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INFORMATION

From:	General Secretariat of the Council
To:	Delegations
Subject:	Agreed Record EU-Faroe Islands

Delegations will find attached the Agreed Record on the above-mentioned subject.

**AGREED RECORD OF FISHERIES CONSULTATIONS BETWEEN
THE FAROE ISLANDS AND THE EUROPEAN UNION FOR 2020**

TÓRSHAVN, 10 DECEMBER 2019

- 1 A Delegation of the Faroe Islands, headed by Mr Herluf Sigvaldsson and a Delegation of the European Union, headed by Mr Fabrizio Donatella, met in Tórshavn on 9 and 10 December 2019 for consultations on mutual fisheries relations in 2020. A list of participants is attached as Annex 3.
- 2 In conformity with the Agreement on fisheries between the European Community, of the one part, and the Government of Denmark and the Home Government of the Faroe Islands, of the other part, the Delegations agreed to recommend to their respective authorities that the allocations for 2020 set out in Annex 1 should be made to vessels of either Party fishing in the waters of the other Party.

3 Mackerel

- 3.1 The Delegations noted the results of the consultations in London on 17 October 2019, and the conclusion of a Coastal State arrangement for 2020. This arrangement is in line with the Mackerel arrangement of 12 March 2014 between the European Union, the Faroe Islands and Norway for the period 2014 to 2018, as last amended by the Agreed Record of Conclusions of fisheries arrangement between the Faroe Islands, the European Union and Norway on an extension of the 2014 Mackerel arrangement to 2020 concluded in Bergen on 29 November 2018.
- 3.2 The Delegations agreed to grant reciprocal access for 2020 to one another's waters, as follows:
 - The European Union is granted access to fish 34,856 tonnes of its 2020 catch limit in Faroese waters.
 - The Faroe Islands are granted access to fish 34,856 tonnes of their 2020 catch limit in EU waters of ICES Sub-area VIa north of 56°30'N¹.

4 Blue whiting

- 4.1 The Delegations welcomed the agreement reached by Coastal States on a Coastal State Arrangement for 2020. They agreed that in line with this Arrangement, it would be appropriate to base their unilateral quotas on the long-term management strategy for blue whiting and corresponding to Fmsy level of 1,161,615 tonnes as advised by ICES and agreed by all Coastal States.
- 4.2 On this basis, the EU Delegation informed the Faroese Delegation that the EU would set a definitive quota of 481,141 tonnes of blue whiting for 2020. The Faroe Islands

¹ May be fished in ICES Divisions 2a, 4a North of 59° N (EU Zone) from 1 January to 15 February and from 1 October to 31 December

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Delegation informed the EU Delegation that they expected to establish a definitive quota for blue whiting by the end of 2019.

- 4.3 The Delegations agreed that establishing their respective unilateral quotas for blue whiting for 2020 does not in any way imply the acceptance of the level of these quotas by any party.
- 4.4 The delegations agreed to grant reciprocal access for 2020 to one another's waters, as set out below:
- The European Union is granted access to fish 37,500 tonnes of its catch limit in Faroese waters.
 - The Faroe Islands are granted access to fish 37,500 tonnes of its catch limit in EU waters of ICES Sub-areas 2, 5, 6a², 6b and 7³ and ICES division 4a⁴.

