



ROYAL NORWEGIAN MINISTRY OF
TRADE, INDUSTRY AND FISHERIES

North Star

Your ref

Our ref

Date

17/261-2

15.01.17

Harvesting of snow crab on the Norwegian continental shelf

Dear Sir,

Reference is made to letter dated 12 January 2017 where information is requested on the coordinates that you must respect when starting harvesting on snow crab in the Svalbard zone.

Snow crab is a sedentary species under the UN Convention of the Law of the Sea (UNCLOS). This means that the Coastal State exercises sovereign rights over the continental shelf for the purpose of exploring it and exploiting its natural resources, including snow crab. This means that other states cannot harvest snow crab on the continental shelf of a coastal State, without the express consent of the Coastal State concerned. According to UNCLOS, exploring and exploiting the natural resources of the continental shelf is a sovereign right vested with the coastal State. Under no circumstance may a State “license” the exploitation of living or non-living resources on the continental shelf of another State. Such illegal licensing would be a blatant violation of the coastal State’s sovereign rights under international law. This includes licensing by the EU on behalf of vessels from EU member States. This has at several occasions been communicated to the EU, including in a verbal note from the Norwegian Ministry of Foreign Affairs to the EU dated 9 January 2017. Hence, the certificates and licenses your

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vessels are referring to in the letter are not in accordance with neither Norwegian nor international law.

Harvesting of snow crab on the Norwegian continental shelf is prohibited unless an exemption has been granted. No such exemption has been granted to vessels flying the flag of an EU Member State. Therefore your vessels are not authorized to fish on the Norwegian continental shelf. This includes the whole Norwegian continental shelf, including the areas around Svalbard.

Regulation no. 1836 of 19 December 2014, as amended by Regulation no. 1833 of 22 December 2015, prohibiting catches of snow crab is fully consistent with Norway's rights, jurisdiction and obligations as a coastal State under international law. The regulation also establishes the prohibition of harvesting snow crab within 12 nautical miles for all vessels that are granted exemption to harvest.

Possible future harvesting of snow crab by vessels from EU member states on the Norwegian continental shelf, must be based on bilateral agreement. During the EU-Norway bilateral fisheries negotiations for 2017, Norway opened for snow crab being part of the quota exchange between Norway and the EU. However, the EU declined.

Norway expects everyone to follow applicable regulations in Norwegian maritime areas, and we want to leave no doubt that such regulations will be enforced consistently as conveyed in the above mentioned note to the EU, and in accordance with international law.

The Norwegian Coast Guard is prepared to enforce Norwegian law, and vessels starting fishing activity after snow crab without expressed consent from Norway will be arrested and prosecuted.

Yours sincerely,

Yngve Torgersen
Acting Director General

Elisabeth N. Gabrielsen
Deputy Director General

This document has been signed electronically and therefore it is not signed by hand.

Adressliste
North Star