



**COUNCIL OF
THE EUROPEAN UNION**

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PROPOSAL

from:	European Commission
dated:	24 September 2012
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Subject:	Proposal for a Council Decision on conclusion of the Protocol between the European Union and the Islamic Republic of Mauritania setting out fishing opportunities and the financial contribution provided for in the Fisheries Partnership Agreement between the two Parties currently in force

Delegations will find attached a proposal from the Commission, submitted under a covering letter from Mr Jordi AYET PUIGARNAU, Director, to Mr Uwe CORSEPIUS, Secretary-General of the Council of the European Union.

Encl.: COM(2012) 546 final



EUROPEAN COMMISSION

Brussels, 24.9.2012
COM(2012) 546 final

2012/0258 (NLE)

Proposal for a

COUNCIL DECISION

on conclusion of the Protocol between the European Union and the Islamic Republic of Mauritania setting out fishing opportunities and the financial contribution provided for in the Fisheries Partnership Agreement between the two Parties currently in force

EXPLANATORY MEMORANDUM

1. CONTEXT OF THE PROPOSAL

On the basis of powers conferred on it by the Council, the European Commission has conducted negotiations with the Islamic Republic of Mauritania with a view to renewing the Protocol to the Fisheries Partnership Agreement between the European Community and the Islamic Republic of Mauritania. At the end of those negotiations, a new Protocol was initialled on 26 July 2012. The new Protocol covers a period of two years from the date of its signature.

The main aim of the Protocol to the Agreement is to provide fishing opportunities for vessels of the European Union in the waters of Mauritania within the limits of the available surplus. The Commission has, among other things, taken account of the opinion of the Scientific Committee set up under the Agreement.

The general aim is to strengthen the cooperation between the European Union and the Islamic Republic of Mauritania with a view to establishing a sustainable fisheries policy and sound exploitation of fisheries resources in Mauritanian fishing zones, in the interests of both Parties.

More specifically, the Protocol provides for annual fishing opportunities in the following categories and quantities:

- 5 000 tonnes for fishing vessels specialising in crustaceans other than spiny lobster and crab;
- 4 000 tonnes for black hake (non-freezer) trawlers and bottom longliners;
- 2 500 tonnes for vessels fishing for demersal species other than black hake with gear other than trawls;
- 200 tonnes of crab;
- 22 tuna seiners;
- 22 pole-and-line tuna vessels and surface longliners;
- 300 000 tonnes for pelagic freezer trawlers;
- 15 000 tonnes for non-freezer pelagic vessels (to be deducted from the allocation set for pelagic freezer trawlers).

The Commission proposes, on this basis, that the Council, with the consent of the Parliament, adopt this new Protocol by Decision.

2. RESULTS OF CONSULTATIONS WITH THE INTERESTED PARTIES AND IMPACT ASSESSMENTS

The interested parties were consulted ahead of the negotiations in the framework of the Regional Advisory Council for the Long Distance Fleet Operating in non-Community Waters¹, bringing together the fisheries sector and environmental and development NGOs. Experts from the Member States were also consulted in technical meetings. These consultations concluded that it would be beneficial to maintain a fishing protocol with Mauritania.

3. LEGAL ELEMENTS OF THE PROPOSAL

This procedure is being initiated in parallel with the procedures relating to the Council Decision adopting the provisional application of the Protocol itself, as well as with the Council Regulation concerning the allocation of the fishing opportunities between EU Member States.

4. BUDGETARY IMPLICATION

The overall financial contribution of EUR 70 million provided for by the Protocol over the entire period is made up of: a) a financial contribution of EUR 67 million for access to the fisheries resources, and b) EUR 3 million in development aid for the Islamic Republic of Mauritania's sectoral fisheries policy. This support meets the objectives of the national fisheries policy.

5. OPTIONAL ELEMENTS

¹ Council Decision 2004/585/EC of 19 July 2004 establishing Regional Advisory Councils under the Common Fisheries Policy (OJ L 142, 30.5.2006, p. 176-181).

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on conclusion of the Protocol between the European Union and the Islamic Republic of Mauritania setting out fishing opportunities and the financial contribution provided for in the Fisheries Partnership Agreement between the two Parties currently in force

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union, and in particular Article 43(2), in conjunction with Article 218(6)(a) thereof,

Having regard to the proposal from the European Commission,

After transmission of the draft legislative act to the national Parliaments,

Having regard to the consent of the European Parliament²,

Whereas:

- (1) On 30 November 2006 the Council adopted Council Regulation (EC) No 1801/2006 on the conclusion of the Fisheries Partnership Agreement between the European Community and the Islamic Republic of Mauritania³.
- (2) The European Union has negotiated a new Protocol with the Islamic Republic of Mauritania granting European Union vessels fishing opportunities in waters in which Mauritania exercises its sovereignty or jurisdiction with respect to fishing.
- (3) By Decision No .../2012/EU⁴, the Council authorised the signing and provisional application of the Protocol, without prejudice to its later conclusion.
- (4) The said Protocol should be concluded,

HAS ADOPTED THIS DECISION:

Article 1

The Protocol between the European Union and the Islamic Republic of Mauritania setting out the fishing opportunities and the financial contribution provided for in the Fisheries

² OJ C , , p. .

³ OJ L 343, 8.12.2006.

⁴ OJ C

Partnership Agreement between the European Community and the Islamic Republic of Mauritania is hereby concluded on behalf of the Union.

The text of the Protocol is annexed to this Decision.

Article 2

The President of the Council shall designate the person(s) empowered to proceed to the notification on behalf of the Union, in order to express the consent of the Union to be bound by the Protocol.

Article 3

This Decision shall enter into force on the date of its adoption. It shall be published in the *Official Journal of the European Union*.

Done at Brussels,

For the Council
The President

PROTOCOL

setting out the fishing opportunities and financial contribution provided for in the Fisheries Partnership Agreement between the European Union and the Islamic Republic of Mauritania for a period of two years

Article 1

Period of application and fishing opportunities

1. From the date of provisional application of this Protocol and for a period of two years, the fishing opportunities granted under Articles 5 and 6 of the Agreement shall be as laid down in the table attached to this Protocol.
2. Access to fishery resources in Mauritanian fishing zones shall be granted to foreign fleets to the extent that there is a surplus within the meaning of Article 62 of the United Nations Convention on the Law of the Sea⁵ and having taken into account the operating capacity of the national Mauritanian fleets.
3. In accordance with Mauritanian law, the objectives to be achieved in terms of management and sustainable development and total allowable catches shall be set by the Mauritanian Government for each fishery following the advice of the body responsible for oceanographic research in Mauritania and the competent regional fisheries organisations.
4. This Protocol grants European Union fleets priority access to available surpluses in Mauritanian fishing zones. The fishing opportunities allocated to the fleets of the European Union, as set out in Annex I to this Protocol, shall come from the available surpluses and shall have priority over fishing opportunities allocated to other foreign fleets authorised to fish in Mauritanian fishing zones.
5. All measures regarding the conservation, development and management of resources as well as the financial arrangements, fees and any other rights relating to the issuing of fishing authorisations as specified for each fishery in Annex I to this Protocol, shall apply to all foreign industrial fleets operating in the Mauritanian fishing zones under technical conditions similar to those applicable to the European Union fleets.
6. Under Article 6 of the Agreement, vessels flying the flag of a Member State of the European Union may fish in Mauritanian fishing zones only if they are in possession of a fishing authorisation issued under this Protocol in accordance with Annex I hereto.

Article 2

Financial contribution – Methods of payment

⁵ United Nations Convention on the Law of the Sea (with annexes, final act and procès-verbaux of rectification of the final act dated 3 March 1986 and 26 July 1993), concluded at Montego Bay on 10 December 1982 – United Nations Treaty Series of 16.11.1994, Volume 1834, I-31363, p. 3.

1. The annual financial contribution for the access by European Union vessels to the Mauritanian fishing zones referred to in Article 7 of the Agreement is set at sixty-seven (67) million euro.
2. In addition, financial support of three (3) million euro shall be granted annually towards implementation of a national responsible and sustainable fishing policy.
3. Paragraph 1 shall apply subject to Articles 4, 7 and 10 of this Protocol.
4. Payment by the Union of the financial contribution referred to in paragraph 1 regarding access by European Union vessels to Mauritanian fishing zones shall take place no later than three (3) months after the date of provisional application in the first year and in the following years no later than the anniversary date of the entry into force of the Protocol.

Article 3 **Scientific cooperation**

1. The Parties undertake to promote responsible fishing in Mauritanian fishing zones based on the principles of sustainable exploitation of fishery resources and the marine ecosystems.
2. During the period covered by this Protocol, the Parties shall cooperate to monitor trends as regards the state of resources and fisheries in the Mauritanian fishing zones. For this purpose the Independent Joint Scientific Committee shall meet at least once a year, alternately in Mauritania and in Europe. Further to Article 4(1) of the Agreement, participation in the Independent Joint Scientific Committee may be extended, as far as necessary, to include external scientists as well as observers, stakeholder representatives or representatives of regional fisheries management bodies such as COPACE.
3. The remit of the Independent Joint Scientific Committee shall cover in particular the following activities:
 - (a) drawing up an annual scientific report on the fisheries covered by this Protocol;
 - (b) identifying and proposing to the Joint Committee the implementation of programmes or measures dealing with specific scientific issues in order to improve understanding of the dynamics of fisheries, the state of resources and changes to marine ecosystems;
 - (c) studying scientific questions which arise in the course of implementing this Protocol and, if necessary, adopting a scientific opinion under a procedure agreed by consensus within the Committee;
 - (d) compiling and analysing data on the fishing effort and catches of each segment of the national fishing fleets, of both European Union and third countries, which operate in Mauritanian fishing zones with respect to the resources and fisheries covered by this Protocol;
 - (e) programming the annual surveys that contribute to the stock assessment process and make it possible to establish fishing opportunities and exploitation

options guaranteeing the conservation of resources and of the ecosystem of which they are part;

- (f) formulating, on its own initiative or in response to a request from the Joint Committee or from one of the Parties, any scientific opinion relating to objectives, strategies and management measures that are judged necessary for the sustainable exploitation of the stocks and fisheries covered by this Protocol;
- (g) where appropriate, proposing in the Joint Committee a programme for the review of fishing opportunities in accordance with Article 1 of this Protocol.

Article 4 **Review of fishing opportunities**

1. The Parties may adopt, in the Joint Committee, measures as referred to in Article 1 of this Protocol entailing a review of fishing opportunities. In this case the financial contribution shall be adjusted proportionately and *pro rata temporis*.
2. With regard to categories not provided for by the Protocol in force, the Parties may, in accordance with Article 6, second subparagraph of the Agreement, include new fishing opportunities on the basis of the best scientific advice, endorsed by the Independent Joint Scientific Committee and adopted by the Joint Committee.
3. The Joint Committee shall be convened for the first time no later than three (3) months after the entry into force of this Protocol.

Article 5

Termination due to reduced exploitation of fishing opportunities

Where a reduced level of exploitation of the fishing opportunities is established, the European Union shall serve by post on Mauritania its intention to terminate the Protocol. The termination shall take effect within four (4) months of the notification.

Article 6

Financial support for promoting responsible and sustainable fishing

1. The financial support referred to in Article 2(2) shall amount to three (3) million euro annually and shall aim to contribute to the development of sustainable and responsible fishing in Mauritanian fishing zones in keeping with the strategic objectives of conservation of fishing resources and better integration of the sector into the national economy.
2. The support is public development aid granted independently of the rules regarding access by European Union vessels to Mauritanian fishing zones, contributing to the implementation of sectoral national strategies in the areas of sustainable development of the fishing sector and protection of protected marine and coastal areas, as well as to the poverty reduction strategy in force.

3. Financial support under this Protocol shall take effect once the 2008-2012 sectoral support balance (the amount of which is to be established following a review by the Parties) has been transferred by the Ministry of Finance to the special appropriation account (CAS) for fisheries, and shall be put to use in accordance with a plan notified in advance by Mauritania.
4. The financial support is based on a result-oriented approach. Payment shall be made in instalments according to a schedule laid down in the Joint Committee.
5. Mauritania undertakes to publish twice a year the calls for tenders and contracts relating to projects that are granted financial support, and to guarantee the visibility of the implemented measures according to the rules set out in Annex II.

Article 7 **Suspension of application of the Protocol**

1. Any dispute between the Parties over the interpretation of this Protocol and its Annexes or its application shall be the subject of consultations between the Parties within the Joint Committee provided for in Article 10 of the Agreement, if necessary in a special meeting.
2. Application of the Protocol may be suspended at the initiative of one of the Parties if the dispute between the two Parties is deemed to be serious and if the consultations held within the Joint Committee under paragraph 1 have not resulted in an amicable settlement.
3. Suspension of application of the Protocol shall require the interested Party to notify its intention in writing at least four (4) months before the date on which suspension is due to take effect.
4. Furthermore, application of this Protocol may be suspended in the event of non-payment. In this case the Ministry shall notify the European Commission of the non-payment. The Commission shall carry out the necessary checks and, where necessary, transmit the payment within no more than 30 working days of the date of receipt of the notification.

If no payment is made or non-payment is not adequately justified within the period specified above, the competent Mauritanian authorities shall be entitled to suspend application of this Protocol. They shall inform the European Commission of such action forthwith.

Application of this Protocol shall resume as soon as the payments concerned have been made.

5. The Parties agree that in the event of a proven human rights violation, this Protocol may be suspended in accordance with Article 9 of the Cotonou Agreement.

Article 8 **National law**

Without prejudice to the provisions of this Protocol and Annex 1 hereto, the port service activities and the purchase of supplies by vessels operating under the present Protocol and Annex 1 hereto shall be governed by the laws and regulations in force in Mauritania.