5 Norwegian Spring-Spawning (Atlanto-Scandian) herring

- 5.1 The Delegations welcomed the agreement reached by Coastal States on a Coastal State Arrangement for Norwegian Spring-Spawning (Atlanto-Scandian) herring for 2020. They agreed that in line with this Arrangement, it would be appropriate to base their unilateral quotas on the level of catches of 525,594 tonnes, as advised by ICES and agreed by all Coastal States.
- 5.2 On this basis, the EU Delegation informed the Faroese Delegation that the EU would set a definitive quota of 34,216 tonnes of Norwegian Spring-Spawning (Atlanto-Scandian) herring for 2020. The Faroe Islands Delegation informed the EU Delegation that they expected to establish a definitive quota for Norwegian Spring-Spawning (Atlanto-Scandian) herring by the end of 2019.
- 5.3 The Delegations agreed that establishing their respective unilateral quotas for Norwegian Spring-Spawning (Atlanto-Scandian) herring for 2020 does not in any way imply the acceptance to the level of these quotas by any Party.
- 5.4 The Parties shall grant reciprocal access to each other's waters for 2020, as set out below:
- The European Union is granted access to fish 7,000 tonnes of its own catch limit for 2020 in Faroese waters north of 62 N.
 - The Faroe Islands are granted access to fish 7,000 tonnes of its own catch limit for 2020 in EU waters north of 62 N.
 - Upon request from the Faroe Islands, the EU will issue a maximum of 20 licences to Faroese vessels for the fishing of Norwegian Spring-Spawning (Atlanto-Scandian) herring in EU waters north of 62 N.
 - Upon request from the European Union, the Faroe Islands will issue a maximum of 20 licenses to EU vessels for fishing Norwegian Spring-Spawning (Atlanto-Scandian) herring in Faroese waters north of 62 N.
 - Upon request from either Party, and within the limit of the agreed maximum number of licenses, licences in respect of particular vessels may be withdrawn at

² North of 56°30'N

³ West of 12°W

⁴ The catches in ICES Division IVa, in respect of this arrangement, shall be limited to no more than 25% of the total access quantity

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any time and be replaced by licences for alternative vessels. Such adjustments will be processed expeditiously and issued without unnecessary delay.

6 Sprat

- 6.1 The Delegations noted that the ICES advice for sprat covers the period 1 July to 30 June rather than the calendar year, and that as a consequence, transfers of sprat from the EU to the Faroe Islands could be fished only during the period 1 July 2020 to 30 June 2021. They further noted that the transfer of 1.000 tonnes shown in Annex 1, Table 1.2 is conditional on an ICES catch advice in 2020 of no less than 100.000 tonnes. Should this not be the case, it was agreed that the EU would compensate the Faroe Islands with the same quantity in cod equivalents in the quota exchanges for 2021.

7 Fishery regulations

- 7.1 As regards real time closures of areas due to high abundance of juvenile fish, the competent authorities of the Faroe Islands will inform without delay European Union fishing vessels operating in its waters at the time of the closure. European Union fishing vessels concerned have to leave the relevant area(s) within 6 hours from the time and date indicated in the notice sent to the vessel.
- 7.2 The competent authorities of the Faroe Islands will also inform without delay the European Commission and FMC of the relevant Member States of each closure. In so doing, the authorities of the Faroe Islands will submit a copy of the measure and the elements justifying the adoption of this measure.
- 7.3. The Faroese Delegation informed that information on real time closures is available at the Faroese Fisheries Inspection webpage www.vorn.fo.
- 7.4. The Delegations noted that the competent authorities of the Faroe Islands shall endeavour to inform any European Union vessel entering Faroese waters of any current closure. However, the Delegations agreed that the responsibility for informing vessels of the details of closures rests with the flag State authorities.
- 7.5 The EU Delegation recalled the need to provide new Faroese legislation applicable to EU vessels in the English language as soon as such legislation become available.

8 Licensing and permitted fishing vessels

- 8.1 The Delegations agreed that the “Agreed Record of Conclusions of Licence Arrangements between the European Community and the Faroe Islands for 2008” signed at Brussels on 5 December 2007, shall remain valid for 2020.
- 8.2 Notwithstanding 8.1 the Parties agreed that when fishing for mackerel, the Parties will be allowed to have 20 vessels on a basic list.
- 8.3 The Delegations agreed that the Parties would exchange information on the lists of vessels authorised to fish in each other’s waters during 2020. Vessels, which were authorised to fish on 31 December 2019, may continue their activities in 2020.

