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<sup>(1)</sup> Text with EEA relevance.

## II

(Non-legislative acts)

## INTERNATIONAL AGREEMENTS

## COUNCIL DECISION (CFSP) 2019/1924

of 31 July 2019

**on the signature and conclusion of the Agreement between the European Union and the Government of the Republic of Mali on the status of the European Union CSDP Mission in Mali (EUCAP Sahel Mali)**

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on European Union, and in particular Article 37 thereof, in conjunction with Article 218(5) and (6) of the Treaty on the Functioning of the European Union,

Having regard to the proposal from the High Representative of the Union for Foreign Affairs and Security Policy,

Whereas:

- (1) On 15 April 2014, the Council adopted Decision 2014/219/CFSP <sup>(1)</sup> on the European Union CSDP mission in Mali (EUCAP Sahel Mali).
- (2) Article 9 of Decision 2014/219/CFSP provides that the status of EUCAP Sahel Mali and of its staff, including, where appropriate, the privileges, immunities and further guarantees necessary for the completion and smooth functioning of EUCAP Sahel Mali, should be the subject of an agreement concluded pursuant to Article 37 of the Treaty on European Union and in accordance with the procedure laid down in Article 218 of the Treaty on the Functioning of the European Union.
- (3) The agreement in the form of an Exchange of Letters between the European Union and the Republic of Mali <sup>(2)</sup> (the 'Agreement in the form of an exchange of letters'), approved by Council Decision 2014/853/CFSP <sup>(3)</sup> and concluded between the European Union and the Republic of Mali on 31 October 2014, conferred a status in Mali on EUCAP Sahel Mali.
- (4) On 12 June 2017, the Council authorised the opening of negotiations with the Republic of Mali with a view to the conclusion of an agreement on the status of EUCAP Sahel Mali (the 'Agreement') to replace the Agreement in the form of an Exchange of Letters.
- (5) The Agreement should be approved,

HAS ADOPTED THIS DECISION:

*Article 1*

The Agreement between the European Union and the Government of the Republic of Mali on the status of the European Union CSDP mission in Mali (EUCAP Sahel Mali) is hereby approved on behalf of the Union.

The text of the Agreement is attached to this Decision.

<sup>(1)</sup> Council Decision 2014/219/CFSP of 15 April 2014 on the European Union CSDP mission in Mali (EUCAP Sahel Mali) (OJ L 113, 16.4.2014, p. 21).

<sup>(2)</sup> Agreement in the form of an Exchange of Letters between the European Union and the Republic of Mali regarding the status of the European Union CSDP Mission in Mali (EUCAP Sahel Mali) (OJ L 344, 29.11.2014, p. 3).

<sup>(3)</sup> Council Decision 2014/853/CFSP of 8 October 2014 on the signature and on the conclusion, on behalf of the Union, of the Agreement in the form of an Exchange of Letters between the European Union and the Republic of Mali regarding the status of the European Union CSDP Mission in Mali (EUCAP Sahel Mali) (OJ L 344, 29.11.2014, p. 1).

*Article 2*

The President of the Council is hereby authorised to designate the person(s) empowered to sign the Agreement in order to bind the Union.

*Article 3*

This Decision shall enter into force on the date of its adoption.

Done at Brussels, 31 July 2019.

*For the Council*  
*The President*  
T. TUPPURAINEN

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## TRANSLATION

## AGREEMENT

**between the European Union and the Government of the Republic of Mali on the status of the European Union CSDP mission in Mali (EUCAP Sahel Mali)**

THE EUROPEAN UNION, hereinafter referred to as "the EU",

of the one part, and

THE REPUBLIC OF MALI, hereinafter referred to as "the Host State",

of the other part,

hereinafter referred to as "the Parties",

TAKING INTO ACCOUNT:

- the letter from the President of the Republic of Mali dated 20 February 2014 inviting the European Union to deploy a civilian mission in support of the Malian security forces,
- Council Decision 2014/219/CFSP <sup>(1)</sup> of 15 April 2014 on a European Union mission in Mali (EUCAP Sahel Mali),
- that this Agreement will not affect the Parties' rights and obligations under agreements and other international instruments establishing international courts and tribunals, including the Statute of the International Criminal Court,
- the letter from the European Union dated 20 October 2014 and the letter from the Republic of Mali dated 31 October 2014 constituting an exchange of letters concerning the status of EUCAP Sahel Mali within the territory of the Republic of Mali,
- the need for the EUCAP Sahel Mali mission to have its own clearly defined legal framework,

HAVE AGREED AS FOLLOWS:

*Article 1***Scope and definitions**

1. This Agreement shall apply only within the territory of the Host State.
2. This Agreement shall apply to the European Union civilian CSDP mission in Mali (hereinafter referred to as "EUCAP Sahel Mali") and to its staff.
3. For the purposes of this Agreement:
  - (a) "EUCAP Sahel Mali" means the headquarters of EUCAP Sahel Mali and its national contingents, its staff, and their facilities, assets and means of transport, contributing to the mission;
  - (b) "mission" means the preparation, establishment, execution and support of EUCAP Sahel Mali;
  - (c) "Head of Mission" means the head of EUCAP Sahel Mali in the theatre of operations;
  - (d) "European Union (EU)" means the permanent bodies of the EU and their staff;
  - (e) "national contingents" means units and elements belonging to the Member States of the EU and to other States participating in EUCAP Sahel Mali;
  - (f) "EUCAP Sahel Mali staff" means the civilian and military staff assigned to EUCAP Sahel Mali as well as staff deployed for the preparation of the mission and staff on mission, for a Sending State or an EU institution or body in the context of the mission, present, except as otherwise provided in this Agreement, within the territory of the Host State, with the exception of staff employed locally under national legislation and staff employed by commercial contractors;

<sup>(1)</sup> OJ L 113, 16.4.2014, p. 21.

- (g) "staff employed locally" means staff who are nationals of or permanently resident in the Host State;
- (h) "EUCAP Sahel Mali facilities" means all premises, accommodation and land areas required for EUCAP Sahel Mali and its staff;
- (i) "Sending State" means a State providing a national contingent for EUCAP Sahel Mali;
- (j) "official correspondence" means all correspondence relating to EUCAP Sahel Mali and its functions;
- (k) "EUCAP Sahel Mali assets" means equipment and consumer goods necessary for the mission;
- (l) "EUCAP Sahel Mali means of transport" means all vehicles and other means of transport owned, hired or chartered by EUCAP Sahel Mali that are necessary for the mission.

#### *Article 2*

### **General provisions**

1. EUCAP Sahel Mali and its staff shall respect the laws and regulations of the Host State and shall refrain from any action or activity incompatible with the objectives of the mission.
2. EUCAP Sahel Mali shall regularly inform the Government of the Host State of the number of members of EUCAP Sahel Mali staff stationed within the Host State's territory.

#### *Article 3*

### **Identification**

1. EUCAP Sahel Mali staff shall be identified by distinctive EUCAP Sahel Mali identification cards, their passport or their identity card, which they shall be obliged to carry with them at all times. These distinctive EUCAP identification cards shall be issued by the Ministry of Foreign Affairs at EUCAP Sahel Mali's request.
2. EUCAP Sahel Mali vehicles and other means of transport shall carry diplomatic registration plates, ordinary registration plates with EUCAP Sahel Mali identification markings or distinctive EUCAP Sahel Mali registration plates, of which the relevant Host State authorities shall be notified.
3. EUCAP Sahel Mali shall have the right to display the EU flag and markings, titles, symbols and official insignia on its facilities and means of transport. The uniforms of EUCAP Sahel Mali staff shall carry a distinctive EUCAP Sahel Mali emblem. National flags or insignia of the constituent national contingents of the mission may be displayed on EUCAP Sahel Mali facilities and means of transport, and uniforms, as decided by the Head of Mission.

#### *Article 4*

### **Border crossing and movement within the Host State's territory**

1. The Host State shall facilitate entry into and departure from its territory for EUCAP Sahel Mali and its staff. Except for passport control on entry into and departure from the territory of the Host State, EUCAP Sahel Mali staff with proof of membership of the mission shall be exempt from immigration and customs control regulations within the territory of the Host State. However, they shall fill in arrival and departure cards. Visas shall be issued free of charge to the members of the mission for a period of one year. For new members of the mission, the entry visa shall be issued free of charge at the border on presentation of a mission order drawn up by the mission. The Ministry of Foreign Affairs of the Host State shall be notified of the arrival of a new member of the mission at least five working days in advance.
2. EUCAP Sahel Mali staff shall be exempt from the Host State's regulations on the registration and control of aliens, but shall not acquire any right to permanent residence or domicile in the territory of the Host State.

3. EUCAP Sahel Mali assets and means of transport entering, transiting or leaving the territory of the Host State in support of the mission shall be declared in advance and undergo an identification procedure prior to their entry into the territory of Mali.
4. EUCAP Sahel Mali staff may drive armoured or unarmoured motor vehicles, control vessels and operate aircraft within the Host State's territory provided they have valid national, international or military driving licences, ship master's certificates or pilot licences, as appropriate, issued by one of the Sending States.
5. For the purposes of the mission, the Host State shall grant EUCAP Sahel Mali and its staff freedom of movement and freedom to travel within its territory, including its air space.
6. The Host State shall permit the entry into its territory of EUCAP Sahel Mali assets, including means of transport, and grant them exemption from all custom duties, fees, tolls, taxes and similar charges other than charges for storage, cartage and other services rendered.
7. For the purposes of the mission, EUCAP Sahel Mali may use public roads, bridges, ferries and airports without the payment of fees, tolls, taxes and similar charges. EUCAP Sahel Mali shall not be exempt from charges for services requested and received, under the same conditions as those laid down for the Host State's armed forces.

#### *Article 5*

#### **Privileges and immunities granted to EUCAP Sahel Mali by the Host State**

1. EUCAP Sahel Mali's facilities shall be inviolable. The Host State's agents shall not enter them without the consent of the Head of Mission.
2. EUCAP Sahel Mali, wherever located and by whomsoever its assets, means of transport and facilities are held or occupied, shall enjoy immunity from every form of legal process.
3. EUCAP Sahel Mali staff, assets, facilities and means of transport shall be immune from search, requisition, seizure or enforcement action.
4. EUCAP Sahel Mali's archives and documents shall be inviolable at any time, wherever they may be.
5. EUCAP Sahel Mali's official correspondence shall be inviolable.
6. EUCAP Sahel Mali and its suppliers and contractors shall be exempt from all national, regional and communal dues, taxes and charges of similar nature in respect of purchased and imported EUCAP Sahel Mali assets, in particular means of transport, of EUCAP Sahel Mali facilities, and of services provided for the purposes of EUCAP Sahel Mali. The application of this exemption may not be made subject to any authorisation or prior notification by EUCAP Sahel Mali of the competent authorities of the Host State. However, EUCAP Sahel Mali shall not be exempt from fees or other charges that represent payment for services rendered.

#### *Article 6*

#### **Privileges and immunities granted to EUCAP Sahel Mali staff by the Host State**

1. EUCAP Sahel Mali staff shall not be subject to any form of arrest or detention.
2. The papers, correspondence and property of EUCAP Sahel Mali staff shall be inviolable, except in case of enforcement action permitted pursuant to paragraph 7.
3. The Host State shall issue, in accordance with the law and regulations in force, a distinctive EUCAP Sahel Mali identity card to members of EUCAP Sahel Mali staff.
4. EUCAP Sahel Mali staff shall enjoy immunity from criminal proceedings in the Host State under all circumstances.

The immunity from criminal proceedings of EUCAP Sahel Mali staff may be waived by the Sending State or the EU body concerned, as the case may be. Such a waiver shall always be made in writing.

5. EUCAP Sahel Mali staff shall enjoy immunity from civil and administrative proceedings in the Host State in respect of words spoken or written and all acts performed by them in the exercise of their official functions.

If any civil proceedings are instituted against EUCAP Sahel Mali staff before any Host State court, the Head of Mission and the competent authority of the Sending State or the EU body concerned shall be notified immediately. Prior to initiation of proceedings before the competent court, the Head of Mission and the competent authority of the Sending State or the EU institution concerned shall certify to the court whether the act in question was performed by EUCAP Sahel Mali staff in the exercise of their official functions.

If the act was committed in the exercise of official functions, the proceedings shall not be initiated and the provisions of Article 16 shall apply. If the act was not committed in the exercise of official functions, proceedings may continue. The certification issued by the Head of Mission and the competent authority of the Sending State or the EU body concerned shall be binding upon the court of the Host State, which may not contest it.

However, the competent authorities of the Host State may challenge the merits of that certification within a period of two months from its date of issue. In such a case, each of the Parties shall commit to resolving the dispute exclusively by diplomatic means.

The initiation of civil proceedings by EUCAP Sahel Mali staff shall preclude them from invoking immunity from jurisdiction in respect of any counter-claim directly connected with the principal claim.

6. EUCAP Sahel Mali staff shall not be obliged to give evidence as witnesses.

7. No enforcement action may be taken in respect of EUCAP Sahel Mali staff, except in cases where civil proceedings not related to their official functions are instituted against them. The property of EUCAP Sahel Mali staff, certified by the Head of Mission to be necessary for the fulfilment of their official functions, shall be free from seizure for the satisfaction of a judgment, decision or order. In civil proceedings, EUCAP Sahel Mali staff shall not be subject to any restrictions on their personal liberty or to any other measures of constraint.

8. The immunity of EUCAP Sahel Mali staff from jurisdiction in the Host State does not exempt them from jurisdiction in the respective Sending State.

9. EUCAP Sahel Mali staff shall be exempt from social security provisions which may be in force in Mali.

10. EUCAP Sahel Mali staff shall be exempt from any form of taxation in the Host State on the salary and emoluments paid to them by EUCAP Sahel Mali or the Sending States, as well as on any income received from outside the Host State.

11. The Host State shall, in accordance with such laws and regulations as it may adopt, authorise entry of articles for the personal use of EUCAP Sahel Mali staff and exempt such articles from all customs duties, taxes and related charges other than charges for storage, cartage and similar services. The Host State shall also authorise the export of such articles. The purchase in Mali of goods, means of transport and services by EUCAP Sahel Mali staff shall be exempt from taxes and VAT in accordance with the law and regulations in force in the Host State.

#### *Article 7*

#### **Staff employed locally**

1. Staff employed locally shall enjoy privileges and immunities only to the extent admitted by the Host State. However, the Host State shall exercise its jurisdiction over such staff in such a manner as not to interfere unduly with the operation of the mission.



2. Staff employed locally may be subject to procedures and practices of the European Union delegation in the Republic of Mali. EUCAP Sahel Mali shall inform the Host State in writing of the procedures and practices applied by EUCAP Sahel Mali.

#### *Article 8*

### **Criminal jurisdiction**

The competent authorities of a Sending State shall have the right to exercise within the territory of the Host State all the criminal-jurisdiction powers and disciplinary powers conferred on them by the law of the Sending State with regard to all EUCAP Sahel Mali staff subject to the relevant law of the Sending State.

#### *Article 9*

### **Security of EUCAP Sahel Mali**

1. The Host State shall, within its means, ensure the security of EUCAP Sahel Mali and EUCAP Sahel Mali staff.
2. To that end, the Host State shall take necessary measures for the protection and security of EUCAP Sahel Mali and EUCAP Sahel Mali staff. Any specific provisions proposed by the Host State shall be agreed with the Head of Mission before implementation. The Host State shall permit and support, free of charge, activities relating to the medical evacuation of members of EUCAP Sahel Mali staff. If required, supplementary arrangements as referred to in Article 19 shall be concluded.
3. EUCAP Sahel Mali staff shall have the right to carry light arms and munitions, subject to the authorisation of the Head of Mission.
4. In this context, EUCAP Sahel Mali shall be authorised to take necessary measures within the territory of the Host State, including the use of necessary and proportionate force, to protect EUCAP Sahel Mali staff and EUCAP Sahel Mali premises, vehicles and assets against acts which might endanger the life of EUCAP Sahel Mali staff or cause them bodily harm and, where necessary, to simultaneously protect other persons facing the same threat in close proximity to the mission against acts which might endanger the life of such persons or cause them grievous bodily harm.
5. A list of members of EUCAP Sahel Mali staff authorised by the Head of Mission to carry and transport arms and munitions shall be communicated to the competent Malian authorities. This communication shall be purely declaratory. The competent Malian authorities shall provide such EUCAP Sahel Mali staff with a licence to carry and transport arms.

#### *Article 10*

### **Uniform**

The wearing of uniform shall be subject to rules issued by the Head of Mission.

#### *Article 11*

### **Cooperation**

1. The Host State shall provide full cooperation and support to EUCAP Sahel Mali and EUCAP Sahel Mali staff. If required, supplementary arrangements as referred to in Article 19 shall be concluded.

2. The Head of Mission and the representative appointed by the Government of the Host State shall consult regularly and take appropriate measures to ensure close and reciprocal liaison at all appropriate levels. The Host State may appoint a liaison officer to EUCAP Sahel Mali.

#### *Article 12*

##### **Host State support and contracting**

1. The Host State shall agree, if requested, to assist EUCAP Sahel Mali in finding suitable facilities.
2. The Host State shall provide EUCAP Sahel Mali, free of charge, with facilities of which it is the owner insofar as such facilities are necessary for the mission.
3. Within its means and capabilities, the Host State shall assist in the preparation, establishment, and execution of and support for EUCAP Sahel Mali. The Host State's assistance and support for the mission shall be provided under at least the same conditions as those laid down for the Host State's own agents or civilian trainers.
4. EUCAP Sahel Mali shall have the necessary legal capacity under the laws and regulations of the Host State to fulfil its mission, and in particular for the purpose of opening bank accounts and to acquire or dispose of movable property and to be party to legal proceedings.
5. The law applicable to contracts concluded by EUCAP Sahel Mali in the Host State shall be determined by those contracts.
6. The contracts may stipulate that the claims settlement procedure referred to in Article 16(3) and (4) shall be applicable to disputes arising from the application of those contracts.
7. The Host State shall facilitate the implementation of contracts concluded by EUCAP Sahel Mali with commercial entities for the purposes of the mission.

#### *Article 13*

##### **Change to facilities**

1. EUCAP Sahel Mali shall be authorised to construct or modify facilities as necessary for its operational requirements.
2. No compensation shall be requested from EUCAP Sahel Mali by the Host State for such constructions or modifications.

#### *Article 14*

##### **Deceased EUCAP Sahel Mali staff**

1. The Head of Mission shall have the right to take charge of and make suitable arrangements for the repatriation of any deceased member of EUCAP Sahel Mali staff, as well as of their personal property.
2. No autopsy shall be performed on any deceased member of EUCAP Sahel Mali staff without the agreement of the State of which the deceased was a national and the presence of a representative of EUCAP Sahel Mali and/or that State.
3. The Host State and EUCAP Sahel Mali shall cooperate to the fullest extent possible with a view to the early repatriation of any deceased member of EUCAP Sahel Mali staff.

*Article 15***Communications**

1. EUCAP Sahel Mali may install and operate radio sending and receiving stations, as well as satellite systems. It shall cooperate with the Host State's competent authorities with a view to avoiding conflicts in the use of appropriate frequencies. The Host State shall grant access, free of charge, to the frequency spectrum in accordance with its legislation in force.
2. EUCAP Sahel Mali shall enjoy the right to unrestricted communication by radio (including satellite, mobile and hand-held radio), telephone, telegraph, facsimile and other means, as well as the right to install the equipment necessary for the maintenance of such communications within and between EUCAP Sahel Mali facilities, including the laying of cables and land lines for the purposes of the mission.
3. Within its own facilities, EUCAP Sahel Mali may make the arrangements necessary for the conveyance of mail addressed to and from EUCAP Sahel Mali and/or EUCAP Sahel Mali staff.