Article 9 **Duration**

This Protocol and the Annexes hereto shall apply for a period of two years from the date of provisional application, which is the date of signature, unless notice of termination is given.

Article 10 **Termination**

1. In the event of termination of this Protocol, the Party concerned shall notify the other Party of its intention to withdraw from the Protocol in writing at least four (4) months before the date on which such termination would take effect.
2. Dispatch of the notification referred to in the previous paragraph shall open consultations by the Parties.

Article 11 **Entry into force**

This Protocol with its Annexes shall enter into force on the date on which the Parties notify each other of the completion of the procedures necessary for that purpose.

ANNEX I

Conditions governing fishing activities by EU vessels in Mauritanian fishing zones

CHAPTER I – GENERAL PROVISIONS

6. Designation of competent authority

For the purposes of this Annex and unless otherwise specified, any reference to the European Union (EU) or to Mauritania as a competent authority shall mean:

- For the European Union: the European Commission, via the European Union Delegation in Nouakchott (focal point);
- For Mauritania: the Ministry of Fisheries, via the Planning and Cooperation Directorate (focal point), hereinafter referred to as the 'Ministry'.

7. Mauritanian Exclusive Economic Zone (EEZ)

Mauritania shall inform the European Union before the entry into force of this Protocol of the latitude and longitude co-ordinates of its EEZ and its baseline, which shall be the low-water mark.

8. Vessel identification

8.1. The identification marks of all European Union vessels must conform to the relevant European Union legislation. The Ministry must be notified of such legislation before the Protocol enters into force. The Ministry must further be notified of any amendment to the legislation at least one month before its entry into force.

8.2. Any vessel which conceals its markings, name or registration shall be liable to the penalties provided for by Mauritanian law.

9. Accounts with banks

Mauritania shall notify the European Union before the entry into force of this Protocol of the details of the bank account(s) (BIC and IBAN codes) into which the financial sums payable by European Union vessels under the Agreement shall be paid. The associated bank transfer costs shall be borne by the shipowners.

10. Methods of payment

10.1. Payments shall be made in euro as follows:

- fees: by transfer to one of the foreign accounts of the Central Bank of Mauritania payable to the Mauritanian Public Treasury;
- fees relating to the parafiscal charge: by transfer to one of the foreign accounts of the Central Bank of Mauritania payable to the fisheries surveillance authority;

- fines: by transfer to one of the foreign accounts of the Central Bank of Mauritania payable to the Mauritanian Public Treasury.
- 10.2. The amounts referred to in point 1 above shall be considered as actually received on receipt of confirmation from the Treasury or the Ministry following notification by the Central Bank of Mauritania.

CHAPTER II – Licences

This Chapter shall apply without prejudice to the specific provisions set out in Chapter XI regarding vessels targeting highly migratory species.

For the purposes of this Annex, the licence issued by Mauritania to European Union vessels shall be equivalent to the fishing authorisation provided for by the European Union legislation in force.

1. Documents required for licence applications

On each vessel's first licence application, the European Union shall submit to the Ministry a licence application form duly completed in respect of each vessel for which a licence is requested in accordance with the model in Appendix 1 to this Annex.

1.1 On a first licence application, the shipowner shall include with the application:

- a copy, certified by the flag State, of the international tonnage certificate specifying the tonnage of the vessel in GT as certified by recognised international bodies;
- a recent colour photograph certified by the competent authorities of the flag State showing a side view of the vessel in its current state. The photograph shall be at least 15 cm by 10 cm;
- the documents required for inclusion in the Mauritanian National Ship Register. Such inclusion shall not entail any registration fee. The inspection provided for in connection with inclusion in the National Ship Register is of a purely administrative nature.

1.2 Any alteration to the tonnage of a vessel shall oblige the shipowner concerned to submit a copy, certified by the flag State, of the new GT tonnage certificate and any relevant supporting documents, in particular the copy of the application lodged by the shipowner with the competent authorities, the agreement of those authorities and the details of the changes made. Where the structure or external appearance of the vessel is changed, a new photograph certified by the competent authorities of the flag State must also be submitted.

1.3 Applications for fishing licences shall be lodged only for those vessels for which the documents required under points 1.1 and 1.2 above have been sent.

2. Eligibility to fish

- 2.1 Each vessel wishing to engage in fishing activities under this Protocol must be entered in the European Union fishing vessels register and be eligible for fishing in Mauritanian fishing zones.
- 2.2 For a vessel to be eligible, neither the owner, the master nor the vessel itself must be prohibited from fishing in Mauritania. They must be in order vis-à-vis the Mauritanian authorities insofar as they must have met all prior obligations arising from their fishing activities in Mauritania.
3. Licence applications
- 3.1 For all licences, the European Union shall submit to the Ministry quarterly lists of the vessels, broken down by fishing category, wishing to engage in fishing activities within the limits specified in the fishing datasheets set out in this Protocol, one (1) month before the start of the period of validity of the licences requested. Such lists shall be accompanied by proof of payment. Licence applications failing to arrive within the deadline need not be processed.
- 3.2 These lists shall specify, by fishing category:
- the number of vessels,
 - for each vessel, its main technical characteristics as they appear in the fishing vessel register of the European Union;
 - fishing gears;
 - the amount of payments due, broken down by heading,
 - the number of Mauritanian seamen.

4. Issue of licences

- 4.1 The Ministry shall issue licences to the vessels following submission, by the shipowner's agent, of individual proofs of payment for each vessel (receipt of payment issued by the Public Treasury), as specified in Chapter I, at least ten (10) days before the start of their period of validity. The licences may be obtained from the offices of the Ministry in Nouadhibou or Nouakchott.
- 4.2 The licences shall also indicate the period of validity, the vessel's technical characteristics, the number of Mauritanian seamen, the payment references of fees and the conditions relating to the fishing activities as laid down in the relevant Fishing Datasheets.
- 4.3 Vessels receiving a licence shall be entered on the list of vessels authorised to fish which shall be sent simultaneously to the surveillance authority and the European Union.
- 4.4 The European Union shall be notified of licence applications refused by the Ministry. Where appropriate, the Ministry shall provide a credit note against payments relating to such applications after deduction of the balance of any outstanding unpaid fines.

5. Validity and utilisation of licences

- 5.1 A licence shall be valid only for the period covered by the fee paid under the terms laid down in the Fishing Datasheet.

Licences shall be issued for periods of two months for shrimp fishing and for three, six or 12 months for other categories. They shall be renewable.

The validity of the licences start to run on the first day of the period requested.

The period of validity of licences shall be determined on the basis of calendar year periods, the first period beginning on the date of entry into force of this Protocol and ending on 31 December of the same year. The last period shall end at the end of the period of application of this Protocol. Licences may not start to run during one annual period and expire during the next.

- 5.2 Licences are issued for a given vessel. They shall be non-transferable. However, in the event of the loss or prolonged immobilisation of a vessel due to a serious technical failure, the licence of the initial vessel shall be replaced by a licence for another vessel of the same fishing category, on condition that the tonnage authorised for that category is not exceeded.
- 5.3 Additional adjustments in the amounts paid as a result of the replacement of the licence shall be effected before the replacement licence is issued.

6. Technical inspection

- 6.1 Once a year, and after any alteration in tonnage or changes to the fishing category necessitating the use of a different type of gear, all European Union vessels shall report to the port of Nouadhibou to undergo the inspections required by the legislation in force. Such inspections shall take place within 48 hours of the vessel's arriving in port.

The technical inspection procedures applying to tuna vessels and surface longliners shall be as laid down in Chapter XI of this Annex.

- 6.2 Once the technical inspection has been completed satisfactorily, the master of the vessel shall be issued with a certificate of conformity having the same period of validity as the licence which shall be automatically extended, free of charge, in the case of vessels renewing their licence in the course of the year. This certificate must be kept on board at all times. It must also specify the transshipment capacity of pelagic vessels.
- 6.3 The purpose of the technical inspection is to check the conformity of the vessel's technical characteristics and gear and to ensure that the provisions relating to its Mauritanian crew have been complied with.
- 6.4 The cost of the inspection, at the rates laid down by Mauritanian law and communicated to the European Union via the EU Delegation, shall be borne by the shipowner. It may not be greater than the amount normally paid by other vessels for the same services.
- 6.5 Failure to comply with the provisions of points 1 or 2 above shall entail automatic suspension of the fishing licence until the shipowner has met such obligations.

CHAPTER III – Fees

1. Fees

Fees shall be calculated for each vessel on the basis of the annual rates laid down in the Fishing Datasheets included in the Protocol. The amounts of such licence fees shall include all related fees and taxes, with the exception of the parafiscal charge, port taxes and service charges.

2. Parafiscal charge

Under the decree establishing the parafiscal charge, the rates of this charge for industrial fishing vessels, payable in local currency, are as follows:

Fishing category: crustaceans, cephalopods and demersal species:

<u>Tonnage (GT)</u>	<u>Amount per quarter (MRO)</u>
<99	50 000
100-200	100 000
200-400	200 000
400-600	400 000
> 600	600 000

Fishing category (highly migratory and pelagic):

<u>Tonnage</u>	<u>Amount per month (MRO)</u>
<2000	50 000
2000-3 000	150 000
3000-5 000	500 000
5 000-7 000	750 000
7 000-9 000	1 000 000
>9000	1 300 000

With the exception of categories 5 and 6, the parafiscal charge shall be payable on the basis of a full quarter or multiple thereof, irrespective of whether a biological recovery period falls within that period.

The exchange rate (MRO/EUR) to be used for payment of the parafiscal charge for a calendar year shall be the average rate for the previous year, as calculated by the Central Bank of Mauritania and transmitted by the Ministry not later than 1 December of the year preceding the application thereof.

A quarter shall consist of one of the three-month periods beginning 1 October, 1 January, 1 April or 1 July, except for the first and the last period of the Protocol.

3. Fees in kind

Shipowners of European Union pelagic vessels operating under this Protocol shall contribute to the policy of fish distribution to people in need, at the rate of 2% of their transhipped pelagic catches. This provision specifically excludes any other form of imposed contribution.

4. Final statement of fees for tuna-fishing vessels and surface longliners

For each tuna-fishing vessel and surface longliner, the European Union shall draw up, on the basis of its electronic catch reporting confirmed by the above scientific institutes, a final statement of the fees owed by the vessel in respect of its annual season for the previous calendar year, or for the current year in the last year of application of the Protocol.

The European Union shall notify this final statement to Mauritania and to the shipowner before 15 July of the year following the year in which the catches were made. If the final statement concerns the current year, it shall be notified to Mauritania no later than one (1) month after the date of expiry of the Protocol.

Mauretania may contest the final statement, on the basis of documentary proof, within 30 working days of its being sent. In the case of disagreement, the Parties shall consult each other in the Joint Committee. If Mauretania does not object within 30 days, the final statement shall be considered to be adopted.

Where the final statement is greater than the advance payment fee paid to obtain the fishing licence, the shipowner shall pay the outstanding balance within 45 days of the approval of the statement by Mauritania. Where the final statement is less than the expected flat-rate fee, the remaining amount may not be reclaimed by the shipowner.

CHAPTER IV – Catch reporting

1. Fishing logbook

1.1 Masters of vessels shall make a daily record of all the operations specified in the fishing log, a model of which is attached as Appendix 2 to this Annex and which could be amended in accordance with Mauritanian legislation. This document must be completed correctly and legibly and signed by the master of the vessel. For vessels fishing for highly migratory species, Chapter XI of this Annex shall apply.

1.2. At the end of each trip, the original of the fishing log shall be sent by the master of the vessel to the surveillance authority. Within 15 working days, the shipowner shall forward a copy of the log to the national authorities of the Member State and to the Commission, via the Delegation.

1.3. Failure to comply with the provisions of points 1.1 or 1.2 above shall entail, without prejudice to the penalties laid down by Mauritanian law, automatic suspension of the fishing licence until the shipowner has met such obligations.

1.4 In parallel, Mauritania and the European Union shall seek to have an electronic logbook (ELB) put into place at the latest by the end of the first year of the Protocol.

2. Supplementary fishing log (landing and transshipment declarations)

2.1 On landing or transshipment, masters of vessels are required to complete correctly and legibly and to sign the supplementary fishing log as shown in the model attached as Appendix 6 to this Annex.

2.2 At the end of each landing operation, the shipowner shall send the original of the supplementary fishing log to the surveillance authority, with a copy to the Ministry, within a period of no more than 30 days. Within the same period, a copy shall be sent to the national authorities of the Member State and to the Commission, via the Delegation. For pelagic vessels, the period is set at 15 days.

2.3 At the end of each authorised transshipment, the master shall immediately send the original of the supplementary fishing log to the surveillance authority, with a copy to the Ministry. Within 15 working days, a copy shall be sent to the national authorities of the Member State and to the Commission, via the Delegation.

2.4 Failure to comply with the provisions of points 2.1, 2.2 or 2.3 above shall entail automatic suspension of the fishing licence until the shipowner has met such obligations.

3. Reliability of data

The information in the documents referred to in the preceding points must reflect the actual fishing situation in order to constitute one of the bases for monitoring changes in fisheries resources.

The Mauritanian legislation in force concerning the minimum sizes of catches kept on board shall be applicable and is provided in Appendix 4.

A list of the conversion factors applicable to without head/whole catches and/or eviscerated/whole catches is provided in Appendix 5.

4. Tolerance of discrepancies

Based on a representative sample, the tolerance of any discrepancy between the catches declared in the fishing log and the assessment of those catches made during inspection or landing shall not exceed:

9% for non-freezer vessels;

4% for non-pelagic freezer vessels;

2% for pelagic freezer vessels.

