

Agreement between the Government of the Republic of Senegal and the European  
Economic Community on fishing off the Coast of Senegal  
*Official Journal L 226, 29/08/1980 pp. 0017 - 0027*

THE GOVERNMENT OF THE REPUBLIC OF SENEGAL AND THE EUROPEAN ECONOMIC COMMUNITY (hereinafter referred to as "the Community"),  
RECALLING the close relations between the Community and the Republic of Senegal;  
IN THE SPIRIT of cooperation resulting from the Lomé Convention, symbolizing the Parties' common desire to intensify friendly relations between the African, Caribbean and Pacific States and the Community;  
CONSIDERING their mutual interest in the rational management, conservation and optimum utilization of fish stocks, notably in the Central East Atlantic;  
WHEREAS the Republic of Senegal exercises its sovereignty or jurisdiction over a zone extending up to 200 nautical miles from its coast, particularly in respect of sea fishing;  
TAKING INTO ACCOUNT the fact that vessels flying the flags of Member States of the Community habitually engage in fishing activities in that zone;  
TAKING INTO ACCOUNT the work of the Third United Nations Conference on the Law of the Sea;  
AFFIRMING that the exercise by coastal States of their sovereign rights in the waters within their jurisdiction for the purposes of exploring, exploiting, conserving and managing the living resources thereof must be in accordance with the principles of international law;  
WHEREAS fishing activities in the waters under the sovereignty or jurisdiction of the Republic of Senegal are governed by its Sea Fishing Code;  
DETERMINED TO CONDUCT their relations in a spirit of mutual trust and respect for each other's interests in the sphere of sea fishing;  
DESIROUS of establishing the terms and conditions governing fishing activities of mutual interest to the Parties,  
HAVE AGREED AS FOLLOWS:

Article 1

The purpose of this Agreement is to establish the principles and rules which will govern in future, in all respects, the fishing activities of vessels flying the flags of Member States of the Community, hereinafter referred to as "Community vessels", in the waters over which the Republic of Senegal has sovereignty or jurisdiction in respect of fisheries, hereinafter referred to as "Senegal's fishing zone".

Article 2

The Government of the Republic of Senegal undertakes to authorize Community vessels to fish in Senegal's fishing zone in accordance with the terms of this Agreement, in particular those stipulated in Annex I, and with the Sea Fishing Code and other laws and regulations in force in Senegal.

Article 3

1. The Community undertakes to take all appropriate steps to ensure that its vessels adhere to the provisions of this Agreement and the rules and regulations governing fishing activities in Senegal's fishing zone.
2. The authorities of Senegal shall notify the Commission of the European Communities in advance of any changes to the said rules and regulations.

Article 4

1. Fishing activities by Community vessels in Senegal's fishing zone shall be subject to the possession of a licence issued at the Community's request by the authorities of Senegal.
2. The authorities of Senegal shall issue fishing licences within the limits laid down by category of vessel in the Protocol referred to in Article 9.
3. Licences shall be valid in the zones defined in Annex I.E., depending on the activity and the type of vessel in question.
4. Licences shall be valid from the day of issue until 31 December of the year in which they are issued.
5. A licence shall be issued for a given vessel and shall not be transferable.
6. Where a vessel in possession of a licence is prevented from using it by force majeure, the licence may be replaced at the Community's request by another one which shall be valid for a vessel of the same category.

#### Article 5

1. Licences shall be issued by the authorities of the Republic of Senegal upon payment of a fee by the shipowner concerned.
2. For those vessels that are obliged to land their entire catch at Senegalese ports, the fee shall be that laid down by the Senegalese rules and regulations in force. For those vessels that are not obliged to land their entire catch in Senegal, the fee shall be double that mentioned in the preceding sentence.  
The amounts payable are set out in Annex I.A.  
Licences shall be paid for in full when they are issued or declared valid ; the fees for licences assessed on the basis of the quantity of fish caught shall be payable at the close of the year.
3. The fee for a licence issued under Article 4 (6) shall be in proportion to the remainder of the year.

#### Article 6

The Parties undertake to concert action, either directly or within international organizations, to ensure the management and conservation of the living resources, particularly in the Central East Atlantic, and to facilitate the relevant scientific research.

#### Article 7

Vessels authorized to fish in Senegalese waters under this Agreement shall be obliged to forward to the relevant Senegalese authorities statements of catches in accordance with the arrangements set out in Annex I.B. to this Agreement.

#### Article 8

Wet trawlers and tuna boats, authorized under this Agreement to fish in Senegal's fishing zone, shall be obliged to land their entire catch.  
Freezer trawlers and tuna boats shall be obliged to land part of their catch in accordance with the arrangements set out in Annex I.C. to this Agreement.

#### Article 9

In return for the fishing opportunities accorded under this Agreement, the Community shall pay the Republic of Senegal compensation as set out in the Protocol to this Agreement.  
This compensation, which shall be paid without prejudice to financing accorded to the Republic of Senegal under the Lomé Convention, shall be mobilized in accordance with the special procedure described in the said Protocol.  
The compensation shall be used to finance projects and services of a rural nature, in particular relating to sea fishing.

#### Article 10

The Parties agree to consult in the event of a dispute concerning the interpretation or application of this Agreement, where appropriate in accordance with the procedure set out in Annex II.

#### Article 11

A Joint Committee shall be set up to ensure that this Agreement is applied correctly. The Committee shall meet once a year, alternating between Senegal and the Community, and shall hold special meetings at the request of either Contracting Party.

#### Article 12

Should the authorities of Senegal decide, as a result of an unforeseeable change in the state of the fish stocks, to take new conservation measures which, in the opinion of the Community, have a considerable effect on the fishing activities of Community vessels, consultations must be held between the Parties in order to adapt Annex I and the Protocol referred to in Article 9. Such consultations shall be based on the principle that any reduction in the fishing opportunities provided for in the said Protocol shall be offset by other fishing opportunities of equivalent value, account being taken of compensation already paid by the Community.

#### Article 13

Nothing in this Agreement shall affect or prejudice in any manner the views of either Party with respect to any matter relating to the Law of the Sea.

#### Article 14

This Agreement shall apply, on the one hand, to the territories in which the Treaty establishing the European Economic Community is applied and under the conditions laid down in that Treaty and, on the other hand, to the territory of the Republic of Senegal.

#### Article 15

The Parties agree to examine this Agreement upon the conclusion of the negotiations for a Multilateral Treaty which are being conducted within the framework of the Third United Nations Conference on the Law of the Sea.

#### Article 16

The Annexes form an integral part of this Agreement and, unless otherwise specified, a reference to this Agreement constitutes a reference to its Annexes.

#### Article 17

This Agreement shall be concluded for an initial period of two years running from the date of its entry into force. In the event of the Agreement not being terminated by either Party through notice of termination given at least six months before the expiry of that two-year period, it shall remain in force for additional periods of one year, provided that notice of termination has not been given at least three months before the expiry of each yearly term. Negotiations shall then take place between the Parties to determine by mutual agreement the amendments or additions to be made to the Annexes or the Protocol referred to in Article 9.

#### Article 18

This Agreement shall enter into force on the date on which the Parties notify one another of the completion of the procedures necessary for this purpose.