*Article 16***Claims for death, injury, damage and loss**

1. EUCAP Sahel Mali and EUCAP Sahel Mali staff, the EU and Sending States shall not be liable for any damage to or loss of civilian or government property which is related to operational necessities or caused by activities in connection with civil disturbances or protection of EUCAP Sahel Mali.
2. With a view to reaching an amicable settlement, claims for damage to or loss of civilian property not covered by paragraph 1, as well as claims for death of or injury to persons and for damage to or loss of EUCAP Sahel Mali assets, facilities or means of transport, shall be forwarded to EUCAP Sahel Mali via the competent authorities of the Host State, as far as claims brought by natural or legal persons from the Host State are concerned, or to the competent authorities of the Host State, as far as claims brought by EUCAP Sahel Mali are concerned.
3. Where no amicable settlement can be found, the claim shall be submitted to a claims commission composed on an equal basis of representatives of EUCAP Sahel Mali and representatives of the Host State. Settlement of claims shall be reached by common agreement.
4. Where no settlement can be reached within the claims commission, the claim shall:
  - (a) for amounts up to and including EUR 40 000, be settled by diplomatic means between the Host State and EU representatives;
  - (b) for amounts above that referred to in point (a), be submitted to an arbitration tribunal, the decision of which shall be binding.
5. The arbitration tribunal shall be composed of three arbitrators, one being appointed by the Host State, one by EUCAP Sahel Mali and the third by common accord of the Host State and EUCAP Sahel Mali. Where one of the parties does not appoint an arbitrator within two months or where no agreement can be found between the Host State and EUCAP Sahel Mali on the appointment of the third arbitrator, the arbitrator in question shall be appointed by the president of a court of justice designated by common accord of the Parties.
6. An administrative arrangement shall be concluded between EUCAP Sahel Mali and the administrative authorities of the Host State in order to determine the terms of reference of the claims commission and the arbitration tribunal, the procedures applicable within those bodies and the conditions under which claims are to be lodged.

*Article 17***Liaison and disputes**

1. All issues arising in connection with the application of this Agreement shall be examined jointly by the representatives of EUCAP Sahel Mali and the Host State's competent authorities.
2. Failing any prior settlement, disputes concerning the interpretation or application of this Agreement shall be settled exclusively by diplomatic means between the Host State and EU representatives.

*Article 18***Other provisions**

1. Whenever this Agreement refers to the privileges, immunities and rights of EUCAP Sahel Mali and of EUCAP Sahel Mali staff, the Government of the Host State shall be responsible for their implementation and for compliance with them by the appropriate local authorities of the Host State.
2. Nothing in this Agreement is intended or may be construed to derogate from any rights that may attach to a Sending State under other agreements.

*Article 19***Implementing arrangements**

For the purposes of the application of this Agreement, operational, administrative and technical matters may be the subject of separate arrangements to be concluded between the Head of Mission and the Host State's administrative authorities.

*Article 20***Entry into force and termination**

1. This Agreement shall enter into force on the date on which it is signed and shall remain in force until the date of departure of the last EUCAP Sahel Mali element and of the last member of EUCAP Sahel Mali staff, as notified by EUCAP Sahel Mali.
2. This Agreement may be amended in writing by mutual consent of the Parties. Such amendments shall be executed as separate protocols, which form an integral part of this Agreement and shall enter into force in accordance with paragraph 1 of this Article.
3. Termination of this Agreement shall not affect any rights or obligations arising from the execution of this Agreement before such termination.
4. Upon entry into force of this Agreement, the exchange of letters, signed at Bamako on 31 October 2014 between the European Union and the Republic of Mali, shall lapse.

Done at Bamako on the seventh day of November in the year two thousand and nineteen, in two original copies, in French.

FOR THE EUROPEAN UNION

FOR THE GOVERNMENT OF THE REPUBLIC OF MALI

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**COUNCIL DECISION (EU) 2019/1925****of 14 November 2019****on the signing, on behalf of the Union, and provisional application of the Protocol on the implementation of the Agreement on a Sustainable Fisheries Partnership between the European Union and the Republic of Senegal**

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union, and in particular Article 43 in conjunction with Article 218(5) thereof,

Having regard to the proposal from the European Commission,

Whereas:

- (1) On 2 March 2015 the Council adopted Decision (EU) 2015/384 <sup>(1)</sup> on the conclusion of an Agreement on a Sustainable Fisheries Partnership between the European Union and the Republic of Senegal ('the Agreement') <sup>(2)</sup>. The Agreement entered into force on 20 November 2014 and is still in force.
- (2) The Protocol on the implementation of the Agreement that is still in force will expire on 19 November 2019.
- (3) The Commission negotiated, on behalf of the Union, a new Protocol implementing the Agreement ('the Protocol'). At the end of those negotiations, the new Protocol was initialled on 19 July 2019.
- (4) The objective of the Protocol is to enable the Union and Senegal to work more closely on promoting a sustainable fisheries policy and sound exploitation of fishery resources in Senegalese waters and to support Senegal's efforts to develop its fisheries sector.
- (5) The Protocol should therefore be signed and provisionally applied, pending the conclusion of the procedures necessary for its entry into force.
- (6) In order to avoid interruption of the fishing activities of Union vessels, the Protocol should be applied provisionally upon its signature,

HAS ADOPTED THIS DECISION:

*Article 1*

The signing, on behalf of the Union, of the Protocol on the implementation of the Agreement on a Sustainable Fisheries Partnership between the European Union and the Republic of Senegal is hereby authorised, subject to the conclusion of the said Protocol.

The text of the Protocol is attached to this Decision.

*Article 2*

The President of the Council is hereby authorised to designate the person(s) empowered to sign the Protocol on behalf of the Union.

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<sup>(1)</sup> Council Decision (EU) 2015/384 of 2 March 2015 on the conclusion, on behalf of the European Union, of a Sustainable Fisheries Partnership Agreement between the European Union and the Republic of Senegal and the Implementation Protocol thereto (OJ L 65, 10.3.2015, p. 1).

<sup>(2)</sup> Agreement on a Sustainable Fisheries Partnership between the European Union and the Republic of Senegal (OJ L 304, 23.10.2014, p. 3).

*Article 3*

The Protocol shall be applied provisionally as from the date of its signature, in accordance with Article 16 thereof, pending the conclusion of the procedures necessary for its entry into force.

*Article 4*

This Decision shall enter into force on the date of its adoption.

Done at Brussels, 14 November 2019.

*For the Council*  
*The President*  
T. TUPPURAINEN

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## PROTOCOL

### on the implementation of the Agreement on a Sustainable Fisheries Partnership between the European Union and the Republic of Senegal

#### Article 1

##### **Purpose**

The purpose of this Protocol is to implement the Agreement on a Sustainable Fisheries Partnership between the European Union and the Republic of Senegal ("the Agreement"). This Protocol includes an annex and appendices, which form an integral part of it.

#### Article 2

##### **General provisions**

1. Both Parties reaffirm their commitment to promoting sustainable fishing and protecting marine biodiversity, in accordance with the principles of non-discrimination, transparency and good governance.
2. In accordance with Article 4 of the Agreement, Union vessels may engage in fishing activities in Senegal's fishing zone only if they are in possession of a fishing authorisation issued under this Protocol as set out in the Annex thereto.

#### Article 3

##### **Scope**

1. The fishing opportunities granted to Union fishing vessels are hereby determined as follows:
  - for highly migratory species (listed in Annex 1 to the 1982 United Nations Convention on the Law of the Sea), with the exception of species protected by international conventions; and
  - species prohibited by the International Commission for the Conservation of Atlantic Tunas (ICCAT):
    - (a) 28 freezer tuna seiners,
    - (b) 10 pole-and-line vessels,
    - (c) 5 longliners,
  - for deep-sea demersal species:
    - (d) 2 trawlers.

This paragraph shall apply subject to Articles 8 and 10 of this Protocol.

2. The fishing opportunities described in paragraph 1 concern only Senegal's fishing zones for which the geographical coordinates are communicated to the Union before the start of provisional application in accordance with the Senegalese legislation in force.
3. Union vessels may not engage in activities in prohibited areas, or during biological rest periods, in accordance with the provisions set out in the Annex and in national law.
4. European pole-and-line vessels shall be authorised to access live bait in accordance with the conditions laid down in national law.

## Article 4

**Financial contribution**

1. The total value of this Protocol, for the period referred to in Article 15, is estimated at EUR 15 253 750, or EUR 3 050 750 per year. The annual amount can be broken down as follows:
  - EUR 1 700 000 per year from the financial contribution referred to in Article 6 of the Agreement, allocated as follows:
    - (a) a specific annual amount of EUR 800 000 as financial compensation for access to resources, including an amount equivalent to a reference tonnage of 10 000 tonnes per year for highly migratory species;
    - (b) a specific amount of EUR 900 000 per year for five years to support implementation of the Senegalese sectoral fisheries policy;
  - EUR 1 350 750 per year, corresponding to the estimated fees payable by the vessel owners for fishing authorisations issued under Article 4 of the Agreement according to the procedures set out in the Annex, Chapter II, point 3.
2. Paragraph 1 shall apply subject to Articles 5, 7 and 9 of this Protocol and Articles 13 and 14 of the Agreement.
3. Senegal and the Union shall, where appropriate, use daily catch data received by the flag Member State to monitor the activities of Union fishing vessels in Senegalese fishing zones in order to ensure appropriate management of:
  - the reference tonnage set out in point (a) of the first indent of paragraph 1 for highly migratory species; and
  - the authorised catch volume for demersal species set out in the relevant technical sheet set out in the Annex, Appendix 2.
4. The Union, the flag Member States and Senegal shall monitor catches using, in particular, the *Electronic Reporting System* (ERS). They shall take the appropriate measures incumbent upon them to ensure that the authorised catch volume is not exceeded and shall notify one another of the measures taken.
5. Once catch levels have reached 80 % of the authorised catch volume for deep-water demersal species, weekly monitoring of catches made by Union fishing vessels will be carried out. Once the ERS is operational, this monitoring will be carried out on a daily basis. Senegal shall notify the Union authorities once the authorised catch volume has been reached. On receipt of this notification, the Union shall likewise inform the Member States, which will withdraw from the fishing zone.
6. If the annual quantity of catches of highly migratory species by Union fishing vessels in Senegalese waters exceeds the annual reference tonnage set out in point (a) of the first indent of paragraph 1, the total amount of the annual financial contribution shall be increased by EUR 45 for each additional tonne caught.
7. The authorised volume of catches of deep-water demersal species set out in the corresponding technical sheet set out in the Annex, Appendix 2, corresponds to the maximum volume of authorised catches of those species. If the annual quantity of catches of these species exceeds the authorised volume, a penalty of EUR 95 per tonne, in addition to the fee, would be applied to the catches exceeding the limit.
8. Payment of the financial contribution set out in point (a) of the first indent of paragraph 1 for access by Union fishing vessels to Senegalese fishery resources shall be made by the Union no later than 90 days after the date of provisional application of this Protocol for the first year, and no later than on the anniversary date of the signing of this Protocol for the following years.
9. The financial contribution referred to in points (a) and (b) of the first indent of paragraph 1 shall be paid into a Senegalese Public Treasury account. The sectoral support referred to in point (b) of the first indent of paragraph 1 shall be made available to the Maritime Fisheries Directorate for the purposes of its implementation. Senegal shall ensure that the sectoral support funds are included in the budget programming (annual finance law). The Senegalese authorities shall send the European Commission the details of the appropriate Public Treasury account before the provisional application of this Protocol, and then annually.



*Article 5***Sectoral support**

1. The sectoral support provided for under this Protocol shall contribute, in particular, to implementing the Sectoral Policy Letter on the development of Senegal's fisheries and aquaculture (2016-2023) and to developing the maritime economy. The purpose of the support is to:

- ensure sustainable management of resources;
- improve the monitoring, control and surveillance of fishing activities;
- develop scientific capacities, conduct research into fishery resources and collect data;
- support small-scale fishing;
- develop aquaculture;
- add value to, monitor and provide health certification for fishery products; and
- strengthen the capacity of operators in the sector.

2. No later than three months after the entry into force or, if applicable, the provisional application, of this Protocol, the Joint Committee shall lay down a multiannual sectoral programme and rules for implementing it, in particular:

- the annual and multiannual guidelines for using the financial contribution referred to in point (b) of the first indent of Article 4(1);
- the objectives, both annual and multiannual, to be achieved with a view to establishing, over time, responsible and sustainable fishing, taking account of the priorities expressed by Senegal in its national fisheries policy, or other policies relating to or having an impact on the introduction of responsible and sustainable fishing, in particular with regard to support for small-scale fishing and the surveillance, monitoring and combating of illegal, unreported and unregulated (IUU) fishing, as well as priorities for reinforcing Senegal's scientific capacities in the fisheries sector;
- criteria and procedures, including, where appropriate, budgetary and financial indicators, for evaluating the results obtained each year.

3. The first instalment of sectoral support shall be paid once the Joint Committee has validated the multiannual programming.

4. The Joint Committee shall set objectives for and estimate the expected impact of projects in order to approve the allocation by Senegal of the financial contribution for sectoral support. It may, where appropriate, revise the arrangements for implementing sectoral support.

5. Each year, Senegal shall present an annual achievement report, to be examined by the Joint Committee, setting out how the projects implemented with sectoral financial support have progressed. A final report shall also be drawn up by Senegal when this Protocol expires.

6. The financial contribution for sectoral support shall be paid in instalments on the basis of an analysis of the outcomes of the sectoral support and of the needs identified during the multiannual programming. The sectoral support provided for in point (b) of the first indent of Article 4(1) may be suspended in the following cases: if the results obtained are inconsistent with the programming, following an evaluation carried out by the Joint Committee, or in the event of failure to implement the financial contribution in line with the agreed programming.

7. Payment of the sectoral support shall resume after consultation and agreement by the Parties, and/or if the results of the financial implementation referred to in paragraph 4 so warrant. The support may not, however, be paid out for more than six months after this Protocol expires.

8. Any proposed changes to the multiannual sectoral support programme shall be approved by the Joint Committee, where appropriate by exchange of letters.
9. The Parties shall ensure the visibility of the achievements resulting from the sectoral support.

#### Article 6

##### **Scientific cooperation**

1. The Parties shall undertake to promote cooperation on responsible fishing in the region of West Africa. They shall undertake to comply with the recommendations and resolutions of ICCAT and to take account of the scientific opinions of other competent regional organisations such as the Committee for Eastern Central Atlantic Fisheries (CECAF).
2. The Parties shall undertake to convene the Joint Scientific Working Group, regularly and when required, in order to examine all scientific issues relating to the implementation of this Protocol. The mandate, composition and functioning of this Joint Scientific Working Group shall be laid down by the Joint Committee.
3. The Parties shall undertake to make public and exchange any relevant information on fishing activities pertaining to this Protocol.
4. In order to ensure sustainable management of the fishery resources covered by this Protocol, the Joint Committee shall adopt measures relating to the activities of Union fishing vessels on the basis of the recommendations and resolutions adopted by ICCAT and in the light of the best available scientific advice such as that of CECAF and, where appropriate, the findings of the Joint Scientific Working Group meetings.

#### Article 7

##### **Economic cooperation and exploitation**

1. The Parties shall encourage economic and technical cooperation between operators in the fisheries and processing industry in order to create favourable conditions for investment and economic exploitation of the resource.
2. The Parties shall exploit the potential of the financial and technical instruments at their disposal to increase the coherence of actions in the area of fisheries and the blue economy. For that reason, particular emphasis will be placed on adding value to the products, supplying processing units and the local market, and promoting trade.

#### Article 8

##### **Adjustment of fishing opportunities and review of the provisions governing fishing activities**

1. The fishing opportunities referred to in Article 3 may be adjusted by the Joint Committee insofar as the recommendations and resolutions adopted by ICCAT and the opinions of CECAF confirm that the adjustment ensures the sustainable management of the fish species covered by this Protocol, and subject to validation by the Scientific Working Group.
2. In such cases, the financial contribution referred to in point (a) of the first indent of Article 4(1) shall be adjusted proportionately and *pro rata temporis*.
3. The Joint Committee may examine and, where necessary, adapt or modify, by mutual agreement, the provisions governing fishing activities and technical measures for implementing this Protocol.

*Article 9***Incidental catches**

In line with ICCAT recommendations, the Parties shall undertake to work together in order to reduce incidental catches of protected species of sea birds, sea turtles, sharks and marine mammals. For that purpose, Union vessels shall implement technical measures scientifically proven to improve the selectivity of fishing gear and to reduce the incidental catch of non-target species.

*Article 10***New fishing opportunities and exploratory fishing**

1. Should Union fishing vessels be interested in fishing activities which are not provided for in Article 1, the Parties shall consult each other in the Joint Committee on whether to grant authorisation for these new activities. Where appropriate, the Joint Committee shall agree on the conditions applicable to these new fishing opportunities and make any necessary amendments to this Protocol and the Annex thereto.
2. Authorisation for new fishing activities shall be granted taking account of the best scientific advice and, where appropriate, on the basis of the results of scientific surveys validated by the Joint Scientific Working Group.
3. Following the consultations referred to in paragraph 1, the Joint Committee shall authorise exploratory fishing surveys in the Senegalese fishing zones to test the technical feasibility and the economic viability of new fisheries. For that purpose, if Senegal so requests, it shall determine on a case-by-case basis the species, conditions and all other appropriate parameters. The Parties shall carry out exploratory fishing in accordance with the conditions laid down by the Joint Scientific Working Group.

*Article 11***Electronic communication**

1. Senegal and the Union shall undertake to set up as soon as possible the computer systems necessary for the electronic exchange of all information and documents relating to the implementation of the Agreement.
2. The electronic form of a document shall be considered equivalent to the paper version in every respect.
3. Senegal and the Union shall inform each other immediately of any malfunction of a computer system. The information and documents relating to the implementation of the Agreement shall then be automatically replaced by their paper version.

*Article 12***Confidentiality of data**

1. Senegal and the Union shall undertake to process all nominative data relating to Union vessels, and their fishing activities obtained within the framework of the Agreement, at all times strictly in accordance with their respective confidentiality and data protection principles.
2. The Parties shall ensure that only aggregate data relating to fishing activities in Senegalese fishing zones are made public, in accordance with the relevant provisions of ICCAT and the other regional fisheries management organisations. Data which may be considered confidential must be used by the competent authorities exclusively for the purposes of implementing the Agreement and for fishery management, controls and monitoring.

3. As regards personal data transmitted by the Parties, appropriate safeguards and legal remedies may be established by the Joint Committee in accordance with the Regulation (EU) 2016/679 of the European Parliament and of the Council <sup>(1)</sup> (General Data Protection Regulation) and the rules applicable to Senegal.

#### *Article 13*

##### **Suspension**

The application of this Protocol, including payment of the financial contribution, may be suspended unilaterally by either Party in the cases, and on the conditions, set out in Article 14 of the Agreement.

#### *Article 14*

##### **Termination**

This Protocol may be terminated unilaterally by either Party in the cases, and on the conditions, set out in Article 14 of the Agreement.

#### *Article 15*

##### **Duration**

This Protocol and the Annex thereto shall apply for a period of five years from the date of provisional application.

#### *Article 16*

##### **Provisional application**

This Protocol shall apply provisionally from the date of signature.

#### *Article 17*

##### **Entry into force**

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

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<sup>(1)</sup> Regulation (EU) 2016/679 of the European Parliament and of the Council of 27 April 2016 on the protection of natural persons with regard to the processing of personal data and on the free movement of such data, and repealing Directive 95/46/EC (General Data Protection Regulation) (OJ L 119, 4.5.2016, p. 1).

За Европейския съюз  
 Por la Unión Europea  
 За Evropskou unii  
 For Den Europæiske Union  
 Für die Europäische Union  
 Euroopa Liidu nimel  
 Για την Ευρωπαϊκή Ένωση  
 For the European Union  
 Pour l'Union européenne  
 Za Európsku uniju  
 Per l'Unione europea  
 Eiropas Savienības vārdā –  
 Europos Sąjungos vardu  
 Az Európai Unió részéről  
 Għall-Unjoni Ewropea  
 Voor de Europese Unie  
 W imieniu Unii Europejskiej  
 Pela União Europeia  
 Pentru Uniunea Europeană  
 Za Európsku úniu  
 Za Evropsko unijo  
 Euroopan unionin puolesta  
 För Europeiska unionen

За Република Сенегал  
 Por la República de Senegal  
 Za Senegalskou republiku  
 For Republikken Senegal  
 Für die Republik Senegal  
 Senegali Vabariigi nimel  
 Για την Δημοκρατία της Σενεγάλης  
 For the Republic of Senegal  
 Pour la République du Sénégal  
 Za Republiku Senegal  
 Per la Repubblica del Senegal  
 Senegālas Republikas vārdā –  
 Senegalo Respublikos vardu  
 A Szenegáli Köztársaság részéről  
 Għar-Repubblika tas-Senegal  
 Voor de Republiek Senegal  
 W imieniu Republiki Senegal  
 Pela República do Senegal  
 Pentru Republica Senegal  
 Za Senegalskú republiku  
 Za Republiko Senegal  
 Senegalin tasavallan puolesta  
 För Republiken Senegal

## ANNEX

## CONDITIONS GOVERNING FISHING ACTIVITIES BY UNION VESSELS IN SENEGALESE FISHING ZONES

## CHAPTER I

**General provisions**

## 1. Designation of the competent authority

1. For the purposes of this Annex and unless otherwise specified, any reference to the Union (EU) or to the Republic of Senegal (Senegal) as a competent authority means:

(a) for the Union: the European Commission, where applicable via the EU Delegation in Senegal;

(b) for the Republic of Senegal: the Ministry of Fisheries and the Maritime Economy.