5. By-catches

The authorised by-catches are specified in the Fishing Datasheets which are part of this Protocol. The regulations applicable to such by-catches shall be entered on the licences issued. Any vessel exceeding the authorised by-catch rates shall be liable to penalties.

6. Failure to observe catch reporting obligations

Failure to comply with the provisions relating to the reporting of catches shall entail, without prejudice to the penalties provided for by this Protocol, automatic suspension of the fishing licence until the shipowner has met such obligations.

7. Aggregated catch reporting

The European Union shall notify Mauritania, in electronic form, of the aggregated quantities caught by its vessels across all fishing categories by the end of each quarter for the preceding quarter.

The data shall be broken down by month, type of fishing, vessel and species.

The conversion factors applicable to pelagic fishing as regards without head/whole catches and/or eviscerated/whole catches is provided in Appendix 5.

CHAPTER V – Landings and transhipments

1. Landings

- 1.1 The demersal fleet shall be subject to a landing obligation.
- 1.2 Specific derogations shall be granted to the shrimp fleet at the shipowner's request during periods of hot weather, in particular August and September.
- 1.3 The landing obligation does not entail any storage or processing obligation.
- 1.4 The non-freezer pelagic fleet is subject to a landing obligation within the limits of the reception capacity of the processing units at Nouadhibou and actual market demand.
- 1.5 The last trip (the trip preceding the vessel's departure from Mauritanian fishing zones for a period lasting not less than three months) shall not be subject to the landing obligation. For shrimp trawlers this period shall be two months.
- 1.6 The master of a European Union vessel shall notify the port authorities of Nouadhibou (PAN) and the maritime surveillance authority, by fax or e-mail with a copy to the European Union Delegation, at least 48 hours in advance (24 hours for non-freezer vessels) of the date of landing, specifying the following:
 - (a) the name of the fishing vessel which is to land;
 - (b) the planned date and time of the landing;
 - (c) the quantity (expressed in kilograms of live weight of each species to be landed or transhipped (identified by its FAO alpha 3 code).

In response to the above notification the surveillance authority shall, within the next 12 hours, notify its consent to the master of the vessel or his agent by return fax or e-mail with a copy to the European Union Delegation.

- 1.7 European Union vessels landing at a Mauritanian port shall be exempt from all taxes or charges having an equivalent effect other than port fees and charges which apply on the same terms to Mauritanian vessels.

The fishery products landed shall be under customs control arrangements in accordance with Mauritanian legislation. They shall therefore be exempt from all customs procedures and duties or charges having an equivalent effect when they enter the Mauritanian port or at the time of export, and shall be treated as 'temporarily-admitted goods' (temporary storage).

Shipowners shall decide on the destination of their vessels' production. It may be processed, stored under customs control, sold in Mauritania or exported (in foreign currency).

Sales in Mauritania intended for the Mauritanian market shall be subject to the same charges and levies as Mauritanian fishery products.

Profits may be exported without additional charges (exemption from customs duties and charges having an equivalent effect).

2. Transhipment

- 2.1 Any pelagic freezer trawler with the capacity to tranship, as attested by the certificate of conformity, is under the obligation to tranship at buoy 10 within the Autonomous Port of Nouadhibou, with the exception of the last trip.
- 2.2 European Union vessels transshipping at the Autonomous Port of Nouadhibou shall be exempt from all taxes or charges having an equivalent effect other than port fees and charges which apply on the same terms to Mauritanian vessels.
- 2.3 The last trip (the trip preceding the vessel's departure from Mauritanian fishing zones for a period lasting not less than three months) shall not be subject to the transhipment obligation.
- 2.4 Mauritania reserves the right to refuse transhipment if the carrier vessel has carried out illegal, undeclared or unregulated fishing inside or outside Mauritanian fishing zones.

Chapter VI – Monitoring

1. Entering and leaving the Mauritanian fishing zone

- 1.1 Except for tuna vessels, surface longliners and pelagic fishing vessels (for which the deadlines shall be as laid down in Chapter XI of this Annex), European Union vessels operating under this Agreement must report:

(a) entry:

notice must be given at least 36 hours beforehand and contain the following particulars:

- the position of the vessel at the time of notification,
- the day, date and approximate time of entering Mauritanian fishing zones,
- the amount and species of catch held on board at that time, where vessels have previously stated that they hold a fishing licence for a neighbouring fishing zone; in this case the surveillance authority shall have access to the fishing log concerning that zone and any checks may not last longer than the period laid down in point 4 of this Chapter;

(b) exit:

notice must be given at least 48 hours beforehand and contain the following particulars:

- the position of the vessel at the time of notification,

- the day, date and time of leaving Mauritanian fishing zones,
- the amount and species of catch held on board at that time.

- 1.2 Shipowners shall notify the surveillance authority of their vessels' entry into and exit from Mauritanian fishing zones by fax, e-mail or mail to the fax numbers or address indicated in Appendix 1 to this Annex. In the event of difficulties in communicating by those means, the information may be transmitted via the European Union.

The Commission, via the European Union Delegation, shall be given 15 days prior notice of any changes in the numbers or addresses for notification.

- 1.3 During their presence in the Mauritanian fishing zones, European Union vessels shall regularly monitor international call frequencies (VHF Channel 16 or HF 2182 kHz).

- 1.4 On receipt of messages notifying exit from the fishing zone, the Mauritanian authorities reserve the right to decide whether to carry out a check prior to the departure of vessels, on the basis of sampling within Nouadhibou or Nouakchott port.

Those monitoring operations should not last for more than six hours for pelagics (category 7 and 8) or more than three hours for other categories.

- 1.5 Failure to comply with the provisions of the preceding points shall result in the following sanctions:

(a) the first time:

- the vessel shall be diverted, if possible,
- the catch on board shall be landed and confiscated on behalf of the Public Treasury,
- the vessel shall pay the minimum fine provided for under Mauritanian law;

(b) the second time:

- the vessel shall be diverted, if possible,
- the catch on board shall be landed and confiscated on behalf of the Public Treasury,
- the vessel shall pay the maximum fine provided for under Mauritanian law,
- the licence shall be revoked for the remainder of its period of validity;

(c) the third time:

- the vessel shall be diverted, if possible,
- the catch on board shall be landed and confiscated on behalf of the Public Treasury,
- the licence shall be definitively revoked,
- the master and the vessel shall be prohibited from fishing in Mauritania.

1.6 Should it not be possible to divert the offending vessel, the Ministry shall inform the Commission and the flag Member State so that the penalties laid down in point 1.5 above may be applied.

2. Inspection at sea

Inspection at sea in the Mauritanian zone of European Union vessels holding a licence shall be carried out by vessels and inspectors of Mauritania who are clearly identified as being assigned to carry out fishing checks.

Before boarding, the Mauritanian inspectors shall inform the European Union vessel of their decision to carry out an inspection. The inspection shall be carried out by a maximum of two inspectors, who must provide proof of their identity and official position as an inspector before carrying out the inspection.

The Mauritanian inspectors shall only stay on board the European Union vessel for the time necessary to carry out tasks linked to the inspection. They shall carry out the inspection in a way which minimises the impact on the vessel, its fishing activity and cargo. The inspection should not last longer than three hours for pelagic vessels and one and a half hours for the other categories.

During inspections at sea, transhipments and landings, the master of a European Union vessel shall facilitate boarding by and the work of the Mauritanian inspectors, in particular by making any manoeuvres deemed necessary by the inspectors.

At the end of each inspection, the Mauritanian inspectors shall draw up an inspection report. The master of the European Union vessel has the right to include his comments in the

inspection report. The inspection report shall be signed by the inspector drawing up the report and the master of the European Union vessel.

The Mauritanian inspectors shall issue a copy of the inspection report to the master of the European Union vessel before leaving the vessel. Mauritania shall send a copy of the inspection report to the European Union within a period of four working days after the inspection.

3. Inspection in port

Inspection in port of European Union vessels landing or transshipping catches from Mauritanian fishing zones shall be carried out by Mauritanian inspectors who are clearly identified as being assigned to carry out fishing checks.

The inspection shall be carried out by a maximum of two inspectors, who must provide proof of their identity and official position as an inspector before carrying out the inspection. The Mauritanian inspectors shall only stay on board the European Union vessel for the time necessary to carry out the tasks related to the inspection and shall conduct the inspection in such a way as to minimise the impact on the vessel, the landing or transshipment operation and the cargo. The inspection must not last longer than the landing or transshipment operation.

At the end of each inspection, the Mauritanian inspector shall draw up an inspection report. The master of the European Union vessel has the right to include his comments in the inspection report. The inspection report shall be signed by the inspector drawing up the report and the master of the European Union vessel.

The Mauritanian inspector shall provide a copy of the inspection report to the master of the European Union vessel at the end of the inspection. Mauritania shall send a copy of the inspection report to the European Union within a period of 24 hours days after the inspection.

4. Mutual observation system for shore-based controls

The Parties shall set up a mutual observation system for shore-based controls. To this end, they shall designate representatives who shall attend monitoring operations and inspections carried out by the respective national inspection authorities and may make observations on the implementation of this Protocol.

These representatives must possess:

- a professional qualification,
- appropriate experience in the fisheries field, and
- thorough knowledge of the provisions of the Agreement and of this Protocol.

Inspections shall be carried out by the national inspection authorities and the representatives in attendance may not, on their own initiative, exercise the powers of inspection conferred on national officials.

When the representatives accompany national inspection officials, they shall have access to the vessels, premises and documents subject to inspection by those officials, in order to collect data (not containing named references) necessary for the accomplishment of their task.

The representatives shall accompany the national inspection authorities on their visits to the ports, on board ships in dock, to public auction houses, fish wholesalers' shops, cold stores and other premises for landing and stocking fish before it is placed on the market.

The representatives shall draw up and submit a report every four months detailing the inspections attended. This report shall be addressed to the competent authorities. A copy shall be supplied by those authorities to the other Contracting Party.

The Parties hereby decide to carry out at least two inspections each year, alternately in Mauritania and in Europe.

4.1 Confidentiality

The representative on joint monitoring operations shall respect the plant and equipment on board the vessel, and any other installations, and also the confidentiality of all documents to which access is provided. The Parties agree to maintain the highest standards of confidentiality during such operations.

The representative shall disclose information on the results of such operations solely to the competent authorities.

4.2 Location

This programme shall be implemented in European Union ports of landing and in Mauritanian ports.

4.3 Funding

Each Party shall bear the costs of its representative on monitoring operations, including travel and board.

CHAPTER VII – Satellite monitoring system (VMS)

The satellite monitoring of European Union vessels shall be ensured by dual transmission based on a triangular system introduced on an experimental basis for the entire period covered by this Protocol, as follows:

- (1) EU vessel – flag State FMC – Mauritanian FMC
- (2) EU vessel – Mauritanian FMC – Flag State FMC

1. Modalities of transmissions

Each position message must contain the following information:

- (a) vessel identification;

- (b) the most recent geographical position of the vessel (longitude, latitude), with a margin of error of less than 500 metres, and with a confidence interval of 99 %;
- (c) the date and time the position is recorded;
- (d) the speed and the course of the vessel.

The FMC of the flag State and the FMC of Mauritania shall ensure the automatic processing and, if necessary, the electronic transmission of the position messages. The position messages shall be recorded in a secure manner and kept for a period of three years.

2. Transmission by the vessel in the event of breakdown of the VMS system

The master shall ensure at all times that the VMS system of his vessel is fully operational and that the position messages are correctly transmitted to the FMC of the flag State.

Where the continuous satellite monitoring equipment installed on board a fishing vessel develops a technical fault or breaks down, the master of the vessel shall transmit the information specified in point 5 by fax to the Control Centre of the flag State and the Mauritanian FMC in good time. In those circumstances a global position report shall be sent every four hours. This global position report shall include the position reports as recorded by the master of the vessel on an hourly basis in accordance with the requirements laid down in point 5.

The Control Centre of the flag State shall send these messages immediately to the Mauritanian FMC. The faulty equipment shall be repaired or replaced within a period of not more than five days. Where this deadline is not met, the vessel in question must leave the Mauritanian fishing zones or return to a Mauritanian port. Where there is a serious technical problem requiring an additional period, an exception may be granted at the request of the master for a maximum of 15 days. In that situation the requirements laid down in point 7 shall continue to apply and all vessels, with the exception of tuna vessels, shall enter port in order to take on board a Mauritanian scientific observer.

3. Secure communication of position messages between the FMC of the flag State and Mauritania

The FMC of the flag State shall automatically send the position messages of the vessels concerned to the FMC of Mauritania, and vice versa. The FMC of the flag State and the FMC of Mauritania shall exchange their contact e-mail addresses and inform each other immediately of any change to these addresses.

The transmission of position messages between the FMCs of the flag State and Mauritania shall be carried out electronically using a secure communication system.

The FMC of Mauritania shall immediately inform the FMC of the flag State and the European Union of any interruption in receiving consecutive position messages from a vessel holding a fishing authorisation, where the vessel concerned has not notified its departure from Mauritanian fishing zones.

4. Malfunction of the communication system

Mauritania shall ensure the compatibility of its electronic equipment with that of the FMC of the flag State and inform the European Union immediately of any malfunction as regards the communication and receiving of position messages with a view to finding a technical solution as soon as possible. The Joint Committee shall deal with any dispute arising.

The master shall be considered to be responsible for any proven manipulation of a vessel's VMS system aimed at disturbing its operation or falsifying its position messages. Any infringement shall be subject to the penalties provided for by this Protocol.

CHAPTER VIII – Infringements

1. Inspection report and statement of infringement

The inspection report, which shall specify the circumstances and reasons leading to the infringement, must be signed by the master of the vessel, who may note any reservations therein and a copy of which shall be given to him by the surveillance authority. This signature shall not prejudice the master's rights or any defence which he may make to the alleged infringement.

