AGREED RECORD OF THE FISHERIES CONSULTATIONS BETWEEN THE FAROE ISLANDS AND EUROPEAN COMMUNITY FOR 2009
COPENHAGEN, 15 DECEMBER 2008

1. A Delegation representing the Home Government of the Faroe Islands, headed by Mr Andras KRISTIANSEN, and a Delegation of the European Community, headed by Mr John SPENCER, met in Copenhagen on 15 December 2008 for consultations on mutual fisheries relations in 2009. A list of participants is attached as Annex 4.

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 2009 set out in Annex 1 should be made to vessels of either Party fishing in the waters of the other Party.

Mackerel

3.1 The Delegations discussed issues relating to the management of mackerel. They referred to the fisheries consultations the relevant coastal States held in October 2008. The Delegations took note of the arrangement, which was reached in London on 31 October 2008 and emphasised its importance for an effective and responsible management of the mackerel stock.

The Delegations also expressed satisfaction about this year’s Annual Meeting of the North-East Atlantic Fisheries Commission (NEAFC), which has resulted in the establishment of management measures for mackerel.

3.2 The Delegations agreed to fix the mackerel quotas agreed upon for 2009 as set out in Annex 1 to this Agreed Record. The Delegations recalled that these figures are based upon a reference TAC of 511 287 tonnes.

3.3 The Faroese Delegation expressed the view that the provisions of Article 9 (1) of Council Regulation (EC) No. 894/97 would impair the fishing rights granted to the Faroe Islands for mackerel and horse mackerel in ICES fishing areas VIIe, f and h. Further the Faroese Delegation expressed its wish for extension of the areas for fishing horse mackerel to areas VIIb, VIIc, VIlb, VIIj and VIIla and for extension of the areas for fishing the access quota on mackerel to areas IVa.

Quotas in Greenland waters

4.1 Allocations to the Faroe Islands from the Community in Greenland waters for 2009 were agreed upon.

4.2 The Community informed the Faroe Islands that it would confirm the quantity of redfish in ICES area XIV and Va available to the Faroe Islands for 2009, from its own fishing possibilities in Greenland waters, following the adoption of the management measures by NEAFC for the redfish in Irminger Sea and adjacent areas.
In the event that the quantity of redfish specified in Table 1.3 of this Agreed Record could not be made available by the Community, the Delegations agreed to consult no later than 1 April 2009 in order to re-establish the balance of the arrangement to the mutual satisfaction of both Parties.

4.3 The Delegations acknowledged that the Faroe Islands had been participating in a fishery on capelin in the waters of East Greenland under this agreement for a number of years. Nevertheless, they recognised that following a reassessment of the biological situation, the quantity available to the Community had been severely curtailed and hence the quantity available to the Faroe Islands had been reduced. The Delegations agreed that as soon as the capelin in the waters of Greenland becomes available again at the levels of previous years and taking account of the Community’s other commitments in its bilateral agreements, the Community will endeavour to make quantities available to the Faroe Islands for the fishing year in question against reciprocal fishing opportunities for the Community on quotas under Faroe Islands jurisdiction.

The Community Delegation informed the Faroe Islands Delegation that in view of its direct commitment to provide capelin in its fisheries agreement with Iceland, first priority would be given to that agreement.

4.4 The Faroe Islands Delegation regretted that it had not been possible to maintain the traditional allocation of Greenland halibut in the waters of East Greenland (ICES XIV/V). The Delegations agreed to consult on this issue as soon as possible.

4.5 The Community Delegation stressed the importance of an allocation of Greenland halibut and urged the relevant coastal States to reach an agreement on the management of the stock.

**Blue ling and ling**

5.1 The Community Delegation requested the continued possibility of taking by-catches within the blue ling and ling quota of roundnose grenadier and black scabbard fish at a level of no more than 1,080 tonnes, which would be counted against that quota.

5.2 With reference to the by-catch provisions under the conditions hitherto specified in Executive Order No. 9 of 26 January 1995, the Faroese Delegation agreed for 2009 to allow a maximum by-catch of 1,080 tonnes of roundnose grenadier and black scabbard within the quota for the blue ling and ling quota on an experimental basis. The Faroese Delegation stressed its intentions to gradually diminish this deviation from the 15% by-catch rule in the forthcoming years.