2. For the purposes of applying the provisions of this Annex, the term “fishing authorisation” shall be equivalent to “licence”, as defined in Senegalese legislation.

3. The rights and obligations indicated as being those of “vessels” shall be understood to be those of the operators of the vessels, and their agents, and of the masters responsible for the operations.

## 2. Fishing zones

“Senegalese fishing zones” are defined as those parts of Senegalese waters in which Senegal authorises Union fishing vessels to carry out fishing activities in accordance with Article 4(1) of the Agreement.

2.1. The geographical coordinates of the Senegalese fishing zones and the baselines shall be communicated to the Union before provisional application of this Protocol in accordance with Senegalese legislation.

2.2. Similarly, the zones in which fishing is prohibited by the national law in force, such as national parks, protected marine areas and fish breeding grounds, and the zones closed to shipping, shall be communicated to the Union before the provisional application of this Protocol in accordance with Senegalese legislation.

2.3. Senegal shall notify the boundaries of the fishing and closed zones to the vessel owners when issuing the fishing authorisation.

2.4. Senegal shall inform the Commission of any changes to these zones at least two months before the provisional application of this Protocol.

## 3. Biological rest periods

Union fishing vessels authorised to carry out fishing activities under this Protocol shall comply with all biological rest periods established under Senegalese legislation. Each year, the order setting the biological rest period shall be notified to the EU in sufficient time for the applications for authorisation to be amended.

## 4. Designation of an agent

Any Union fishing vessel engaged in an activity in Senegalese fishing zones must be represented by an agent resident in Senegal.

## 5. Bank account for payments by vessel owners

Senegal shall send the Union, before the start of the provisional application of this Protocol, the details of the appropriate Public Treasury account into which the financial sums payable by Union vessels under the Agreement are to be paid. The associated bank transfer costs shall be borne by the vessel owners.

## 6. Contacts

The two Parties shall inform each other of the respective contact points for:

- procedures relating to fishing authorisations;
- reporting obligations of Union operators; and

- other exchanges of information relating to implementation of this Protocol and to compliance with the standards and obligations under Senegalese legislation.

## CHAPTER II

### **Fishing authorisations**

#### 1. Conditions for obtaining a fishing authorisation – eligible vessels

The fishing authorisations referred to in Article 4 of the Agreement shall be issued on condition that:

- the vessel is listed in the Union register of fishing vessels;
- the eligibility conditions laid down in this Protocol and in EU legislation on the sustainable management of external fishing fleets <sup>(1)</sup> are met; and
- all prior obligations of the vessel owner or master, or with respect to the vessel itself, arising from fishing activities in Senegal under the Agreement, have been met.

#### 2. Applications for fishing authorisations

2.1. The competent Union authorities shall submit, by electronic means, an application for each vessel to the Ministry of Fisheries and the Maritime Economy, with a copy to the EU Delegation in Senegal, at least 20 working days before the start of the period of validity requested.

2.2. Applications shall be submitted to the competent Senegalese authority using the form set out in Appendix 1.

2.3. All fishing authorisation applications shall be accompanied by the following documents:

- proof of payment of the flat-rate advance set out in the technical sheet in Appendix 2 or 3 according to the category concerned; and
- a colour photograph of the vessel, taken from the side.

2.4. Under this Protocol, any application to renew a fishing authorisation for a vessel whose technical specifications have not been modified shall be accompanied only by proof of payment of the flat-rate advance.

#### 3. Fees and flat-rate advances

3.1. Fishing authorisations shall be issued once the flat-rate advance has been paid to the competent national authorities, as set out below.

3.2. The flat-rate advances and fees in EUR per tonne caught in the Senegalese fishing zones are as follows:

For tuna seiners:

- for the first three years of the Protocol, an annual flat-rate advance of EUR 18 500 per vessel equivalent to 231,25 tonnes per year, on the basis of a fee of EUR 80 per tonne; and
- for the last two years of the Protocol, an annual flat-rate advance of EUR 18 500 per vessel equivalent to 217,65 tonnes per year, on the basis of a fee of EUR 85 per tonne.

For pole-and-line vessels:

- an annual flat-rate advance of EUR 13 000 per vessel, equivalent to 173,33 tonnes per year, on the basis of a fee of EUR 75 per tonne.

For longliners:

- an annual flat-rate advance of EUR 3 525 per vessel, equivalent to 47 tonnes per year, on the basis of a fee of EUR 75 per tonne.

<sup>(1)</sup> Regulation (EU) 2017/2403 of the European Parliament and of the Council of 12 December 2017 on the sustainable management of external fishing fleets, and repealing Council Regulation (EC) No 1006/2008 (OJ L 347, 28.12.2017, p. 81).

For trawlers:

— a flat-rate advance of EUR 500 per vessel and per quarter for a fee of EUR 95 per tonne.

The amounts of the fee and the flat-rate advance and the technical conditions are set out in the technical sheets in Appendices 2 and 3.

- 3.3. The fee and the flat-rate advance shall include all national and local charges except for port taxes and service charges.
- 3.4. If the period of validity of the fishing authorisation is less than one year, in particular because of a biological rest period, the flat-rate advance shall be adapted *pro rata temporis* to the period of validity, as set out in paragraph 6, in accordance with the provisions laid down in Appendices 2 and 3.

#### 4. Issuing of fishing authorisations and provisional list of vessels authorised to fish

- 4.1. Once it has received the applications for fishing authorisations in accordance with points 2.2 and 2.3, Senegal shall, within five working days, draw up a provisional list of each category of vessel authorised to fish.
- 4.2. This list shall be sent to the national body responsible for supervising fishing and to the Union. Senegal may send the provisional list directly to the vessel owner or to the vessel owner's agent.
- 4.3. Vessels shall be authorised to fish as soon as they are included on the provisional list. These vessels must keep a copy of the provisional list on board at all times until their fishing authorisation is issued.
- 4.4. Fishing authorisations for all vessels shall be issued by the competent authority to vessel owners, or their representatives, within 20 working days of receipt of all the documents referred to in point 2.3. A copy of the authorisations shall also be sent to the EU Delegation in Senegal.
- 4.5. In order not to delay the possibility of fishing in the area, a copy of the fishing authorisation shall at the same time be sent to the vessel owners electronically. This copy may be used for a maximum period of 60 days after the date on which the fishing authorisation was issued. During this period, the copy shall be considered equivalent to the original.
- 4.6. The fishing authorisation must be kept on board at all times, without prejudice to the provisions of points 4.3 and 4.5.

#### 5. Transfer of fishing authorisations

- 5.1. Fishing authorisations shall be issued for a given vessel and shall not be transferable.
- 5.2. However, at the request of the Union and where *force majeure* is proven in a technical report, in particular in the event of the loss or prolonged immobilisation of a vessel due to a serious technical failure, the fishing authorisation of the initial vessel shall be replaced by a new fishing authorisation for another vessel of the same category, with no further fee payable.
- 5.3. In such cases, the calculation of the catch levels to determine whether an additional payment should be made shall take account of the sum of the total catches of the two vessels.
- 5.4. The owner of the vessel to be replaced, or the owner's representative, shall return the cancelled fishing authorisation to the competent authority and inform the EU Delegation in Senegal in writing.
- 5.5. Once the cancelled authorisation has been returned, a new fishing authorisation shall be issued as soon as possible. The EU Delegation in Senegal shall be informed of the transfer of the fishing authorisation.

#### 6. Period of validity of licences

- 6.1. Fishing authorisations for tuna vessels shall be valid for an annual period. Fishing authorisations for ocean-going fish trawlers (deep-water demersal species) shall be valid for a quarterly period.
- 6.2. Fishing authorisations shall be renewable.
- 6.3. In order to establish the start of the period of validity of fishing authorisations:
  - “annual period” means the period from the provisional application of this Protocol until 31 December of the same year; then, each complete calendar year; for the last year of application of this Protocol, the period between 1 January and the date of expiry of this Protocol; and



- “quarterly period” means, from the provisional application of this Protocol, the period between the date of its entry into force and the date of the start of the next quarter, a quarter having to begin on 1 January, 1 April, 1 July or 1 October; then, each complete quarter; at the end of application of this Protocol, the period between the end of the last full quarter and the date of expiry of this Protocol.

#### 7. Support vessels

- 7.1. At the request of the Union, Senegal shall authorise Union fishing vessels holding a fishing authorisation to be assisted by support vessels.
- 7.2. This support may not include refuelling or the transshipment of catches.
- 7.3. Support vessels must fly the flag of a Union Member State and may not be equipped for fishing.
- 7.4. Support vessels shall be subject, where applicable, to the procedure governing the sending of applications for fishing authorisations set out in this Chapter. Applications for authorisation shall be accompanied by the list of fishing vessels for which support activities are carried out.
- 7.5. Senegal shall draw up the list of authorised support vessels and send it to the national body responsible for supervising fishing and to the Union.
- 7.6. The fee for each support vessel shall be EUR 3 500 per vessel per year.
- 7.7. The authorisation of support vessels shall not be transferable and the fees shall not be reduced *pro rata temporis*.

### CHAPTER III

#### **Technical measures**

1. The technical measures relating to zone, fishing gear and by-catch applicable to ocean-going fish trawlers (deep-water demersal species) holding a fishing authorisation are set out in the technical sheet in Appendix 2.
2. The technical measures applicable to tuna vessels holding a fishing authorisation are set out in the technical sheet in Appendix 3. Tuna vessels shall comply with the recommendations and resolutions of ICCAT and take account of the scientific advice of other regional fisheries management organisations.

### CHAPTER IV

#### **Monitoring, control and surveillance**

#### Section 1

#### **Monitoring and reporting of catches**

##### 1. Electronic fishing logbook

- 1.1. The master of a Union vessel fishing under the Agreement shall keep an electronic fishing logbook as part of an electronic recording and reporting system (ERS).
- 1.2. Vessels not equipped with an ERS shall not be authorised to enter Senegal's fishing zone in order to engage in fishing activities.
- 1.3. The logbook for tuna fishing shall be adapted, if necessary, to comply with the relevant recommendations and resolutions of ICCAT or of other regional fisheries management organisations for other fisheries.
- 1.4. The fishing logbook shall be completed by the master for each day the vessel is present in the Senegalese fishing zones.
- 1.5. Each day the master shall record in the fishing logbook the estimated quantity of each species caught and held on board in each fishing operation. The quantities shall be expressed in kilograms live weight or, where necessary, the number of individual fish. The fishing logbook shall be completed legibly, in block capitals, and shall be signed by the master. The master shall be responsible for the accuracy of the data recorded in the fishing logbook. The fishing logbook data shall be emailed automatically on a daily basis to the Fisheries Monitoring Centre (FMC) of the flag State and to the competent Senegalese authority. The emails shall include at least the following:
  - (a) the name of the fishing vessel and the vessel identification numbers;

- (b) the FAO 3-alpha code of each species;
  - (c) the relevant geographical area in which the catches were made;
  - (d) the date and, where appropriate, time of the catches;
  - (e) the date and time of departure from and arrival at the port, and the duration of the fishing trip;
  - (f) the type of gear, technical specifications and dimensions;
  - (g) the estimated quantities of each species kept on board, in kilograms live weight or, where appropriate, the number of individual fish; and
  - (h) the estimated quantities of each species discarded, in kilograms live weight or, where appropriate, the number of individual fish.
- 1.6. The flag State shall ensure that the data are received and recorded in a computer database in which they can be stored securely for at least 36 months.
- 1.7. The flag State and Senegal shall ensure that they have the necessary IT equipment and software to automatically transmit ERS data. ERS data shall be transmitted using the electronic means of communication operated by the European Commission for exchanging fisheries data in a standardised form. Changes to standards shall be implemented within six months.
- 1.8. The flag State's FMC shall ensure that fishing logbooks are automatically made available by ERS to Senegal's FMC on a daily basis for the period during which the vessel is present in the fishing zone, even in the event of a zero catch.
- 1.9. The arrangements for reporting catches by ERS and the procedures in the event of malfunction are set out in Appendix 4.
- 1.10. The Senegalese authorities shall process data on the fishing activities of individual vessels in a confidential and secure manner.
- 1.11. Points 1.6 to 1.9 shall apply from when Senegal has given notice that it is equipped with an ERS and that automatic receipt by its FMC has become operational, where appropriate after a test period. Until automatic receipt is operational, the information referred to in paragraph 1.8(a) to (h) shall be provided by vessels in usable electronic format, by email, when they leave the zone, in the form of an extract from the electronic fishing logbook accompanying their notice of departure, or at the latest 48 hours after they arrive at a port in Senegal. In such cases, the data shall also be sent to the Oceanographic Research Centre of Dakar-Thiaroye (*Centre de Recherche Océanographique de Dakar Thiaroye*) (CRODT). Once receipt of ERS data by Senegal has become operational, fishing logbooks shall be sent to the CRODT by Senegal's FMC.
- 1.12. Uptake of the authorised catch volume shall be monitored by the flag Member State and Senegal on the basis of daily declarations. The flag Member State shall ensure that fishing operations are discontinued by the date when the authorised catch limit of its vessels is expected to be reached, so as to prevent the authorised volume from being exceeded.
2. Aggregate catch data
- 2.1. In each quarter, the flag State shall provide the quantities of each vessel's catches and discards, aggregated over one month, to the database maintained by the European Commission. In the case of species subject to an authorised catch volume under this Protocol or ICCAT recommendations, the quantities shall be provided on a monthly basis for the previous month.
- 2.2. The flag State shall verify the data by checking it against landing, sales, inspection or observation data and any relevant information of which the authorities are aware. Updates to the database required as a result of these verifications shall be carried out as quickly as possible. The verifications shall use the geographical coordinates of the fishing zones as established in this Protocol. The conversion factors used to determine the live-weight equivalent shall be validated by the Joint Committee.
- 2.3. The Union shall provide the Senegalese authorities, before the end of each quarter, with aggregate data extracted from the database for the previous quarters of the current year, indicating the quantities of catches per vessel, per month and per species. These data shall be provisional and expandable.

- 2.4. Senegal shall analyse the data and report any major inconsistencies with the electronic fishing logbook data provided by ERS. The flag States shall conduct investigations and update the data where appropriate.
  - 2.5. Where the provisions concerning catch reporting are not complied with, Senegal may suspend the fishing authorisation of the vessel concerned until the missing catch data is reported and penalise the ship owner in accordance with the relevant provisions under the national law in force. If the offence is repeated, Senegal may refuse to renew the fishing authorisation.
  - 2.6. Senegal shall inform the Union immediately of any penalty applied in this context.
3. Transition to an electronic fishing data reporting system (ERS)

The two Parties agree to ensure a transition to an electronic system for reporting fishing data based on the technical characteristics laid down in Appendix 4. The Parties agree to define common arrangements to ensure that this transition takes place as soon as possible. Senegal shall inform the Union as soon as the conditions for this transition have been met. The Parties agree to have the system fully operational within two months of the date on which this information is sent.

#### 4. Statement of fees

##### 4.1. Verification of quarterly data

4.1.1. Senegal shall promptly inform the Union of the results of the verification referred to in point 2.3.

4.1.2. The Union shall inform Senegal of the necessary explanations provided, where appropriate, by the scientific institute of the flag Member State. The Joint Scientific Working Group or the scientific institutes shall meet if necessary.

##### 4.2. Final statement and payment

4.2.1. For each vessel, the Union shall draw up, on the basis of its aggregate data declarations, a statement of catches and a statement of the fees owed by the vessel in respect of its annual season for the previous calendar year.

4.2.2. The Union shall send these final statements to the Senegalese authorities, and to the vessel owner via the Member State, before 30 June of the current year. Senegal shall verify and validate the final statements within thirty days of their receipt. If Senegal does not object within this thirty-day period, the final statements shall be considered adopted. In the event of disagreement, the Parties shall consult each other, where appropriate in the Joint Committee.

4.3. Where the amount of the final statement is greater than the anticipated flat-rate fee paid to obtain the fishing authorisation, the vessel owner shall pay the outstanding balance to Senegal by 31 July of the current year. Where the amount of the final statement is less than the anticipated flat-rate fee, the remaining amount may not be reclaimed by the vessel owner. Vessel owners shall send Senegal a copy of the proof of payment.

## Section 2

### **Entering and leaving Senegalese waters**

1. Union fishing vessels operating in Senegalese waters under this Protocol shall notify the competent Senegalese authorities, at least four hours in advance, of their intention to enter or leave Senegalese waters.
2. When notifying entry into / exit from Senegalese waters, vessels shall also communicate their position and the catches held on board, identified by their FAO 3-alpha code, expressed in kilograms live weight or, where necessary, the number of individual fish, without prejudice to the provisions of Appendix 4, Section 2. This information shall be communicated by email or fax until the date on which automatic receipt of ERS messages is considered operational, as agreed upon by the Parties.

3. Any vessel found to be fishing without having informed the competent Senegalese authorities shall be considered to have committed an offence and shall be liable to the penalties provided for by national law.
4. The email address, fax and telephone numbers and radio coordinates of the competent Senegalese authorities shall be annexed to Appendix 6.

### Section 3

#### **Entry into port, transshipment and landings**

1. Vessels shall notify the competent authority of their entry into port at least 72 hours in advance.
2. Pole-and-line vessels shall land catches made in Senegal's fishing zones at the port of Dakar.
  - 2.1. Pole-and-line vessels shall offer their catches preferably to industrial or non-industrial processing companies and to the local market, at a price set by negotiation between operators with reference to the international market.
  - 2.2. In accordance with the provisions of the health approval issued by the Union to Senegal, catches landed in Dakar under this Protocol shall be required to be inspected and certified by the competent Senegalese authority.
3. All Union fishing vessels operating under this Protocol which carry out transshipments in Senegalese waters shall do so in accordance with Senegalese legislation.
4. Transshipment requests shall include the following information:
  - 4.1. the tonnage by species to be transhipped or landed;
  - 4.2. the day of transshipment or landing; and
  - 4.3. the destination of the transhipped or landed catches.
5. Any transshipment or landing of catches not covered by points 1 to 4 above shall be prohibited in Senegalese waters. Any person infringing this provision shall be liable to the penalties provided for by the applicable Senegalese regulations.

### Section 4

#### **Satellite-based vessel monitoring system (VMS)**

1. Vessel position messages – VMS
  - 1.1. Any Union vessel authorised under this Protocol shall be equipped with a satellite-based vessel monitoring system (VMS).

It is forbidden to move, disconnect, destroy, damage or render inoperative the continuous tracking system using satellite communications placed on board the vessel for the purposes of data transmission or to intentionally alter, divert or falsify data transmitted or recorded by such a system.

Union vessels shall communicate their position automatically and continuously, every hour in the case of seiners, and every two hours in the case of all other vessels, to the FMC of their flag State. This frequency may be increased where investigations are carried out into a vessel's activities.
  - 1.2. Each position message shall contain:
    - (a) the 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; and
    - (d) the vessel's speed and course.

Position messages shall have the format described in Appendix 5.

1.3. The arrangements for notifying vessel positions by VMS and the procedures in the event of malfunction are set out in Appendix 5.

1.4. The FMCs shall communicate with each other in the context of monitoring vessel activity.

## 2. Secure communication of position messages to Senegal

The FMC of the flag State shall automatically send the position messages of the relevant vessels to Senegal's FMC. The FMCs of the flag State and Senegal shall exchange their contact email 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 Senegal shall be carried out electronically using a secure communication system.

Senegal's FMC shall immediately inform the flag State's FMC and the Union of any interruption in the receipt of a series of position messages from a vessel holding a fishing authorisation if the vessel concerned has not notified its exit from the zone.

## 3. Validity of VMS messages in the case of dispute

The position data provided by the VMS shall be considered reliable in the case of dispute between the Parties.

## Section 5

### Observers

#### 1. Observation of fishing activities

1.1. Vessels holding a fishing authorisation shall be subject to a scheme for observing their fishing activities carried out under the Agreement.

