



Council of the
European Union

Brussels, 24 October 2016
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LIMITE

PECHE 383

NOTE

From:	General Secretariat of the Council
To:	Delegations
Subject:	Agreed Records of Fisheries Consultations on mackerel

Delegations will find in annex the three Agreed Records of the Fisheries Consultations on mackerel, which took place in Clonakilty on 19 October 2016.

**AGREED RECORD OF CONCLUSIONS OF FISHERIES CONSULTATIONS
BETWEEN THE EUROPEAN UNION, THE FAROE ISLANDS AND NORWAY ON THE
MANAGEMENT OF MACKEREL IN THE NORTHEAST ATLANTIC FOR 2017**

CLONAKILTY, 19 OCTOBER 2016

1. Delegations from the European Union, the Faroe Islands, Norway, Iceland and Greenland met in Clonakilty on 18 and 19 October 2016 to consult on the management of mackerel for 2017. Regrettably a consensus could not be found, at this stage, allowing for the accession of other Parties to the Fisheries Arrangement between the European Union, the Faroe Islands and Norway on the management of mackerel in the North-East Atlantic from 2014-2018 (hereinafter referred to as the 2014 Mackerel Arrangement).
2. Subsequently, the Delegation from the European Union, headed by Mr Joost PAARDEKOOPER, the Delegation from the Faroe Islands, headed by Mr Herluf SIGVALDSSON, and the Delegation from Norway, headed by Ms Ann Kristin WESTBERG, continued the consultations in Clonakilty on 19 October 2016 on the management of mackerel in the Northeast Atlantic for 2017.
3. The Delegations recalled the 2014 Mackerel Arrangement, signed in London on 12 March 2014.
4. The Heads of Delegation agreed to recommend to their respective authorities the arrangements for the management of mackerel for 2017, as set out in this Agreed Record.
5. This arrangement constitutes an *ad hoc* arrangement, it being without prejudice to future fisheries arrangements between the Parties.

Management

6. The Delegations noted the latest annual advice from ICES for mackerel in the Northeast Atlantic.
7. The Delegations recalled the commitment made by the Parties in March 2014 to establish a long-term management strategy. To this end, the Delegations recalled that they had agreed a long-term management strategy for mackerel in 2015. This strategy is attached as Annex 1. The Delegations agreed that it would be applied for the management of the mackerel stock in 2017.
8. Whilst this long-term management strategy had been submitted to ICES for its evaluation during 2016, the Delegations noted that, in view of the fact that ICES would be performing a benchmarking exercise for Northeast Atlantic mackerel in early 2017 (at the request of the Parties), a report on the results of which is due to be delivered in early 2017, further consultations on the long-term management strategy should be carried out in May 2017. These consultations will take place at the invitation of Norway and it was agreed that all Coastal States and fishing Parties should be invited. Consequently, the evaluation of the long-term management strategy by ICES would be deferred until after the results of the benchmarking exercise are delivered.





Quotas for 2017

9. On the basis of the long-term management strategy agreed by the Parties, the Delegations agreed to establish a total catch limitation of 1,020,996 tonnes for the mackerel fishery in 2017 in the North East-Atlantic.
10. In accordance with the relative shares as set out in article 7.4 in the 2014 Mackerel Arrangement, the Delegations agreed to the following arrangement on the quota shares for 2017:

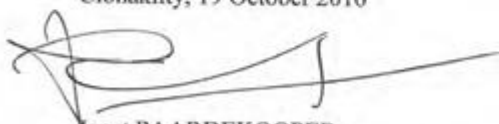
	Tonnes
European Union:	503,245
Faroe Islands:	128,655
Norway:	229,821

11. In accordance with the 2014 Mackerel Arrangement, 15.6 % of the TAC referred to in paragraph 9 is set aside as a Coastal State and Fishing Party reserve.
12. The Delegations exchanged quota and catch information for 2014, 2015 (final) as well as preliminary information for 2016 (Annex 4). In accordance with paragraph 7.7 of the 2014 Mackerel Arrangement regarding fishing activities in third party waters, the Delegations exchanged information and noted that the Parties had all adhered to the provisions set out in the 2014 Mackerel Arrangement.