**Saithe**

6. The Community Delegation explored the possibility of amending the rules for the saithe fishery in such a way that a certain amount of unavoidable by-catch of cod and haddock shall be counted against the saithe quota in order to allow the saithe fishery to continue when the cod and haddock quota has been exhausted. The Faroese side referred to the very strict management regime in force for cod and haddock in Faroese waters and could not, therefore, at this stage agree to such an amendment.
Blue whiting

7.1 The Delegations discussed issues relating to the management of blue whiting. They referred to the fisheries consultations the relevant coastal States held in October 2008. The Delegations took note of the arrangement, which was reached in London on 11 November 2008 and emphasised its importance for an effective and responsible management of the blue whiting.

The Delegations also agreed on the importance of ensuring an optimal biological, sustainable and economic utilisation of available fishing opportunities by Community and Faroese fisheries with due regard to the spatial limitation of relevant fishing grounds. In this context they agreed on the common advantages of having an appropriate access arrangement for shared migratory stocks in each other’s zones.

The Faroese Delegation raised their concern about the current limitation of the possibility to catch blue whiting in ICES fishing areas IVa, VIa (south of 56°30’N) and VII (East of 12°W). The Delegations agreed to revert to this issue.

7.2 The Delegations discussed the blue whiting fishery pursued by the Faroe Islands in the Community zone and, in particular, the by-catch rule for argentine as at present. In order to make this fishery viable, it was agreed that the by-catch rule should only be enforced 24 hours after fishing has commenced. In the case of a fishery campaign shorter than 24 hours, the by-catch rule shall apply before the vessel leaves the fishing grounds.

Deep-sea species

8. The Delegations discussed the management of certain deep-sea species. They expressed concern about the state of these stocks in the light of the latest scientific advice. As a continuation of the commitment to take due account of scientific advice in their future management decisions regarding these stocks, including decisions on mutual quota exchanges, the Delegations acknowledged the substantial reductions that had been applied to the mutual quota exchanges in the past years.

Redfish

9. The Delegations discussed the management of redfish stocks in Faroese waters, the Irminger Sea and adjacent areas. They expressed concern about the state of the stocks in the light of recent scientific advice. The Delegations held the view that their future management decisions regarding these stocks should be taken with due regard to the scientific advice.

Sandeel, Norway pout and sprat

10.1 The Delegations agreed that Faroese authorities would be informed in a timely manner of the opening of the monitored experimental fishery for sandeel in the North Sea in the 2009 season, and that two Faroese vessels should be admitted to participate in such fishery on the same terms as for Community vessels taking account of the quota allocated under point 1.2 of Annex 1.
In the light of the results of the monitored experimental fishery for sandeel, the Faroese authorities may apply for an additional quota for sandeel, and the Community will consider such a request in an expeditious manner on the understanding that the balance in the fisheries arrangement is maintained.

The Community Delegation indicated that it might be necessary for the Community to fix a precautionary catch limit from 1 January 2009 in order to allow the agreed transfers of sandeel to the Faroe Islands.

10.2 The Delegations noted that the directed fishery for Norway pout in Community waters would be allowed in 2009 with an in year review clause based on the scientific advice to be released in June 2009. In the event that a further quota would be established for the remaining part of 2009, the Delegations agreed to consult on the possible re-establishment of an allocation of Norway pout to the Faroe Islands in an expeditious manner. Any allocation to the Faroe Islands in this respect shall be considered on the understanding that the balance in the fisheries arrangement is maintained. In the event that Norway pout fishery should be resumed in future years due regard will be taken to the traditional Faroese participation in this fishery.

10.3 The Faroese Delegation requested access to fish a part of the sprat quota in ICES area IIId with reference to a previous arrangement with the Baltic States. The Community took note of the request and the Parties agreed to revert to this issue prior to the consultations for 2010.

10.4 The Faroese Delegation expressed its interest in conducting an experimental fishery in Community waters on the “boar” species. It was agreed that the Parties would examine this request at the meeting due in the first half of 2009 (see point 28).

**Atlanto-Scandian herring**

11. The Delegations discussed issues relating to the management of Atlanto-Scandian herring. They referred to the fisheries consultations the relevant coastal States held in October 2008. The Delegations took note of the arrangement, which was reached in London on 13 November 2008 and emphasised its importance for an effective and responsible management of the Atlanto-Scandian herring.