1.2. For tuna vessels, this observation scheme shall comply with the provisions of the recommendations adopted by ICCAT and, where appropriate, the regional observation programmes drawn up under ICCAT.

#### 2. Designated vessels and observers

2.1. When fishing authorisations are issued, Senegal shall inform the Union and the vessel owner, or vessel owner's agent, of the vessels which have been designated to take on board an observer and the times at which the observer will be present on board each vessel.

2.2. Senegal shall inform the Union and the vessel owner, or vessel owner's agent, of the name of the designated observer at the latest 15 days before the date provided for the observer to board. Senegal shall immediately inform the Union and the vessel owner, or vessel owner's agent, of any change in the designated vessels and observers.

2.3. Senegal shall endeavour not to designate observers for vessels which already have an observer on board, or which are already formally obliged to allow an observer on board during the fishing season in question as part of such vessels' activities in fishing zones other than those of Senegal.

2.4. For deep-sea demersal trawlers, the time on board shall not exceed two months. The observer shall not spend more time on board the vessel than is necessary to carry out the observer's duties.

#### 3. Flat-rate financial contribution

3.1. At the time the annual fee is paid, owners of freezer tuna seiners, pole-and-line vessels and surface longliners shall also pay the Fisheries Protection and Monitoring Directorate (*Direction de la Protection et de la Surveillance des Pêches*) (DPSP) a flat-rate sum of EUR 600 per vessel as a contribution to the proper functioning of the observer programme.

3.2. At the time the quarterly fee is paid, owners of trawlers shall also pay the DPSP a flat-rate sum of EUR 150 per vessel as a contribution to the proper functioning of the observer programme.

#### 4. Observer's salary

The salary and social contributions of the observer shall be borne by Senegal.

#### 5. Conditions on board

- 5.1. The conditions on board for the observer, in particular the duration of the observer's presence, shall be defined by mutual agreement between the vessel owner, or vessel owner's agent, and Senegal.
- 5.2. Observers shall be treated as officers when on board. However, account must be taken of the technical structure of the vessel when the observer is received on board.
- 5.3. The vessel owner shall bear the costs of providing accommodation and food for the observer on board.
- 5.4. The master shall do everything in his or her power to ensure the physical safety and welfare of the observer.
- 5.5. The observer shall be provided with every facility needed to carry out the observer's duties. The observer shall have access to means of communication and to documents relating to the vessel's fishing activities, in particular the fishing logbook and navigation log, and the parts of the vessel directly related to the observer's duties.

#### 6. Obligations of the observer

Whilst they are on board, observers shall:

- 6.1. take all appropriate measures so as not to interrupt or hinder fishing operations;
- 6.2. respect on-board property and equipment; and
- 6.3. respect the confidential nature of any document belonging to the vessel.

#### 7. Observer's boarding and leaving the vessel

- 7.1. The observer shall be taken on board at a port chosen by the vessel owner.
- 7.2. The vessel owner, or vessel owner's representative, shall inform Senegal, giving 10 days' notice, of the date, time and port of boarding of the observer. If the observer is taken on board in a foreign country, the observer's travel costs to the port of boarding shall be borne by the vessel owner.
- 7.3. If the observer does not present themselves for boarding within 12 hours of the date and time set, the vessel owner shall be automatically discharged from the obligation to allow the observer to board. They shall be free to leave the port and start fishing operations.
- 7.4. Where the observer is not put ashore in a Senegalese port, the vessel owner shall bear the costs of repatriating the observer to Senegal as soon as possible.

#### 8. Tasks of the observer

The tasks assigned to the scientific observers shall be:

- keeping accurate records of fishing trips by entering the main fishing-related information (the geographical position of the vessel, the starting and finishing times of fishing operations, the number of net hauls, where appropriate the number of longlines and fish aggregating devices (FADs), etc.);
- collecting information on specific catches (quantities and sizes) and by-catches, in particular as regards cephalopods, crustaceans, demersal fish, sharks, sea turtles, marine mammals and sea birds;
- taking biological samples for scientific studies of the reproduction, growth and identity of stocks. The samples shall be taken in accordance with a scientific protocol drawn up by the National Fisheries Research Institute;
- in the case of tuna vessels, observing and reporting on FADs in accordance with the ICCAT observer programme adopted under the multiannual conservation and management programme for tropical tuna; and
- carrying out any other scientific tasks recommended by the Joint Scientific Working Group.

## 9. Observer's report

- 9.1. Before leaving the vessel, the observer shall submit a report on his or her observations to the master of the vessel. The master of the vessel shall have the right to make comments in the observer's report. The report shall be signed by the observer and the master. The master shall receive a copy of the observer's report.
- 9.2. The observer shall send his or her report to Senegal, which shall send a copy of it to the Union within eight days of the observer being set ashore.

## Section 6

### **Inspections at sea or in port**

#### 1. Inspections at sea

- 1.1. Inspections at sea in the Senegalese fishing zones of Union vessels holding a fishing authorisation shall be carried out by vessels and inspectors from Senegal that can clearly be identified as being assigned to carry out fishing checks.
- 1.2. Before going on board, the Senegalese inspectors shall inform the 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.
- 1.3. The Senegalese inspectors shall remain on board the Union fishing vessel only for the time necessary to carry out tasks associated with the inspection. They shall carry out the inspection in such a way as to minimise the impact on the vessel, its fishing activity and cargo.
- 1.4. Senegal may authorise the Union to participate in the inspection at sea as an observer.
- 1.5. The master of the Union fishing vessel shall allow the Senegalese inspectors to board the vessel and carry out their work.
- 1.6. At the end of each inspection, the Senegalese inspectors shall draw up an inspection report. The master of the Union fishing vessel shall have the right to make comments in the inspection report. The inspection report shall be signed by the inspector drawing up the report and the master of the Union fishing vessel.
- 1.7. The Senegalese inspectors shall give a copy of the inspection report to the master of the Union fishing vessel before leaving the vessel. In the event of an infringement, Senegal shall send a copy of the inspection report to the Union within eight days of the inspection.

#### 2. Inspections in port

- 2.1. Inspections in port of Union fishing vessels which land or tranship catch from Senegal's zone in the waters of a Senegalese port shall be carried out by authorised inspectors.
- 2.2. 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 Senegalese inspectors shall remain on board the Union fishing vessel only for the time necessary to carry out tasks associated with the inspection and shall carry out the inspection in such a way as to minimise the impact on the vessel, the landing or transhipment operation and the cargo.
- 2.3. Senegal may authorise the Union to participate in the inspection in port as an observer.
- 2.4. The master of the Union fishing vessel shall allow the Senegalese inspectors to carry out their work.
- 2.5. At the end of each inspection, the Senegalese inspector shall draw up an inspection report. The master of the Union fishing vessel shall have the right to make comments in the inspection report. The inspection report shall be signed by the inspector drawing up the report and the master of the Union fishing vessel.

- 2.6. The Senegalese inspectors shall give a copy of the inspection report to the master of the Union fishing vessel at the end of the inspection. Senegal shall send a copy of the inspection report to the Union within eight days of the inspection.

## Section 7

### Infringements

#### 1. Handling of infringements

- 1.1. Any infringement committed by a Union fishing vessel holding a fishing authorisation in accordance with this Annex shall be mentioned in an inspection report. The report shall be sent to the Union and the flag State as soon as possible.
- 1.2. The signing of the inspection report by the master shall be without prejudice to the vessel owner's right of defence in respect of the reported infringement.

#### 2. Detention of vessels – information meeting

- 2.1. Any Union fishing vessel having committed an infringement may, if the Senegalese legislation in force so provides with regard to the infringement in question, be forced to cease its fishing activity and, if the vessel is at sea, to return to the port of Dakar.
- 2.2. Senegal shall notify the Union within 24 hours of any detention of a Union fishing vessel holding a fishing authorisation. That notification shall be accompanied by documentary evidence of the reported infringement.
- 2.3. Before taking any measures against the vessel, the master, the crew or the cargo, with the exception of measures taken to protect evidence, Senegal shall, if the Union so requests, organise an information meeting within one working day of notification of the vessel's detention, 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 vessel's flag State may attend this information meeting.

#### 3. Penalties for infringements – compromise procedure

- 3.1. The penalty for the reported infringement shall be set by Senegal in accordance with the national law in force.
- 3.2. Where settling the infringement involves legal proceedings, provided that the infringement does not involve a criminal offence, a compromise procedure between Senegal and the Union shall take place before the proceedings are launched to determine the terms and level of the penalty. The compromise procedure shall finish at the latest three days after notice is given of the vessel's detention.
- 3.3. Representatives of the vessel's flag State and the Union may participate in this compromise procedure.

#### 4. Legal proceedings – bank security

- 4.1. If the compromise procedure fails and the infringement is brought before the competent court, the owner of the vessel that committed the infringement shall deposit a bank security at a bank designated by Senegal, the amount of which, as set by Senegal, shall cover the costs associated with the detention of the vessel, the estimated fine and any compensation. The bank security may not be recovered until the legal proceedings have been concluded.
- 4.2. The bank security shall be released and returned to the vessel owner immediately after the judgment has been given:
- (a) in full, if no penalty has been imposed;
  - (b) for the amount of the remaining balance, if the penalty is a fine which is lower than the amount of the bank security.
- 4.3. Senegal shall inform the Union of the outcome of the legal proceedings within eight days of the judgment being given.

#### 5. Release of the vessel and the crew

The vessel and its crew shall be authorised to leave the port once the penalty set under the compromise procedure has been paid, or once the bank security has been deposited.



## Section 8

**Participatory monitoring in the fight against IUU fishing**

## 1. Objective

In order to strengthen monitoring of fishing on the high seas and the fight against IUU fishing, Union fishing vessels shall report the presence in Senegal's fishing zones of any vessels which are not on the list provided by Senegal of foreign vessels authorised to fish in Senegal.

## 2. Procedure

2.1. Where the master of a Union fishing vessel observes a fishing vessel engaged in activities that may constitute IUU fishing, they may gather as much information as possible about what has been sighted.

2.2. Sighting reports shall be sent immediately to the Senegalese authorities and to the competent authority of the flag State of the sighting vessel, which shall forward them to the European Commission or to the body designated by it.

2.3. The European Commission shall send this information to Senegal.

## 3. Reciprocity

Senegal shall send the Union, as soon as possible, any sighting reports it has on fishing vessels engaged in activities that may constitute IUU fishing in Senegal's fishing zones.

## CHAPTER V

***Signing-on of seamen***

## 1. Owners of Union fishing vessels operating under this Protocol shall employ nationals of the African, Caribbean and Pacific Group of States (ACP), subject to the following conditions and limits:

- for the fleet of tuna seiners and longliners, at least 25 % of the seamen signed on during the tuna-fishing season in Senegal's fishing zone shall be from Senegal or possibly from another ACP country;
- for the fleet of pole-and-line vessels, at least 30 % of the seamen signed on during the fishing season in Senegal's fishing zone shall be from Senegal or possibly from another ACP country; and
- for the fleet of deep-sea demersal trawlers, at least 25 % of the seamen signed on during the fishing season in Senegal's fishing zone shall be from Senegal or possibly from another ACP country.

## 2. Vessel owners shall endeavour to sign on Senegalese seamen.

## 3. The principles and rights enshrined in the International Labour Organization (ILO) core conventions shall apply to seamen taken on board Union fishing vessels. These include, in particular, the freedom of association, effective recognition of the right to collective bargaining, and elimination of discrimination in respect of employment and occupation.

## 4. The employment contracts of Senegalese seamen, a copy of which shall be given to the maritime authority and the signatories of the contracts, shall be drawn up between the vessel owners' representative(s) and the seamen and/or the seamen's trade unions or representatives. These contracts shall ensure that the seamen have decent living and working conditions on board and the social security cover applicable to them, in accordance with the relevant legislation and the ILO standards, including life assurance and sickness and accident insurance.

## 5. The wages of seamen from ACP countries shall be paid by the vessel owners. They shall be set by mutual agreement between the vessel owners, or vessel owner's representatives, and the seamen and/or the seamen's trade unions or representatives. The wages of seamen from ACP countries shall not, however, be below ILO standards.

## 6. All seamen recruited by Union fishing vessels shall report to the master of the designated vessel on the day before their proposed signing-on date. If a seaman fails to appear at the agreed date and time of signing-on, the vessel owner shall be automatically absolved of the obligation to take the seaman on board.

## 7. Vessel owners shall transmit on an annual basis information on seamen signed on. This information shall include the number of seamen who are nationals of:

- (a) the Union;
- (b) an ACP country, distinguishing between Senegalese seamen and those from other ACP countries; and
- (c) a non-ACP and non-EU country.

*Appendices to the Annex*

- Appendix 1 Fishing authorisation application form
- Appendix 2 Technical sheet for deep water demersal species
- Appendix 3 Technical sheet for freezer tuna seiners, pole-and-line vessels and surface longliners
- Appendix 4 Electronic fishing logbook (ERS)
- Appendix 5 Satellite-based vessel monitoring system (VMS)
- Appendix 6 Contact details of the authorities of Senegal and the flag Member States

Appendix 1
SENEGAL-EUROPEAN UNION FISHERIES AGREEMENT

APPLICATION FOR A FISHING AUTHORISATION

PERIOD:

I – APPLICANT

- 1. Name of vessel owner: Nationality:
2. Address of vessel owner:
3. Name of vessel owner's association or representative:
4. Address of vessel owner's association or representative:
5. Telephone: Fax: Email:
6. Name of master: Nationality: Email:

II – VESSEL IDENTIFICATION

- 1. Name of vessel:
2. Flag State:
3. External registration number:
4. Port of registry: MMSI: IMO number:
5. Date on which current flag was acquired: Previous flag (if any):
6. Year and place of construction: in Radio call sign:
7. Call frequency: Satellite telephone number:
8. Hull construction material: Steel Wood Polyester Other

III — TECHNICAL CHARACTERISTICS AND EQUIPMENT

- 1. Overall length: Width: Draught:
2. Tonnage (expressed in GT): Net tonnage:
3. Power of main engine in kW: Make: Type:
4. Type of vessel: Tuna seiner Pole-and-line vessel Deep-sea demersal trawler Longliner Support vessel
5. Fishing gear:
6. Fishing zones:
7. Target species:
8. Designated port for landing operations:
9. Crew complement:
10. Method of preservation on board: Cooling Refrigeration Mixed Freezing
11. Freezing capacity in tonnes/24 hours: Hold capacity: Number:
12. VMS transponder:
Manufacturer: Model: Serial number:
Software version: Satellite operator:

I, the undersigned, , certify that the information provided in this application is true and given in good faith.

Done at , on

Signature of applicant

## Appendix 2

## TECHNICAL SHEET FOR DEEP-WATER DEMERSAL SPECIES

## (1) Target species:

Deep-water hake (*Merluccius senegalensis* and *Merluccius polli*)

## (2) Fishing zones:

The permitted fishing zone is defined as follows <sup>(1)</sup>:

- (a) west of longitude 016° 53' 42" W between the Senegalese-Mauritanian border and latitude 15° 40' 00" N;
- (b) from 15 nautical miles from the reference line between latitude 15° 40' 00" N and latitude 15° 15' 00" N;
- (c) from 12 nautical miles from the reference line between latitude 15° 15' 00" N and latitude 15° 00' 00" N;
- (d) from 8 nautical miles from the reference line between latitude 15° 00' 00" N and latitude 14° 32' 30" N;
- (e) west of longitude 017° 30' 00" W, in the zone between latitude 14° 32' 30" N and latitude 14° 04' 00" N;
- (f) west of longitude 017° 22' 00" W, in the zone between latitude 14° 04' 00" N and the northern Senegalese-Gambian border;
- (g) west of longitude 017° 35' 00" W, in the zone between the southern Senegalese-Gambian border and latitude 12° 33' 00" N;
- (h) south of azimuth 137° drawn from point P9 (12° 33' 00" N ; 017° 35' 00" W) to the intersection with azimuth 220° drawn from Cape Roxo, to take account of the management and cooperation agreement between Senegal and Guinea-Bissau.

## (3) Authorised gear:

Conventional demersal or hake trawl, minimum mesh size 70 mm. No methods or devices may be used to seek to obstruct the mesh of the nets or reduce their selective effect. However, in the interests of reducing wear or damage, protective aprons of netting or other material may be attached, but only to the underside of the codend of a bottom trawl. Such aprons must be attached only to the forward and lateral edges of the codend of the trawl. Protective devices may be used for the top of the trawl, but these must consist of a single section of net of the same material as the codend, with the mesh measuring at least 300 millimetres when stretched out. Doubling of the codend's netting yarn, whether single or multiple, is prohibited.

(4) By-catches <sup>(2)</sup>:

15 % cephalopods, 5 % crustaceans and 20 % other deep-water demersal fish.

The percentages of by-catches set out in the first subparagraph shall be calculated at the end of each fishing trip, in relation to the total catch weight, in accordance with Senegalese regulations.

It is prohibited to retain on board, tranship, land, store or sell all or some of the elasmobranchs protected by the Union Plan of Action for the Conservation and Management of Sharks and by the Regional Fisheries Management Organisations and the competent Regional Fisheries Organisations, i.e. oceanic whitetip shark (*Carcharhinus longimanus*), silky shark (*Carcharhinus falciformis*), white shark (*Carcharodon carcharias*), basking shark (*Cetorhinus maximus*), porbeagle (*Lamna nasus*), bigeye thresher shark (*Alopias superciliosus*), angel shark (*Squatina squatina*), giant manta ray (*Manta birostris*) and hammerhead shark species (*Sphyrna zygaena*).

Elasmobranch species not allowed on board, if accidentally caught, must not be injured. Specimens caught must be promptly released.

It is prohibited to retain on board, tranship, land, store or sell pelagic species, among which *Trachurus* spp., *Sardina pilchardus*, *Scomber* spp. and *Sardinella* spp..

## (5) Total allowable catch and fees:

Authorised catch volume:	1 750 tonnes per year
Fee:	EUR 95/tonne

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 500 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.

(6) Other	
— Number of vessels authorised to fish	2 vessels

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— Type of vessels authorised to fish	Ocean-going fish trawlers (deep-water demersal species)
— Signing-on of seamen from Senegal or other ACP countries	25 % of the crew
— Biological rest period	1 May to 30 June <sup>(3)</sup>

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It is compulsory for each trawler to take on board a scientific observer.

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<sup>(1)</sup> The fishing zone may, if necessary, be defined by coordinates setting out the boundaries of the polygon in which fishing is permitted. These coordinates shall be communicated to the European Commission by the Senegalese authorities before this Protocol enters into force.

<sup>(2)</sup> This provision shall be reviewed, if necessary, after one year of application.

<sup>(3)</sup> The biological rest period, like other technical conservation measures, shall be reviewed after the Protocol has been in force for one year and may, should the Joint Scientific Working Group so recommend, be adapted to take account of fish stocks.

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## Appendix 3

## TECHNICAL SHEET FOR FREEZER TUNA SEINERS, POLE-AND-LINE VESSELS AND SURFACE LONGLINERS

## 1. Fishing zones

A deep-sea pelagic fishing licence shall confer:

- 1.1. on pole-and-line tuna vessels, wet tuna seiners and freezer tuna seiners the right to fish for tuna anywhere in the waters under Senegal's jurisdiction;
- 1.2. on surface longliners targeting swordfish the right to drop their lines:
  - from 15 nautical miles from the reference line running from the Senegalese-Mauritanian border to latitude 14° 25' 00"N;
  - west of longitude 17° 15' 00" W, in the zone between latitude 14° 25' 00" N and the northern Senegalese-Gambian border;
  - west of longitude 17° 15' 00" W, in the zone between the southern Senegalese-Gambian border and the Senegal-Guinea-Bissau border.

## 2. Prohibited species

In accordance with the Convention on Migratory Species and with ICCAT resolutions, it is prohibited to fish for giant manta ray (*Manta birostris*), basking shark (*Cetorhinus maximus*), white shark (*Carcharodon carcharias*), bigeye thresher shark (*Alopias superciliosus*), hammerhead sharks in the Sphyrnidae family (with the exception of the bonnethead shark), oceanic whitetip shark (*Carcharhinus longimanus*), silky shark (*Carcharhinus falciformis*) and whale shark (*Rhincodon typus*).