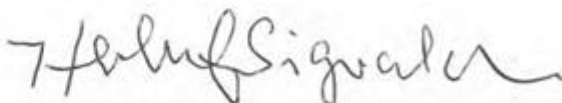
Control

13. The Delegations agreed to apply the measures concerning the weighing and inspection of pelagic landings (Annex 2) and new Terms of Reference for the Monitoring, Control and Surveillance (MCS) Working Group for 2017 (Annex 3). The EU Delegation noted that adoption of any measures at EU level could take up to two years.
14. With regard to the fact-finding missions, the EU Delegation confirmed that land-based missions in the European Union would take place in the United Kingdom in 2017.

Clonakilty, 19 October 2016



Joost PAARDEKOOPE
For the European Union Delegation



Herluf SIGVALDSSON
For the Delegation of the Faroe Islands



Ann Kristin WESTBERG
For the Delegation of Norway

LONG-TERM MANAGEMENT STRATEGY FOR MACKEREL

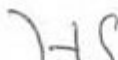
1. Reference is made to the Agreed Record on a fisheries arrangement between European Union, the Faroe Islands and Norway on the management of mackerel in the North-East Atlantic from 2014 to 2018, signed in London on 12 March 2014.
2. The Parties agree to implement a long-term management strategy for the fisheries on the mackerel stock, which is consistent with the precautionary approach, aiming at ensuring harvest rates within safe biological limits.
3. For the purpose of this management strategy, in the following text, "TAC" means the TAC agreed by the Parties to the above mentioned Agreed Record from 2014.
4. As a priority, the long-term strategy shall ensure with high probability that the size of the stock is maintained above B_{lim} .
5. In the case that the spawning stock biomass (SSB) is forecast to be above or equal to 3.0 million tonnes at spawning time in the year for which the TAC is to be set, the TAC shall be fixed at a fishing mortality equal to 0.24.
6. When setting the TAC for 2016, and where the rules in paragraph 5 would lead to a TAC, which is more than 15% greater than or more than 15% less than the TAC of 2015, the Parties shall fix a TAC that is 15% greater or 15% less, respectively, than the TAC of 2015.

When setting the TAC for 2017 and succeeding years, and where the rules in paragraph 5 would lead to a TAC, which is more than 20% greater than or more than 20% less than the TAC of the preceding year, the Parties shall fix a TAC that is 20% greater or 20% less, respectively, than the TAC of the preceding year.

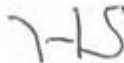
7. In the case that the SSB is forecast to be less than 3.0 million tonnes at spawning time in the year for which the TAC is to be set, the TAC shall be fixed that is consistent with a fishing mortality that is given by:

$$\text{Target } F \leq 0.24 * \text{SSB}/3.0\text{Mt}$$

8. Each Party may transfer to the following year unutilised quantities of up to 10% of the quota allocated to it. The quantity transferred shall be in addition to the quota allocated to the Party concerned in the following year. This quantity cannot be transferred further to the quotas for subsequent years.
9. Each Party may authorise fishing of up to 10% beyond the quota allocated. All quantities fished beyond the allocated quota for one year shall be deducted from the Party's quota allocated for the following year.

10. The inter-annual quota flexibility scheme in paragraph 8 should be suspended in the year following the TAC year, if the SSB is forecast to be less than 3.0 million tonnes at spawning time in the TAC year. This derogates from the provisions contained in point 8 of the 2014 Mackerel Arrangement.
11. This long-term management strategy shall be applied in fixing the 2016 TAC level and thereafter. It shall be submitted to ICES for its evaluation during 2016.
12. The Parties shall review and, if deemed necessary, revise this long-term management strategy in 2017 on the basis of, *inter alia*, the ICES benchmark report.



**MEASURES TO BE APPLIED CONCERNING THE
WEIGHING AND INSPECTION OF PELAGIC LANDINGS**

The Delegations agreed that the following measures shall be applied to the weighing and inspection of landings exceeding 10 tonnes of mackerel, herring, blue whiting and horse mackerel:

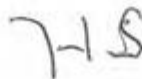
1. All quantities of fresh herring, mackerel, blue whiting and horse mackerel landed must be weighed before sorting and processing. When determining the weight, any deduction for water shall not exceed 2% for landings for human consumption and 0% for landings for industrial purposes.
2. For fish landed frozen the weight shall be determined by weighing all the boxes minus the tare weight (cardboard and plastic) or by multiplying the total number of boxes landed by the average weight of the boxes minus tare weight landed in the same shipment calculated in accordance with an agreed sampling methodology.
3. Landings shall take place in designated ports. Masters of fishing vessels shall submit prior notice of landing including notification of catch on board and submit the estimated catch information to the competent authorities before commencing the discharge of catch.
4. The processor or buyer of the fish shall submit sales information for the payment of the quantities landed to the competent authorities. In cases where fish is placed in storage for a period of time after landings before being sold, information on the catch (weighing note/landing declaration, etc.) should be submitted to the competent authorities.
5. A minimum of 5% of landings and 7.5% of the quantities landed for each species should be subject to a full inspection. This should be based on a risk assessment. A full inspection shall also include cross checks of prior notifications and information submitted to competent authorities of estimated catch, weighing and sales information.

In the case of vessels pumping catch ashore the weighing of the entire discharge from the vessels selected for inspection shall be monitored and a cross-check undertaken between the quantities by species recorded in the landing declaration or sales note and the record of weighing held by the buyer or processor of the fish.

In the case of freezer trawlers, the counting of boxes shall be monitored. The sample weighing of boxes/pallets carried out in order to determine the tare weight shall also be monitored.

It shall be verified that the vessel is empty, once the discharge has been completed.

6. In each case where the checks reveal a significant discrepancy it shall be followed up as an infringement.



**TERMS OF REFERENCE FOR
A MONITORING, CONTROL AND SURVEILLANCE (MCS)
WORKING GROUP FOR 2017**

The Monitoring, Control and Surveillance (MCS) Working Group should meet before 1 April 2017 under the Terms of Reference described below:

The Working Group should submit its report to the Parties well in advance of the Coastal State consultations for 2017. Representatives of the Parties should meet no later than 31 January 2017 to plan the activity of the Working Group during 2017.

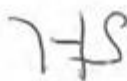
The objective of the Working Group should be to establish best practice in monitoring, control and surveillance both at sea and on land, with the goal of securing a level playing field for fisheries on pelagic stocks such as mackerel, Norwegian spring-spawning (Atlanto-Scandian) herring, blue whiting and horse mackerel.

The Working Group should be composed of operative MCS experts.

The MCS Working Group should:

- 1) Continue to conduct fact finding missions concerning;
 - a. Sea-going missions focusing on slipping, discards and high grading, by-catch issues and other relevant issues in the context of MCS; and
 - b. Missions on land focusing on weighing and inspections, by-catch issues and other relevant issues in the context of MCS;
- 2) Compare and consider findings in fact-finding missions reports with a view to propose harmonised practices and regulations between the Parties;
- 3) Follow up on the report from the Working Group in 2016 regarding proposals highlighted in point 5 of the MCS Working Group Report for 2016 regarding the manipulation of weighing systems;
- 4) Reflect water deduction in pelagic landings, especially in relation to tare used;
- 5) Review and identify possible differences in current practices by individual Parties in relation to risk assessment strategies and identify possible differences between the Parties;
- 6) Identify any common trends in non-compliance in the pelagic industry and elaborate on various methods to ensure detection of such infringements and on how this non-compliance could be mitigated;
- 7) Continue to explore the effects of the 3 systems identified for draining liquid in landings for industrial purposes; and
- 8) Review Annex IV of the Agreed Record of March 2014 regarding measures agreed on slipping, discards and high-grading in pelagic species; and propose measures on both technical and legal issues as appropriate.