The Delegations also agreed on the importance of ensuring an optimal biological, sustainable and economic utilisation of available fishing opportunities by Community and Faroese fisheries with due regard to the spatial limitation of relevant fishing grounds.

**Full utilisation of quotas**

12. The Delegations agreed to work together to ensure the optimum utilisation of fishing opportunities in each other’s waters. To this end, they took note of the possibilities of swaps during the year in order to further optimise quotas and to the mutual benefit of both Parties.
Landings for industrial purposes

13. As regards landings for industrial purposes, it was agreed by the Delegations that such landings can only take place where adequate sampling systems are available to effectively monitor the landings of by-catches.

Fishery regulations

14.1 The Delegations agreed that a Party intending to introduce or to amend fishery regulations applicable to vessels of the other Party shall inform the latter of such intentions at least two weeks in advance. Consultations shall be held, if so requested, by either Party.

14.2 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 Community Fishing Vessels operating in its waters. Community fishing vessels concerned have to leave the relevant area(s) within 6 Hours as from the time and date indicated in the notice sent to the vessel.

The competent authorities of the Faroe Islands will also inform without delay the European Commission and the relevant Member States of each closure. Upon request of the European Commission, the authorities of the Faroe Islands will submit a copy of the measure and the element justifying the adoption of this measure.

14.3 The Delegation of the Community informed the Delegation of the Faroe Islands that the Community intends to amend in 2009 the existing technical measures for vessels fishing in Community waters.

14.4 The Delegation of the Faroe Islands informed the Community Delegation of their intention to introduce new regulations during 2009 to cover entry and exit from their waters, as well as new technical measures on mesh size and stowage plans.

14.5 Both Delegations agreed that such new measures as cited under points 14.3 and 14.4 above will at the earliest first be implemented four weeks after their notification to the other Party in order to allow vessels to adapt to the new situation.

14.6 The Delegations agreed to inform each other on legislative issues through correspondence with their respective Heads of Delegations.

Licensing

15. 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 2009.

Permitted fishing vessels

16. 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.
Catch statistics

17.1 The Delegations agreed that each Party shall supply the other with monthly and, where deemed necessary by either Party, weekly catch statistics of fishing by its vessels in the other Party’s zone. The Delegations also agreed to improve the existing procedures in order that the information so provided can be in the hands of the appropriate authorities with a minimum of delay.

17.2 It was also agreed to communicate to either Party, on an experimental basis, the composition of catches under the “Others” quotas based on the information contained in landing declarations in accordance with their respective legislation.

17.3 The Delegations agreed to inform each other of the contact details for correspondence on catch statistics.

Control and monitoring of fisheries

18. The Delegations recognised the need for careful monitoring of fisheries covered by this arrangement to ensure the effective conservation of stocks. The Delegations agreed that the Parties should exchange officials as observers in relation to control and enforcement. The Delegations also agreed to continue the exchange of information, on a monthly basis and at more frequent intervals upon request, on landings by vessels of either Party and landings by third country vessels in the respective ports of the Parties.

Vessel Monitoring System

19. The Delegations expressed their satisfaction with the continuing co-operation on issues related to the Satellite Based Vessel Monitoring System (VMS) and noted that an agreement between the Parties had been concluded on 21 April 2005.

Electronic reporting system

20. The Community Delegation informed the Faroese Delegation about the adoption on 3 November 2008 of the implementation regulation (Council Regulation (EC) No. 1077/2008) based upon Council Regulation (EC) No. 1966/2006 on electronic recording and reporting of fishing activities and on means of remote sensing. It foresees the implementation of the electronic sales notes as from 1 January 2009. Community fishing vessels greater than 24 metres in length will be obliged to electronically record and transmit catch and landing data from 1 January 2010 and vessels greater than 15 metres - as from 1 July 2011.

The Delegations reiterated the necessity of developing electronic logbook systems that will be compatible between the Parties. They agreed that the close cooperation on issues related to the electronic logbook would be necessary, inter alia by way of exchange of information and technical consultations.

IUU Fishing

21. The Delegations agreed that there is a strong need for improved and effective control and enforcement in order to combat IUU fishing. In this respect the Delegations noted that significant progress has been achieved due to the successful implementation of the NEAFC Port State Control Scheme and underlined the importance of a close co-
operation to achieve additional progress to eliminate IUU fishing. The Delegations agreed that it would be necessary to continue to monitor closely the implementation of such measures by the Parties.

