







# Procedure file

Basic information	
NLE - Non-legislative enactments	2016/0192(NLE)
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	
Procedure completed	

Key players			
European Parliament	Committee responsible	Rapporteur	Appointed
	 Fisheries	 <a href="#">DOHRMANN Jørn</a>	13/07/2016
		Shadow rapporteur	
		 <a href="#">KUHN Werner</a>	
		 <a href="#">CHRISTENSEN Ole</a>	
		 <a href="#">BILBAO BARANDICA Izaskun</a>	
Council of the European Union	Council configuration	Meeting	Date
	<a href="#">Employment, Social Policy, Health and Consumer Affairs3507</a>		08/12/2016
European Commission	Commission DG	Commissioner	
	<a href="#">Maritime Affairs and Fisheries</a>	VELLA Karmenu	

Key events			
23/06/2016	Preparatory document	<a href="#">COM(2016)0413</a>	Summary
12/07/2016	Legislative proposal published	<a href="#">10711/2016</a>	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	<a href="#">A8-0321/2016</a>	Summary
	Act adopted by Council after consultation		

08/12/2016	of Parliament		
08/12/2016	End of procedure in Parliament		
14/12/2016	Results of vote in Parliament		
14/12/2016	Decision by Parliament	<a href="#">T8-0492/2016</a>	Summary
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 EU TFEU 043-p2; Treaty on the Functioning of the EU TFEU 218-p6a
Other legal basis	Rules of Procedure EP 159
Stage reached in procedure	Procedure completed
Committee dossier	PECH/8/06928

### Documentation gateway

Document attached to the procedure	<a href="#">11692/2014</a>	14/07/2014	CSL	
Preparatory document	<a href="#">COM(2016)0413</a>	23/06/2016	EC	Summary
Legislative proposal	<a href="#">10711/2016</a>	12/07/2016	CSL	Summary
Committee draft report	<a href="#">PE587.521</a>	19/09/2016	EP	
Committee report tabled for plenary, 1st reading/single reading	<a href="#">A8-0321/2016</a>	10/11/2016	EP	Summary
Text adopted by Parliament, 1st reading/single reading	<a href="#">T8-0492/2016</a>	14/12/2016	EP	Summary

### Final act

[Decision 2017/3](#)  
[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

**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

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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

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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

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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

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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.

**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.