The statement of infringement shall be drawn up faithfully by the surveillance authority on the basis of any infringements found and entered in the inspection report drawn up following checks on the vessel.

The conformity of the vessel's characteristics ascertained during the technical inspection (chapter II) shall be taken into account during such checks.

2. Notification of the infringement

In the event of infringement, the surveillance authority shall serve by post on the vessel's agent the statement relating to the infringement, together with the inspection report. The surveillance authority shall inform the European Union thereof without delay.

In the event of an infringement which cannot be brought to an end at sea, the master, at the request of the surveillance authority, shall take the vessel to the port of Nouadhibou. In the event of an infringement acknowledged by the master which can be brought to an end at sea, the vessel shall continue fishing.

In both cases, the vessel shall continue fishing once the infringement is brought to an end.

3. Settlement of infringements

In accordance with this Protocol infringements may be settled either out of court or by legal proceedings.

Before taking any measure against the vessel, the master, the crew or the cargo, with the exception of measures aimed at protecting evidence, Mauritania shall organise, at the request of the European Union if necessary, within three (3) working days of notification of the detention of the vessel, an information meeting to clarify the facts which have led to the vessel being detained and to explain what further action may be taken. A representative of the

flag State and a representative of the owner of the vessel must be allowed to attend this information meeting.

The Settlement Committee shall then be convened by the surveillance authority. All information concerning out-of-court settlements or legal proceedings relating to infringements committed by European Union vessels shall be sent to the European Union without delay. If necessary and by derogation granted by the Chairman, the shipowner may be represented in the Settlement Committee by two persons.

Any fine must be paid by transfer no later than 30 days after the settlement. Where a vessel intends to leave the Mauritanian fishing zones, it may only do so once the payment has become effective. A Public Treasury receipt or, failing this, a SWIFT bank transfer certified by the Central Bank of Mauritania on non-working days, shall serve as proof of payment of the fine allowing the vessel to be released.

If the settlement procedure has not reached a successful conclusion, the Ministry shall refer the matter to the public prosecutor of Mauritania without delay. Under the legislation in force, a bank security shall be lodged by the shipowner to cover any fines. The vessel shall be released 72 hours from the time when the security is lodged. The bank security shall be irrevocable until the legal proceedings have been concluded. It shall be released by the Ministry once legal proceedings end without a conviction. Similarly, in the event of a conviction leading to a fine, this fine shall be paid in accordance with the legislation in force, which lays down that the bank security will be released if payment is made within 30 days of the judgment.

The vessel shall be released and its crew authorised to leave the port:

- once the obligations arising under the amicable settlement have been fulfilled, or
- when the bank security referred to in point 5 above has been lodged and accepted by the Ministry, pending completion of the legal proceedings.

CHAPTER IX – Signing-on of Mauritanian seamen

1. Apart from tuna seiners which must sign on one Mauritanian seaman per vessel and pole-and-line tuna vessels which must sign on three (3) Mauritanian seamen per vessel, each European Union vessel shall sign on 60 % of Mauritanian seamen for the duration of its presence in Mauritanian fishing zones, freely selected from a list established by the Ministry; this calculation shall not include officers. However, where Mauritanian trainee officers are signed on, the number of such officers shall be deducted from that of Mauritanian seamen.
2. The shipowner or his agent shall inform the Ministry of the names of the Mauritanian seamen signed on the vessel concerned, mentioning their position in the crew.
3. The International Labour Organisation (ILO) Declaration on Fundamental Principles and Rights at Work shall apply as of right to seamen signed on by European Union vessels. This concerns in particular the freedom of association and the effective

recognition of the right to collective bargaining, and the elimination of discrimination in respect of employment and occupation.

4. Mauritanian seamen's employment contracts, a copy of which shall be given to the signatories, shall be drawn up between the shipowners' agent(s) and the seamen and/or their trade unions or representatives in consultation with the competent Mauritanian authorities. The contracts shall guarantee the seamen the social security cover applicable to them, including life assurance and sickness and accident insurance.
5. Shipowners or their agents shall send, within two months of the issue of the licence, a copy of that contract duly signed by the competent authorities of the Member State concerned direct to the Ministry.
6. Mauritanian seamen's wages shall be paid by the shipowners. They shall be fixed, before licences are issued, by mutual agreement between the shipowners or their agents and the Mauritanian seamen concerned or their representatives. However, the wage conditions granted to Mauritanian seamen shall not be lower than those applied to Mauritanian crews and shall comply with or exceed ILO standards.
7. If one or more seamen employed on board fail to report at the time agreed for the vessel's departure, the vessel shall be permitted to start the planned trip after informing the competent authorities in the port of embarkation of the shortfall in the number of seamen required and having updated its crew list. The authorities concerned shall notify the surveillance authority thereof.
8. The shipowner shall take all necessary steps to ensure that the number of seamen required by this Agreement are signed on by the vessel by the next trip at the latest.
9. Where no Mauritanian seamen are taken on board for reasons other than that specified in the previous point, owners of European Union vessels shall be obliged to pay as soon as possible a flat-rate amount of EUR 20 per day of fishing in the Mauritanian fishing zone per seaman within a maximum of three months.
10. Payment for failure to sign on seamen shall be based on the actual number of fishing days and not on the period of the licence.
11. This sum shall be used for training Mauritanian fishermen and shall be paid into the account specified in Chapter I, General Provisions, of this Annex.
12. Twice a year the European Union shall send the Ministry a list of Mauritanian seamen on board European Union vessels on 1 January and 1 July of each year, showing their number in the seamen's register and the vessels on which they are employed.
13. Without prejudice to point 7 above, recurring failure by shipowners to sign on the requisite number of Mauritanian seamen shall result in automatic suspension of the vessels' fishing licence until such obligations have been met.

CHAPTER X – Scientific observers

A system for scientific observation on board European Union vessels is hereby established.

1. For each fishing category the Parties shall designate at least two vessels per year which shall take on board a Mauritanian scientific observer, except for tuna seiners, which shall board observers at the request of the Ministry. There shall be only one scientific observer at a time per vessel.

The period spent on board a vessel by a scientific observer shall be the length of a trip. However, at the express request of one of the Parties, this embarkation may be spread over several trips depending on the average duration of the trips planned for a particular vessel.

2. The Ministry shall inform the European Union of the names of designated scientific observers, provided with the requisite documents, at least seven working days before the scheduled date of their embarkation.
3. All costs arising out of the activities of scientific observers, including their salary, emoluments and allowances, shall be borne by the Ministry.
4. The Ministry shall make all necessary arrangements for the embarkation and landing of the scientific observer.

Scientific observers shall enjoy the same treatment on board as the vessel's officers.

Scientific observers shall be offered every facility needed to carry out their duties. The master shall give them access to the means of communication needed for the discharge of their duties, to documents directly concerned with the vessel's fishing activities, i.e. the fishing log, the supplementary fishing log and the navigation log, and to those parts of the vessel necessary to facilitate the exercise of their tasks as observer.

5. Scientific observers must report to the master of the designated vessel the day before the selected date of embarkation. Should the scientific observer not appear, the master of the vessel shall inform the Ministry and the European Union. In this case the vessel shall be authorised to leave the port. However, the Ministry may subsequently, without delay and at its own expense, arrange the boarding of a new scientific observer, without disrupting fishing by the vessel.
6. Scientific observers must have:
 - a professional qualification,
 - adequate fisheries experience, and thorough knowledge of the provisions of this Protocol.
7. Scientific observers shall ensure that European Union vessels operating in Mauritanian fishing zone comply with the terms of this Protocol.

They shall compile a report on this subject. In particular, they shall:

- observe the fishing activities of the vessels;
 - check the position of vessels engaged in fishing operations;
 - perform biological sampling in the context of scientific programmes;
 - record particulars of the fishing gear and the mesh sizes of the nets used.
8. Observation shall be confined to fishing activities and related activities governed by this Protocol.
9. Scientific observers shall:
- take all appropriate steps to ensure that the conditions of their boarding and presence on the vessel neither interrupt nor hamper fishing operations,
 - use the instruments and procedures approved for measuring the mesh size of nets used under this Protocol; and
 - respect the material and equipment on board and the confidentiality of all documents belonging to the vessel.
10. At the end of the observation period and before leaving the vessel, the scientific observer shall draw up a report in accordance with the model in Appendix 9 to this Annex. The observer shall sign it in the presence of the master, who may add or cause to be added to it any observations considered relevant, followed by the master's signature. A copy of the report shall be handed to the master of the vessel when the observer is put ashore as well as to the Ministry and the European Union.

CHAPTER XI – Vessels targeting highly migratory species

1. Licences for tuna seiners, pole-and-line tuna vessels and surface longliners shall be issued for periods which coincide with calendar years except for the first and last year of this Protocol.

On presentation of the proof of payment of the advance, the Ministry shall draw up the licence and enter the vessel concerned on the list of vessels authorised to fish which shall be sent to the surveillance authority and to the European Union.

2. Before receiving its licence, each vessel operating under the Agreement for the first time must be presented for the inspections required by the legislation in force. Such inspections may be carried out in a foreign port to be agreed. All expenses linked to such inspection shall be borne by the shipowner.
3. Vessels holding fishing licences for neighbouring countries may indicate in their licence applications the country and species concerned and the period of validity of such licences to facilitate their multiple entries into and exits from the fishing zone.

4. Licences shall be issued following payment, by transfer to the account indicated in Chapter I, of a lump sum corresponding to the advance specified in the Fishing in the Protocol. This lump sum shall be established *pro rata temporis* to the validity of the licence for the first and last year of the Protocol.

The parafiscal charge shall be paid in proportion to the time spent in the Mauritanian fishery zone. Monthly payments are deemed to cover periods of 30 days' actual fishing. This provision preserves the indivisible nature of the charge and, consequently, the monthly payment shall be due in respect of any period begun.

A vessel which has fished for 1 to 30 days over the year shall pay the charge in respect of one month. The second monthly payment of this charge shall be due after the first period of 30 days and so on.

Additional monthly payments shall be made no later than 10 days after the first day of each additional period.

5. Vessels shall keep a log-book in accordance with the model in Appendix 3 to this Annex for each fishing period spent in Mauritanian waters. It shall be filled in even when no catches are made.
6. Subject to any checks that Mauritania may wish to carry out, the European Union shall submit to the Ministry, by 15 June each year, a statement of fees due for the previous fishing year on the basis of the catch declarations made by each shipowner and confirmed by the scientific institutes responsible for verifying catch data in the Member States, such as the IRD (Institut de Recherche pour le Développement), IEO (Instituto Español de Oceanografía), INIAP (Instituto Nacional de Investigação Agrária e das Pescas) and IMROP (Institut Mauritanien de Recherches Océanographiques et des Pêches).
7. Tuna vessels and surface longliners shall comply with all the recommendations adopted by the International Commission for the Conservation of Atlantic Tunas (ICCAT).
8. For the last year of application of the Protocol, the statement of the fees due for the previous fishing year shall be notified within four months of expiry of the Protocol.
9. The final statement shall be sent to the shipowners concerned, who shall have 30 days from the notification and the approval of the amounts by the Ministry, within which to discharge their financial obligations to the competent national authorities. Payment in euro, payable to the Public Treasury, shall be made into the account mentioned in Chapter I no later than one and a half months after that notification.

However, if the amount of the final statement is lower than the advance referred to in point 3 above, the resulting balance shall not be reimbursable to the shipowner.
10. 10. Vessels shall be obliged, within the three hours before entering or leaving the zone, to communicate their position and the volume of the catch on board direct to the Mauritanian authorities by electronic means or, failing that, by radio.

The addresses and radio frequency shall be notified by the surveillance authority.

11. 11. Tuna seiners shall take a scientific observer on board at the request of the Mauritanian authorities and by mutual agreement with the shipowners concerned.

ANNEX I

DATASHEETS

FISHING CATEGORY 1: FISHING VESSELS SPECIALISING IN CRUSTACEANS OTHER THAN SPINY LOBSTER AND CRAB															
12.	Fishing zone														
<p>(a) North of latitude 19°00'N, the zone marked by the line joining the following points:</p> <table> <tr> <td>20°46'30"N</td><td>17°03'00"W</td></tr> <tr> <td>20°40'00"N</td><td>17°07'50"W</td></tr> <tr> <td>20°05'00"N</td><td>17°07'50"W</td></tr> <tr> <td>19°49'00"N</td><td>17°10'60"W</td></tr> <tr> <td>19°43'50"N</td><td>16°57'00"W</td></tr> <tr> <td>19°18'70"N</td><td>16°46'50"W</td></tr> <tr> <td>19°00'00"N</td><td>16°22'00"W</td></tr> </table> <p>(b) South of latitude 19°00'N as far as latitude 16°04'N, at 6 nautical miles from the low-water mark for specially authorised vessels and at 8 nautical miles from the low-water mark for other vessels.</p>		20°46'30"N	17°03'00"W	20°40'00"N	17°07'50"W	20°05'00"N	17°07'50"W	19°49'00"N	17°10'60"W	19°43'50"N	16°57'00"W	19°18'70"N	16°46'50"W	19°00'00"N	16°22'00"W
20°46'30"N	17°03'00"W														
20°40'00"N	17°07'50"W														
20°05'00"N	17°07'50"W														
19°49'00"N	17°10'60"W														
19°43'50"N	16°57'00"W														
19°18'70"N	16°46'50"W														
19°00'00"N	16°22'00"W														
13.	Authorised gear														
<p>– Bottom shrimp trawl, including those fitted with a tickler chain or any other selective device.</p> <p>The tickler chain is an integral part of the rigging of shrimp trawlers equipped with outriggers. It consists of a single length of chain with links of no more than 12 mm in diameter fastened between the trawl boards ahead of the footrope.</p> <p>– The mandatory use of selective devices is subject to a decision of the Joint Committee based on a joint scientific, technical and economic assessment.</p> <p>– Doubling of the cod-end is prohibited.</p> <p>– Doubling of the twine forming the cod-end is prohibited.</p> <p>– Protective aprons are authorised.</p>															
14.	Minimum authorised mesh														
50 mm															
15.	Minimum size														

For deep-water shrimp, the minimum size is to be measured from the tip of the rostrum to the end of the tail. The tip of the rostrum is an extension of the carapace, which is situated in the anterior median portion of the cephalothorax.