**Weighing and inspection of pelagic landings**

22 The Delegations agreed that a great deal of progress had been achieved in implementing the measures adopted in 2004. It was noted that all Parties had introduced the standardised percentage for the deduction of water and that the primary objective of introducing the obligation to weigh all fish landed had been achieved.

The Delegations noted that agreement had also been reached on methods and procedures for weighing pelagic fish and on a harmonised methodology for conducting inspections of landings. The measures agreed for the weighing and inspection of landings of mackerel, herring and horse mackerel are set down in Annex 2.

The Delegations agreed that it was necessary to continue to monitor closely the implementation of the measures agreed and to address outstanding control issues. The Delegations agreed that any situation that might undermine fair competition between the Parties must be avoided. In this regard, it was agreed that information on the follow up of infringements should also continue to be exchanged in accordance with procedures developed by the Working Group. It was also agreed that the Working Group should keep technical issues under review.

**High-grading, slipping and discards in the pelagic fisheries**

23.1 The Delegations recognised that slipping, the level of discards and high grading remain issues to be addressed in the pelagic fisheries. To this end, the Delegations agreed that there is an urgent need to address this situation through the introduction of appropriate measures.

23.2 The Delegations agreed that the Working Group of Control Experts should be mandated to develop recommendations to minimise slipping and high grading in the pelagic fisheries, as well as other measures to eradicate discards. The Delegations agreed that the Working Group should give priority to developing a proposal for a possible prohibition on the carrying on vessels of equipment, which could permit the discarding of pelagic fish at the time the catch is taken on board. In addition, the Working Group should make recommendations on the specification of water separators, pipes, conveyor belts, pumps and chutes (water drainage system) and other relevant installations, including installations that can be used to empty tanks containing such fish directly into the sea or which could potentially be used to discard fish into the sea after sorting.

23.3 The Delegations also agreed that the Working Group of Control Experts should be mandated:

- To review and consider the feasibility of introducing the fish flow meter as a control tool on board vessels fishing for mackerel; and
• To review and consider the use of CCTV / Video on board vessels to control slipping.

Working Group of Control Experts

24.1 The Delegations agreed that a Working Group of Control Experts should be established together with Norway in order to address the issues concerning landings of pelagic fish outlined above and to discuss other control problems of a mutual interest. It was agreed that the Working Group shall meet before the end of January 2009 to address the control issues under the Terms of Reference set down in Annex 3.

24.2 The Delegations requested that the Working Group report be presented no later than 31 May 2009. The Delegations agreed to meet shortly after this date with a view to introducing technical measures no later than 1 October 2009.

Control of blue whiting fisheries

25. The European Community Delegation reaffirmed to the Faroese Delegation that the specific licence arrangement for the blue whiting fishery which entered into force 1 January 2006 whereby third-country vessels intending to fish for blue whiting in Community waters shall commence their fishing trip without any catch on board is still in force.

Understanding on International Fisheries Relations

26. The Delegations confirmed their commitment to their Understanding on International Fisheries Relations, signed in Brussels on 4 December 1986.

Special Area between the United Kingdom and the Faroe Islands

27. 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.

**Outstanding issues**

28. The Delegations agreed that the Parties will meet during 2009 in order to address outstanding issues, in particular those associated with the sandeel and Norway pout fisheries, and access areas for certain fisheries.

Copenhagen, 15 December 2008

For the Delegation of the Faroe Islands For the Delegation of the European Community

Andras KRISTIANSEN  John SPENCER
ANNEX 1

QUOTAS FOR 2009

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

1.1. Quotas for Community vessels fishing in the Faroese zone in 2009

<table>
<thead>
<tr>
<th>Species</th>
<th>ICES-DIVISION</th>
<th>QUANTITY (TONNES)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Cod and Haddock</td>
<td>Vb</td>
<td>500</td>
</tr>
<tr>
<td>Saithe</td>
<td>Vb</td>
<td>2 425</td>
</tr>
<tr>
<td>Redfish</td>
<td>Vb</td>
<td>1 600</td>
</tr>
<tr>
<td>Blue Ling and Ling</td>
<td>Vb</td>
<td>3 065</td>
</tr>
<tr>
<td>Flatfish</td>
<td>Vb</td>
<td>300</td>
</tr>
<tr>
<td>Blue Whiting</td>
<td>Faroese waters</td>
<td>3 000</td>
</tr>
<tr>
<td>Mackerel</td>
<td>Vb</td>
<td>3 982</td>
</tr>
<tr>
<td>Other Species</td>
<td>Vb</td>
<td>760</td>
</tr>
</tbody>
</table>

(1) By-catch of maximum of 1 080 tonnes of roundnose grenadier and black scabboard to be counted against this quota.

