

PROTOCOL OF IMPLEMENTATION
OF THE SENEGALO-GAMBIAN AGREEMENT
IN THE FIELD OF MARITIME FISHERIES

THE GOVERNMENT OF THE REPUBLIC OF THE GAMBIA

AND

THE GOVERNMENT OF THE REPUBLIC OF SENEGAL

In application of the provisions of the Senegalo-gambian agreement in the field of maritime fisheries signed on november 11th 1992 between the Governments of the two States and under the reciprocal concession of the fishing right in waters under the jurisdiction of the two States,
HAVE AGREED AS FOLLOWS :

SECTION I : Fishing licences

1. 1. Procedure for the issuance of fishing licences

- a) All applications for a fishing licence must be made on the prescribed form as shown in annexe I herewith, and addressed to the competent authorities of each State, through their Ministry in charge of Foreign Affairs.
- b) The competent authorities of each State shall examine all the applications to ensure that they comply with the provisions of the present protocol and inform the other party through their Ministry in charge of Foreign Affairs, about the decision taken.
- c) In the case where difficulties occur together with the need to obtain complementary informations during the examination of the applications, the two parties will consult each other through their Ministry in charge of Foreign Affairs.

1. 2. Documents requested for the technical inspection

Vessels authorized to fish within the framework of the present protocol may undergo an inspection during which the following documents are requested :

- a) A valid seaworthiness certificate issued by the competent authorities of the country of origin.
- b) Valid insurance policy
- c) Any other document that may be requested by one or the other party

1. 3. Fishing Licences fees

- a) Any gambian vessel authorized to fish in the waters under the jurisdiction of Senegal shall pay the fee applicable to senegalese fishing vessels.
- b) Any senegalese vessel authorized to fish in waters under the jurisdiction of the Gambia shall pay the fee applicable to gambian fishing vessels.

1. 4. Issuance of licences

- a) The licence is issued after the payment of the prescribed fee.
- b) Licences issued in accordance with the provisions of the present protocol are not transferable except in case of force majeure.

SECTION 2 : Vessels authorized to fish

2. 1. Senegalese vessels authorized to fish in the gambian waters

- a) Senegalese tuna vessels of up to 600 GRT are authorized to fish in waters under the jurisdiction of the Gambia.

- b) Senegalese trawlers of up to 1 750 GRT are authorized to fish in waters under the jurisdiction of the Gambia.
- c) Senegalese sardine vessels of up to 500 GRT are authorized to fish in waters under the jurisdiction of the Gambia.

2. 2 Gambian vessels authorized to fish in the senegalese waters.

- a) Gambian tuna vessels of up to 600 GRT are authorized to fish in waters under the jurisdiction of Senegal.
- b) Gambian trawlers of up to 1 750 GRT are authorized to fish in waters under the jurisdiction of Senegal.
- c) Gambian sardine vessels of up to 500 GRT are authorized to fish in waters under the jurisdiction of Senegal.

SECTION 3 : Fishing zones, mesh size, embarkation of inspectors and declaration of catches

3.1. Fishing zones

Vessels authorized to fish in the waters of one or the other of the two States, within the framework of the present protocol, must comply with the regulations in force in that State.

3. 2. Mesh size of the nets

The two parties agree to comply with the regulation adopted by the Sub-Regional Fisheries Commission with regards to mesh size of fishing gears, within the framework of the convention on the conditions of access to the resource, signed at Praia on July 14th 1993.

Mesh size of authorized nets

- Industrial vessels targeting coastal demersal species :

- * fishes : 70 mm
- * shrimps : 50 mm

- Industrial vessels targeting deep sea demersal species :

- * fishes and cephalopods : 70 mm
- * shrimps : 40 mm

- pelagic trawlers : 40 mm

3. 3. Embarkation of a deck hand/inspector or an inspector

The competent authorities of each State shall put an inspector/deck hand on board each fishing vessel in possession of a licence issued within the framework of the present protocol, in order to comply with the national legislations.

- a) A deck hand/inspector shall be put on board vessels of GRT of up to 250 tons.
- b) An inspector shall be put on board any fishing vessels of GRT above 250 tons.
- d) Deck hand/inspectors or inspectors, put on board any fishing vessel, shall communicate by radio with their base twice a week and whenever necessary.

3. 4. Declaration of catches

- a) All vessels in possession of a licence issued by one of the two States, within the framework of the present protocol are under obligation to communicate to the competent authorities of the other State, a declaration of catches according to the format as provided under annexe II.
- b) These declarations of catches mentionned in Section 3.1. must be deposited at the end of each fishing trip and in all cases before the end of the next month.

c) When the owner of a vessel in possession of a licence issued within the framework of the present protocol violates the provisions of the present Section, the competent authorities concerned can decide to suspend such licence until the situation is clarified.

d) The fishing licence can be cancelled when the irregularity regarding the situation of the concerned vessel exceeds 6 months.

SECTION 4 : Right of innocent passage

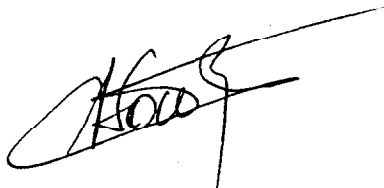
a) The Senegalese fishing vessels effecting innocent passage in the Gambian territorial sea will have to comply with the regulations in force in the Gambian territory.

b) The senegalese vessels effecting the free passage beyond the territorial sea will have to refrain from any fishing activity inside the Gambian waters.

To this effect, it is recommended that vessels take all useful measures in order to avoid suspicion in case of control by patrol vessels. The radio communications established between the two countries shall be utilized to avoid any doubt in case of conflict.

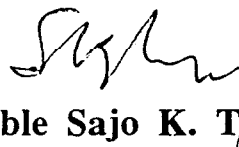
Done at Dakar, the 26th of January 1994

For the Government of
the Republic of Senegal



Mister Abdourahmane SOW
Ministre de la Pêche
Maritime Transports

For the Government of
the Republic of The Gambia



Honourable Sajo K. TOURAY
Minister of Natural Resources
Minister of Fisheries and