- Deep-water shrimps:
 - rose shrimp or gambas (*Parapeneus longirostris*) 6 cm

- Coastal shrimps:
 - white shrimp, caramote prawn (*Penaeus notialis*) and common shrimp (*Penaeus kerathurus*) 200 indiv/kg

The Joint Committee may determine the minimum size for species not listed above.

16. By-catches		
Authorised		Not authorised
10 % fish		spiny lobsters
5 % crabs		cephalopods
The Joint Committee may determine by-catch rates for species not listed above.		
17. Fishing opportunities/fees		
Period	Year 1	Year 2
Authorised catches (in tonnes)	5 000	5 000
Fee	620 €/t	620 €/t
	<p>The fee shall be calculated for the period of two months in which the vessel is authorised to fish, taking into account the catches made during that period.</p> <p>The licence shall be granted on advance payment of EUR 1000 per vessel, to be deducted from the total amount of the fee. The advance payment shall be made at the beginning of each two-month period in which the vessel is authorised to fish.</p> <p>The number of vessels authorised at the same time shall not exceed 36:</p> <p>50% of the total number of vessels operating at the same time in Mauritanian fishing zones may be authorised to work simultaneously during the same fishing period in the zone located west of the 6-mile line from the low-water mark south of latitude 19°00’ N.</p> <p>If this threshold of 50% corresponds to a number of vessels equal to or less than 10, all of them shall be authorised to fish west of the 6-mile line from the low-water mark south of latitude 19°00’ N.</p> <p>A licence issued to a vessel for a fixed period of two months shall specify whether the vessel is authorised to fish beyond the 6-mile line from the low-water mark south of latitude 19°00’ N.</p> <p>North of latitude 19°00’ N all vessels with a licence to fish shrimp shall be authorised to fish west of the line the coordinates of which are specified in point 1 of this datasheet.</p>	
18. Biological recovery		
Two (2) periods of two (2) months: May-June and October-November.		
Any change to the biological recovery period, on the basis of a scientific opinion, shall be notified to the European Union without delay.		
19. Comments		
The fees are fixed for the entire period of application of the Protocol.		

**FISHING CATEGORY 2:
BLACK HAKE (NON-FREEZER) TRAWLERS AND BOTTOM LONGLINERS**

20.	Fishing zone																
(b)	<p>North of latitude 19°15'60" N, west of the line joining the following points:</p> <table> <tr><td>20°46'30"N</td><td>17°03'00"W</td></tr> <tr><td>20°36'00"N</td><td>17°11'00"W</td></tr> <tr><td>20°36'00"N</td><td>17°36'00"W</td></tr> <tr><td>20°03'00"N</td><td>17°36'00"W</td></tr> <tr><td>19°45'70"N</td><td>17°03'00"W</td></tr> <tr><td>19°29'00"N</td><td>16°51'50"W</td></tr> <tr><td>19°15'60"N</td><td>16°51'50"W</td></tr> <tr><td>19°15'60"N</td><td>16°49'60"W</td></tr> </table>	20°46'30"N	17°03'00"W	20°36'00"N	17°11'00"W	20°36'00"N	17°36'00"W	20°03'00"N	17°36'00"W	19°45'70"N	17°03'00"W	19°29'00"N	16°51'50"W	19°15'60"N	16°51'50"W	19°15'60"N	16°49'60"W
20°46'30"N	17°03'00"W																
20°36'00"N	17°11'00"W																
20°36'00"N	17°36'00"W																
20°03'00"N	17°36'00"W																
19°45'70"N	17°03'00"W																
19°29'00"N	16°51'50"W																
19°15'60"N	16°51'50"W																
19°15'60"N	16°49'60"W																
(c)	South of latitude 19°15'60"N as far as latitude 17°50'N, west of the 24-mile line from the low-water mark.																
(d)	South of latitude 17°50'N: west of the 18-mile line from the low-water mark.																
(e)	<p>During the biological recovery periods for cephalopod fisheries:</p> <p>(1) Between Cap Blanc and Cap Timiris, the exclusion zone is defined by the following points:</p> <table> <tr><td>20°46'00"N</td><td>17°03'00"W</td></tr> <tr><td>20°46'00"N</td><td>17°47'00"W</td></tr> <tr><td>20°03'00"N</td><td>17°47'00"W</td></tr> <tr><td>19°47'00"N</td><td>17°14'00"W</td></tr> <tr><td>19°21'00"N</td><td>16°55'00"W</td></tr> <tr><td>19°15'60"N</td><td>16°51'50"W</td></tr> <tr><td>19°15'60"N</td><td>16°49'60"W</td></tr> </table> <p>(2) South of latitude 19°15'60"N (Cap Timiris) as far as latitude 17°50'N (Nouakchott), fishing is prohibited beyond the 24-mile line from the low-water mark.</p> <p>(3) South of latitude 17°50'N (Nouakchott), fishing is prohibited beyond the 18-mile line from the low-water mark.</p>	20°46'00"N	17°03'00"W	20°46'00"N	17°47'00"W	20°03'00"N	17°47'00"W	19°47'00"N	17°14'00"W	19°21'00"N	16°55'00"W	19°15'60"N	16°51'50"W	19°15'60"N	16°49'60"W		
20°46'00"N	17°03'00"W																
20°46'00"N	17°47'00"W																
20°03'00"N	17°47'00"W																
19°47'00"N	17°14'00"W																
19°21'00"N	16°55'00"W																
19°15'60"N	16°51'50"W																
19°15'60"N	16°49'60"W																
21.	Authorised gear																
–	Bottom longline																
–	Bottom trawl for hake																
–	<p>Doubling of the cod-end is prohibited.</p> <ul style="list-style-type: none"> • Doubling of the twine forming the cod-end is prohibited. 																
22.	Minimum authorised mesh																
	70 mm (trawl)																
23.	Minimum Size																
	1) For fish, the minimum size is to be measured from the tip of the snout to the end of the caudal fin (total length) (see																

Appendix 4)		
The Joint Committee may determine the minimum size for species not listed above.		
24. By-catches		
Authorised	Not authorised	
Trawlers: 25 % fish Longliners: 50 % fish	Cephalopods and crustaceans	
The Joint Committee may determine by-catch rates for species not listed above.		
25. Fishing opportunities/fees		
Period	Year 1	Year 2
Volume of authorised catches (in tonnes)	4 000	4 000
Fee	90 €/t	90 €/t
	The fee shall be calculated at the end of each period of three months in which the vessel is authorised to fish, taking into account the catches made during that period. The licence shall be granted on advance payment of EUR 1 000 per vessel, to be deducted from the total amount of the fee. The advance payment shall be made at the beginning of each three-month period in which the vessel is authorised to fish. The number of vessels authorised at the same time shall not exceed 11.	
26. Biological recovery		
Where appropriate the Joint Committee shall determine a biological recovery period based on the scientific opinion of the Joint Scientific Committee.		
27. Comments		
The fees are fixed for the entire period of application of the Protocol.		

**FISHING CATEGORY 3:
VESSELS FISHING FOR DEMERSAL SPECIES OTHER THAN BLACK HAKE WITH GEAR OTHER THAN
TRAWLS**

28. Fishing zone

- (a) North of latitude 19°48'50"N: 3 nautical miles from the Cap Blanc - Cap Timiris baseline
- (b) South of latitude 19°48'50"N as far as latitude 19°21'N: west of longitude 16°45'W
- (c) South of latitude 19°21'N from the 9-mile line from the low-water mark
- (d) During the biological recovery periods for cephalopod fisheries:
 - (1) Between Cap Blanc and Cap Timiris:

20°46'00"N	17°03'00"W
20°46'00"N	17°47'00"W
20°03'00"N	17°47'00"W
19°47'00"N	17°14'00"W
19°21'00"N	16°55'00"W
19°15'60"N	16°51'50"W
19°15'60"N	16°49'60"W
 - (2) South of latitude 19°50'60"N (Cap Timiris), fishing is prohibited beyond the 9-mile line from the low-water mark.

29. Authorised gear

- Longline
- Fixed gillnets with a maximum depth of 7 m and a maximum length of 100 m. Monofilament in polyamide is prohibited
- Handline
- Creels
- Seine for fishing for live bait

30. Minimum authorised mesh

- 120 mm for gillnets
- 20 mm for live-bait fishing nets

31. Minimum Size		
For fish, the minimum size is to be measured from the tip of the snout to the end of the caudal fin (total length), (see Appendix 4).		
The Joint Committee may determine the minimum size for species not listed above based on a scientific opinion.		
32. By-catches		
Authorised	Not authorised	
10% of the total for the authorised target species or group of species (live weight)		
The Joint Committee may determine by-catch rates for species not listed above.		
33. Fishing opportunities/fees		
Period	Year 1	Year 2
Volume of authorised catches (in tonnes)	2 500	2 500
Fee	105 €/t	105 €/t
	The fee shall be calculated at the end of each period of three months in which the vessel is authorised to fish, taking into account the catches made during that period. The licence shall be granted on advance payment of EUR 1 000 per vessel, to be deducted from the total amount of the fee. The advance payment shall be made at the beginning of each three-month period in which the vessel is authorised to fish. The number of authorised vessels fishing at the same time shall not exceed 9.	
34. Biological recovery		
Where appropriate the Joint Committee shall determine a biological recovery period based on the scientific opinion of the Joint Scientific Committee.		
35. Comments		
The fees are fixed for the entire period of application of the Protocol. Seines may be used only to fish for bait for use in line and creel fishing. Use of creels is authorised for no more than seven vessels of under 135 GT each.		

**FISHING CATEGORY 4:
CRABS**

36. Fishing zone

(e) North of latitude 19°15'60"N, west of the line joining the following points:

20°46'30"N	17°03'00"W
20°36'00"N	17°11'00"W
20°36'00"N	17°36'00"W
20°03'00"N	17°36'00"W
19°45'70"N	17°03'00"W
19°29'00"N	16°51'50"W
19°15'60"N	16°51'50"W
19°15'60"N	16°49'60"W

(f) South of latitude 19°15'60"N as far as latitude 17°50'N, west of the 18-mile line from the low-water mark.

37. Authorised gear

Trap

38. Minimum authorised mesh

60 mm (netting)

39. Minimum Size

For deep-water shrimp, the minimum size is to be measured from the tip of the rostrum to the end of the tail. The tip of the rostrum is an extension of the carapace, which is situated in the anterior median portion of the cephalothorax (see Appendix 4).

The Joint Committee may determine the minimum size for species not listed above.

40. By-catches

Authorised	Not authorised
-	Fish, cephalopods and crustaceans other than the target species

The Joint Committee may determine by-catch rates for species not listed above.

41. Fishing opportunities/fees

Period	Year 1	Year 2
Volume of authorised catches (in tonnes)	200	200
Fee	310 €/t	310 €/t
	<p>The fee shall be calculated at the end of each period of three months in which the vessel is authorised to fish, taking into account the catches made during that period.</p> <p>The licence shall be granted on advance payment of EUR 1 000 per vessel, to be deducted from the total amount of the fee. The advance payment shall be made at the beginning of each three-month period in which the vessel is authorised to fish.</p>	

	The maximum number of authorised traps may not exceed 500 per licence.
--	--

42. Biological recovery
Two (2) periods of two (2) months: May-June and October-November. Any change to the biological recovery period is subject to a decision of the Joint Committee based on a scientific opinion.
43. Comments
The fees are fixed for the entire period of application of the Protocol.

**FISHING CATEGORY 5:
TUNA SEINERS**

44. Fishing zone	
(g) North of latitude 19°21'N: west of the 30-mile line from the Cap Blanc - Cap Timiris baseline	
(h) South of latitude 19°21'N: west of the 30-mile line from the low-water mark.	
45. Authorised gear	
Seine	
46. Minimum authorised mesh	
--	
47. Minimum Size	
For fish, the minimum size is to be measured from the tip of the snout to the end of the caudal fin (total length).	
The Joint Committee may determine the minimum size for species not listed in Appendix 4.	
48. By-catches	
Authorised	Not authorised
-	Species other than the target species or group of species
The Joint Committee may determine by-catch rates for species not listed in the logbook adopted by ICCAT.	
49. Fishing opportunities/fees	
Number of authorised vessels	22 tuna seiners
Annual flat-rate fee	Euro 1 750 per tuna seiner vessel, for 5 000 tonnes of catch of highly migratory and associated species
Part calculated on catches	35 €/t
50. Biological recovery	
--	
51. Comments	
The fees are fixed for the entire period of application of the Protocol.	