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8.4 The Delegations agreed that both Parties would ensure that measures are in place to confirm to vessels, on entering the other Party's waters, whether or not they are included in the list of vessels that are permitted to fish.

9 Catch statistics

9.1 The Delegations agreed that each Party shall supply the other Party with monthly catch statistics of fishing by its vessels in the other Party's zone. These statistics shall be supplied to the respective Parties by the end of the month for the previous month's catches. The Delegations agreed to continue to use the standardised data exchange format]. In the case of mackerel, blue whiting and Atlanto-Scandian (Norwegian spring-spawning) herring, the respective Parties shall submit daily catch reports when 80 % of the respective quota has been reached.

9.1.1 In the case of the Faroe Islands, the Faroese authorities shall submit this information to the European Commission (FISH-NORTH-AGREEMENTS@ec.europa.eu).

9.1.2 In the case of the European Union, the authorities of the relevant Member State shall submit this information to the Faroese authorities (vakt@vorn.fo).

10 Discards and implementation of landing obligations

10.1 The EU Delegation confirmed to the Faroese Delegation that under the Common Fisheries Policy a landing obligation has been established and fully applies since 2019 for all catches of species, which are subject to catch limits, caught during fishing activities in Union waters.

10.2 The EU Delegation informed the Faroese Delegation that the relevant rules and provisions regarding the landing obligation are laid down in specific EU regulations.

11 Control and monitoring of fisheries

11.1 Electronic reporting systems (ERS) and Vessel Monitoring Systems (VMS) for fishing vessels.

11.1.1 The Delegations noted that at the Annual Meeting of NEAFC in 2018 the Commission adopted a recommendation to introduce an Electronic Reporting System (ERS) in NEAFC according to the (Recommendation 19:2019).

11.1.2 The Delegations agreed that measures taken by NEAFC are an important continued step towards harmonisation of ERS.

11.1.3 Furthermore, the Delegations agreed that the new NEAFC ERS should be taken into consideration in the further development and revisions of the existing bilateral agreements on VMS, ERS and licensing.

11.1.5 The Delegations agreed to meet early in 2020 to explore commitment by Parties on further cooperation on control, and if relevant develop an implementation process of proposed recommendations.

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12 Control of blue whiting and mackerel fisheries in European Union waters

- 12.1 The EU Delegation informed the Faroese Delegation that in order to maintain an effective control of the blue whiting and mackerel fisheries in European Union waters, the provisions on control as set out in Annex 2 would be applied in 2020.

13 Special Area between the United Kingdom and the Faroe Islands

- 13.1 The Delegations took note of the relevant provisions of the Agreement signed 18 May 1999 between the Government of Denmark together with the Home Government of the Faroe Islands, on the one hand, and the Government of the United Kingdom of Great Britain and Northern Ireland, on the other hand, relating to the Maritime Delimitation in the area between the Faroe Islands and the United Kingdom.

Regarding third-party vessels licensed by both Parties to operate in the Special Area defined in the Agreement, the Delegations agreed to implement the following system regarding reporting in the Special Area:

- The Parties shall exchange information on licences given to third country vessels that will operate in the Special Area.
- If both Parties have issued licences to a third country vessel, all relevant vessel information (registration number etc.) shall be submitted to the control authorities of both Parties.
- If a third country vessel has obtained a 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.
- A specific hail in and hail out system for the Special Area shall be introduced.
- Catches taken in the Special Area shall be specified in the logbook.
- Third country vessels shall be subject to VMS control by the Party issuing the licence(s). This VMS information shall be exchanged between the Parties.
- The Parties agree to establish close collaboration between their relevant control and inspection authorities with a view to an efficient monitoring of the fishing activities in the Special Area.
- The Parties agreed that it would be desirable that inspection vessels be present in the Special Area during certain periods of intensive fishing activities (e.g. during blue whiting migration through the area).
- If a vessel is licensed by both Parties, each Party shall enforce its own technical measures.