In accordance with Council Regulation (EC) No 1185/2003 <sup>(1)</sup>, it is prohibited to remove shark fins on board vessels or to keep on board, tranship or land shark fins. Without prejudice to the above, shark fins may be partially sliced through and folded against the carcass in order to facilitate on-board storage. They must not be removed from the carcass before landing, however.

In line with ICCAT recommendations, the Parties shall endeavour to reduce the accidental impact of fishing activities on turtles and sea birds by implementing measures to maximise the chance of survival of individual turtles and sea birds caught by accident.

## 3. Gear and species

## TUNA SEINERS

Authorised gear: seine

Target species: yellowfin tuna (*Thunnus albacares*), bigeye tuna (*Thunnus obesus*) and skipjack tuna (*Katsuwonus pelamis*)

By-catches: compliance with ICCAT and FAO recommendations.

## POLE-AND-LINE VESSELS

Authorised gear: pole and line

Target species: yellowfin tuna (*Thunnus albacares*), bigeye tuna (*Thunnus obesus*) and skipjack tuna (*Katsuwonus pelamis*)

By-catches: compliance with ICCAT and FAO recommendations.

## SURFACE LONGLINERS

Authorised gear: surface longline

Target species: swordfish (*Xiphias gladius*), blue shark (*Prionace glauca*), yellowfin tuna (*Thunnus albacares*) and bigeye tuna (*Thunnus obesus*)

By-catches: compliance with ICCAT and FAO recommendations.

<sup>(1)</sup> Council Regulation (EC) No 1185/2003 of 26 June 2003 on the removal of fins of sharks on board vessels (OJ L 167, 4.7.2003, p. 1).

## 4. Vessel owners' fees – number of vessels:

Additional fee per tonne caught	<ul style="list-style-type: none"> <li>— seiners: EUR 80 for the first three years EUR 85 for the final two years</li> <li>— pole-and-line vessels: EUR 75 for the entire duration of the Protocol</li> <li>— surface longliners: EUR 75 for the entire duration of the Protocol</li> </ul>
Annual flat-rate advance	<ul style="list-style-type: none"> <li>For tuna seiners: EUR 18 500</li> <li>For pole-and-line vessels: EUR 13 000</li> <li>For surface longliners: EUR 3 525</li> </ul>
Flat-rate fee for observers	EUR 600 per vessel per year
Fee per support vessel	EUR 3 500 per vessel per year
Number of vessels authorised to fish	<ul style="list-style-type: none"> <li>28 tuna seiners</li> <li>5 surface longliners</li> <li>10 pole-and-line vessels</li> </ul>

#### Appendix 4

##### *Electronic fishing logbook (ERS)*

###### 1. ERS communications

- (1) The flag State and Senegal shall each designate an ERS correspondent who will act as the point of contact for matters relating to the implementation of the ERS. The flag State and Senegal shall notify each other of the contact details of their ERS correspondents and, where necessary, update that information immediately.
- (2) ERS data shall be transmitted by the vessel to its flag State, which will make them automatically available to Senegal.
- (3) Data shall be in UN/CEFACT format and shall be transmitted via the FLUX network provided by the European Commission.
- (4) The Parties may, however, agree on a transition period during which the data are transmitted via the Data Exchange Highway (DEH) in EU-ERS (v 3.1) format.
- (5) The flag State's FMC shall transmit instant messages (COE, COX, PNO) from the vessel automatically and immediately to Senegal's FMC. Other types of messages shall also be transmitted automatically once a day from the effective date of use of the UN-CEFACT format or, until that date, shall be made available immediately to Senegal's FMC, upon request made automatically to the flag State's FMC via the European Commission's central node. As from the effective implementation of the new format, the latter delivery mode will only concern specific requests for historical data.
- (6) Senegal's FMC shall confirm that it has received the instant ERS data sent to it by means of a return message acknowledging receipt and confirming the validity of the message received. No acknowledgement of receipt shall be provided for the data that Senegal receives in response to a request it has submitted itself. Senegal shall treat all ERS data confidentially.

###### 2. Failure of the electronic transmission system on board the vessel or of the communication system

- (1) The flag State's and Senegal's FMCs shall inform each other immediately of any event likely to affect the transmission of the ERS data from one or more vessels.
- (2) If Senegal's FMC does not receive the data to be transmitted by a vessel, it shall notify this to the flag State's FMC immediately. The flag State's FMC shall promptly investigate the reasons for this non-receipt of ERS data and inform Senegal's FMC of the result of those investigations.
- (3) Where a failure occurs in the transmission between the vessel and the flag State's FMC, the latter shall notify this immediately to the master or the operator of the vessel or, in the absence of the master or operator, to their representative. On receipt of this notification, the master of the vessel shall transmit the missing data to the competent authorities of the flag State by any appropriate means of telecommunication every day, no later than 24.00.
- (4) In the event of a failure of the electronic transmission system installed on board the vessel, the master or the operator of the vessel shall ensure that the ERS is repaired or replaced within ten days of detecting the failure. Once that deadline has passed, the vessel shall no longer be authorised to fish in the fishing zone and must leave or call at a Senegalese port within twenty-four hours. The vessel shall not be authorised to leave that port or to return to the fishing zone until the FMC of its flag State has established that the ERS system is functioning correctly again.
- (5) If the non-receipt of the ERS data by Senegal is caused by the failure of the electronic systems under the supervision of the Union or Senegal, the Party in question shall take any prompt action to resolve the problem rapidly. The other Party shall be notified once the problem has been resolved.
- (6) The flag State's FMC shall send Senegal's FMC every 24 hours, using any electronic means of communication available, all ERS data received by the flag State since the last transmission. The same procedure may be applied at the request of Senegal in the case of maintenance operations lasting more than twenty-four (24) hours and affecting the systems under the supervision of the Union. Senegal shall inform its competent monitoring services so that Union vessels are not considered to be in breach of their obligation to transmit ERS data. The flag State's FMC shall ensure that the missing data are entered into the electronic database it keeps in accordance with point 1 of Appendix 5.

###### 3. Alternative means of communication

The email address of Senegal's FMC to be used in the event of a failure in ERS/VMS communications shall be notified before this Protocol enters into force.



It shall be used for:

- entry and exit notifications and notifications of on-board catches on entry and exit;
  - landing and transshipment notifications and notifications of catches transhipped, landed or remaining on board; and
  - temporary, substitute ERS and VMS communications in the event of failures.
-

## Appendix 5

### *Satellite-based vessel monitoring system (VMS)*

#### 1. Vessel position messages – VMS

The first position recorded after entry into Senegal's zone shall be identified by the code "ENT". All subsequent positions shall be identified by the code "POS", with the exception of the first position recorded after departure from Senegal's zone, which shall be identified by the code "EXI".

The FMC of the flag State 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 (3) years.

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

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

In the event of breakdown, the VMS of the vessel shall be repaired or replaced within thirty days. After that period, the vessel shall no longer be authorised to fish in Senegal's zone.

Vessels fishing in Senegal's zone with a defective VMS shall communicate their position messages by email, radio or fax to the flag State's FMC, at least every four hours, and shall provide all the mandatory information.

#### 3. Malfunction of the communication system

Senegal shall ensure the compatibility of its electronic equipment with that of the flag State's FMC and inform the Union immediately of any malfunction as regards the sending 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 that may arise.

The master shall be considered responsible if a vessel's VMS is found to have been tampered with in order to disrupt its operation or falsify its position messages. Any infringements shall be subject to the penalties provided for in Senegalese legislation.

#### 4. Revision of the frequency of position messages

On the basis of documentary evidence pointing to an infringement, Senegal may ask the flag State's FMC, copying in the Union, to reduce the frequency for sending position messages from a vessel to every thirty (30) minutes for a set period of investigation. Senegal must send this documentary evidence to the flag State's FMC and the Union. The flag State's FMC shall immediately send position messages to Senegal at the new frequency.

At the end of the set investigation period, Senegal shall inform the flag State's FMC and the Union of any follow-up required.

#### 5. Communication of VMS messages to Senegal

The code "ER" followed by a double slash (//) indicates the end of the message.

Data	Code	Mandatory (M)/ optional (O)	Content
Start of record	SR	M	System detail indicating start of record
Addressee	AD	M	Message detail – Addressee Alpha-3 country code (ISO-3166)
From	FR	M	Message detail – Sender Alpha-3 country code (ISO-3166)
Flag State	FS	M	Message detail – Flag State Alpha-3 code (ISO-3166)
Type of message	TM	M	Message detail – Type of message (ENT, POS, EXI, MAN)

Data	Code	Mandatory (M)/ optional (O)	Content
Radio call sign (IRCS)	RC	M	Vessel detail – Vessel international radio call sign (IRCS)
Contracting party internal reference number	IR	M	Vessel detail – Unique contracting party number Alpha-3 code (ISO-3166) followed by number
External registration number	XR	M	Vessel detail – Number on side of vessel (ISO 8859.1)
Latitude	LT	M	Vessel position detail – Position in degrees and decimal degrees N/S DD.ddd (WGS84)
Longitude	LG	M	Vessel position detail – Position in degrees and decimal degrees E/W DD.ddd (WGS84)
Course	CO	M	Vessel course 360° scale
Speed	SP	M	Vessel speed in tenths of knots
Date	DA	M	Vessel position detail – Date of record of UTC position (YYYYMMDD)
Time	TI	M	Vessel position detail – Time of record of UTC position (HHMM)
End of record	ER	M	System detail indicating end of record

In NAF format, each data transmission shall be structured as follows:

- characters used must comply with ISO 8859.1. A double slash (//) and the characters “SR” indicate the start of a message.
- each data element is identified by its code and separated from the other data elements by a double slash (//).
- a single slash (/) shall separate the field code and the data.

Before the provisional application of this Protocol, Senegal shall state whether the VMS data are to be transmitted via FLUX TL, in UN/CEFACT format.

**Appendix 6*****Contact details of the authorities of Senegal and the flag member states***

## SENEGAL:

## 1. Maritime Fisheries Directorate

Address: LOT 1 SPHÈRE MINISTÉRIELLE DE DIAMNIADIO, 2e ÉTAGE, BÂTIMENT D  
Email: magoudiaby@yahoo.fr  
Telephone: 00221 33 849 84 40

## 2. For applications for fishing authorisations

Address: LOT 1 SPHÈRE MINISTÉRIELLE DE DIAMNIADIO, 2e ÉTAGE, BÂTIMENT D  
Email: layee78@yahoo.fr  
Email (alternative): magoudiaby@yahoo.fr  
Telephone: 00221 33 849 84 40

## 3. Fisheries Protection and Monitoring Directorate (Direction de la Protection et de la Surveillance des Pêches) (DPSP) and entry and exit notification

Name of FMC (call sign): PAPA SIERA  
Radio: VHF Channel 16  
Morning (8.00 to 10.00): Hz [tbc]  
Afternoon (14.00 to 17.00): Hz [tbc]  
Address: FENETRE MERMOZ, CORNICHE OUEST DAKAR  
Email: surpeche@hotmail.com  
Email (alternative): crsdpsp@gmail.com  
Telephone: +221 338602465

## 4. Oceanographic Research Centre of Dakar-Thiaroye (Centre de Recherche Océanographique de Dakar Thiaroye) (CRODT)

Address: POLE DE RECHERCHE ISRA/HANN, BP 2241 DAKAR  
Email: hamet.diadhiou@isra.sn  
Email (alternative): hamet\_diadhiou@yahoo.fr  
Telephone: 00221 33 832 82 62

## FLAG MEMBER STATES:

The Union shall send the relevant contact details of the flag Member States to Senegal before the start of the provisional application of this Protocol.

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# REGULATIONS

## COUNCIL REGULATION (EU) 2019/1926

of 14 November 2019

### on the allocation of fishing opportunities under the Protocol on the implementation of the Agreement on a Sustainable Fisheries Partnership between the European Union and the Republic of Senegal

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union, and in particular Article 43(3) thereof,

Having regard to the proposal from the European Commission,

Whereas:

- (1) On 2 March 2015, the Council adopted Decision (EU) 2015/384 <sup>(1)</sup> on the conclusion of an Agreement on a Sustainable Fisheries Partnership between the European Union and the Republic of Senegal ('the Agreement') <sup>(2)</sup>. The Agreement entered into force on 20 November 2014 and is still in force.
- (2) The Protocol on the implementation of the Agreement that is currently in force will expire on 19 November 2019.
- (3) In accordance with Council Decision (EU) 2019/1925 <sup>(3)</sup>, a new Protocol implementing the Agreement ('the Protocol') was signed on 18 November 2019.
- (4) The fishing opportunities provided for in the Protocol should be allocated among the Member States for the entire duration of application of the Protocol.
- (5) The Protocol is to apply on a provisional basis from the date of its signing in order to ensure an expeditious start to fishing activities of Union vessels. This Regulation should therefore apply from that date,

HAS ADOPTED THIS REGULATION:

#### *Article 1*

The fishing opportunities established under the Protocol shall be allocated among the Member States as follows:

(a) freezer tuna seiners:

Spain	16 vessels
France	12 vessels

(b) pole-and-line vessels:

Spain	8 vessels
France	2 vessels

<sup>(1)</sup> Council Decision (EU) 2015/384 of 2 March 2015 on the conclusion, on behalf of the European Union, of a Sustainable Fisheries Partnership Agreement between the European Union and the Republic of Senegal and the Implementation Protocol thereto (OJ L 65, 10.3.2015, p. 1).

<sup>(2)</sup> Agreement on a Sustainable Fisheries Partnership between the European Union and the Republic of Senegal (OJ L 304, 23.10.2014, p. 3).

<sup>(3)</sup> Council Decision (EU) 2019/1925 of 14 November 2019 on the signing, on behalf of the Union, and provisional application of the Protocol on the implementation of the Agreement on a Sustainable Fisheries Partnership between the European Union and the Republic of Senegal (see page 11 of this Official Journal).

(c) longliners:

Spain 3 vessels

Portugal 2 vessels

(d) trawlers:

Spain 2 vessels

*Article 2*

This Regulation shall enter into force on the day following that of its publication in the *Official Journal of the European Union*.

It shall apply from the date of provisional application of the Protocol.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels, 14 November 2019.

*For the Council*  
*The President*  
T. TUPPURAINEN

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**COMMISSION IMPLEMENTING REGULATION (EU) 2019/1927**  
**of 19 November 2019**

**on the derogations from the ‘originating products’ rules laid down in the Free Trade Agreement between the European Union and the Republic of Singapore that apply within the limits of annual quotas for certain products from Singapore**

THE EUROPEAN COMMISSION,

Having regard to the Treaty on the Functioning of the European Union,

Having regard to Regulation (EU) No 952/2013 of the European Parliament and of the Council of 9 October 2013 laying down the Union Customs Code <sup>(1)</sup>, and in particular Article 58(1) thereof,

Whereas:

- (1) In accordance with Council Decision (EU) 2018/1599 <sup>(2)</sup>, the Free Trade Agreement between the European Union and the Republic of Singapore was signed on 19 October 2018. Conclusion of that Agreement (‘the Agreement’) was approved on behalf of the Union by Council Decision (EU) 2019/1875 <sup>(3)</sup>.
- (2) Protocol 1 of the Agreement concerns the definition of the concept of ‘originating products’ and methods of administrative cooperation. Annex B to that Protocol sets out a list of working or processing required to be carried out on non-originating materials in order that the product manufactured can obtain originating status. An addendum to that Annex (referred to as Annex B(a)) lays down alternative rules that may apply instead of the rules set out in Annex B for certain products to be considered as originating in Singapore, but the benefit of those alternative rules is limited by an annual quota.
- (3) Products to which the alternative rules laid down in Annex B(a) apply can be imported into the Union provided they comply with the conditions set out in Annex B(a).
- (4) The annual quotas set out in Annex B(a) should be managed on the basis of the chronological order of dates of acceptance of customs declarations for release for free circulation in accordance with the rules for the management of tariff quotas laid down in Commission Implementing Regulation (EU) 2015/2447 <sup>(4)</sup>.
- (5) As provided in the relevant notice published in the *Official Journal of the European Union* <sup>(5)</sup>, the Agreement is to enter into force on 21 November 2019. In order to ensure the effective management and timely application of the origin quotas set out in Annex B(a), this Regulation should apply from that date in order to give interested parties sufficient time to prepare for the application of this regulation.
- (6) The measures provided for in this Regulation are in accordance with the opinion of the Customs Code Committee,

<sup>(1)</sup> OJ L 269, 10.10.2013, p. 1.

<sup>(2)</sup> Council Decision (EU) 2018/1599 of 15 October 2018 on the signing, on behalf of the European Union, of the Free Trade Agreement between the European Union and the Republic of Singapore (OJ L 267, 25.10.2018, p. 1).

<sup>(3)</sup> Council Decision (EU) 2019/1875 of 8 November 2019 on the conclusion of the Free Trade Agreement between the European Union and the Republic of Singapore (OJ L 294, 14.11.2019, p. 1).

<sup>(4)</sup> Commission Implementing Regulation (EU) 2015/2447 of 24 November 2015 laying down detailed rules for implementing certain provisions of Regulation (EU) No 952/2013 of the European Parliament and of the Council laying down the Union Customs Code (OJ L 343, 29.12.2015, p. 558).

<sup>(5)</sup> Notice concerning the entry into force of the Free Trade Agreement between the European Union and the Republic of Singapore (OJ L 293, 14.11.2019, p. 1).

HAS ADOPTED THIS REGULATION:

*Article 1*

The derogations set out in Annex B(a) to Protocol 1 of the Free Trade Agreement between the European Union and the Republic of Singapore ('Protocol 1') shall apply, in the case of the products listed in the Annex to this Regulation, within the limits of the quotas set out in the Annex to this Regulation.

*Article 2*

The quotas set out in the Annex to this Regulation shall be managed in accordance with Articles 49 to 54 of Implementing Regulation (EU) 2015/2447.

*Article 3*

To benefit from a quota set out in the Annex to this Regulation, products shall be accompanied by an origin declaration signed by the approved exporter (as defined in Protocol 1) certifying that they satisfy the conditions set out in Annex B(a) to Protocol 1. The origin declaration shall fulfil the requirements of Protocol 1 and shall contain the following statement in English: 'Derogation — Annex B(a) of Protocol Concerning the definition of the concept of 'originating products' and methods of administrative cooperation of the EU-Singapore FTA'.

*Article 4*

This Regulation shall enter into force on the day following its publication in the *Official Journal of the European Union*.

It shall apply from 21 November 2019.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels, 19 November 2019.

*For the Commission*  
*The President*  
Jean-Claude JUNCKER



## ANNEX

Notwithstanding the rules for the interpretation of the Combined Nomenclature, the scope of the preferential scheme shall be determined, within the context of this Annex, by the CN codes as set out in Annex I to Council Regulation (EEC) No 2658/87 <sup>(1)</sup>, in the version as amended by Commission Implementing Regulation (EU) 2018/1602 <sup>(2)</sup>, and by the description of the product in the fourth column of the table in this Annex, taken together.

Order No	CN code		TARIC subdivision	Description of products	Quota period	Quota volume (in tonnes net weight)
09.7951	ex	1601 00 10	11, 91	Waxed sausages of chicken, pork and fresh liver	From 21.11.2019 to 31.12.2019 From 1.1.2020 to 31.12.2020 and for each year thereafter from 1.1 to 31.12	56 tonnes
	ex	1601 00 91	05			
	ex	1601 00 99	11, 91	Canned luncheon meat of chicken; Chicken floss; Chicken Glutinous rice; Samosa of grounded chicken; Dumplings of poultry meat; Chicken Shaomai; Chicken Gyoza;  Canned pork luncheon meat; Pork floss  Canned beef luncheon meat; Samosa of grounded beef;  Samosa of grounded chicken; Dumplings of poultry meat; Chicken Shaomai; Chicken Gyoza, Samosa of grounded beef;  Various types of chilled hams  Bottled essence of chicken series		500 tonnes
	ex	1602 32 11	10			
	ex	1602 32 19	10			
	ex	1602 32 30	10			
	ex	1602 32 90	10			
	ex	1602 49 19	20			
	ex	1602 50 10	10			
	ex	1602 50 95	10			
	ex	1902 20 30	21			
			91			
	ex	1602 41 10	10			
	ex	1602 41 90	10			
ex	1603 00 10	10				
ex	1603 00 80	10				
09.7952	ex	1604 20 10	05	Curry fish balls made of fish meat, curry, wheat starch, salt, sugar, and compound condiments; Four colour rolls made of fish meat, crab stick, seaweed, beancurd skin, vegetable oil, sugar, salt, potato starch, monosodium glutamate and seasonings.  Spicy crispy anchovies (sambal ikan bilis) made of anchovies, onion, chilli paste, tamarind, belachan, brown sugar, and salt	From 21.11.2019 to 31.12.2019 From 1.1.2020 to 31.12.2020 and for each year thereafter from 1.1 to 31.12	45 tonnes     400 tonnes
	ex	1604 20 30	05			
	ex	1604 20 40	05			
	ex	1604 20 50	05			
	ex	1604 20 90	05			
	ex	1604 16 00	10			

<sup>(1)</sup> Council Regulation (EEC) No 2658/87 of 23 July 1987 on the tariff and statistical nomenclature and on the Common Customs Tariff (OJ L 256, 7.9.1987, p. 1.)