**FISHING CATEGORY 6:
POLE-AND-LINE TUNA VESSELS AND SURFACE LONGLINERS**

52.	Fishing zone
<p>Surface longliners</p> <p>(i) North of latitude 19°21'N: west of the 30-mile line from the Cap Blanc - Cap Timiris baseline</p> <p>(j) South of latitude 19°21'N: west of the 30-mile line from the low-water mark.</p> <p>Pole-and-line tuna vessels</p> <p>(k) North of latitude 19°21'N: west of the 15-mile line from the Cap Blanc - Cap Timiris baseline</p> <p>(l) South of latitude 19°21'N: west of the 12-mile line from the low-water mark.</p> <p>Live-bait fishing</p> <p>(m) North of latitude 19°48'50"N: west of the 3-mile line from the Cap Blanc - Cap Timiris baseline</p> <p>(n) South of latitude 19°48'50"N as far as latitude 19°21'N: west of longitude 16°45'W</p> <p>(o) South of latitude 19°21'N: west of the 3-mile line from the low-water mark.</p>	
53.	Authorised gear
–	Pole-and-line tuna vessels: Pole-and-line and trawl (for live bait fishing)
–	Surface longliners: Surface longlines
54.	Minimum authorised mesh
16 mm (live-bait fishing)	
55.	Minimum Size
For fish, the minimum size is to be measured from the tip of the snout to the end of the caudal fin (total length), (see Appendix 4).	
The Joint Committee may determine the minimum size for species not listed in Appendix 4.	
56.	By-catches
Authorised	Not authorised
--	Species other than the target species or group of species
The Joint Committee may determine by-catch rates for species not listed above.	
57.	Fishing opportunities/fees

Number of authorised vessels	22 pole-and-line tuna vessels or longliners
Annual flat-rate fee	<ul style="list-style-type: none"> • EUR 2 500 per pole-and-line tuna vessel and • EUR 3 500 per surface long-liner for 10 000 tonnes of catch of highly migratory and associated species
Part calculated on catches	<ul style="list-style-type: none"> • 25 €/t for a pole-and-line tuna vessel • 35 €/t for a surface long-liner
58. Biological recovery	
--	
59. Comments	
<p>The fees are fixed for the entire period of application of the Protocol.</p> <p>Live-bait fishing</p> <ul style="list-style-type: none"> – Fishing for live bait will be limited to a number of days per month to be laid down by the Joint Committee. The start and end of such fishing must be notified to the surveillance authority. – The Parties shall agree on the practical arrangements to allow this category to fish or collect the live bait needed for fishing by these vessels. Should such activities be carried out in sensitive areas or with non-conventional gear, these arrangements shall be laid down on the basis of IMROP recommendations and in agreement with the surveillance authority. <p>Sharks</p> <p>In accordance with the relevant ICCAT and FAO recommendations, fishing for the basking shark (<i>Cetorhinus maximus</i>), white shark (<i>Carcharodon carcharias</i>), sand tiger shark (<i>Carcharias taurus</i>) and tope shark (<i>Galeorhinus galeus</i>) is prohibited.</p> <p>In accordance with ICCAT recommendations 04-10 and 05-05 concerning the conservation of sharks caught in association with fisheries managed by ICCAT.</p>	

**FISHING CATEGORY 7:
PELAGIC FREEZER TRAWLERS**

60.	Fishing zone				
(p)	North of latitude 19°00' N, the zone marked by the line joining the following points: <div> <div>20°46'30"N</div> <div>17°03'00"W</div> <div>20°36'00"N</div> <div>17°11'00"W</div> <div>20°36'00"N</div> <div>17°35'00"W</div> <div>20°00'00"N</div> <div>17°30'00"W</div> <div>19°34'00"N</div> <div>17°00'00"W</div> <div>19°21'00"N</div> <div>16°52'00"W</div> <div>19°10'00"N</div> <div>16°41'00"W</div> <div>19°00'00"N</div> <div>16°39'50"W</div> </div>				
(q)	South of latitude 19°00'N as far as latitude 16°04'N, at 20 nautical miles from the low-water mark.				
61.	Authorised gear				
	<p>Pelagic trawl</p> <p>The bag of the trawl may be strengthened with a piece of netting with a minimum mesh size of 400 mm of stretched mesh and by straps placed at least 1.5 metres apart, except for the strap at the back of the trawl which may not be placed less than 2 metres from the window in the bag. The strengthening or doubling of the bag by any other means is prohibited and the trawl may in no case target species other than the small pelagic species authorised.</p>				
62.	Minimum authorised mesh				
	40 mm				
63.	Minimum Size				
	For fish, the minimum size is to be measured from the tip of the snout to the end of the caudal fin (total length), (see Appendix 4).				
	The Joint Committee may determine the minimum size for species not listed above.				
64.	By-catches				
	<table> <tr> <th>Authorised</th><th>Not authorised</th></tr> <tr> <td>3 % of the total for the authorised target species or group of species (live weight)</td><td>Crustaceans or cephalopods, except squid</td></tr> </table>	Authorised	Not authorised	3 % of the total for the authorised target species or group of species (live weight)	Crustaceans or cephalopods, except squid
Authorised	Not authorised				
3 % of the total for the authorised target species or group of species (live weight)	Crustaceans or cephalopods, except squid				
	The Joint Committee may determine by-catch rates for species not listed in Appendix 4.				

65. Fishing opportunities/fees		
Period	Year 1	Year 2
Volume of authorised catches (in tonnes)	300 000	300 000
Fee	123 €/t	123 €/t

	<p>The fee shall be calculated at the end of each period of three months in which the vessel is authorised to fish, taking into account the catches made during that period.</p> <p>The licence shall be granted on advance payment of EUR 5 000 per vessel, to be deducted from the total amount of the fee. The advance payment shall be made at the beginning of each three-month period in which the vessel is authorised to fish.</p> <p>The number of vessels authorised at the same time shall not exceed 19.</p>
66.	Biological recovery
	A biological recovery period may be agreed by the Parties within the Joint Committee on the basis of the scientific opinion of the Joint Scientific Committee.
67.	Comments
	<p>The fees are fixed for the entire period of application of the Protocol.</p> <p>The conversion factors for small pelagics are specified in Appendix 5.</p> <p>Unused category 8 fishing opportunities may be used at a rate of a maximum 2 licences per month.</p>

**FISHING CATEGORY 8:
NON-FREEZER PELAGIC VESSELS**

68. Fishing zone																	
(r)	<p>North of latitude 19°00' N, west of the line joining the following points:</p> <table> <tr><td>20°46'30"N</td><td>17°03'00"W</td></tr> <tr><td>20°36'00"N</td><td>17°11'00"W</td></tr> <tr><td>20°36'00"N</td><td>17°35'00"W</td></tr> <tr><td>20°00'00"N</td><td>17°30'00"W</td></tr> <tr><td>19°34'00"N</td><td>17°00'00"W</td></tr> <tr><td>19°21'00"N</td><td>16°52'00"W</td></tr> <tr><td>19°10'00"N</td><td>16°41'00"W</td></tr> <tr><td>19°00'00"N</td><td>16°39'50"W</td></tr> </table>	20°46'30"N	17°03'00"W	20°36'00"N	17°11'00"W	20°36'00"N	17°35'00"W	20°00'00"N	17°30'00"W	19°34'00"N	17°00'00"W	19°21'00"N	16°52'00"W	19°10'00"N	16°41'00"W	19°00'00"N	16°39'50"W
20°46'30"N	17°03'00"W																
20°36'00"N	17°11'00"W																
20°36'00"N	17°35'00"W																
20°00'00"N	17°30'00"W																
19°34'00"N	17°00'00"W																
19°21'00"N	16°52'00"W																
19°10'00"N	16°41'00"W																
19°00'00"N	16°39'50"W																
(s)	South of latitude 19°00'N as far as latitude 16°04'N: 20 nautical miles from the low-water mark.																
69. Authorised gear																	
<p>Pelagic trawl and purse seine for industrial fishing:</p> <p>The bag of the trawl may be strengthened with a piece of netting with a minimum mesh size of 400 mm of stretched mesh and by straps placed at least 1.5 metres apart, except for the strap at the back of the trawl which may not be placed less than 2 metres from the window in the bag. The strengthening or doubling of the bag by any other means is prohibited and the trawl may in no case target species other than the small pelagic species authorised.</p>																	
70. Minimum authorised mesh																	
40 mm for trawls and 20 mm for seines.																	
71. Minimum Size																	
For fish, the minimum size is to be measured from the tip of the snout to the end of the caudal fin (total length) (see Appendix 4).																	
The Joint Committee may determine the minimum size for species not listed above.																	
72. By-catches																	
Authorised	Not authorised																
3 % of the total for the authorised target species or group of species (live weight)	Crustaceans or cephalopods, except squid																
The Joint Committee may determine by-catch rates for species not listed above.																	

73. Fishing opportunities/fees		
Volume of authorised catches (in tonnes)	15 000 tonnes per year. If these fishing opportunities are utilised, they shall be deducted from the 300 000 tonnes allocation provided for in category 7.	
Period	Year 1	Year 2
Fee	123 €/t	123 €/t
	<p>The fee shall be calculated at the end of each period of three months in which the vessel is authorised to fish, taking into account the catches made during that period.</p> <p>The licence shall be granted on advance payment of EUR 5 000, to be deducted from the total amount of the fee. The advance payment shall be made at the beginning of each three-month period in which the vessel is authorised to fish.</p> <p>The number of vessels authorised at the same time shall not exceed 2, equivalent to two quarterly licences for pelagic freezer trawlers of category 7.</p>	
74. Biological recovery		
A biological recovery period may be agreed by the Parties within the Joint Committee on the basis of the scientific opinion of the Joint Scientific Committee.		
75. Comments		
The fees are fixed for the entire period of application of the Protocol.		
The conversion factors for small pelagics are specified in Appendix 5.		

FISHING CATEGORY 9: CEPHALOPODS		
76. Fishing zone		
p.m.		
77. Authorised gear		
p.m.		
78. Minimum authorised mesh		
p.m.		
79. By-catches		
Authorised	Not authorised	
p.m.	p.m.	
80. Authorised tonnage/fees		
Period	Year 1	Year 2
Volume of authorised catches (in tonnes)	p.m.	p.m.
Fee	p.m.	p.m.
81. Biological recovery		
p.m.		
82. Comments		
p.m.		

Appendix 1

MAURITANIA - EUROPEAN UNION FISHING AGREEMENT

FISHING LICENCE APPLICATION FORM

I - APPLICANT

1. Name of shipowner:
2. Name of the shipowner's association or agent:
3. Address of the shipowner's association or agent:
.....
4. Telephone: Fax: Telex:
5. Name of master: Nationality:

II – VESSEL AND IDENTIFICATION

1. Vessel name:
2. Flag State:
3. External registration number:
4. Home port:
5. Year and place of construction:
6. Radio call sign: Call frequency:
7. Hull construction material: Steel ☐ Wood ☐ Polyester ☐ Other ☐

III - TECHNICAL CHARACTERISTICS AND EQUIPMENT

1. Overall length: : Width:
2. Tonnage (GT):
3. Horse power of main engine: : Make: Type:
4. Type of vessel: Fishing category:
5. Fishing gear:
6. Crew complement:
7. Method of preservation on board: Fresh ☐ Cold storage ☐ Mixed ☐ Freezing ☐
8. Freezing capacity in tonnes/24 hours:
9. Hold capacity: Number:

Done at, on

Signature of applicant:.....

Appendix 2

ISLAMIC REPUBLIC OF MAURITANIA

FISHING LOG

ITEM No 1	Name of vessel (1)		Date (6)		Day		Month		Year		Time	
	Call sign (2) ...		Date (6)		Day		Month		Year		Time	
	Name of master (3)		Date (6)		Day		Month		Year		Time	
Fishing gear (7)		Gear code (8)		Mesh size (9)		Gear measurements (10)						

SECTION No 2				HEADING No 3: Delete list A or B (whichever is unused)												HEADING No 4				
Date (12)	Sector sector (13)	Number of fishing operations (14)	Durati on of fishing (hours) (15)	Estimate of quantities caught per species: (in kg) (16) (or comments if fishing is interrupted)												Weight weight of fish Catches (kg) (17)	Weight weight of fish (kg) (18)	Total weight of fish meal (kg) (19)		
				Horse mack- erel A	Sardines	Sard- in- ellas	American plaice	Mack- erel	Scabbard fish	Tunas	Hake	Red breem	Squid	Cuttlefishes	Octopu s	Shrimps	Spiny lobster	Other fish		

Appendix 3

Vessel name:	Gross tonnage:	Month	Day	Year	Port
Flag country:	Capacity – (M.T.):				
Registration No:	Master:	Vessel DEPARTED:			
Shipowner:	No of crew:	Vessel RETURNED:			
Address:	Reporting date:				
	(Reported by)	No of days at sea:			
		No of fishing days:			
		No of sets made:			
		Trip number:			

[illegible]Comments

- Use one sheet per month and one line per day.

3 – ‘Day’ refers to the day you set the line.

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5 - The last line (landing weight) should be completed only at the end of the trip. Actual weight at the time of unloading should be recorded.

2 - At the end of each trip, forward a copy of the log to your correspondent or to the ICCAT, Calle Corazón de María, 8, 28002 Madrid, Spain

4 - Fishing area refers to the position of the vessel. Round off minutes and record degree of latitude and longitude. Be sure to record N/S and E/W.

6 - All information reported herein will be kept strictly confidential.

Appendix 4

Legislation in force on minimum sizes of catches kept on board

'Section III: Minimum sizes and weights of species

1. The minimum dimensions of species must be measured:
 - for fish, from the tip of the snout to the end of the caudal fin (total length);
 - for cephalopods, the length of the body alone (mantle) without tentacles;
 - for crustaceans, from the tip of the rostrum to the end of the tail.

