EU/Norway Agreement: reciprocal access to fishing in the Skagerrak for vessels flying the flag of Denmark, Norway and Sweden

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PURPOSE: to conclude the Agreement between the European Union and Norway on reciprocal access to fishing in the Skagerrak for vessels flying the flag of Denmark, Norway and Sweden.

PROPOSED ACT: Council Decision.

ROLE OF THE EUROPEAN PARLIAMENT: Council may adopt the act only if Parliament has given its consent to the act.

BACKGROUND: an Agreement on reciprocal access to fishing in the Skagerrak and Kattegat between Denmark, Norway and Sweden was signed on 19 December 1966. It remained in force for an initial period of 35 years until 2002 and was subsequently extended for two five-year periods until 2012.

This agreement allowed for reciprocal access between those three countries to fish up to 4 nautical miles from their respective baselines in the Skagerrak and Kattegat, which are the waters between the North Sea and the Baltic Sea. It established that, for the purposes of such fishing, the area in question was deemed to constitute the high seas.

In view of more recent developments in international fisheries law, Norway considered that the existing agreement was not in conformity with the current provisions of the Law of the Sea. Norway was particularly concerned with regard to the provisions on control.

On 29 July 2009, the Norwegian Foreign Ministry formally informed the Danish authorities that they wished to terminate the Agreement with a formal denunciation. Consequently, the Agreement expired on 7 August 2012.

Subsequently, Norway entered into formal negotiations with the Commission, on behalf of the European Union, with the aim of establishing a replacement Agreement on reciprocal access to fishing in the Skagerrak and Kattegat area. This new Agreement was signed on 15 January 2015.

CONTENT: the Commission proposed that the Council conclude the Agreement between the European Union and Norway on reciprocal access to fishing in the Skagerrak for vessels flying the flag of Denmark, Norway and Sweden on behalf of the Union.

The new Agreement:

- maintains the **exclusive access** granted to vessels from Denmark, Norway and Sweden to each other's waters outside 4 nautical miles from the baselines;
- ensures **continued reciprocal access** for the two Member States and Norway to the respective waters of the other Parties in the Skagerrak area, whilst at the same time, ensuring sound conservation and management measures for fisheries in the area;
- allows for **control measures** in harmony with the principles of normal Coastal State jurisdiction, as is already the case for fisheries in the North Sea.

The measures proposed are designed in accordance with the objectives and the rules of the Common Fisheries Policy and are consistent with the Union's policy on sustainable development.