<sup>(2)</sup> Commission Implementing Regulation (EU) 2018/1602 of 11 October 2018 amending Annex I to Council Regulation (EEC) No 2658/87 on the tariff and statistical nomenclature and on the Common Customs Tariff (OJ L 273, 31.10.2018, p. 1).

Order No	CN code		TARIC subdivision	Description of products	Quota period	Quota volume (in tonnes net weight)
09.7953	ex	1605 10 00	05	Crab balls made of wheat starch, salt, sugar, compound condiments, crab meat and filling	From 21.11.2019 to 31.12.2019 From 1.1.2020 to 31.12.2020 and for each year thereafter from 1.1 to 31.12	39 tonnes
	ex	1902 20 10	21 91	Hargow made of prawn, wheat starch, tapioca, water, scallion, ginger, sugar, and salt; Shaomai made of prawn predominantly, chicken, corn starch, vegetable oil, black pepper, sesame oil, and water; Fried prawn wonton made of prawn, salt, oil, sugar, ginger, pepper, egg, vinegar, and soy sauce		350 tonnes
	ex	1605 21 10	05			
	ex	1605 21 90	05			
	ex	1605 29 00	05			
	ex	1605 54 00	10	Cuttlefish balls made of cuttlefish filling, wheat starch, salt, sugar, and compound condiments; Lobster flavoured balls: cuttlefish meat, fish meat and crab meat		

**COMMISSION IMPLEMENTING REGULATION (EU) 2019/1928****of 19 November 2019****adapting the adjustment rate for direct payments pursuant to Regulation (EU) No 1306/2013 of the European Parliament and of the Council in respect of the calendar year 2019 and repealing Commission Implementing Regulation (EU) 2019/916**

THE EUROPEAN COMMISSION,

Having regard to the Treaty on the Functioning of the European Union,

Having regard to Regulation (EU) No 1306/2013 of the European Parliament and of the Council of 17 December 2013 on the financing, management and monitoring of the common agricultural policy and repealing Council Regulations (EEC) No 352/78, (EC) No 165/94, (EC) No 2799/98, (EC) No 814/2000, (EC) No 1290/2005 and (EC) No 485/2008 <sup>(1)</sup>, and in particular Article 26(4) thereof,

After consulting the Committee on the Agricultural Funds,

Whereas:

- (1) Commission Implementing Regulation (EU) 2019/916 <sup>(2)</sup> has fixed the adjustment rate for direct payments pursuant to Regulation (EU) No 1306/2013 in respect of the calendar year 2019. This adjustment rate has been set based on the information available in the context of the 2020 Draft Budget, in particular taking into account an amount of financial discipline of EUR 478 million for the reserve for crises in the agricultural sector referred to in Article 25 of Regulation (EU) No 1306/2013.
- (2) While the need for financial discipline remains at EUR 478 million for the reserve for crises in the agricultural sector, the information available in relation to the Commission Amending Letter No 1 to the 2020 Draft Budget covering forecasts for direct payments and market related expenditure, shows nevertheless the need to adapt the rate of financial discipline set in Implementing Regulation (EU) 2019/916.
- (3) Consequently, based on the new information in possession of the Commission, it is appropriate to adapt the adjustment rate in accordance with Article 26(4) of Regulation (EU) No 1306/2013, before 1 December of the calendar year in respect of which the adjustment rate applies.
- (4) As a general rule, farmers submitting an aid application for direct payments for one calendar year (N) are paid within a fixed payment period falling within the financial year (N+1). However, Member States may make late payments to farmers beyond that payment period, within certain limits. Such late payments may be made in a subsequent financial year. When financial discipline is applied for a given calendar year, the adjustment rate should not be applied to payments for which aid applications have been submitted in calendar years other than the calendar year for which the financial discipline applies. Therefore, in order to ensure equal treatment of farmers, it is appropriate to provide that the adjustment rate is to be applied only to payments for which aid applications have been submitted in the calendar year for which the financial discipline is applied, irrespectively of when the payment to farmers is made.

<sup>(1)</sup> OJ L 347, 20.12.2013, p. 549.

<sup>(2)</sup> Commission Implementing Regulation (EU) 2019/916 of 4 June 2019 fixing the adjustment rate for direct payments pursuant to Regulation (EU) No 1306/2013 of the European Parliament and of the Council in respect of the calendar year 2019 (OJ L 146, 5.6.2019, p. 98).

- (5) Article 8(1) of Regulation (EU) No 1307/2013 of the European Parliament and of the Council <sup>(3)</sup> provides that the adjustment rate applied to direct payments determined in accordance with Article 26 of Regulation (EU) No 1306/2013 is to apply only to direct payments in excess of EUR 2 000 to be granted to farmers in the corresponding calendar year. Furthermore, Article 8(2) of Regulation (EU) No 1307/2013 provides that, as a result of the gradual introduction of direct payments, the adjustment rate is to apply to Croatia only from 1 January 2022. The adjustment rate to be determined by this Regulation should therefore not apply to payments to farmers in that Member State.
- (6) The adapted adjustment rate should be taken into account for the calculation of all payments to be granted to a farmer for an aid application submitted in respect of the calendar year 2019. For the sake of clarity, Implementing Regulation (EU) 2019/916 should therefore be repealed.
- (7) In order to ensure that the adapted adjustment rate is applicable as from the date on which the payments to farmers are to start in accordance with Regulation (EU) No 1306/2013, this Regulation should apply from 1 December 2019,

HAS ADOPTED THIS REGULATION:

*Article 1*

1. For the purpose of fixing the adjustment rate provided for in Articles 25 and 26 of Regulation (EU) No 1306/2013, and in accordance with Article 8(1) of Regulation (EU) No 1307/2013, the amounts of direct payments under the support schemes listed in Annex I to Regulation (EU) No 1307/2013 to be granted to farmers in excess of EUR 2 000 for an aid application submitted in respect of the calendar year 2019 shall be reduced by an adjustment rate of 1,432635 %.
2. The reduction provided for in paragraph 1 shall not apply in Croatia.

*Article 2*

Implementing Regulation (EU) 2019/916 is repealed.

*Article 3*

This Regulation shall enter into force on the seventh day following that of its publication in the Official Journal of the European Union.

It shall apply from 1 December 2019.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels, 19 November 2019.

*For the Commission*  
*The President*  
Jean-Claude JUNCKER

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<sup>(3)</sup> Regulation (EU) No 1307/2013 of the European Parliament and of the Council of 17 December 2013 establishing rules for direct payments to farmers under support schemes within the framework of the common agricultural policy and repealing Council Regulation (EC) No 637/2008 and Council Regulation (EC) No 73/2009 (OJ L 347, 20.12.2013, p. 608).

# DIRECTIVES

## COMMISSION DIRECTIVE (EU) 2019/1929

of 19 November 2019

**amending Appendix C to Annex II to Directive 2009/48/EC of the European Parliament and of the Council for the purpose of adopting specific limit values for chemicals used in certain toys, as regards formaldehyde**

(Text with EEA relevance)

THE EUROPEAN COMMISSION,

Having regard to the Treaty on the Functioning of the European Union,

Having regard to Directive 2009/48/EC of the European Parliament and of the Council of 18 June 2009 on the safety of toys <sup>(1)</sup>, and in particular Article 46(2) thereof,

Whereas:

- (1) Directive 2009/48/EC establishes certain requirements for chemical substances that are classified as carcinogenic, mutagenic or toxic for reproduction under Regulation (EC) No 1272/2008 of the European Parliament and of the Council <sup>(2)</sup>. Appendix C to Annex II to the Directive lays down specific limit values for chemicals used in toys intended for use by children under 36 months or in other toys intended to be placed in the mouth.
- (2) Formaldehyde (CAS number 50-00-0) is currently not listed in Appendix C to Annex II to Directive 2009/48/EC. It is classified as carcinogenic category 1B under Regulation (EC) No 1272/2008. Pursuant to point 4(a) of Part III of Annex II to Directive 2009/48/EC, formaldehyde may be used up to a concentration of 0,1 %, which corresponds to 1 000 mg/kg (content limit).
- (3) In order to advise the Commission in the preparation of legislative proposals and policy initiatives in the area of toy safety, the Commission has established the Expert Group on Toys Safety <sup>(3)</sup>. The mission of its subgroup Working group on Chemicals in Toys (subgroup Chemicals) is to provide advice to the Expert Group on Toys Safety with regard to chemical substances which may be used in toys.
- (4) Formaldehyde is used as a monomer in the manufacture of polymeric materials. Polymeric materials are often used in toys. Children may therefore ingest formaldehyde when mouthing toys containing polymeric materials. The tolerable daily intake (TDI) for formaldehyde was set by the World Health Organisation (WHO) <sup>(4)</sup> and has been confirmed by the Scientific Panel on Food Additives, Flavourings, Processing Aids and Materials in Contact with Food (AFC) of the European Food Safety Authority <sup>(5)</sup>. The TDI is 0,15 mg/kg bodyweight per day. With an

<sup>(1)</sup> OJ L 170, 30.6.2009, p. 1.

<sup>(2)</sup> Regulation (EC) No 1272/2008 of the European Parliament and of the Council of 16 December 2008 on classification, labelling and packaging of substances and mixtures, amending and repealing Directives 67/548/EEC and 1999/45/EC, and amending Regulation (EC) No 1907/2006 (OJ L 353, 31.12.2008, p. 1).

<sup>(3)</sup> Register of Commission Expert Groups, Expert Group on Toys Safety (E01360).  
<http://ec.europa.eu/transparency/regexpert/index.cfm?do=groupDetail.groupDetail&groupID=1360>

<sup>(4)</sup> WHO (1993) Guidelines for drinking-water quality. Second Edition. World Health Organisation. Geneva. p. 98.

<sup>(5)</sup> <https://efsa.onlinelibrary.wiley.com/doi/epdf/10.2903/j.efsa.2007.415>. Referred to in the position paper of the German Federal Institute for Risk Assessment (Bundesinstitut für Risikobewertung, BfR) for the subgroup Chemicals EXP/WG/2016/041.

allocation of 10 % of the TDI to the intake of formaldehyde from toys <sup>(6)</sup>; a child with a bodyweight of 10 kg should therefore not take in more than 0,15 mg formaldehyde per day. Assuming a daily ingestion of 100 ml of mouthing saliva, the subgroup Chemicals recommended, at its meeting on 26 September 2017 <sup>(7)</sup>, a formaldehyde migration limit of 1,5 mg/l in polymeric materials when the migration of formaldehyde is determined in accordance with the test method in standards EN 71-10:2005 <sup>(8)</sup> and EN 71-11:2005 <sup>(9)</sup>.

- (5) Formaldehyde is also used in the manufacture of resin-bonded wood products such as particle board, oriented-strand board (OSB), high-density fibre board (HDF), medium density fibre board (MDF) and plywood. Formaldehyde resins include phenol-formaldehyde (PF), urea-formaldehyde (UF), melamine-formaldehyde (MF) and polyacetal (polyoxymethylene — POM) resins. POM tends to be used only for small internal components and not in whole toys. The subgroup Chemicals recommended, at its meeting on 26 September 2017, a formaldehyde emission limit of 0,1 ml/m<sup>3</sup> when the emission of formaldehyde is determined in such materials in accordance with the test chamber method in standard EN 717-1:2004 <sup>(10)</sup>. That limit corresponds to the indoor air limit value that the WHO has established to prevent sensory irritation in the general population and to prevent cancer <sup>(11)</sup>.
- (6) Formaldehyde may also be present in textile toy material due to its use during the manufacture of textiles. According to a report from the Organisation for Economic Cooperation and Development (OECD) published in 2002, the lowest threshold concentration for allergic contact dermatitis from formaldehyde is 30 mg/kg <sup>(12)</sup>. On that basis and in order to protect also the most sensitised individuals, the subgroup Chemicals recommended, at its meeting on 26 September 2017, a formaldehyde content limit of 30 mg/kg when the content of formaldehyde is determined in accordance with the water extraction method in standard EN ISO 14184-1:2011 <sup>(13)</sup>.
- (7) Formaldehyde may be present in leather toy material due to its use during the manufacture of leather. Since leather toy material may lead to an exposure similar to textile toy material the subgroup Chemicals recommended, at its meeting on 26 September 2017, a formaldehyde content limit of 30 mg/kg when the content of formaldehyde is determined in accordance with standard EN ISO 17226-1:2008 <sup>(14)</sup>.
- (8) Formaldehyde in paper toy material should have a content limit of 30 mg/kg according to the recommendation of the subgroup Chemicals at its meeting on 26 September 2017, when determined in accordance with the water extraction method in standard EN 645:1993 <sup>(15)</sup> and with standard EN 1541:2001 <sup>(16)</sup>. That conclusion was based on the consideration that paper toy material may lead to an exposure similar to textile and leather toy material.
- (9) Formaldehyde may be present in water-based toy material due to its function as a preservative. It could be used in water-based toy materials such as soap bubbles or inks in felt-tip pens, and also in dry materials intended to be mixed with water prior to use. In light of the opinion of the Scientific Committee on Health and Environmental

<sup>(6)</sup> Scientific Committee on Toxicity, Ecotoxicity and the Environment (CSTEE). Opinion on 'Assessment of the bioavailability of certain elements in toys'. Adopted on 22 June 2004.

[http://ec.europa.eu/health/archive/ph\\_risk/committees/sct/documents/out235\\_en.pdf](http://ec.europa.eu/health/archive/ph_risk/committees/sct/documents/out235_en.pdf)

Scientific Committee on Health and Environmental Risks (SCHER). Opinion on 'Risk from organic CMR substances in toys'. Adopted on 18 May 2010.

Scientific Committee on Health and Environmental Risks (SCHER). Opinion on 'Evaluation of the migration limits for chemical elements in Toys'. Adopted on 1 July 2010.

<sup>(7)</sup> Register of Commission Expert Groups, Expert Group on Toys Safety (E01360), tab 'Meetings'. <http://ec.europa.eu/transparency/regexpert/index.cfm?do=groupDetail.groupMeeting&meetingId=4151>. The limit value was included in meeting document EXP/WG/2017/023.

<sup>(8)</sup> Safety of toys — Part 10: Organic chemical compounds – Sample preparation and extraction.

<sup>(9)</sup> Safety of toys — Part 11: Organic chemical compounds – Methods of analysis.

<sup>(10)</sup> Wood-based panels — Determination of formaldehyde release — Part 1: Formaldehyde emission by the chamber method.

<sup>(11)</sup> World Health Organisation (WHO) 2010, WHO guidelines for indoor air quality: selected pollutants. P. 140-142. [http://www.euro.who.int/\\_\\_data/assets/pdf\\_file/0009/128169/e94535.pdf](http://www.euro.who.int/__data/assets/pdf_file/0009/128169/e94535.pdf)

<sup>(12)</sup> EXP/WG/2016/058.

<sup>(13)</sup> Textiles — Determination of formaldehyde — Part 1: Free and hydrolysed formaldehyde (water extraction method) (ISO 14184-1:2011).

<sup>(14)</sup> Leather — Chemical determination of formaldehyde content – Part 1: Method using high performance liquid chromatography (ISO 17226-1:2008).

<sup>(15)</sup> Paper and board intended to come into contact with foodstuffs — Preparation of a cold water extract.

<sup>(16)</sup> Paper and board intended to come into contact with foodstuffs — Determination of formaldehyde in an aqueous extract.

Risks (SCHER) that CMR compounds should not be present in toys <sup>(17)</sup>, the subgroup Chemicals recommended, at its meeting on 3 May 2018 <sup>(18)</sup>, a formaldehyde limit of 10 mg/kg in water-based toy material when the content of formaldehyde is determined according to the test method published by the European Directorate for the Quality of Medicines & HealthCare of the Council of Europe (the EDQM method) on the Determination of free formaldehyde in cosmetic products <sup>(19)</sup>. The recommended limit is close to the lowest value that can be reliably determined by the EDQM method and takes account of traces of formaldehyde that certain other preservatives may release.

- (10) The Expert Group on Toys Safety took note, at its meeting on 19 December 2017 <sup>(20)</sup>, of the recommendations of its subgroup Chemicals regarding the limits for formaldehyde in different toy materials. It expressed support and suggested a number of improvements for the Commission to consider.
- (11) Pursuant to Article 46(2) of Directive 2009/48/EC, the packaging requirements for food as laid down in Regulation (EC) No 1935/2004 are to be taken into account when adopting specific limit values for chemicals in Appendix C to that Directive. The basic assumptions behind the specific migration limit for formaldehyde as a monomer in plastic food contact material <sup>(21)</sup> are, however, different from the basic assumptions behind the recommended migration limit for formaldehyde as a monomer in toys. Therefore, it is not possible to take account of the packaging requirements for food when setting a limit for formaldehyde as a monomer in toys.
- (12) In light of the available scientific evidence and the recommendations of the Expert Group on Toys Safety and its subgroup Chemicals, it is necessary to set the recommended limits for formaldehyde in different toy materials.
- (13) Appendix C to Annex II to Directive 2009/48/EC should therefore be amended accordingly.
- (14) The measures provided for in this Directive are in accordance with the opinion of the Toy Safety Committee established under Article 47 of Directive 2009/48/EC,

HAS ADOPTED THIS DIRECTIVE:

#### Article 1

In Appendix C to Annex II to Directive 2009/48/EC, the following entry is added:

Substance	CAS No	Limit value
Formaldehyde	50-00-0	1,5 mg/l (migration limit) in polymeric toy material 0,1 ml/m <sup>3</sup> (emission limit) in resin-bonded wood toy material 30 mg/kg (content limit) in textile toy material 30 mg/kg (content limit) in leather toy material 30 mg/kg (content limit) in paper toy material 10 mg/kg (content limit) in water-based toy material'

#### Article 2

1. Member States shall adopt and publish, by 20 May 2021 at the latest, the laws, regulations and administrative provisions necessary to comply with this Directive. They shall forthwith communicate to the Commission the text of those provisions.

<sup>(17)</sup> Scientific Committee on Health and Environmental Risks (SCHER). CEN's response to the opinion of the CSTEE on the assessment of CEN report on the risk assessment of organic chemicals in toys. Adopted on 29.5.2007. [http://ec.europa.eu/health/archive/ph\\_risk/committees/04\\_scher/docs/scher\\_o\\_056.pdf](http://ec.europa.eu/health/archive/ph_risk/committees/04_scher/docs/scher_o_056.pdf)

<sup>(18)</sup> Register of Commission Expert Groups, Expert Group on Toys Safety (E01360), tab 'Meetings'. <http://ec.europa.eu/transparency/regexpert/index.cfm?do=groupDetail.groupMeeting&meetingId=6870>.

<sup>(19)</sup> <https://www.edqm.eu/en/cosmetics-testing>

<sup>(20)</sup> Register of Commission Expert Groups, Expert Group on Toys Safety (E01360), tab 'Meetings'. <http://ec.europa.eu/transparency/regexpert/index.cfm?do=groupDetail.groupMeeting&meetingId=1485>

<sup>(21)</sup> Entry 15 in Table 2 of Annex I of Regulation (EU) No 10/2011. OJ L 12, 15.1.2011, p. 1.

They shall apply those provisions from 21 May 2021.

When Member States adopt those provisions, they shall contain a reference to this Directive or be accompanied by such a reference on the occasion of their official publication. Member States shall determine how such reference is to be made.

2. Member States shall communicate to the Commission the text of the main provisions of national law which they adopt in the field covered by this Directive.

#### *Article 3*

This Directive shall enter into force on the twentieth day following that of its publication in the *Official Journal of the European Union*.

#### *Article 4*

This Directive is addressed to the Member States.

Done at Brussels, 19 November 2019.