The tip of the rostrum is an extension of the carapace, which is situated in the anterior median portion of the cephalothorax. For pink spiny lobster, the middle of the concave portion of the carapace situated between the two frontal horns must be chosen as the reference point.
2. The minimum sizes and weights of the saltwater fish, cephalopods and crustaceans which may be fished are:
 - (t) For saltwater fish:

– Sardinella (<i>Sardinella aurita</i> and <i>Sardinella maderensis</i>)	18 cm
– Sardine (<i>Sardina pilchardus</i>)	16 cm
– Scads and horse mackerels (<i>Trachurus spp.</i>)	19 cm
– Yellow horse mackerel (<i>Decapturus rhonchus</i>)	19 cm
– Chub mackerel (<i>Scomber japonicus</i>)	25 cm
– Gilt-head seabream (<i>Sparus auratus</i>)	20 cm
– Blue-spotted seabream (<i>Sparus coeruleostictus</i>)	23 cm
– Pagre rayé (<i>Sparus auriga</i>), Pagre africain (<i>Sparus pagrus</i>)	23 cm
– Dentex (<i>Dentex spp.</i>)	15 cm
– Red pandora (<i>Pagellus bellottii</i>), axillary seabream (<i>Pagellus acarne</i>)	19 cm
– Rubberlip grunt (<i>Plectorhynchus mediterraneus</i>)	25 cm
– Black grouper	25 cm
– Brown meagre (<i>Sciana umbra</i>)	25 cm
– Meagre (<i>Argirosomus regius</i>) and cassava croaker (<i>Pseudolithus senegalensis</i>)	70 cm
– Groupers (<i>Epinephelus spp.</i>)	40 cm
– Bluefish (<i>Pomatomus saltator</i>)	30 cm
– West African goatfish (<i>Pseudupeneus prayensis</i>)	17 cm
– Mulletts (<i>Mugil spp.</i>)	20 cm
– Smoothhound, barbeled houndshark (<i>Mustellus mustellus</i> , <i>Leptocharias smithi</i>)	60 cm

- Sea spotted bass (*Dicentrarchus punctatus*) 20 cm
- Tongue-sole (*Cynoglossus canariensis*, *Cynoglossus monodi*) 20 cm
- Tongue-sole (*Cynoglossus cadenati*, *Cynoglossus senegalensis*) 30 cm
- Hake (*Merluccius spp.*) 30 cm
- Yellowfin tuna (*Thunnus albacares*) of a weight of less than 3.2 kg
- Bigeye tuna (*Thunnus obesus*) of a weight of less than 3.2 kg
- (u) For cephalopods:
 - Octopus (*Octopus vulgaris*) 500 g (eviscerated)
 - Squid (*Loligo vulgaris*) 13 cm
 - Cuttlefish (*Sepia officinalis*) 13 cm
 - African cuttlefish (*Sepia bertheloti*) 7 cm
- (v) For crustaceans:
 - Royal spiny lobster (*Panulirus regius*) 21 cm
 - Pink spiny lobster (*Palinurus mauritanicus*) 23 cm
 - Deepwater rose shrimps (*Parapenaeus longirostris*) 6 cm
 - Red crab (*Geryon maritae*) 6 cm
 - Southern pink shrimp, caramote prawn (*Penaeus notialis*, *Penaeus kerathurus*) 200 indiv/kg'

Appendix 5

List of conversion factors

CONVERSION RATE TO BE APPLIED TO FINISHED FISHERIES PRODUCTS OBTAINED FROM SMALL PELAGICS PROCESSED ON BOARD TRAWLERS

Production	Processing method	Conversion rate
Sardinella		
Without head	Hand cutting	1.416
Without head, eviscerated	Hand cutting	1.675
Without head, eviscerated	Machine cutting	1.795
Mackerel		
Without head	Hand cutting	1.406
Without head, eviscerated	Hand cutting	1.582
Without head	Machine cutting	1.445
Without head, eviscerated	Machine cutting	1.661
Scabbard fish		
Without head, eviscerated	Hand cutting	1.323
Slices	Hand cutting	1.340
Without head, eviscerated (special cut)	Hand cutting	1.473
Sardine		
Without head	Hand cutting	1.416
Without head, eviscerated	Hand cutting	1.704
Without head, eviscerated	Machine cutting	1.828
Horse mackerel		
Without head	Hand cutting	1.570
Without head	Machine cutting	1.634
Without head, eviscerated	Hand cutting	1.862
Without head, eviscerated	Machine cutting	1.953

Note: For processing fish into meal, the applicable conversion rate is 5.5 tonnes of fresh fish to 1 tonne of meal.

Appendix 6

ISLAMIC REPUBLIC OF MAURITANIA
LANDING/TRANSHIPMENT DECLARATION

(A)	Name of vessel (1)	Left (4)....	Date (6)	Day	Mont	Year	Time
	Call sign (2) ...						
	Name of master (3)	Returned (5).....	Date (6)				

Nationality	Call sign	Name of vessel
<div>Signature of the master of the vessel</div>		

GIVE WEIGHT IN KG

Species (B)	Commercial grade (C)	Presentation (D)	Net weight (E)	Selling price (F)	Currency (G)	Species (B)	Commercial grade (C)	Presentation (D)	Net weight (E)	Selling price (F)	Currency (G)

Appendix 7

LIMITS OF MAURITANIAN FISHING ZONES

Coordinates of EEZ/Protocol

EU VMS

1	Southern boundary	Lat.	16°	04	'	N	Long.	19°	58	'	W
2	Coordinates	Lat.	16°	30	'	N	Long.	19°	54	'	W
3	Coordinates	Lat.	17°	00	'	N	Long.	19°	47	'	W
4	Coordinates	Lat.	17°	30	'	N	Long.	19°	33	'	W
5	Coordinates	Lat.	18°	00	'	N	Long.	19°	29	'	W
6	Coordinates	Lat.	18°	30	'	N	Long.	19°	28	'	W
7	Coordinates	Lat.	19°	00	'	N	Long.	19°	43	'	W
8	Coordinates	Lat.	19°	23	'	N	Long.	20°	01	'	W
9	Coordinates	Lat.	19°	30	'	N	Long.	20°	04	'	W
10	Coordinates	Lat.	20°	00	'	N	Long.	20°	14	'	W
11	Coordinates	Lat.	20°	30	'	N	Long.	20°	25	'	W
12	Northern boundary	Lat.	20°	46	'	N	Long.	20°	04	'	W

Appendix 8

REPORT OF THE SCIENTIFIC OBSERVER

Name of observer:

Vessel: Nationality:

Number and port of registration:

Identity marking:, tonnage: GT, Power: HP

Licence: No : Type:

Name of master: Nationality:

Observer boarded: Date:, Port:

Observer disembarked: Date:, Port:

Authorised fishing method:

Gear used:

Mesh size and/or dimensions:

Fishing zones:

Distance from coast:

Number of Mauritanian crew on board:

Declared entry into .../.../... and departure .../.../... from the fishing zone

Observer's estimate

Overall production (kg):, declared in fishing log/logbook:

By-catches: species, estimated:%

Discards: species:, quantity (kg):

Species retained						
Quantity (kg)						
Species retained						
Quantity (kg)						

Observer's findings:

Nature of findings	date	position

--	--	--

Observer's comments (general):.....
.....
.....
.....

Done at, on

Observer's signature

Master's comments.....
.....
.....
.....

Copy of report received on (date)..... Master's signature.....

Report forwarded to.....

Capacity:

ANNEX 2

Financial support for promoting responsible and sustainable fishing

1. Subject and amounts

Financial support within the meaning of this Annex is public development aid which is independent of the commercial component governed by Article 7(1)(a) of the Agreement and Article 2(1) of this Protocol.

Such support, referred to in Article 2(2) of this Protocol, amounts to EUR 3 million per year. It aims to contribute to the development of responsible and sustainable fishing in Mauritanian fishing zones in keeping with the strategic objectives of conservation of fishery resources and better integration of the sector into the national economy.

Financial support comprises three intervention priorities, as follows:

	Measures
Priority I: SCIENTIFIC COOPERATION AND TRAINING	Support for implementation of fisheries development plans (IMROP, ONISPA, ENEMP)
Priority II MONITORING	Support for the activities of DSPCM
Priority III ENVIRONMENT	Conservation of the marine and coastal environment (PNBA and PND)

2. Beneficiaries

The beneficiaries of the support are the Ministry of Fisheries and the Ministry of the Environment and Sustainable Development, respectively. These institutional beneficiaries shall work closely with the Finance Ministry.

3. Implementation framework

The European Union and Mauritania shall agree within the Joint Committee provided for in Article 10 of the Agreement, following the entry into force of this Protocol, on the eligibility criteria for financial support, and on its legal base, programming, monitoring and evaluation, and the methods of payment.

4. Visibility

Mauritania undertakes to guarantee the visibility of the measures implemented with financial support. To this end, the beneficiaries shall coordinate with the Delegation of the European Union at Nouakchott their work on implementing the visibility guidelines laid down by the European Commission. In particular, each project must be subject to a clause ensuring visibility for the support of the European Union, notably through use of the logo (EU flag). Lastly, Mauritania shall send the European Union a schedule of inaugurations.

LEGISLATIVE FINANCIAL STATEMENT

1. FRAMEWORK OF THE PROPOSAL/INITIATIVE

- 1.1. Title of the proposal/initiative
- 1.2. Policy area(s) concerned in the ABM/ABB structure
- 1.3. Nature of the proposal/initiative
- 1.4. Objective(s)
- 1.5. Grounds for the proposal/initiative
- 1.6. Duration and financial impact
- 1.7. Management mode(s) envisaged

2. MANAGEMENT MEASURES

- 2.1. Monitoring and reporting rules
- 2.2. Management and control system
- 2.3. Measures to prevent fraud and irregularities

3. ESTIMATED FINANCIAL IMPACT OF THE PROPOSAL/INITIATIVE

- 3.1. Heading(s) of the multiannual financial framework and expenditure budget line(s) affected
- 3.2. Estimated impact on expenditure
 - 3.2.1. *Summary of estimated impact on expenditure*
 - 3.2.2. *Estimated impact on operational appropriations*
 - 3.2.3. *Estimated impact on appropriations of an administrative nature*
 - 3.2.4. *Compatibility with the current multiannual financial framework*
 - 3.2.5. *Third-party contributions*
- 3.3. Estimated impact on revenue

LEGISLATIVE FINANCIAL STATEMENT

1. FRAMEWORK OF THE PROPOSAL/INITIATIVE

1.1. Title of the proposal/initiative

Proposal for a Council Decision on the allocation of the fishing opportunities under the Protocol agreed between the European Union and the Islamic Republic of Mauritania setting out fishing opportunities and the financial contribution provided for in the Fisheries Partnership Agreement between the two parties currently in force.

1.2. Policy area(s) concerned in the ABM/ABB structure⁶

11. – Maritime Affairs and Fisheries

11.03 - International fisheries and law of the sea

1.3. Nature of the proposal/initiative

☐ The proposal/initiative relates to a new action

☐ The proposal/initiative relates to a **new action following a pilot project/preparatory action**⁷

☒ The proposal/initiative relates to the **extension of an existing action**

☐ The proposal/initiative relates to an **action redirected towards a new action**

1.4. Objective(s)

1.4.1. *The Commission's multiannual strategic objective(s) targeted by the proposal/initiative*

The negotiation and conclusion of fisheries agreements with third countries meets the general objective of maintaining and safeguarding the fishing activities of the European Union fleet, including the distant-water fleet, and developing relations in a spirit of partnership with a view to strengthening the sustainable exploitation of fishery resources outside European Union waters.

The Fisheries Partnership Agreements (FPAs) also ensure coherence between the principles governing the Common Fisheries Policy and the commitments made under other European policies (sustainable use of third-country resources, combating illegal, unreported and unregulated (IUU) fishing, integration of partner countries into the global economy and better political and financial governance of fisheries).

1.4.2. *Specific objective(s) and ABM/ABB activity(ies) concerned*

Specific Objective 1 :

⁶ ABM: activity-based management – ABB: activity-based budgeting.

⁷ As referred to in Article 49(6)(a) or (b) of the Financial Regulation.

To contribute to sustainable fishing in non-EU waters, maintain a European presence in distant-water fisheries and protect the interests of the European fisheries sector and of consumers by negotiating and concluding FPAs with coastal states, in consistency with other European policies.

ABM/ABB activity(ies) concerned

Maritime affairs and fisheries, international fisheries and law of the sea, international fisheries agreements (budget line 11.0301)

1.4.3. Expected result(s) and impact

Specify the effects which the proposal/initiative should have on the beneficiaries/groups targeted.

The conclusion of the Protocol will contribute to maintaining the fishing opportunities for European vessels in Mauritanian fishing zones.

The Protocol will also contribute to better management and conservation of fishery resources, through financial support (sectoral support) for the implementation of the annual and multiannual programmes adopted at national level by the partner country.

1.4.4. Indicators of results and impact

Specify the indicators for monitoring implementation of the proposal/initiative.

Rates of utilisation of fishing opportunities (annual uptake of fishing authorisations as a percentage of availability under the Protocol);

Gathering and analysing data on catches and the commercial value of the Agreement;

Contribution to employment and to added value in the European Union and to stabilising the EU market (in aggregate with other FPAs);

Number of technical meetings and meetings of the Joint Committee.

1.5. Grounds for the proposal/initiative

1.5.1. Requirement(s) to be met in the short or long term

The Protocol for the 2008-12 period will expire on 31 July 2012. It is intended that the new Protocol will apply provisionally from the date of signature. A procedure for the adoption by the Council of a Decision regarding the provisional implementation of the Protocol has been launched in parallel with this procedure.

The new Protocol will provide a framework for the fishing activities of the European fleet and will, in particular, allow vessel owners to continue to obtain fishing authorisations in Mauritanian fishing zones. In addition, the new Protocol enhances cooperation between the European Union and Mauritania, with a view to promoting the development of a sustainable fishing policy. It provides, in particular, for the vessels to be monitored via VMS and encourages electronic transmission of catch data.