14 Future consultations on other issues

- 14.1 The Delegations agreed to consult further in the first half of 2020 on conservation measures, technical conditions and licensing issues.

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15 Fishing activities in 2020

15.1 The Delegations agreed that fishing activities under this agreed Record could start on 1 January 2020.

Tórshavn, 10 December 2019

For the Delegation of the Faroe Islands



Herluf Sigvaldsson

For the Delegation of the European Union



Fabrizio Donatella

QUOTAS FOR 2020

1. Each Party shall open the catch quotas indicated hereunder for the other Party in its fishery zone:

1.1. Quotas for European Union vessels fishing in the Faroese zone in 2020

SPECIES	ICES-DIVISION	QUANTITY (TONNES)
Cod and Haddock	5b	885
Saithe	5b	2,600
Redfish	5b	100
Blue Ling and Ling	5b	1,885 ⁽¹⁾
Flatfish	5b	50
Blue Whiting	Faroese waters	2,500 ⁽²⁾
Other Species	5b	700

- (1) By-catch of maximum of 665 tonnes of roundnose grenadier and black scabbard to be counted against this quota.
 (2) Catches of blue whiting may include unavoidable by-catches of argentine to be counted against this quota.

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1.2. Quotas for Faroese vessels fishing in the European Union zone or Greenland waters in 2020

SPECIES	FISHING AREAS (ICES)	QUANTITY (TONNES)
Ling and Tusk	6a ⁽¹⁾ , 6b	200 ⁽²⁾
Blue Ling	6a ⁽¹⁾ , 6b	150 ⁽³⁾
Horse Mackerel	4a, 6a ⁽¹⁾ , 7e, f, h	1,600
Norway pout	4	5,000 ⁽⁸⁾ ⁽⁹⁾
Blue Whiting	2, 5, 6a ⁽¹⁾ , 6b and 7 ⁽⁴⁾ and 4a ₍₇₎	10,000 ⁽⁵⁾
Sprat	4, 6a ⁽¹⁾	1,000 ⁽¹⁰⁾ ⁽¹¹⁾ ⁽¹²⁾
Other White Fish (by-catches only)	4, 6a	150
Herring	4a	250
Northern deep-water Prawns (<i>Pandalus borealis</i>)	14/5	1,200
Greenland Halibut	14/5	110

- (1) North of 56°30'N.
- (2) Of which an incidental catch of other species of 20% per ship, at any given time, is authorised in ICES Divisions 6a and 6b. However, this percentage may be exceeded in the first 24 hours following the beginning of the fishing on a specific ground. The total incidental catch of other species in Divisions 6a and 6b may not exceed 75 tonnes.
- (3) By-catches of roundnose grenadier and black scabbard to be counted against this quota.
- (4) West of 12°00'W.
- (5) Catches of blue whiting may include unavoidable by-catches of argentine to be counted against this quota.
- (6) pm
- (7) The catches in ICES Division 4a shall be limited to no more than 25% of the quota
- (8) Includes 15% unavoidable by-catches to be counted against this quota
- (9) Use of a sorting grid is obligatory
- (10) Any by-catch of blue whiting shall be counted against the blue whiting quota established for fishing areas 6a, 6b and 7
- (11) May contain up to 4% of by-catch of herring
- (12) To be fished from 1 July 2020 to 30 June 2021

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Part I

Conditions for Faroese vessels intending to fish for blue whiting in European Union waters:

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

- a) Vessels that already have catch on board may only commence their fishing trip after having received authorisation from the competent authority of the coastal Member State concerned. Such vessels shall only enter European Union waters after passing through one of the following control areas:
- A. ICES rectangle 48 E2 in Division 6a;
 - B. ICES rectangle 50 F1 in Division 4a;
 - C. ICES rectangle 46 F1 in Division 4a;
 - D. ICES rectangle 36 D4 in 7c;
 - E. ICES rectangle 37 D4 in 7c.