*For the Commission*  
*The President*  
Jean-Claude JUNCKER

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# DECISIONS

## COMMISSION IMPLEMENTING DECISION (EU) 2019/1930

of 18 November 2019

amending Implementing Decision (EU) 2019/570 as regards rescEU capacities

(notified under document C(2019) 8130)

(Text with EEA relevance)

THE EUROPEAN COMMISSION,

Having regard to the Treaty on the Functioning of the European Union,

Having regard to Decision No 1313/2013/EU of the European Parliament and of the Council of 17 December 2013 on a Union Civil Protection Mechanism <sup>(1)</sup>, and in particular point (g) of Article 32(1) thereof,

Whereas:

- (1) Decision No 1313/2013/EU sets out the legal framework of rescEU. rescEU is a reserve of capacities at Union level aiming to provide assistance in overwhelming situations where overall existing capacities at national level and those committed by Member States to the European Civil Protection Pool are not able to ensure an effective response to natural and man-made disasters.
- (2) Commission Implementing Decision (EU) 2019/570 <sup>(2)</sup> sets out the initial composition of rescEU in terms of capacities and its quality requirements. The initial rescEU capacities consisted of aerial forest firefighting capacities using airplanes and helicopters.
- (3) In accordance with Article 12(2) of Decision No 1313/2013/EU, rescEU is to be defined taking into account identified and emerging risks, overall capacities and gaps at Union level. One of the areas where rescEU should particularly focus is the area of emergency medical response.
- (4) In the area of emergency medical response, an analysis of identified and emerging risks as well as of capacities and gaps at Union level reveals that rescEU capacities for medical aerial evacuation of disaster victims ('Medevac') and an emergency medical team type 3 ('EMT type 3') are needed.
- (5) In order to prevent any risk of transmission from highly infectious disease patients, there should be two different types of Medevac capacities, the evacuation of disaster victims with highly infectious diseases and other disaster victims with non-infectious diseases.
- (6) An emergency medical team ('EMT') is a deployable team of medical and other key personnel trained and equipped to treat patients affected by a disaster. The World Health Organisation classifies emergency medical teams under three different types depending on the level of care they offer. Given that no Member State presently possesses an EMT type 3 capacity that can respond to a government request for this level of clinical care, it proves to be a response capacity gap at Union level.

<sup>(1)</sup> OJ L 347, 20.12.2013, p. 924.

<sup>(2)</sup> Commission Implementing Decision (EU) 2019/570 of 8 April 2019 laying down rules for the implementation of Decision No 1313/2013/EU of the European Parliament and of the Council as regards rescEU capacities and amending Commission Implementing Decision 2014/762/EU (OJ L 99, 10.4.2019, p. 41).

- (7) Medevac and EMT type 3 capacities are capacities that could respond to low probability disasters with a high impact and, where appropriate and if defined as capacities established to respond to low probability risks with a high impact by means of implementing acts as provided for in Article 32(ha) of Decision No 1313/2013/EU, full Union financial assistance would be provided to ensure availability and deployability for such capacities.
- (8) To ensure implementation of Article 12(2) of Decision No 1313/2013/EU, Medevac and EMT type 3 capacities should be incorporated in the composition of rescEU.
- (9) In accordance with Article 12(4) of Decision No 1313/2013/EU, quality requirements for response capacities forming part of rescEU are to be laid down after consultation with Member States and based on established international standards, where such standards already exist.
- (10) Given the lack of established international standards for medical aerial evacuation capacity, the quality requirements for medical aerial evacuation capacities should be based on the existing general requirements for modules under the European Civil Protection Pool and best practices within the Union Mechanism. The quality requirements for EMT type 3 should be based on minimum standards provided by the World Health Organisation.
- (11) In order to provide Union financial assistance for developing such capacities in accordance with Article 21(3) of Decision No 1313/2013/EU, their total estimated costs should be defined. Total estimated costs should be calculated taking into account the categories of eligible costs laid down in Annex IA to that Decision.
- (12) Implementing Decision (EU) 2019/570 should therefore be amended.
- (13) The measures provided for in this Decision are in accordance with the opinion of the committee referred to in Article 33(1) of Decision No 1313/2013/EU,

HAS ADOPTED THIS DECISION:

#### *Article 1*

Implementing Decision (EU) 2019/570 is amended as follows:

1. Article 1 is amended as follows:

(a) point (b) is replaced by the following:

‘(b) the financing of capacities during the transitional period referred to in Article 35 of Decision No 1313/2013/EU;’

(b) the following points (c) and (d) are added:

‘(c) total estimated costs of medical aerial evacuation rescEU capacities;

(d) total estimated costs of emergency medical team type 3 rescEU capacities.’;

2. the following Article 1a is inserted:

*‘Article 1a*

#### **Definitions**

For the purposes of this Decision, the following definitions shall apply:

- (1) “medical aerial evacuation capacity (‘Medevac’)” means a response capacity that can be used for aerial evacuation of patients with highly infectious diseases as well as non-infectious diseases, such as patients in need of intensive care, patients who need to be immobilized during transport on stretchers and lightly injured patients;
- (2) “EMT type 3” means a deployable emergency team of medical and other key personnel trained and equipped to treat patients affected by a disaster and which provides complex inpatient referral surgical care, including intensive care capacity.’;

3. in Article 2, paragraphs 1 and 2 are replaced by the following :
  - ‘1. rescEU shall consist of the following capacities:
    - aerial forest firefighting capacities,
    - medical aerial evacuation capacities,
    - emergency medical team capacities.
  2. The capacities referred to in paragraph 1 shall include:
    - (a) aerial forest firefighting capacities using airplanes;
    - (b) aerial forest firefighting capacities using helicopters;
    - (c) medical aerial evacuation capacities for highly infectious disease patients;
    - (d) medical aerial evacuation capacities for disaster victims;
    - (e) emergency medical team type 3 capacities: Inpatient Referral Care.’;
4. The following Articles 3a and 3b are inserted:

*‘Article 3a*

#### **Total estimated costs of rescEU medical aerial evacuation capacities**

1. All cost categories referred to in Annex IA of Decision No 1313/2013/EU shall be taken into account when calculating the total estimated cost of rescEU medical aerial evacuation capacities.
2. The category referred to in point 1 of Annex IA to Decision No 1313/2013/EU of the total estimated cost for medical aerial capacities evacuation for highly infectious disease patients and medical aerial evacuation capacities for disaster victims shall be calculated based on market prices at the time when the capacities are acquired, rented or leased in accordance with Article 12(3) of Decision No 1313/2013/EU. Where Member States acquire, rent or lease rescEU capacities, they shall provide the Commission with documentary evidence of the actual market prices or, where there are no market prices for certain components of those capacities, with equivalent evidence.
3. The categories referred to in points 2 to 8 of Annex IA to Decision No 1313/2013/EU of the total estimated cost for medical aerial evacuation capacities for highly infectious disease patients and medical aerial evacuation capacities for disaster victims shall be calculated at least once during the period of each multiannual financial framework, taking into account information available to the Commission, including inflation. This cost shall be used by the Commission for the purpose of providing annual financial assistance.
4. The total estimated cost referred to in paragraphs 2 and 3 shall be calculated where at least one Member State expresses interest to acquire, rent or lease such a rescEU capacity.

*Article 3b*

#### **Total estimated costs of rescEU emergency medical team type 3 capacities**

1. All cost categories referred to in Annex IA of Decision No 1313/2013/EU shall be taken into account when calculating the total estimated cost of emergency medical team type 3: Inpatient Referral Care.
2. The category referred to in point 1 of Annex IA to Decision No 1313/2013/EU of the total estimated cost for emergency medical team type 3: Inpatient Referral Care shall be calculated based on market prices at the time when the capacities are acquired, rented or leased in accordance with Article 12(3) of Decision No 1313/2013/EU. Where Member States acquire, rent or lease rescEU capacities, they shall provide the Commission with documentary evidence of the actual market prices or, where there are no market prices for certain components of those capacities, with equivalent evidence.
3. The categories referred to in points 2 to 8 of Annex IA to Decision No 1313/2013/EU of the total estimated cost for emergency medical team type 3: Inpatient Referral Care shall be calculated at least once during the period of each multiannual financial framework, taking into account information available to the Commission, including inflation. This cost shall be used by the Commission for the purpose of providing annual financial assistance.
4. The total estimated cost referred to in paragraph 2 and paragraph 3 shall be calculated where at least one Member State expresses interest to acquire, rent or lease such a rescEU capacity.’;

5. Annex I is amended as set out in the Annex to this Decision.

*Article 2*

This Decision is addressed to the Member States.

Done at Brussels, 18 November 2019.

*For the Commission*  
Christos STYLIANIDES  
*Member of the Commission*

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## ANNEX

In Annex I, the following Sections 3, 4 and 5 are added:

### 3. Medical aerial evacuation capacities for highly infectious disease patients

Tasks	<ul style="list-style-type: none"> <li>— Aerial transport, including in-flight treatment of highly infectious disease (HID) patients to specialised health facilities in the Union.</li> </ul>
Capacities	<ul style="list-style-type: none"> <li>— Aircraft with a capacity to transport one or more HID patient per flight;</li> <li>— Ability to fly day and night.</li> </ul>
Main components	<ul style="list-style-type: none"> <li>— System for safe in-flight medical treatment of HID patients, including intensive care <sup>(1)</sup>: <ul style="list-style-type: none"> <li>— Appropriately trained medical personnel to provide care for one or more HID patient;</li> <li>— Dedicated on-board technical and medical equipment to provide care to HID patients during the flight;</li> <li>— Appropriate procedures ensuring isolation and treatment of HID patients during the aerial transport.</li> </ul> </li> <li>— Support: <ul style="list-style-type: none"> <li>— Aircrew adapted to the number of HID patients and the timeframe of the flight;</li> <li>— Appropriate procedures ensuring the handling of equipment and waste as well as decontamination according to established international standards, including, where applicable, relevant Union legislation.</li> </ul> </li> </ul>
Self-sufficiency	<ul style="list-style-type: none"> <li>— Equipment storage and maintenance of the equipment of the module;</li> <li>— Equipment for communication with the relevant partners, notably those in charge of the coordination on site.</li> </ul>
Deployment	<ul style="list-style-type: none"> <li>— Availability for departure maximum 24 hours after the acceptance of the offer;</li> <li>— For intercontinental evacuations, ability to perform a 12-hour flight without refuelling.</li> </ul>

<sup>(1)</sup> Such system may include the containerised approach.

### 4. Medical aerial evacuation capacities for disaster victims

Tasks	<ul style="list-style-type: none"> <li>— Aerial transport of disaster victims to health facilities in the Union.</li> </ul>
Capacities	<ul style="list-style-type: none"> <li>— Aircraft with an overall capacity to transport at least six patients in need of intensive care and with a capacity to transport patients on stretchers or sitting patients, or both;</li> <li>— Ability to fly day and night.</li> </ul>
Main components	<ul style="list-style-type: none"> <li>— In-flight medical treatment, including intensive care: <ul style="list-style-type: none"> <li>— Appropriately trained medical personnel capable of providing on-board medical treatment for the different types of patients;</li> </ul> </li> </ul>

	<ul style="list-style-type: none"> <li>— Dedicated on-board technical and medical equipment to provide continuous appropriate care for the different types of patients during the flight;</li> <li>— Appropriate procedures ensuring transport and in-flight treatment of patients.</li> <li>— Support: <ul style="list-style-type: none"> <li>— Aircrew and medical personnel adapted to the number and types of patients and the timeframe of the flight.</li> </ul> </li> </ul>
Self-sufficiency	<ul style="list-style-type: none"> <li>— Equipment storage and maintenance of the equipment of the module;</li> <li>— Equipment for communication with relevant partners, notably those in charge of the coordination on site.</li> </ul>
Deployment	<ul style="list-style-type: none"> <li>— Availability for departure maximum 24 hours after the acceptance of the offer;</li> <li>— For airplanes, an ability to perform a 6-hour flight without refuelling.</li> </ul>

#### 5. Emergency medical team type 3 capacities: Inpatient Referral Care

Tasks	<ul style="list-style-type: none"> <li>— Provide inpatient referral care and complex surgery as described by the WHO global EMT initiative.</li> </ul>
Capacities	<ul style="list-style-type: none"> <li>— Minimum treatment capability in accordance with the standards of the WHO global EMT initiative;</li> <li>— Day and night services (covering 24/7 if necessary).</li> </ul>
Main components	<ul style="list-style-type: none"> <li>— In accordance with the standards of the WHO global EMT initiative.</li> </ul>
Self-sufficiency	<ul style="list-style-type: none"> <li>— The team should ensure self-sufficiency during the entire deployment time. Article 12 of Implementing Decision 2014/762/EU applies and, in addition, the standards of the WHO global EMT initiative.</li> </ul>
Deployment	<ul style="list-style-type: none"> <li>— Availability for departure in maximum 48-72 hours after the acceptance of the offer, and ability to be operational on site within 5-7 days.</li> <li>— Ability to be operational for at least 8 weeks outside the Union and for at least 14 days inside the Union.</li> </ul>

**COMMISSION IMPLEMENTING DECISION (EU) 2019/1931****of 19 November 2019****amending the Annex to Implementing Decision 2014/709/EU concerning animal health control measures relating to African swine fever in certain Member States***(notified under document C(2019) 8424)***(Text with EEA relevance)**

THE EUROPEAN COMMISSION,

Having regard to the Treaty on the Functioning of the European Union,

Having regard to Council Directive 89/662/EEC of 11 December 1989 concerning veterinary checks in intra-Community trade with a view to the completion of the internal market <sup>(1)</sup>, and in particular Article 9(4) thereof,

Having regard to Council Directive 90/425/EEC of 26 June 1990 concerning veterinary checks applicable in intra-Union trade in certain live animals and products with a view to the completion of the internal market <sup>(2)</sup>, and in particular Article 10(4) thereof,

Having regard to Council Directive 2002/99/EC of 16 December 2002 laying down the animal health rules governing the production, processing, distribution and introduction of products of animal origin for human consumption <sup>(3)</sup>, and in particular Article 4(3) thereof,

Whereas:

- (1) Commission Implementing Decision 2014/709/EU <sup>(4)</sup> lays down animal health control measures in relation to African swine fever in certain Member States, where there have been confirmed cases of that disease in domestic or feral pigs (the Member States concerned). The Annex to that Implementing Decision demarcates and lists certain areas of the Member States concerned in Parts I to IV thereof, differentiated by the level of risk based on the epidemiological situation as regards that disease. The Annex to Implementing Decision 2014/709/EU has been amended several times to take account of changes in the epidemiological situation in the Union as regards African swine fever that need to be reflected in that Annex. The Annex to Implementing Decision 2014/709/EU was last amended by Commission Implementing Decision (EU) 2019/1900 <sup>(5)</sup>, following instances of African swine fever in Romania.
- (2) Council Directive 2002/60/EC <sup>(6)</sup> lays down the minimum Union measures to be taken for the control of African swine fever. In particular, Article 9 of Directive 2002/60/EC provides for the establishment of a protection and a surveillance zone when African swine fever has been officially confirmed in pigs on a holding, and Articles 10 and 11 of that Directive lay down the measures to be taken in the protection and surveillance zones in order to prevent the spread of that disease. Recent experience has shown that the measures laid down in Directive 2002/60/EC are effective in controlling the spread of that disease, and in particular the measures providing for the cleaning and disinfecting of infected holdings and other measures related to the eradication of that disease.

<sup>(1)</sup> OJ L 395, 30.12.1989, p. 13.

<sup>(2)</sup> OJ L 224, 18.8.1990, p. 29.

<sup>(3)</sup> OJ L 18, 23.1.2003, p. 11.

<sup>(4)</sup> Commission Implementing Decision 2014/709/EU of 9 October 2014 concerning animal health control measures relating to African swine fever in certain Member States and repealing Implementing Decision 2014/178/EU (OJ L 295, 11.10.2014, p. 63).

<sup>(5)</sup> Commission Implementing Decision (EU) 2019/1900 of 12 November 2019 amending the Annex to Implementing Decision 2014/709/EU concerning animal health control measures relating to African swine fever in certain Member States (OJ L 292, 13.11.2019, p. 4).

<sup>(6)</sup> Council Directive 2002/60/EC of 27 June 2002 laying down specific provisions for the control of African swine fever and amending Directive 92/119/EEC as regards Teschen disease and African swine fever (OJ L 192, 20.7.2002, p. 27).

- (3) Since the date of adoption of Implementing Decision (EU) 2019/1900, there have been further cases of African swine fever in feral pigs in Poland. In addition, the epidemiological situation in Lithuania has improved as regards domestic pigs due to the measures being applied by that Member State in accordance with Directive 2002/60/EC.
- (4) Taking into account the effectiveness of the measures being applied in Lithuania in accordance with Directive 2002/60/EC, and in particular those laid down in Article 10(4)(b) and Article 10(5) thereof, and in line with the risk mitigation measures for African swine fever set out in the Terrestrial Animal Health Code of the World Organisation for Animal Health (the OIE Code), certain areas in the counties of Šiauliai and Marijampolė in Lithuania currently listed in Part III of the Annex to Implementing Decision 2014/709/EU should now be listed in Part II of that Annex, in view of the expiry of the period of three months from the date of the final cleaning and disinfection of the infected holding and due to the absence of African swine fever outbreaks in those areas for the past three months in accordance with the OIE Code. Given that Part III of the Annex to Implementing Decision 2014/709/EU lists the areas where the epidemiological situation is still evolving and very dynamic, when any amendments are made to areas listed in that Part, particular consideration must always be given to the effect on the surrounding areas, as has been done in this instance.
- (5) Following these recent cases of African swine fever in feral pigs in Poland, and taking into account the current epidemiological situation in the Union, regionalisation in this Member State has been reassessed and updated. In addition, the risk management measures in place also have been reassessed and updated. These changes need to be reflected in the Annex to Implementing Decision 2014/709/EU.
- (6) In November 2019, two cases of African swine fever in feral pigs were observed in the districts of wschowski and nowosolski in Poland in an area currently not listed in the Annex to Implementing Decision 2014/709/EU, and being less than three hundred kilometres away from the nearest area currently listed in the Annex. These cases of African swine fever in feral pigs constitute an increased level of risk which should be reflected in that Annex. Accordingly, this area of Poland affected by these recent cases of African swine fever should now be listed in Parts I and II of that Annex.
- (7) In order to take account of recent developments in the epidemiological evolution of African swine fever in the Union, and in order to combat the risks associated with the spread of that disease in a proactive manner, new high-risk areas of a sufficient size should be demarcated for Lithuania and Poland and duly listed in Parts I and II of the Annex to Implementing Decision 2014/709/EU. The Annex to Implementing Decision 2014/709/EU should therefore be amended accordingly.
- (8) The measures provided for in this Decision are in accordance with the opinion of the Standing Committee on Plants, Animals, Food and Feed,

HAS ADOPTED THIS DECISION:

*Article 1*

The Annex to Implementing Decision 2014/709/EU is replaced by the text set out in the Annex to this Decision.

*Article 2*

This Decision is addressed to the Member States.

Done at Brussels, 19 November 2019.