1.5.2. Added value of EU involvement

As regards this new Protocol, failure to act by the European Union would allow private agreements to spring up which would not guarantee sustainable fisheries. The European Union also hopes that with this Protocol, Mauritania will continue to cooperate effectively with the European Union on sustainable fishing.

The funds available under the Protocol will also allow Mauritania to continue its strategic planning efforts for the implementation of its fisheries policies.

1.5.3. Lessons learned from similar experiences in the past

Due to the underutilisation of certain fishing categories under the previous Protocol and in line with the conclusions of the scientific opinion, the Parties have decided to reduce the fishing opportunities. The corresponding commercial value has nevertheless been raised slightly to take account of price trends in the markets.

1.5.4. Coherence and possible synergy with other relevant instruments

Funds paid out under FPAs constitute fungible revenue in the budgets of the third-country partners. However, allocating some of those funds for implementing measures as part of the country's sectoral policy is a condition for the conclusion and monitoring of FPAs. These financial resources, decoupled from the commercial part of the Protocol, are compatible with other sources of funding from other international donors, for the realisation of projects and/or programmes at national level in the fisheries sector.

1.6. Duration and financial impact

☒ Proposal/initiative of **limited duration**

- ☒ Proposal/initiative in force from the date of signature of the Protocol and for a duration of two years.
- ☒ Financial impact from 2012 to 2014

☐ Proposal/initiative of **unlimited duration**

- Implementation with a start-up period from YYYY to YYYY,
- followed by full-scale operation.

1.7. Management mode(s) envisaged⁸

☒ **Centralised direct management** by the Commission

☐ **Centralised indirect management** with the delegation of implementation tasks to:

- ☐ executive agencies
- ☐ bodies set up by the Communities⁹
- ☐ national public-sector bodies/bodies with a public-service mission
- ☐ persons entrusted with the implementation of specific actions pursuant to Title V of the Treaty on European Union and identified in the relevant basic act within the meaning of Article 49 of the Financial Regulation

☐ **Shared management** with the Member States

☐ **Decentralised management** with third countries

☐ **Joint management** with international organisations (*to be specified*)

If more than one management mode is indicated, please provide details in the 'Comments' section.

Comments

⁸ Details of management modes and references to the Financial Regulation may be found on the BudgWeb site: http://www.cc.cec/budg/man/budgmanag/budgmanag_en.html

⁹ As referred to in Article 185 of the Financial Regulation.

2. MANAGEMENT MEASURES

2.1. Monitoring and reporting rules

Specify frequency and conditions.

The Commission (DG MARE, in collaboration with the European Union Delegation at Nouakchott) will ensure regular monitoring of the implementation of this Protocol, particularly in terms of operators' utilisation of fishing opportunities and in terms of catch data.

Furthermore, the Fisheries Partnership Agreement provides for at least one annual meeting of the Joint Committee, at which the Commission and the third country concerned review the implementation of the Agreement and the Protocol thereto and, if necessary, adjust the programming and, where applicable, the financial contribution.

2.2. Management and control system

2.2.1. Risk(s) identified

There is some risk in setting up a fisheries protocol, particularly with regard to the amounts intended to finance the sectoral fisheries policy (under-programming).

2.2.2. Control method(s) envisaged

To avoid these risks, extensive dialogue is planned on the programming and implementation of the sectoral policy. Joint analysis of progress, as referred to in paragraph 2.1, also forms part of these control methods.

In addition, the Protocol contains specific clauses for its suspension, on certain conditions and in given circumstances.

2.3. Measures to prevent fraud and irregularities

Specify existing or envisaged prevention and protection measures.

The Commission undertakes to try to establish permanent political dialogue and cooperation with a view to improving the management of the Agreement and strengthening the European Union's contribution to the sustainable management of resources. In any case, any payment which the Commission makes under a fisheries agreement is subject to the Commission's standard rules and budgetary and financial procedures. This makes it possible, in particular, to fully identify the bank accounts of the third countries into which the financial contribution is paid. For this particular Protocol, the entire financial contribution must be paid into an account of the Central Bank of Mauritania pursuant to Chapter I, Article 5 of Annex 1.

3. ESTIMATED FINANCIAL IMPACT OF THE PROPOSAL/INITIATIVE

3.1. Heading(s) of the multiannual financial framework and expenditure budget line(s) affected

- Existing expenditure budget lines

In order of multiannual financial framework headings and budget lines.

Heading of multiannual financial framework	Budget revenue line:	Type of expenditure	Contribution			
	Number [Description.....]	DA/NDA ⁽¹⁰⁾	from EFTA ¹¹ countries	from candidate countries ¹²	from third countries	within the meaning of Article 18(1)(aa) of the Financial Regulation
2	11.0301 International fisheries agreements	DA	None	None	None	None

- New budget lines requested

In order of multiannual financial framework headings and budget lines.

Heading of multiannual financial framework	Budget revenue line:	Type of expenditure	Contribution			
	Number [Description.....]	DA/NDA	from EFTA countries	from candidate countries	from third countries	within the meaning of Article 18(1)(aa) of the Financial Regulation
	[XX.YY.YY.YY]		YES/NO	YES/NO	YES/NO	YES/NO

¹⁰ Diff. = Differentiated appropriations / Non-diff. = Non-Differentiated Appropriations

¹¹ EFTA: European Free Trade Association.

¹² Candidate countries and, where applicable, potential candidate countries from the Western Balkans.

3.2. Estimated impact on expenditure

3.2.1. Summary of estimated impact on expenditure

EUR million (to 3rd decimal place)

Heading of multiannual financial framework:			Number	Preservation and management of natural resources						
DG: MARE				Year N ¹³ 2012	Year N+1 2013	Year N+2 2014	Year N+3 2015	insert as many columns as necessary in order to reflect the duration of the impact (see point 1.6)		TOTAL
• Operational appropriations										
Number of budget line	Commitments	(1)		70 000	70 000					140 000
	Payments	(2)		70 000	70 000					140 000
Number of budget line	Commitments	(1a)								
	Payments	(2a)								
Appropriations of an administrative nature financed from the envelope of specific programmes ¹⁴										
Number of budget line		(3)								
TOTAL appropriations for DG <.....>	Commitments	=1+1a +3		70 000	70 000					
	Payments	=2+2a		70 000	70 000					

¹³

Year N is the year in which implementation of the proposal/initiative starts.

¹⁴

Technical and/or administrative assistance and expenditure in support of the implementation of EU programmes and/or actions (former "BA" lines), indirect research, direct research.

DG: <.....>									
• Human resources		0.298	0.298						
• Other administrative expenditure		0.010	0.010						
TOTAL DG <.....>		0.308	0.308						

TOTAL appropriations under HEADING 5 of the multiannual financial framework		(Total commitments = Total payments)	0.308	0.308					0.616
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EUR million (to 3rd decimal place)

		Year N ¹⁵ 2012	Year N+1 2013	Year N+2 2014	Year N+3 2015	insert as many columns as necessary in order to reflect the duration of the impact (see point 1.6)	TOTAL
TOTAL appropriations under HEADINGS 1 to 5 of the multiannual financial framework	Commitments	70 308	70 308				140.616
	Payments	70 308	70 308				140.616

¹⁵ Year N is the year in which implementation of the proposal/initiative starts.

3.2.2. Estimated impact on operational appropriations

- ☐ The proposal/initiative does not require the use of operational appropriations
- ☒ The proposal/initiative requires the use of operational appropriations, as explained below:

Commitment appropriations in EUR million (to 3 decimal places)

Indicate objectives and outputs				Year N	Year N+1	Year N+2	Year N+3	insert as many columns as necessary in order to reflect the duration of the impact (see point 1.6)								TOTAL
				2012	2013	2014	2015									
OUTPUTS																
↓	Type ¹⁶	Average cost of the output	Number of outputs		Cost		Number of outputs		Cost		Number of outputs		Cost		Total number of outputs	Total cost
SPECIFIC OBJECTIVE NO 1 ¹⁷																
Tuna vessel licences	Tonnage	65 €/t	2500	0.163	2500	0.163										
Trawler licences	Licence fee	249 €/t	2684		2684											
Sectoral support		3.000	1	3 000	1	3 000										
Sub-total for specific objective No 1				70 000												
SPECIFIC OBJECTIVE NO 2 ...																
Output																
Sub-total for specific objective No 2																

¹⁶

Outputs are products and services to be supplied (e.g.: number of student exchanges financed, number of km of roads built, etc.).

¹⁷ As described in point 1.4.2. "Specific objective(s)..."

[illegible]

3.2.3. Estimated impact on appropriations of an administrative nature

3.2.3.1. Summary

- ☐ The proposal/initiative does not require the use of administrative appropriations
- ☐ The proposal/initiative requires the use of administrative appropriations, as explained below:

EUR million (to 3rd decimal place)

	Year N ¹⁸ 2012	Year N+1 2013	Year N+2 2014	Year N+3 2015	insert as many columns as necessary in order to reflect the duration of the impact (see point 1.6)			TOTAL
HEADING 5 of the multiannual financial framework								
Human resources	0.298	0.298						0.596
Other administrative expenditure	0.010	0.010						0.020
Subtotal HEADING 5 of the multiannual financial framework	0.308	0.308						0.616
Outside HEADING 5¹⁹ of the multiannual financial framework								
Human resources								
Other expenditure of an administrative nature								
Subtotal outside HEADING 5 of the multiannual financial framework								
TOTAL	0.308	0.308						0.616

¹⁸ Year N is the year in which implementation of the proposal/initiative starts.

¹⁹ Technical and/or administrative assistance and expenditure in support of the implementation of EU programmes and/or actions (former "BA" lines), indirect research, direct research.

3.2.3.2. Estimated requirements of human resources

- ☐ The proposal/initiative does not require the use of human resources
- ☐ The proposal/initiative requires the use of human resources, as explained below:

Estimate to be expressed in full amounts (or at most to one decimal place)

		Year N 2012	Year N+1 2013	Year N+2 2014	Year N+3 2015	insert as many column s as necessa ry in order to reflect the duratio n of the impact (see point 1.6)		
• Establishment plan posts (officials and temporary agents)								
XX 01 01 01 (Headquarters and Commission’s Representation Offices)		0.298	0.298					
XX 01 01 02 (Delegations)								
XX 01 05 01 (Indirect research)								
10 01 05 01 (Direct research)								
• External personnel (in full-time equivalent – FTE) ²⁰								
XX 01 02 01 (CA, INT, SNE from the ‘global envelope’)								
XX 01 02 02 (CA, INT, JED, LA and SNE in the delegations)								
XX 01 04 yy ²¹	at Headquarters ²²							
	- in delegations							
XX 01 05 02 (CA, INT, SNE - Indirect research)								
10 01 05 02 (CA, INT, SNE - Direct research)								
Other budget line (specify)								
TOTAL		0.298	0.298					

XX is the policy area or budget title concerned.

The human resources required will be met by staff from the DG who are already assigned to management of the action and/or have been redeployed within the DG, together if necessary with any additional allocation which may be granted to the managing DG under the annual allocation procedure and in the light of budgetary constraints.

²⁰ CA= Contract Agent; LA= Local Agent; JED= 'Jeune Expert en Délégation' (Young Experts in Delegations); INT= agency staff ("Intérimaire"); JED= " Jeune Expert en Délégation" (Young Experts in Delegations);

²¹ Under the ceiling for external personnel from operational appropriations (former "BA" lines).

²² Essentially for Structural Funds, European Agricultural Fund for Rural Development (EAFRD) and European Fisheries Fund (EFF).

Description of tasks to be carried out:

Officials and temporary agents	<p>Monitoring and management of the process for the (re)negotiation the FPA and the approval of the result of the negotiations by the institutions, management of the current FPA, including permanent working and financial monitoring; management of licences</p> <p>2 desk officers from DG MARE + HoU/deputy HoU + secretariat: overall estimate of 2.35 people/year</p> <p>Calculation of costs: 2.35 persons/year x EUR 127 000/year = EUR 298 450 = EUR 0.298</p>
External personnel	

3.2.4. Compatibility with the current multiannual financial framework

- ☒ The proposal/initiative is compatible with the current multiannual financial framework.
- ☐ Proposal/initiative will entail reprogramming of the relevant heading in the multiannual financial framework.

Explain what reprogramming is required, specifying the budget lines concerned and the corresponding amounts.

- ☐ Proposal/initiative requires application of the flexibility instrument or revision of the multiannual financial framework²³.

Explain what is required, specifying the headings and budget lines concerned and the corresponding amounts.

3.2.5. Third-party contributions

- ☒ The proposal/initiative does not provide for co-financing by third parties.
- The proposal/initiative provides for the co-financing estimated below:

Appropriations in EUR million (to three decimal places)

	Year N	Year N+1	Year N+2	Year N+3	insert as many columns as necessary in order to reflect the duration of the impact (see point 1.6)			Total
Specify the co-financing body								
TOTAL appropriations co-financed								

²³ See points 19 and 24 of the Interinstitutional Agreement.

3.3. Estimated impact on revenue

- X Proposal/initiative has no financial impact on revenue.
- ☐ Proposal/initiative has the following financial impact:
 - ☐ on own resources
 - ☐ on miscellaneous revenue

EUR million (to 3rd decimal place)

Budget revenue line:	Appropriation s available for the ongoing budget year	Impact of the proposal/initiative ²⁴						
		Year N	Year N+1	Year N+2	Year N+3	insert as many columns as necessary in order to reflect the duration of the impact (see point 1.6)		
Article								

For miscellaneous assigned revenue, specify the budget expenditure line(s) affected.

Specify the method for calculating the impact on revenue.

²⁴ As regards traditional own resources (customs duties, sugar levies), the amounts indicated must be net amounts, i.e. gross amounts after deduction of 25% for collection costs.