Basic information

2016/0192(NLE) NLE - Non-legislative enactments	Procedure completed
EU/Norway Agreement: reciprocal access to fishing in the Skagerrak for vessels flying the flag of Denmark, Norway and Sweden **Subject** 3.15.04 Management of fisheries, fisheries, fishing grounds 3.15.15.08 Fisheries agreements with Northern and Baltic countries **Geographical area** Norway	

Key players

European Parliament

Committee responsible	Rapporteur	Appointed
PECH Fisheries	DOHRMANN Jørn (ECR)	13/07/2016
	Shadow rapporteur KUHN Werner (PPE) CHRISTENSEN Ole (S&D) BILBAO BARANDICA Izaskun (ALDE) NÍ RIADA Liadh (GUE/NGL)	

Council of the European Union

Council configuration	Meetings	Date
Employment, Social Policy, Health and Consumer Affairs	3507	2016-12-08

European Commission

Commission DG	Commissioner
Maritime Affairs and Fisheries	VELLA Karmenu

Key events

Date	Event	Reference	Summary
23/06/2016	Preparatory document	COM(2016)0413	Summary
12/07/2016	Legislative proposal published	10711/2016	Summary
12/09/2016	Committee referral announced in Parliament		

09/11/2016	Vote in committee		
10/11/2016	Committee report tabled for plenary, 1st reading/single reading	A8-0321/2016	Summary
08/12/2016	Act adopted by Council after consultation of Parliament		
08/12/2016	End of procedure in Parliament		
14/12/2016	Decision by Parliament	T8-0492/2016	Summary
14/12/2016	Results of vote in Parliament		
05/01/2017	Final act published in Official Journal		

Technical information

Procedure reference	2016/0192(NLE)
Procedure type	NLE - Non-legislative enactments
Procedure subtype	Consent by Parliament
Legal basis	Treaty on the Functioning of the European Union TFEU 043-p2 Treaty on the Functioning of the European Union TFEU 218-p6a
Other legal basis	Rules of Procedure EP 165
Stage reached in procedure	Procedure completed
Committee dossier	PECH/8/06928

Documentation gateway

European Parliament

Document type	Committee	Reference	Date	Summary
Committee draft report		PE587.521	19/09/2016	
Committee report tabled for plenary, 1st reading/single reading		A8-0321/2016	10/11/2016	Summary
Text adopted by Parliament, 1st reading/single reading		T8-0492/2016	14/12/2016	Summary

Council of the EU

Document type	Reference	Date	Summary
Document attached to the procedure	11692/2014	14/07/2014	
Legislative proposal	10711/2016	12/07/2016	Summary

European Commission

Document type	Reference	Date	Summary
Preparatory document	COM(2016)0413	23/06/2016	Summary

Additional information		
Source	**Document**	**Date**
European Commission	EUR-Lex	

Final act	
Decision 2017/0003 OJ L 002 05.01.2017, p. 0001	Summary

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

2016/0192(NLE) - 23/06/2016

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.

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

2016/0192(NLE) - 14/12/2016 - Text adopted by Parliament, 1st reading/single reading

The European Parliament adopted by 638 votes to 10, with 46 abstentions, a legislative resolution on the draft Council decision on the conclusion of the Agreement between the European Union and the Kingdom of Norway on reciprocal access to fishing in the Skagerrak for vessels flying the flag of Denmark, Norway and Sweden.

In line with its Committee on Fisheries, Parliament gave its consent to the conclusion of the Agreement.

As a reminder, an Agreement on reciprocal access to fishing in the Skagerrak and Kattegat between Denmark, Norway and Sweden of 1966 entered into force on 7 August 1967.

A replacement agreement on reciprocal access to fishing in the Skagerrak and Kattegat area was initialled on 24 October 2013 and signed on 15 January 2015.

The new Agreement maintains continued reciprocal access for the two Member States and Norway to the respective waters of the other Parties in the Skagerrak and Kattegat area, whilst at the same time, ensuring sound conservation and management measures for fisheries in the area.

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

2016/0192(NLE) - 12/07/2016 - Legislative proposal

PURPOSE: conclude the Agreement between the European Union and the Kingdom of 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: the Agreement between the European Union and the Kingdom of Norway on reciprocal access to fishing in the Skagerrak for vessels flying the flag of Denmark, Norway and Sweden was signed on 15 January 2015, subject to its conclusion at a later date.

The Agreement should now be approved.

CONTENT: the draft Council Decision seeks to approve, on behalf of the Union, 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.

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.

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

2016/0192(NLE) - 23/06/2016 - Preparatory document

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.

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

2016/0192(NLE) - 10/11/2016 - Committee report tabled for plenary, 1st reading/single reading

The Committee on Fisheries adopted the recommendation by Jørn DOHRMANN (ECR, DK) on the draft Council decision on the conclusion of the Agreement between the European Union and the Kingdom of Norway on reciprocal access to fishing in the Skagerrak for vessels flying the flag of Denmark, Norway and Sweden.

The committee called on the Parliament to **give its consent** to the conclusion of the Agreement.

In brief, an Agreement on reciprocal access to fishing in the Skagerrak and Kattegat between Denmark, Norway and Sweden of 1966 entered into force on 7 August 1967. This Agreement, which was supplemented by the 1980 bilateral fisheries agreement between the European Union and Norway, allowed for reciprocal access between the three countries to fish up to four nautical miles from their respective baselines in the Skagerrak and Kattegat.

The 1966 agreement remained in force for an initial period of 35 years until 2002 and was subsequently extended for two five-year periods until 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 initialled on 24 October 2013 and signed on 15 January 2015.

The new Agreement:

- maintains the exclusive access granted to vessels from Denmark, Norway and Sweden to each other's waters outside four 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 and Kattegat 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.

In a short justification accompanying the draft resolution, it is recalled that traditionally, fishermen do not fish in certain waters: they fish certain stocks or for certain species and fish in the waters where those stocks or species are found and follow migrating species. This tradition predates the creation of states and the recognition of territorial waters and, much later, of exclusive economic zones. The Kattegat and Skagerrak are typical examples of this.

The Agreement adds to the **support of the historical fishing rights in this area** and will also be beneficial for the implementation of the reformed CFP in the Kattegat and Skagerrak.

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

2016/0192(NLE) - 19/12/2016 - Final act

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.

NON-LEGISLATIVE ACT: Council Decision (EU) 2017/3 on the conclusion of the Agreement between the European Union and the Kingdom of Norway on reciprocal access to fishing in the Skagerrak for vessels flying the flag of Denmark, Norway and Sweden.

CONTENT: under this Decision, 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 is approved on behalf of the Union. The Agreement was signed on 15 January 2015, subject to its conclusion at a later date.

This Agreement applies to an area in the Skagerrak bounded on the west by a straight line running through the Hanstholm lighthouse and the Lindesnes lighthouse and on the south by a straight line running through the Skagen lighthouse and the Tistlarna lighthouse, within those parts of the territorial sea and adjacent areas of fisheries jurisdiction of Denmark, Norway and Sweden, that extend beyond four nautical miles (1 nautical mile = 1 852 metres) from the baselines from which the breadth of the territorial sea is measured.

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.

This Agreement shall remain in force until 1 January 2022. In the event of the Agreement not being terminated by either Party through notice of termination given at least one year before the expiry of that period, it shall remain in force for additional periods of six years duration thereafter, provided that notice of termination has not been given at least one year before the expiry of any such six years period.

ENTRY INTO FORCE: 19.12.2016.