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COVER NOTE

From:	Secretary-General of the European Commission, signed by Mr Jordi AYET PUIGARNAU, Director
date of receipt:	24 June 2014
To:	Mr Uwe CORSEPIUS, Secretary-General of the Council of the European Union
No. Cion doc.:	COM(2014) 373 ANNEX
Subject:	ANNEX to the Proposal for a Council decision on the signing, on behalf of the European Union, and provisional application of an Agreement between the European Union and the Kingdom of Norway on reciprocal access to fishing in the Skagerrak

Delegations will find attached document COM(2014) 373 ANNEX.

Encl.: COM(2014) 373 ANNEX



EUROPEAN
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Brussels, 24.6.2014
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ANNEX 1

ANNEX

to the

Proposal for a Council decision

on the signing, on behalf of the European Union, and provisional application of an Agreement between the European Union and the Kingdom of Norway on reciprocal access to fishing in the Skagerrak

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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 European Union and the Kingdom of Norway, hereinafter referred to as “The Parties”,

REFERRING to the provisions of the United Nations Convention on the Law of the Sea of 10 December 1982, hereinafter referred to as “the Convention”;

RECALLING the Agreement on Fisheries between the European Economic Community and the Kingdom of Norway of 27 February 1980, hereinafter referred to as “the 1980 Agreement”;

HAVING REGARD to the expiry on 7 August 2012 of the Agreement between Denmark, Norway and Sweden on reciprocal access to fishing in the Skagerrak and the Kattegat of 19 December 1966;

AWARE of the traditional Danish, Norwegian and Swedish fisheries in the Skagerrak;

SEEKING to maintain reciprocal access for vessels flying the flag of Denmark, Norway and Sweden to conduct fishing in the Skagerrak in areas beyond four nautical miles from the respective baselines of the other said States, within their territorial sea and adjacent areas of fisheries jurisdiction;

CONSIDERING the importance of compliance by fishing vessels with the laws, regulations and control and enforcement measures adopted by the respective coastal States, in accordance with the provisions of the Convention, the 1980 Agreement and this Agreement, in order to ensure the conservation and sustainable use of the living resources in the Skagerrak;

HAVE AGREED AS FOLLOWS:

Article 1

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.

Article 2

Within the area specified in Article 1, each Party undertakes, on the basis of its fisheries jurisdiction, in conformity with the Convention, and pursuant to its applicable laws, to permit vessels flying the flag of Denmark, Norway and Sweden to engage in fishing, subject to the relevant provisions of the 1980 Agreement and in conformity with allocations agreed by the Parties.

Article 3

The Parties shall cooperate in order to establish, insofar as possible, harmonised rules and regulations in respect of fishing within the area specified in Article 1.

Article 4

The Parties agree to consult on questions related to the implementation and proper functioning of this Agreement, or in the event of a dispute concerning the interpretation thereof.

Article 5

This Agreement shall be without prejudice to other Agreements concerning fishing by vessels of one Party within the area of fisheries jurisdiction of the other Party.

Article 6

Without prejudice to Article 1, this Agreement shall apply, on the one hand, to the territories in which the Treaty on the European Union and Treaty on the Functioning of the European Union are applied and under the conditions laid down in those Treaties and, on the other hand, to the territory of the Kingdom of Norway.

Article 7

This Agreement shall enter into force on the date of receipt of the last notification that all internal procedures required for its entry into force, have been fulfilled by the Parties.

Article 8

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.

Article 9

This Agreement shall, pending its entry into force, be applied provisionally up to two years from the date of signature.

Article 10

This Agreement is drawn up in two copies in the Bulgarian, Spanish, Czech, Danish, German, Estonian, Greek, English, French, Croatian, Italian, Latvian, Lithuanian, Hungarian, Maltese, Dutch, Polish, Portuguese, Romanian, Slovakian, Slovenian, Finnish, Swedish and Norwegian languages, each of these texts being authentic. In the event of contradiction or dispute, the English text shall prevail.