
From: Eide, Anders
Sent: 30. september 2016 15:25
To: Indulis Abelis
Cc: Gundersen, Eilif; Mathisen, Eirik Nestås
Subject: FW: Harvesting of snow crab on the Norwegian continental shelf
Attachments: 15-11-02 Latvia.pdf

Dear Ambassador,

Reference is made to your e-mail of 22 September 2016 regarding Latvian vessels and the possibility of harvesting snow crab on the Norwegian continental shelf.

First of all the Ministry would like to refer to the clarifications made in a verbal note of 2 November 2015 from the Norwegian Embassy in Riga. A copy of the said verbal note is attached to this e-mail for easy reference. Reference is also made to the meeting on 4 December 2015 between Ambassador Abelis and Mr. Jervell and Mrs. Finbak from the Legal Department of the Ministry of Foreign Affairs, as well as the meeting on 7 December 2015 between Ambassador Abelis and Mr. Landmark and Ms. Vikanes from the Ministry of Trade, Industry and Fisheries, and Mrs. Finbak. In the meetings the Norwegian regulations on the harvesting of snow crab and the implication of the snow crab's status as a sedentary species under the UN Convention on the Law of the Sea of 10 December 1982 were explained.

Snow crab is a sedentary species. Pursuant to paragraph 2 of Article 77 of the UN Convention on the Law of the Sea, the right to harvest sedentary species on the continental shelf is the exclusive right of the coastal State. The harvesting of snow crab on the continental shelf of the Barents Sea cannot be carried out without the express consent of the relevant coastal State.

Harvesting of snow crab on the Norwegian continental shelf is regulated in Regulations of 19 December 2014 No. 1836. According to the Regulations, the catching of snow crab is prohibited unless an exemption has been granted. The European Commission was informed of the Regulations in a verbal note of 24 June 2015 from the Mission of Norway to the European Union.

In your e-mail it is mentioned that Latvia has become a party to the 1920 Svalbard Treaty. The Ministry is aware that Latvia acceded to the 1920 Treaty on 31 May 2016. However, the 1920 Treaty provision regarding fishing only applies to the territorial waters of Svalbard. As the interest of Latvian vessels seems to be in the harvesting of snow crab outside the territorial waters of Svalbard, the 1920 Treaty is of no relevance. This was further explained in the meeting of 4 December 2015.

It is also stated in your e-mail that Latvia would like to organize consultations regarding the harvesting of snow crab. As explained in the meeting on 7 December 2015, possible future harvesting of snow crab by vessels from EU countries on the Norwegian continental shelf must be based on an agreement with Norway through the bilateral agreement between EU and Norway. During the EU-Norway bilateral fisheries negotiations last autumn, Norway suggested that snow crab could be part of the bilateral quota exchange between Norway and the EU. However, the EU declined.

Norwegian authorities are always ready to answer any questions regarding Norwegian regulations on snow crab. A meeting for this purpose may be held at your convenience with representatives of your Embassy. It should be noted that currently no changes to the prohibition in the 2014 Regulations are being considered.

Yours sincerely
Anders



Anders H. Eide

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From: Indulis Abelis [<mailto:Indulis.Abelis@mfa.gov.lv>]

Sent: 22. september 2016 11:29

To: Eide, Anders <anders.eide@mfa.no>

Cc: Mathisen, Eirik Nestås <Eirik.Nestas.Mathisen@mfa.no>; Gundersen, Eilif <eilif.gundersen@mfa.no>

Subject: consultations on snow crab fishing - urgent

Dear Anders,

I am writing to you to inform that we would like to organize the consultations in Oslo between fisheries and foreign affairs experts of Latvia and Norway. As you may have heard, Latvia has several fishing vessels that have been involved in the harvesting of snow crabs in the North East Atlantic region. Latvia has become party to Svalbard treaty and we would like to discuss the possibilities/procedures of snow crab harvesting in the Svalbard maritime area and NEAFC Regulatory Area.

Our delegation most likely will be led by Undersecretary of State of the Latvian MFA and will include high level officials from the Department of Fisheries of the Ministry of Agriculture.

We would appreciate if those consultations could be held within coming two weeks as the matter is of high urgency for our fishing industry.

Best regards,
Indulis

Indulis Ābelis

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