of 140,000 tonnes (B_{pa}), the fishing mortality rate referred to under paragraph 2, shall be adapted in the light of scientific estimates of the conditions then prevailing. Such adaptation shall ensure a safe and rapid recovery of SSB to a level in excess of 140,000 tonnes.
4. In order to reduce discarding and to enhance the spawning biomass 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.
5. A review of this arrangement shall take place no later than 31 December 2006
6. This arrangement enters into force on 1 January 2005.

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 $0.30 - 0.20 \cdot (200,000 - SSB) / 94,000$.
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 2007.
8. This arrangement enters 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 2007.
10. This arrangement enters into force on 1 January 2005.

ANNEX V

CONDITIONS FOR FISHERIES BY THE PARTIES IN 2006

I. JOINT STOCKS

1. The Total Allowable Catches (TACs) for the stocks mentioned in Table 1 shall for 2006 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 2006 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 2006, 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 2005 may continue their activities in 2006 on the basis of this authorisation until the new lists of vessels for 2006 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.
5. The Delegations agreed to meet to consult on the current licence arrangements as noted in paragraph 11.8.

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. Norway pointed to the problems related to an orderly conduct of the sandeel fishing in the Norwegian Economic Zone and the Parties agreed to consult on this matter and other matters if so required.
3. 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 VI

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 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 exceeding 10 tons 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 VII

TERMS OF REFERENCE OF THE WORKING GROUP ON CONTROL FOR 2006

The Delegations agreed that the Working Group of Control Experts shall meet before the end of April 2006 under the following terms of reference:

Weighing and inspection of pelagic landings

- Monitor the implementation of the measures set down in Annex VI concerning the deduction of water, weighing of landings and inspections;
- Consider the implications of extending the measures agreed by the Parties to landings of blue whiting;
- 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;
- Review technical issues, such as tamper proofing and reliability of weighing equipment, problems of calibration of such equipment and the percentage of water content deduction;
- Examine the level of landings by vessels outside the geographical area covered by the agreement between the Parties and assess the implementation of the measures agreed, where appropriate;
- Assess the introduction of a prohibition of discards of legal sized mackerel including high grading and slipping. This should involve the examination of how such a ban could be controlled as well as the cost-effectiveness implications. Develop parameters for carrying out pilot projects by the Parties for placing observers on board large vessels to monitor discards and size distribution of quantities of mackerel landed.

Landings of white fish from the North Sea

- Examine the situation with regard to landings of white fish from the North Sea and consider possible improvements to the control measures in place.

Landings of Arcto-Norwegian cod

- Develop a procedure for the exchange of information on landings of Arctic cod by third country fishing vessels and reefers;
- Co-ordinate the exchange of inspectors to observe inspections of landings of Arctic cod 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.

The Working Group will submit its report to the Parties well in advance of the annual consultations for 2007, and where appropriate make proposals for measures to be adopted.

ANNEX VIII

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 in the first quarter of 2006 in a venue to be decided.

TABLE 1

2006 JOINT STOCK QUOTAS IN THE NORTH SEA

Species and ICES Area	TAC	Zonal Attachment				Transfer from Norway to European Community	Transfer from EC to Norway	Quota to Norway		Quota to European Community	
		Norway		European Community				Total	EC Zone ⁽¹⁾	Total	Norwegian Zone ⁽¹⁾
		%	Tonnes	%	Tonnes						
Cod IV	23,205	17	3,945	83	19,260	-----	-----	3,945	3,945	19,260	16,740
Haddock IV	51,850 ⁽²⁾	23	11,926	77	39,925	4,910 ⁽⁸⁾	-----	7,016	7,016	44,835	33,350
Saithe IV, IIIa	123,250	52	64,090	48	59,160	-----	-----	64,090	64,090	59,160	59,160
Whiting IV	23,800 ⁽²⁾	10	2,380	90	21,420	-----	-----	2,380	2,380	21,420	14,512
Plaice IV	57,441	7	4,021	93	53,420	2,400 ⁽⁸⁾	-----	1,621	1,621	55,820	22,905
Mackerel IV, IIIa	47,132 ⁽³⁾		30,178		16,954	-----	-----	30,178 ⁽⁴⁾	30,178 ⁽⁴⁾	16,954 ⁽⁵⁾	15,089 ⁽⁵⁾
Herring IV, VIId	454,751	29	131,878	71	322,873	-----	-----	131,878	50,000 ⁽⁶⁾⁽⁷⁾	322,873	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 fishery by a Community Member State of 1,865 tonnes of mackerel in ICES Division IIIa and in the Community zone of ICES Divisions IVa and b.

⁽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 2006 possible further transfers of plaice and haddock.

TABLE 2**2006 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	47,132 ⁽¹⁾	-----	-----	-----
IIa ⁽²⁾	83,186	9,000 ⁽³⁾	-----	100,000 ⁽⁴⁾
Vb (European Community zone), VI, VII, VIIIa, b, d, e, XII, XIV	232,196	-----	9,000 ⁽⁵⁾	105,000 ⁽⁶⁾
TOTAL	362,514			

⁽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

2006 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⁾
Blue whiting	IV		19,000
Sandeel	IV	0 ⁽¹³⁾	0 ⁽¹³⁾
Blue whiting	II, IVa, VIa ⁽²⁾ , VIb, VII ⁽³⁾	152,442 ^{(5) (6)}	1,000 ⁽¹²⁾
Blue ling	IV, Vb, VI, VII, IIa	200	
Ling	IV, Vb, VI, VII, IIa	6,800 ^{(7) (8)}	
Tusk	IV, Vb, VI, VII, IIa	4,000 ^{(7) (8)}	
Combined quota	Vb, VI, VII	140 ⁽⁹⁾	
Dogfish	IV, VI, VII	90 ⁽¹⁰⁾	
Shrimps	IV		900
Horse mackerel	IV	1,600	
Others	IV, IIa (EC Zone)	4,720 ⁽¹¹⁾	7,000 ⁽¹¹⁾
Sole	IV	200	1,750
Anglerfish	IV		1,300
Norway lobster	IV		1,000
Ling	IV		200
Tusk	IV		

(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.

- (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.
- (12) May only be fished in ICES Sub-area II.
- (13) The Delegations agreed to consider in 2006 possible transfers of sandeel.

TABLE 4**2006 QUOTAS TO THE EC OF NORWEGIAN EXCLUSIVE STOCKS**

SPECIES	ICES AREA	QUANTITY (TONNES)
Arcto-Norwegian cod	I, II	18,920
Arcto-Norwegian haddock	I, II	2,760
Saithe	I, II	3,600
Greenland halibut (by-catches)	I, II	75
Others (by-catches)	I, II	450

TABLE 5

**2006 QUOTAS TO NORWAY FROM EC EXCLUSIVE STOCKS
AND FROM EC QUOTAS IN GREENLAND WATERS**

SPECIES	ICES AREA	QUANTITY (TONNES)
Sprat	IV	10,000
Greenland halibut	IIa, VI ⁽¹⁾	350
Shrimp	XIV, Va	2,750
Greenland halibut	NAFO 1	800
	XIV, Va	800
Redfish	XIV, Va	3,500 ⁽²⁾
Halibut	NAFO 1	200 ⁽³⁾
	XIV, Va	200 ⁽³⁾
Grenadier	NAFO 1	192
	XIV, Va	285

⁽¹⁾ In Sub-area VI with long-lines only.

⁽²⁾ May be fished with pelagic trawls.

⁽³⁾ May only be fished with long-lines.