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


2014		CATCHE (tonnes)													
Party	Quota established	Balance 2013	Quota exchange	Quota after transfers and flexibility	NEAFC Regulatory Area	European Union Zone	Faroe Fishing Zone	Greenland fishing zone	Islands Exclusive Economic Zone	Norwegian Economic Zone	Fishery Protection Zone around Jan Mayen	Fishery Protection Zone around Bougainville	Residual Economic Zone	TOTAL CATCH	Balance to 2015
EU	817,205	314,629	247	642,891	289,648	47,438	34,936	-	1,938	-	-	-	-	581,484	58,487
European Union	158,250	5,924	-15,200	148,074	47,438	-	-	-	-	1,938	-	-	-	158,074	-4,387
Faroe Islands	152,698	-7,890	1,200	145,808	-	-	73	-	152,698	-	-	-	-	153,273	6,475
Greenland	270,133	-17,217	-247	252,669	13,120	70,124	3023	-	-	168,271	11	10	-	253,444	-18,233
Total EU	1,238,086	14,666	-14,247	1,219,495	104,428	117,582	10,362	-	152,698	169,247	11	10	-	1,168,244	42,233
Islands	152,698	-	-	152,698	-	-	-	-	-	-	-	-	-	-	-
Greenland	141,507	-14,484	-	127,023	-	-	-	-	-	-	-	-	-	-	-
Total at Parties	1,419,597	14,484	-14,484	1,390,605	23,652	194,438	81,312	78,192	152,698	199,247	11	10	-	1,348,194	68,433
2015		CATCHE (tonnes)													
Party	Quota established	Balance	Quota exchange	Quota after transfers and flexibility	NEAFC Regulatory Area	European Union Zone	Faroe Fishing Zone	Greenland fishing zone	Islands Exclusive Economic Zone	Norwegian Economic Zone	Fishery Protection Zone around Jan Mayen	Fishery Protection Zone around Bougainville	Residual Economic Zone	TOTAL CATCH	Balance to 2016
EU	1,124,814	47,438	-30,243	1,094,571	3,338	33,160	17,783	-	18,131	-	-	-	-	124,486	134,486
European Union	172,864	5,911	-1,200	176,575	-	-	1,243	-	-	-	-	-	-	178,318	-3,153
Faroe Islands	177,904	1,511	4,000	183,415	18,507	-	-	-	18,290	-	-	-	-	199,705	15,169
Greenland	774,046	-1,982	-	772,064	11,631	33,160	16,540	-	-	277,624	0	0	-	791,685	-1,621
Total EU	1,024,824	-3,551	-14,443	1,006,141	31,476	46,320	14,823	-	18,131	277,624	0	0	-	1,024,021	117,742
Islands	114,131	-	-	114,131	-	-	-	-	-	-	-	-	-	-	-
Greenland	128,183	43,128	-14,443	113,768	34,441	46,320	14,823	30,378	124,386	318,625	-	-	-	1,068,267	35,378
Total at Parties	1,142,957	43,885	-14,443	1,119,909	65,917	92,640	29,646	30,378	142,516	318,625	-	-	-	1,092,288	117,742
2016 (Projected)		CATCHE (tonnes)													
Party	Quota established	Balance	Quota exchange	Quota after transfers and flexibility	NEAFC Regulatory Area	European Union Zone	Faroe Fishing Zone	Greenland fishing zone	Islands Exclusive Economic Zone	Norwegian Economic Zone	Fishery Protection Zone around Jan Mayen	Fishery Protection Zone around Bougainville	Residual Economic Zone	TOTAL CATCH	Balance to 2017
EU	1,124,814	47,438	-	1,124,814	-	-	-	-	-	-	-	-	-	-	-
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Islands	114,131	-	-	114,131	-	-	-	-	-	-	-	-	-	-	-
Greenland	128,183	43,128	-14,443	113,768	34,441	46,320	14,823	30,378	124,386	318,625	-	-	-	1,068,267	35,378
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European Union	172,864	5,911	-1,200	176,575	-	-	1,243	-	-	-	-	-	-	178,318	-3,153
Faroe Islands	177,904	1,511	4,000	183,415	18,507	-	-	-	18,290	-	-	-	-	199,705	15,169
Greenland	774,046	-1,982	-	772,064	11,631	33,160	16,540	-	-	277,624	0	0	-	791,685	-1,621
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Islands	114,131	-	-	114,131	-	-	-	-	-	-	-	-	-	-	-
Greenland	128,183	43,128	-14,443	113,768	34,441	46,320	14,823	30,378	124,386	318,625	-	-	-	1,068,267	35,378
Total at Parties	1,142,957	43,885	-14,443	1,119,909	65,917	92,640	29,646	30,378	142,516	318,625	-	-	-	1,092,288	117,742

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Quota for the year 2017
Unfished fishing beyond the quota from last year. Includes
unfished quota applied to transfers between countries
and unutilized quota from previous years.

Quota for the year 2018
Unfished fishing beyond the quota from last year. Includes
unfished quota applied to transfers between countries
and unutilized quota from previous years.