(2) May also be fished in ICES Division IVa (EC Zone)

(3) Excluding fish species of no commercial value
1.2. Quotas for Faroese vessels fishing in the Community zone in 2009

<table>
<thead>
<tr>
<th>SPECIES</th>
<th>FISHING AREAS (ICES OR NAFO)</th>
<th>QUANTITY (TONNES)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Ling and Tusk</td>
<td>Vla(^{(1)}), Vlb</td>
<td>250(^{(2)})</td>
</tr>
<tr>
<td>Blue Ling</td>
<td>Vla(^{(1)}), Vlb</td>
<td>200(^{(3)})</td>
</tr>
<tr>
<td>Mackerel</td>
<td>Vla(^{(1)}), VIIe, f, h</td>
<td>4 798(^{(4)})</td>
</tr>
<tr>
<td>Herring</td>
<td>Vla(^{(1)})</td>
<td>660</td>
</tr>
<tr>
<td>Horse Mackerel</td>
<td>IV, Vla(^{(1)}), VIIe, f, h</td>
<td></td>
</tr>
<tr>
<td>Sprat</td>
<td>IV, Vla(^{(1)})</td>
<td>5 000</td>
</tr>
<tr>
<td>Sandeel</td>
<td>IV</td>
<td>2 500</td>
</tr>
<tr>
<td>Blue Whiting</td>
<td>II, V, Vla(^{(1)}), Vlb and VII(^{(7)}) and IVa(^{(10)})</td>
<td>10 500(^{(8)})</td>
</tr>
<tr>
<td>Other White Fish (by-catches only)</td>
<td>IV, Vla(^{(1)})</td>
<td>150</td>
</tr>
<tr>
<td>Herring</td>
<td>IIIa N (Skagerrak)(^{(9)})</td>
<td>500</td>
</tr>
</tbody>
</table>

(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 Vla and b. 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 Vla and b may not exceed 75 tonnes.
(3) By-catches of roundnose grenadier and black scabbard to be counted against this quota.
(4) May be fished in ICES Division IVa North of 59° N (EC Zone) from 1 January to 15 February and from 1 October to 31 December. A quantity of 3 982 tonnes of the Faroe Islands’ own quota may be fished in ICES Division Vla throughout the year.
(5) Any by-catch of blue whiting shall be counted against the blue whiting quota established for fishing areas Vla, Vlb and VII.
(6) 1 832 tonnes can be caught as herring in fisheries using nets with mesh sizes less than 32mm. If the quota of 1 832 tonnes of herring is exhausted then all fisheries using nets with mesh sizes less than 32 mm is prohibited.
(7) West of 12°00'W.
(8) Catches of blue whiting may include unavoidable by-catches of argentine.
(9) Limited in the West by a line drawn from the lighthouse of Hanstholm to the lighthouse of Lindesnes and in the South by a line drawn from the lighthouse of Skagen to the lighthouse of Tistlarna and from there to the nearest coast of Sweden.
(10) The catches in ICES Division IVa shall be limited to no more than 25% of the quota.
1.3. Quotas for Faroese vessels fishing in Greenland waters in 2009

<table>
<thead>
<tr>
<th>SPECIES</th>
<th>FISHING AREAS (ICES OR NAFO)</th>
<th>QUANTITY (TONNES)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Northern deep-water Prawns</td>
<td>ICES XIV/V</td>
<td>1 335</td>
</tr>
<tr>
<td>(<em>Pandalus borealis</em>)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Greenland Halibut</td>
<td>NAFO 0/1</td>
<td>150</td>
</tr>
<tr>
<td></td>
<td>ICES XIV/V</td>
<td>75</td>
</tr>
<tr>
<td>Redfish</td>
<td>ICES XIV/V</td>
<td>200</td>
</tr>
</tbody>
</table>
ANNEX 2

MEASURES TO BE APPLIED CONCERNING THE WEIGHING AND INSPECTION OF PELAGIC LANDINGS

The Delegations agreed that the following measures shall be applied to the weighing and inspection of landings exceeding 10 tonnes of mackerel, herring and horse mackerel:

1. All quantities of fresh herring, mackerel and horse mackerel landed must be weighed before sorting and processing. When determining the weight, any deduction for water shall not exceed 2%.