Before entering European Union waters, the master of the vessel shall contact the Fisheries Monitoring Centre of the coastal Member State concerned, as follows:

- (i) UK (Edinburgh) by e-mail at the following address: ukfmc@gov.scot or by telephone (+44 131 271 9700) at least four hours prior to entering one of the control areas A, B or C, or
- (ii) Ireland (Haulbowline) by e-mail at the following address: fmcireland@defenceforces.ie or by telephone (+353 21 4378752) at least 12 hours prior to entering one of the control areas D or E.

The notification shall specify the name, international radio call sign and port letters and number (PLN) of the vessel, the total quantity by species on board and the position (longitude/latitude) where the master estimates that the vessel will enter European Union waters as well as the area where he intends to commence fishing. The vessel shall not commence fishing until it has received acknowledgement of the notification and instructions on whether or not the master is required to present the vessel for inspection. Each acknowledgement shall have a unique authorisation number which the master shall retain until the fishing trip is terminated.

Notwithstanding any inspections that may be carried out at sea the competent authorities may in duly justified circumstances require a master to present his vessel for inspection in waters of Blacksod Bay or in the ports of Killybegs, Lerwick or Scrabster.

- b) Vessels that enter European Union waters with no catch on board shall be exempt from the requirements laid down in point (a). However, the vessels shall notify four hours in advance the competent authorities mentioned in point (a) above of their intention to enter EU waters.
- 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.

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Vessels shall only leave European Union waters after passing through one of the following control routes:

- A. ICES rectangle 48 E2 in zone 6a;
- B. ICES rectangle 46 E6 in zone 4a;
- C. ICES rectangles 48 E8, 49 E8 or 50 E8 in zone 4a.

The master of the vessel shall give at least four hours' prior notification of entering one of the afore mentioned control routes to the Fisheries Monitoring Centre in Edinburgh by e-mail or telephone as provided for in point (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 route through which the vessel intends to pass.

The vessel shall not leave the area within the control route 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 European Union waters.

Notwithstanding any inspections that may be carried out at sea the competent authorities may in duly justified circumstances require a master to present his vessel for inspection in the ports of Lerwick or Scrabster.

- d) Vessels that transit through European Union waters must stow their nets so that they may not readily be used in accordance with the following conditions:
 - (i) Nets, weights and similar gear shall be disconnected from their trawl boards and towing and hauling wires and ropes; and
 - (ii) Nets, which are on or above deck, shall be securely lashed to some part of the superstructure.

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Part II

Conditions for Faroese vessels intending to fish mackerel in European Union waters

The following provisions shall apply to Faroese vessels intending to fish for mackerel in EC waters:

- a) Vessels intending to fish mackerel must enter EU waters with no catch on board.
- b) 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 6a;
 - ICES rectangle 48 E6 in Division 4a;
 - ICES rectangle 50 F1 in Division 4a;
 - ICES rectangle 46 F1 in Division 4a;

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 EC 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.

Notwithstanding any inspections that may be carried out at sea the competent authorities may in duly justified circumstances require a master to present his vessel for inspection in the ports of Killybegs, Lerwick or Scrabster.

- 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 EU waters after passing through one of the control areas.

Before 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 point (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.

Notwithstanding any inspections that may be carried out at sea the competent authorities may in duly justified circumstances require a master to present his vessel for inspection in the ports of Killybegs, Lerwick or Scrabster.

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- d) Vessels that transit through EU waters must stow their nets so that they may not readily be used in accordance with the following conditions:
- (i) Nets, weights and similar gear shall be disconnected from their trawl boards and towing and hauling wires and ropes; and
 - (ii) Nets, which are on or above deck, shall be securely lashed to some part of the superstructure.

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LIST OF PARTICIPANTS

FAROE ISLANDS:

Herluf Sigvaldsson (Head of Delegation)

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Hans Ellefsen

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