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**AGREED RECORD OF CONCLUSIONS OF FISHERIES CONSULTATIONS
BETWEEN THE EUROPEAN UNION AND NORWAY ON THE
MANAGEMENT OF MACKEREL IN THE NORTHEAST ATLANTIC FOR 2017**

CLONAKILTY, 19 OCTOBER 2016

1. A Delegation from the European Union, headed by Mr Joost PAARDEKOOPER, and a Delegation from Norway, headed by Ms Ann Kristin WESTBERG, met in Clonakilty on 19 October 2016 to consult on the management of mackerel in the North-East Atlantic for 2017.
2. The Delegations recalled the Agreed Record of Conclusions of Fisheries Consultations between the European Union and Norway on the management of mackerel in the North-East Atlantic (hereinafter referred to as the ten year management arrangement), signed in London on 26 January 2010 as well as the Agreed Record between the European Union and Norway on amendment to the ten-year management arrangement signed on 12 March 2014.
3. The Delegations recalled the agreement on a Coastal State arrangement between the European Union, the Faroe Islands and Norway reached in London on 12 March 2014, and the Agreed Record of Conclusions of Fisheries Consultations between the European Union, the Faroe Islands and Norway on the management of mackerel in the Northeast Atlantic for 2017, signed in Clonakilty on 19 October 2016.
4. The Delegations agreed to recommend to their respective authorities the arrangements for the management of mackerel in 2017, as set out in Annexes I and II, and Table I of this Agreed Record.

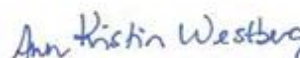
Clonakilty, 19 October 2016

For the European Union Delegation



Joost PAARDEKOOPER

For the Delegation of Norway



Ann Kristin WESTBERG

ACCESS AND TRANSFER ARRANGEMENTS FOR THE FISHERIES OF MACKEREL IN 2017

The following arrangements between Norway and the European Union shall apply in 2017:

1. The fishery conducted under the access arrangement shall be conducted in accordance with the technical regulations (including opening and closing dates) applicable to the waters of the Party granting access.
2. The European Union and Norway shall have full access to fish their respective shares of the North Sea TAC in the waters of the other Party in the waters of ICES Division IVa. The mutual access regime and TAC are set out in Table 1 of this Agreed Record.
3. The European Union shall, within the sharing arrangement mentioned under point 2, be allocated an additional fixed component of 1,865 tonnes, which may be fished in ICES Divisions IVa and IIIa, including the Norwegian Economic Zone of those areas.
4. Norway shall transfer a quota of 18,261 tonnes, equivalent to 10.8% of the Norwegian catch limit in the Norwegian Sea¹, to the European Union for fishing in ICES Divisions IIa and IVa.
5. The European Union shall transfer a quota of 18,261 tonnes, identical to the quota specified under point 4, to Norway for fishing in European Union waters of ICES Divisions IIa, VIa (north of 56° 30'), VIIId, e, f, h and IVa.
6. The following access arrangements shall apply for 2017:

For the European Union:

- a. Full access to the Norwegian Economic Zone of ICES Division IVa for the mackerel quotas that the European Union authorises to be fished in its own waters of ICES Division IVa.
- b. Access to the Norwegian Economic Zone of ICES Division IIa for a tonnage equivalent to 20% of the tonnage permitted under point 6.a above. Deducted from this quantity is any catch taken in ICES Division IIa under the reciprocal exchange of quotas mentioned in point 4.




¹ Norwegian Sea TAC – 169,085 tonnes

For Norway:

- c. Full access to the EU Zone of ICES Division IVa for the mackerel quotas that Norway authorises to be fished in the Norwegian Economic Zone of ICES Division IVa.
 - d. Access to the EU Zone of ICES Division VIa (north of 56° 30') for a tonnage equivalent to 20% of the tonnage permitted under point 6.c above. Deducted from this quantity is any catch taken in ICES Division VIa under the reciprocal exchange of quotas mentioned in point 5.
7. The Delegations noted that an Agreed Record between the European Union and Norway on a licence arrangement for 2017 was signed in Clonakilty on 19 October 2016. This licence arrangement shall apply in 2017.



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**Conditions for Norwegian vessels intending to fish mackerel
in European Union waters**

The following provisions shall apply to Norwegian vessels intending to fish for mackerel in EU waters:

- a) Vessels may only commence their fishing trip after having received authorisation from the competent authority of the coastal Member State concerned. Such vessels shall only enter European Union waters after passing through one of the following control areas:
- ICES rectangle 48 E2 in Division VIa;
 - ICES rectangle 50 F1 in Division IVa;
 - ICES rectangle 46 F1 in Division IVa;
 - ICES rectangle 53 F0 in Division IIa.