2. For fish landed frozen the weight shall be determined by weighing all the boxes minus the tare weight (cardboard and plastic) or by multiplying the total number of boxes landed by the average weight of the boxes minus tare weight landed in the same shipment calculated in accordance with an agreed sampling methodology.

3. Landings shall take place in designated ports. Skippers of fishing vessels shall give prior notice of landing including notification of catch on board and give the logbook sheet to the competent authorities before commencing the discharge of catch.

4. The processor or buyer of the fish shall submit a copy of the sales note for the payment of the quantities landed to the competent authorities.

5. A minimum of 10% of landings and 15% of the quantities landed should be subject to a full inspection. A full inspection shall include:
   a) Cross-checks of the quantities by species indicated in the prior notice of landing and the quantities recorded in the vessel’s logbook;
   b) Cross-checks of the quantities by species recorded in the vessel’s logbook and the landing declaration;
   c) Cross-checks of the quantities by species recorded on the landing declaration and the sales note issued by the buyer.

In the case of vessels pumping catch ashore the weighing of the entire discharge from the vessels selected for inspection shall be monitored and a cross-check undertaken between the quantities by species recorded in the landing declaration or sales note and the record of weighing held by the buyer or processor of the fish.

In the case of freezer trawlers, the counting of boxes shall be monitored. The sample weighing of boxes/pallets carried out in order to determine the tare weight shall also be monitored.

It shall be verified that the vessel is empty, once the discharge has been completed.

6. In each case where the checks reveal a significant discrepancy it shall be followed up as an infringement.
ANNEX 3

TERMS OF REFERENCE OF THE WORKING GROUP ON CONTROL FOR 2009

The Delegations agreed that the Working Group of Control Experts shall meet before the end of January 2009 under the Terms of Reference described below. The Working Group shall submit its report to the Parties well in advance of the annual consultations for 2010, and where appropriate make proposals for measures to be adopted. The report with regard to slipping, discards and high-grading shall be submitted no later than 31 May 2009.

Slipping, discards and high-grading:

- Develop recommendations to minimise slipping and high grading in the pelagic fisheries, as well as technical measures to eradicate discards.
- Develop a proposal for a possible prohibition on the carrying on vessels of equipment, which could permit the discarding of pelagic fish at the time the catch is taken on board.
- Make recommendations on the specification of water separators, pipes, conveyor belts, pumps and chutes (water drainage system) and other relevant installations, including installations that can be used to empty tanks containing such fish directly into the sea or which could potentially be used to discard fish into the sea after sorting.
- To review and consider the feasibility of introducing the fish flow meter as a control tool on board vessels fishing for mackerel and the use of CCTV / Video on board vessels to control slipping.

Port State Control

- Monitor the implementation of measures introduced in the framework of NEAFC;
- Co-ordinate the exchange of inspectors to observe inspections by third country fishing vessels and reefers;
- Review and consider existing control measures and regulations implemented by the Parties.

Weighing and inspection of pelagic landings

- Monitor the implementation of the measures set down in Annex 2;
- Examine the feasibility of implementing equivalent measures for fisheries on blue whiting and the southern component of mackerel;
- Co-ordinate the exchange of inspectors;
- Consider the information exchanged between Parties on the follow-up to infringements concerning discrepancies between logbooks, quantities landed, landing declarations and sales notes and evaluate the application of the harmonised methodology for full inspections;
- Review of relevant technical issues;
- Invite Iceland as observers in the Working Group with a view to monitor, review and consider the control measures in place in Iceland with respect to pelagic landings.
ANNEX 4

LIST OF PARTICIPANTS

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Ulla Svarrer Wang
Kaj P. Mortensen
Martin Kruse
Jógván Jespersen
Arni Hansen
Dánial Johansen

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John Spencer (Head of Delegation)
Andrew Thomson
Ludovic Schultz (FR)
Klavs Skovsholm (Council Secretariat)
Jacob Løvenstjerne (DK)
Sheila O’Neill (IR)
Renske Nijland (NL)
Mike Rimmer (UK)
Kattriona Gillespie (UK)