



**EU Long Distance Advisory Council
POSITION ON SNOW CRAB IN SVALBARD
24 November 2016**

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Considering

- The consultation paper recently received from the European Commission services in relation to fishing for Snow Crab in Svalbard Fishery Protection Zone (henceforth, Svalbard FPZ) and the mandate given to the LDAC to issue an advice on this subject matter.
- The written contributions received and presentations made at the WG2 meeting by representatives of the EU fleet actively fishing for Snow Crab in NEAFC RA (namely Lithuania, Latvia and Spain) and fleets with aspirations to start fishing (Poland)¹.

Following discussions held at the LDAC Working Group 2 meeting in London on 15th November 2016 between all relevant actors (EU snow crab fleet representatives, concerned coastal European Member States and European Commission)

The LDAC recommends

1. A sustainable exploitation of Snow Crab Fishery in Svalbard FPZ by the European Union fleet in equal terms of access and management strategy as the Norwegian and other non-EU vessels that are currently operating in the area. This should be done in compliance with the non-discriminatory clause laid down in the Paris Treaty². Equal treatment and equivalent rules must be applicable for all fleets fishing in Svalbard FPZ.
2. The European Union to reflect and adopt an ambitious strategy by making a unilateral declaration by the Council, following a proposal by the Commission on setting fishing opportunities, to exercise its legitimate rights to permit the issuing of fishing authorisations by MS for EU snow crab vessels in the area.

¹Vid. <http://ldac.ldac.eu/attachment/932c4e65-7317-4200-8bf6-543da5df22b8>
<http://ldac.ldac.eu/attachment/6a589142-2f90-47fb-a8d0-c5b54f271a62>

²Vid. art 7 of Treaty signed at Paris, February 9, 1920. "Status of Spitsbergen" (Svalbard).



3. That this subject is dealt with as an entirely separate dossier from the annual bilateral negotiations with Norway on the management of shared stocks and the exchange of fishing opportunities.
4. That the EU, following its objection on the limited access to the fishery in the Svalbard FPZ to those flags already fishing the stock inside the Norwegian EEZ which is considered as a first positive step, claim its right to sustainably exploit, in line with the best available scientific advice, other species in the area such as cod, haddock, redfish, Atlanto Scandian herring, capelin or Greenland halibut, on a non-discriminatory manner similarly to the other signatory parties' fleets (mainly Norway and Russia). This would be a consistent and coherent strategy under international practice
5. Proper gear marking and appropriate communications between fleets must be conducted in the fishery to ensure peaceful cohabitation and avoid gear conflicts. It is advisable to follow not only Norwegian relevant applicable rules but also any relevant international rules. According to article 7 of the NEAFC Scheme 2015 and the Convention on Conduct of Fishing operations in the North Atlantic signed on 1 June 1967:
 - Buoys to be fitted with flagpole of at least 2 metres above the buoys.
 - Fixed fishing gear shall display the registration number of the fishing vessel to which they belong.
 - The ends of nets, lines and other gear anchored in the sea bed shall be fitted with flag or radar reflector buoys by day, and light buoys by night sufficient to indicate their position and extent. Such lights should be visible at a distance of at least 2 miles in good visibility.
6. To ask the Commission and EU Member States to adopt the necessary measures to guarantee the crew safety and the security on board the vessels legally fishing there. That legal certainty must be ensured upon authorisation of the fishing activity and monitoring of vessel activity by flag MS, giving prior notice to the competent Norwegian authorities, in order to prevent fishing operators to be subjected to unjustified coercive action from Norwegian control and enforcement authorities.
7. To carry out further scientific research on the invasive nature of the Snow Crab stock in the Svalbard area. This research should not only refer to the biomass indexes but also include its potential impact on other species and on the marine ecosystem. In this respect the LDAC recommends that the Commission engages with Norway in setting up a dedicated programme for data collection and analysis for Snow Crab. These data can be gathered both from active fishing vessels and scientific fishery independent surveys.



In conclusion, while acknowledging and welcoming the latest EU *Notes Verbales*, the LDAC encourages the Commission to make a strong statement to the EU Council of Ministers and Norway of its intention to let the EU fishing fleets exercise their rights for exploitation of snow crab in the Svalbard FPZ.

Given the socio economic importance of this fishery, with more than 20 snow active crab potter vessels from Lithuania, Latvia and Spain being tied up for several months in European ports, with considerable economic losses at the risk of their business viability, the LDAC urges the Commission to urgently put forward a proposal to include snow crab in Svalbard as part of the package for TAC and quotas for negotiation and decision at the upcoming December Council. Alternatively, the Commission should request to the Presidency of the Council to include this item as AOB for discussion at the December EU Council of Ministers.

The European Commission must ensure that the rights of Member States in the area are preserved and that a fair distribution of any possible quotas is ensured. The EU, as a leading world market of fish products, is entitled defend the legitimate fishing rights of EU fishermen sustainably operating in Norwegian waters and the maritime zones of Svalbard.

The LDAC, on its capacity of the only stakeholder-led advisory body of the EU long distance fleet outside EU waters, will continue to engage in substantial discussions with relevant stakeholders and Commission at subsequent WG2 meetings within the forthcoming months to follow up on this important issue and with the view of providing a more developed contribution including specific recommendations on the biology and environmental factors of the stocks as well as management measures looking at the existing Norwegian rules in aspects such as gear marking, fishing effort, licensing regimes, etc.

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