At least four hours prior to entering one of the control areas, upon entering European Union waters, the master of the vessel shall contact the UK Fisheries Monitoring Centre (Edinburgh) by e-mail at the following address: ukfmc@gov.scot or by telephone (+44 131 271 9700).

The notification shall specify the name, international radio call sign and port letters and number (PLN) of the vessel, the total quantity by species on board and the control area through which the vessel will enter EU waters. The vessel shall not commence fishing until it has received acknowledgement of the notification and instructions on whether or not the master is required to present the vessel for inspection. Each acknowledgement shall have a unique authorisation number which the master shall retain until the fishing trip is terminated.

- b) Vessels that enter European Union waters with no catch on board shall be exempt from the requirements laid down in paragraph a).
- c) The fishing trip shall be considered as being terminated when the vessel leaves EC waters or enters a European Union port where its catch is fully discharged.

Vessels shall only leave the European Union waters after passing through one of the control areas.

Upon leaving European Union waters, the master of the vessel shall give at least two hours prior notification of entering one of the control areas, to the Fisheries Monitoring Centre in Edinburgh by e-mail or telephone as provided for in paragraph a).

The notification shall specify the name, international radio call sign and port letters and number (PLN) of the vessel, the total quantity by species on board and the control area through which the vessel intends to pass. The vessel shall not leave the control area until it has received acknowledgement of the notification and instructions on whether or not the master is required to present the vessel for inspection. Each acknowledgement shall have a unique authorisation number, which the master shall retain until the vessel leaves the European Union waters.



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TABLE 1**MACKEREL QUOTAS IN THE NORTH SEA FOR 2017**

Species and ICES Area	TAC	Zonal Attachment				Transfer from EU to Norway (6)	Transfer from Norway to European Union (6)	Quota to Norway		Quota to European Union	
		Norway		European Union				Total	EU Zone (1)	Total	Norwegian Zone (1)
		%	Tonnes	%	Tonnes						
Mackerel IV, IIIa	93,877 (2)		61,341		32,536 (2)	-----	-----	61,341 (3)	61,341 (3)	32,536 (4)	32,536 (4)

⁽¹⁾ Any part of this allocation not taken may be added to the allocation in the Party's own zone⁽²⁾ Includes a fixed component of 1,865 tonnes⁽³⁾ May be fished in ICES Division IVa only, except for 3,000 tonnes, which may be fished in ICES Division IIIa⁽⁴⁾ Of which no more than 6,000 tonnes may be fished in ICES Divisions IVb, IVc and IIIa

**AGREED RECORD OF CONCLUSIONS OF CONSULTATIONS BETWEEN
THE EUROPEAN UNION AND NORWAY ON A LICENCE ARRANGEMENT
RELATING TO VESSELS FISHING FOR MACKEREL IN 2017
CLONAKILTY, 19 OCTOBER 2016**

1. Following the Agreed Record of Conclusions of Fisheries Consultations between the European Union and Norway on the management of mackerel in the Northeast Atlantic for 2017, signed in Clonakilty on 19 October 2016, a European Union Delegation, headed by Mr Joost PAARDEKOOPER, and a Norwegian Delegation, headed by Ms Maja Kirkegaard BRIX, consulted on a licence arrangement for vessels fishing for this stock in 2017.
2. The Delegations agreed to recommend to their respective authorities the arrangement for 2017 outlined in the Annex to this Agreed record.

Clonakilty, 19 October 2016

For the European Union Delegation



Joost PAARDEKOOPER

For the Norwegian Delegation



Maja Kirkegaard BRIX

ANNEX

The Norwegian fisheries authorities will, upon request from the European Union, issue licences to European Union vessels for the fishing of North-East Atlantic mackerel in the Norwegian Economic Zone, as well as in the fisheries zone around Jan Mayen.

The European Union will ensure that no more than 70 vessels will be present simultaneously in these waters. This includes licences issued in accordance with the Agreed Record of Conclusions on licence arrangement for 1995 between the European Community and Norway, signed in Bergen on 13 May 1995.

Either Party may request consultations on the operations of this arrangement with a view to, *inter alia*, adjusting the number of EU vessels allowed simultaneously in the Norwegian Economic Zone if the circumstances so warrant, and taking due regard to the remaining quota.