*For the Commission*  
Vytenis ANDRIUKAITIS  
*Member of the Commission*

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## ANNEX

The Annex to Implementing Decision 2014/709/EU is replaced by the following:

## 'ANNEX

## PART I

**1. Belgium**

The following areas in Belgium:

in Luxembourg province:

— the area is delimited clockwise by:

- Frontière avec la France,
- Rue Mersinhat,
- La N818jusque son intersection avec la N83,
- La N83 jusque son intersection avec la N884,
- La N884 jusque son intersection avec la N824,
- La N824 jusque son intersection avec Le Routeux,
- Le Routeux,
- Rue d'Orgéo,
- Rue de la Vierre,
- Rue du Bout-d'en-Bas,
- Rue Sous l'Eglise,
- Rue Notre-Dame,
- Rue du Centre,
- La N845 jusque son intersection avec la N85,
- La N85 jusque son intersection avec la N40,
- La N40 jusque son intersection avec la N802,
- La N802 jusque son intersection avec la N825,
- La N825 jusque son intersection avec la E25-E411,
- La E25-E411jusque son intersection avec la N40,
- N40: Burnaimont, Rue de Luxembourg, Rue Ranci, Rue de la Chapelle,
- Rue du Tombois,
- Rue Du Pierroy,
- Rue Saint-Orban,
- Rue Saint-Aubain,
- Rue des Cottages,
- Rue de Relune,
- Rue de Rulune,
- Route de l'Ermitage,
- N87: Route de Habay,
- Chemin des Ecoliers,
- Le Routy,
- Rue Burgknapp,
- Rue de la Halte,

- Rue du Centre,
- Rue de l'Eglise,
- Rue du Marquisat,
- Rue de la Carrière,
- Rue de la Lorraine,
- Rue du Beynert,
- Millewée,
- Rue du Tram,
- Millewée,
- N4: Route de Bastogne, Avenue de Longwy, Route de Luxembourg,
- Frontière avec le Grand-Duché de Luxembourg,
- Frontière avec la France,
- La N87 jusque son intersection avec la N871 au niveau de Rouvroy,
- La N871 jusque son intersection avec la N88,
- La N88 jusque son intersection avec la rue Baillet Latour,
- La rue Baillet Latour jusque son intersection avec la N811,
- La N811 jusque son intersection avec la N88,
- La N88 jusque son intersection avec la N883 au niveau d'Aubange,
- La N883 jusque son intersection avec la N81 au niveau d'Aubange,
- La N81 jusque son intersection avec la E25-E411,
- La E25-E411 jusque son intersection avec la N40,
- La N40 jusque son intersection avec la rue du Fet,
- Rue du Fet,
- Rue de l'Accord jusque son intersection avec la rue de la Gaume,
- Rue de la Gaume jusque son intersection avec la rue des Bruyères,
- Rue des Bruyères,
- Rue de Neufchâteau,
- Rue de la Motte,
- La N894 jusque son intersection avec la N85,
- La N85 jusque son intersection avec la frontière avec la France.

## 2. Estonia

The following areas in Estonia:

- Hiiu maakond.

## 3. Hungary

The following areas in Hungary:

- Békés megye 950150, 950250, 950350, 950450, 950550, 950650, 950660, 950750, 950850, 950860, 950950, 950960, 950970, 951050, 951150, 951250, 951260, 951350, 951450, 951460, 951550, 951650, 951750, 951950, 952050, 952250, 952350, 952450, 952550, 952650, 952750, 952850, 953270, 953350, 953450, 953510, 956250, 956350, 956450, 956550, 956650 és 956750 kódszámú vadgazdálkodási egységeinek teljes területe,
- Bács-Kiskun megye 601650, 601750, 601850, 601950, 602050, 603250, 603750 és 603850 kódszámú vadgazdálkodási egységeinek teljes területe,

- Budapest: 1 kódszámú, vadgazdálkodási tevékenységre nem alkalmas területe,
- Csongrád megye 800150, 800160, 800250, 802220, 802260, 802310 és 802450 kódszámú vadgazdálkodási egységeinek teljes területe,
- Fejér megye 403150, 403160, 403260, 404250, 404550, 404560, 404650, 404750, 405450, 405550, 405650, 405750, 405850, 406450, 406550, 406650 és 407050 kódszámú vadgazdálkodási egységeinek teljes területe,
- Hajdú-Bihar megye 900750, 901250, 901260, 901270, 901350, 901551, 901560, 901570, 901580, 901590, 901650, 901660, 902450, 902550, 902650, 902660, 902670, 902750, 903650, 903750, 903850, 903950, 903960, 904050, 904060, 904150, 904250, 904350, 904950, 904960, 905050, 905060, 905070, 905080, 905150, 905250 és 905260 kódszámú vadgazdálkodási egységeinek teljes területe,
- Heves megye 702550, 703360, 704150, 704250, 704350, 704450, 704550, 704650, 704750, és 705350 kódszámú vadgazdálkodási egységeinek teljes területe,
- Jász-Nagykun-Szolnok megye 750150, 750160, 750250, 750260, 750350, 750450, 750460, 751250, 751260, 754450, 754550, 754560, 754570, 754650, 754750, 754950, 755050, 755150, 755250, 755350 és 755450 kódszámú vadgazdálkodási egységeinek teljes területe,
- Komárom-Esztergom megye 252460, 252850, 252860, 252950, 252960, 253050, 253150, 253250, 253350 és 253450 kódszámú vadgazdálkodási egységeinek teljes területe,
- Nógrád megye 552010, 552150, 552250, 552350, 552450, 552460, 552520, 552550, 552610, 552620, 552710, 552850, 552860, 552950, 552970, 553050, 553110, 553250, 553260, 553350, 553650, 553750, 553850, 553910 és 554050 kódszámú vadgazdálkodási egységeinek teljes területe,
- Pest megye 570150, 570250, 570350, 570450, 570550, 570650, 570750, 570850, 571050, 571150, 571250, 571350, 571550, 571610, 571750, 571760, 572150, 572250, 572350, 572550, 572650, 572750, 572850, 572950, 573150, 573350, 573360, 573450, 573850, 574150, 574350, 574360, 574550, 574650, 574750, 574950, 575050, 575150, 575250, 575350, 575950, 576050, 576150, 576250, 576350, 576450, 576950, 577050, 577150, 577250, 577350, 577450, 577950, 578850, 578950, 579250, 579550, 579650, 579750, 580050 és 580450 kódszámú vadgazdálkodási egységeinek teljes területe,
- Szabolcs-Szatmár-Bereg megye 851950, 852350, 852450, 852550, 852750, 853560, 853650, 853751, 853850, 853950, 853960, 854050, 854150, 854250, 854350, 855350, 855450, 855550, 855650, 855660 és 855850 kódszámú vadgazdálkodási egységeinek teljes területe.

#### 4. Latvia

The following areas in Latvia:

- Alsungas novads,
- Kuldīgas novada Gudenieku pagasts,
- Pāvilostas novads,
- Stopiņu novada daļa, kas atrodas uz rietumiem no autoceļa V36, P4 un P5, Acones ielas, Dauguļupes ielas un Dauguļupītes,
- Ventspils novada Jūrkalnes pagasts,
- Grobiņas novads,
- Rucavas novada Dunikas pagasts.

#### 5. Lithuania

The following areas in Lithuania:

- Klaipėdos rajono savivaldybės: Agluonėnų, Priekulės, Veiviržėnų, Judrėnų, Endriejavo ir Vėžaičių seniūnijos,
- Plungės rajono savivaldybės: Alsėdžių, Babrungo, Kulių, Nausodžio, Paukštakių, Platelių, Plungės miesto, Šateikių ir Žemaičių Kalvarijos seniūnijos,
- Skuodo rajono savivaldybė,

#### 6. Poland

The following areas in Poland:

w województwie warmińsko-mazurskim:

- gminy Wielbark i Rozogi w powiecie szczycieńskim,

- gminy Janowiec Kościelny, Janowo i Kozłowo w powiecie nidzickim,
  - powiat działdowski,
  - gminy Łukta, Miłomłyn, Dąbrówno, Grunwald i Ostróda z miastem Ostróda w powiecie ostródzkim,
  - gminy Kisielice, Susz, Iława z miastem Iława, Lubawa z miastem Lubawa, w powiecie iławskim,
- w województwie podlaskim:
- gmina Rudka, część gminy Brańsk położona na północ od linii od linii wyznaczonej przez drogę nr 66 biegnącą od wschodniej granicy gminy do granicy miasta Brańsk i miasto Brańsk w powiecie bielskim,
  - część gminy Poświętne położona na zachód od linii wyznaczonej przez drogę nr 681 w powiecie białostockim,
  - gminy Kulesze Kościelne, Nowe Piekuty, Szepietowo, Wysokie Mazowieckie z miastem Wysokie Mazowieckie, Czyżew w powiecie wysokomazowieckim,
  - gminy Miastkowo, Nowogród, Śniadowo i Zbójna w powiecie łomżyńskim,
  - powiat zambrowski,
- w województwie mazowieckim:
- powiat ostrołęcki,
  - powiat miejski Ostrołęka,
  - gminy Bielsk, Brudzeń Duży, Drobin, Gąbin, Łąck, Nowy Duninów, Radzanowo, Słupno i Stara Biaław powiecie płockim,
  - powiat miejski Płock,
  - powiat sierpecki,
  - powiat zuromiński,
  - gminy Andrzejewo, Brok, Małkinia Górna, Stary Lubotyń, Szulborze Wielkie, Wąsewo, Zaręby Kościelne i Ostrów Mazowiecka z miastem Ostrów Mazowiecka w powiecie ostrowskim,
  - gminy Dzierzgowo, Lipowiec Kościelny, miasto Mława, Radzanów, Szreńsk, Szydłowo i Wieczfnia Kościelna, w powiecie mławskim,
  - powiat przasnyski,
  - powiat makowski,
  - gminy Gzy, Obryte, Zatory, Pułtusk i część gminy Winnica położona na wschód od linii wyznaczonej przez drogę łączącą miejscowości Bielany, Winnica i Pokrzywnica w powiecie pułtuskim,
  - gminy Brańszczyk, Długosiodło, Rząśnik, Wyszków, Zabrodzie i część gminy Somianka położona na północ od linii wyznaczonej przez drogę nr 62 w powiecie wyszkowskim,
  - gminy Puszcza Mariańska, Wiskitki i miasto Żyrardów w powiecie żyrdowskim,
  - gminy Błędów, Nowe Miasto nad Pilicą i Mogielnica w powiecie grójeckim,
  - gminy Stara Błotnica, Wyśmierzyce i Radzanów w powiecie białobrzeskim,
  - gminy Iłża, Jedlińsk, Kowala, Przytyk, Skaryszew, Wierzbica, Wolanów i Zakrzew w powiecie radomskim,
  - powiat miejski Radom,
  - powiat szydłowiecki,
  - powiat przysuski,
  - gmina Kazanów w powiecie zwoleńskim,
  - gminy Ciepiałów, Chotcza, Lipsko, Rzecznów i Siemno w powiecie lipskim,
  - powiat gostyniński,
- w województwie lubelskim:
- gminy Bełżyce, Borzechów, Niedrzwica Duża, Konopnica i Wojciechów w powiecie lubelskim,
  - gminy Kraśnik z miastem Kraśnik, Szastarka, Trzydnik Duży, Wilkołaz, Zakrzówek i część gminy Urzędów położona na wschód od linii wyznaczonej przez drogę nr 833 w powiecie kraśnickim,

- gminy Batorz, Godziszów, Janów Lubelski, Modliborzycy i Potok Wielki w powiecie janowskim,
  - gmina Potok Górny w powiecie biłgorajskim,
- w województwie podkarpackim:
- gminy Wielkie Oczy i Lubaczów z miastem Lubaczów w powiecie lubaczowskim,
  - gminy Laszki, Wiązownica, Radymno z miastem Radymno i gmina wiejska Jarosław w powiecie jarosławskim,
  - gminy Bojanów, Pysznica, Zaleszany i miasto Stalowa Wola w powiecie stalowowolskim,
  - powiat tarnobrzeski,
  - gmina Sieniawa i Tryńcza w powiecie przeworskim,
  - powiat leżajski,
  - powiat niżański,
- w województwie świętokrzyskim:
- gminy Lipnik, Opatów, Wojciechowice, Sadowie i część gminy Ożarów położona na południe od linii wyznaczonej przez drogę nr 74 w powiecie opatowskim,
  - powiat sandomierski,
  - gmina Brody w powiecie starachowickim,
  - powiat ostrowiecki,
- w województwie łódzkim:
- gminy Kocierzew Południowy, Kiernozia, Chaśno, część gminy wiejskiej Łowicz położona na północ od linii wyznaczonej przez drogę nr 92 i Nieborów w powiecie łowickim,
  - gminy Biała Rawska, Regnów i Sadkowice w powiecie rawskim,
  - gminy Bolimów, Kowiesy, Nowy Kawęczyn i Skierniewice w powiecie skierniewickim,
  - powiat miejski Skierniewice,
- w województwie pomorskim:
- powiat nowodworski,
  - gminy Lichnowy, Miłoradz, Nowy Staw, Malbork z miastem Malbork w powiecie malborskim,
  - gminy Mikołajki Pomorskie, Stary Targ i Sztum w powiecie sztumskim,
  - powiat gdański,
  - Miasto Gdańsk,
  - powiat tczewski,
  - powiat kwidzyński,
- w województwie lubuskim:
- gminy Szlichtyngowa i Wschowa w powiecie wschowskim,
  - gminy Bytom Odrzański, Kolsko, Koźuchów, Nowe Miasteczko, Otyń, miasto Nowa Sól, część gminy wiejskiej Nowa Sól położona na południe i na zachód od linii wyznaczonej przez drogi: nr 315 biegnącą od granicy miasta Nowa Sól do skrzyżowania z drogą nr 321 i drogę nr 321 biegnącą do wschodniej granicy gminy w powiecie nowosolskim,
  - gminy Babimost, Bojadła, Kargowa, Sulechów, Trzebiechów i Zabór w powiecie zielonogórskim,
  - powiat miejski Zielona Góra,
  - gmina Niegosławice w powiecie żagańskim,
- w województwie dolnośląskim:
- gminy Głogów z miastem Głogów, Pęcław, Jerzmanowa i Żukowice w powiecie głogowskim,
  - gminy Gaworzycy, Grębocice i Radwanice w powiecie polkowickim,

w województwie wielkopolskim:

- gmina Wijewo w powiecie leszczyńskim,
- powiat wolsztyński.

#### 7. Romania

The following areas in Romania:

- Județul Suceava.

#### 8. Slovakia

The following areas in Slovakia:

- the whole district of Vranov nad Topľou,
- the whole district of Humenné,
- the whole district of Snina,
- the whole district of Sobrance,
- the whole district of Košice-mesto,
- in the district of Michalovce, the whole municipalities of Tušice, Moravany, Pozdišovce, Michalovce, Zalužice, Lúčky, Závadka, Hnojné, Poruba pod Vihorlatom, Jovsa, Kusín, Klokočov, Kaluža, Vinné, Trnava pri Laborci, Oreské, Staré, Zbudza, Petrovce nad Laborcom, Lesné, Suché, Rakovec nad Ondavou, Nacina Ves, Voľa, Pusté Čemerné and Strážske,
- in the district of Košice - okolie, the whole municipalities not included in Part II.

### PART II

#### 1. Belgium

The following areas in Belgium:

in Luxembourg province:

- the area is delimited clockwise by:
- La frontière avec la France au niveau de Florenville,
- La N85 jusque son intersection avec la N894 au niveau de Florenville,
- La N894 jusque son intersection avec la rue de la Motte,
- La rue de la Motte jusque son intersection avec la rue de Neufchâteau,
- La rue de Neufchâteau,
- La rue des Bruyères jusque son intersection avec la rue de la Gaume,
- La rue de la Gaume jusque son intersection avec la rue de l'Accord,
- La rue de l'Accord,
- La rue du Fet,
- La N40 jusque son intersection avec la E25-E411,
- La E25-E411 jusque son intersection avec la N81 au niveau de Weyler,
- La N81 jusque son intersection avec la N883 au niveau d'Aubange,
- La N883 jusque son intersection avec la N88 au niveau d'Aubange,
- La N88 jusque son intersection avec la N811,
- La N811 jusque son intersection avec la rue Baillet Latour,
- La rue Baillet Latour jusque son intersection avec la N88,
- La N88 jusque son intersection avec la N871,

- La N871 jusque son intersection avec la N87 au niveau de Rouvroy,
- La N87 jusque son intersection avec la frontière avec la France.

## 2. Bulgaria

The following areas in Bulgaria:

- the whole region of Haskovo,
- the whole region of Yambol,
- the whole region of Sliven,
- the whole region of Stara Zagora,
- the whole region of Gabrovo,
- the whole region of Pernik,
- the whole region of Kyustendil,
- the whole region of Dobrich,
- the whole region of Plovdiv,
- the whole region of Pazardzhik,
- the whole region of Smolyan,
- the whole region of Burgas excluding the areas in Part III,
- the whole region of Veliko Tarnovo excluding the areas in Part III,
- the whole region of Shumen excluding the areas in Part III,
- the whole region of Varna excluding the areas in Part III.

## 3. Estonia

The following areas in Estonia:

- Eesti Vabariik (välja arvatud Hiiumaa maakond).

## 4. Hungary

The following areas in Hungary:

- Borsod-Abaúj-Zemplén megye 650100, 650200, 650300, 650400, 650500, 650600, 650700, 650800, 650900, 651000, 651100, 651200, 651300, 651400, 651500, 651610, 651700, 651801, 651802, 651803, 651900, 652000, 652100, 652200, 652300, 652601, 652602, 652603, 652700, 652900, 653000, 653100, 653200, 653300, 653401, 653403, 653500, 653600, 653700, 653800, 653900, 654000, 654201, 654202, 654301, 654302, 654400, 654501, 654502, 654600, 654700, 654800, 654900, 655000, 655100, 655200, 655300, 655400, 655500, 655600, 655700, 655800, 655901, 655902, 656000, 656100, 656200, 656300, 656400, 656600, 656701, 656702, 656800, 656900, 657010, 657100, 657300, 657400, 657500, 657600, 657700, 657800, 657900, 658000, 658100, 658201, 658202, 658310, 658401, 658402, 658403, 658404, 658500, 658600, 658700, 658801, 658802, 658901, 658902, 659000, 659100, 659210, 659220, 659300, 659400, 659500, 659601, 659602, 659701, 659800, 659901, 660000, 660100, 660200, 660400, 660501, 660502, 660600 és 660800, valamint 652400, 652500 és 652800 kódszámú vadgazdálkodási egységeinek teljes területe,
- Hajdú-Bihar megye 900150, 900250, 900350, 900450, 900550, 900650, 900660, 900670, 901850, 900850, 900860, 900930, 900950, 901050, 901150, 901450, 901750, 901950, 902050, 902150, 902250, 902350, 902850, 902860, 902950, 902960, 903050, 903150, 903250, 903350, 903360, 903370, 903450, 903550, 904450, 904460, 904550 és 904650, 904750, 904760, 904850, 904860, 905350, 905360, 905450 és 905550 kódszámú vadgazdálkodási egységeinek teljes területe,
- Heves megye 700150, 700250, 700260, 700350, 700450, 700460, 700550, 700650, 700750, 700850, 700860, 700950, 701050, 701111, 701150, 701250, 701350, 701550, 701560, 701650, 701750, 701850, 701950, 702050, 702150, 702250, 702260, 702350, 702450, 702750, 702850, 702950, 703050, 703150, 703250, 703350, 703370, 703450, 703550, 703610, 703750, 703850, 703950, 704050, 704850, 704950, 705050, 705150, 705250, 705450, 705510 és 705610 kódszámú vadgazdálkodási egységeinek teljes területe,

- Jász-Nagykun-Szolnok megye 750550, 750650, 750750, 750850, 750970, 750980, 751050, 751150, 751160, 751350, 751360, 751450, 751460, 751470, 751550, 751650, 751750, 751850, 751950, 752150, 752250, 752350, 752450, 752460, 752550, 752560, 752650, 752750, 752850, 752950, 753060, 753070, 753150, 753250, 753310, 753450, 753550, 753650, 753660, 753750, 753850, 753950, 753960, 754050, 754150, 754250, 754360, 754370, 754850, 755550, 755650 és 755750 kódszámú vadgazdálkodási egységeinek teljes területe,
- Nógrád megye 550110, 550120, 550130, 550210, 550310, 550320, 550450, 550460, 550510, 550610, 550710, 550810, 550950, 551010, 551150, 551160, 551250, 551350, 551360, 551450, 551460, 551550, 551650, 551710, 551810, 551821, 552360 és 552960 kódszámú vadgazdálkodási egységeinek teljes területe,
- Pest megye 570950, 571850, 571950, 572050, 573550, 573650, 574250 és 580150 kódszámú vadgazdálkodási egységeinek teljes területe,
- Szabolcs-Szatmár-Bereg megye 850950, 851050, 851150, 851250, 851350, 851450, 851550, 851560, 851650, 851660, 851751, 851752, 852850, 852860, 852950, 852960, 853050, 853150, 853160, 853250, 853260, 853350, 853360, 853450, 853550, 854450, 854550, 854560, 854650, 854660, 854750, 854850, 854860, 854870, 854950, 855050, 855150, 855250, 855460, 855750, 855950, 855960, 856051, 856150, 856250, 856260, 856350, 856360, 856450, 856550, 856650, 856750, 856760, 856850, 856950, 857050, 857150, 857350, 857450, 857650, valamint 850150, 850250, 850260, 850350, 850450, 850550, 852050, 852150, 852250, 857550, 850650, 850850, 851851 és 851852 kódszámú vadgazdálkodási egységeinek teljes területe.

## 5. Latvia

The following areas in Latvia:

- Ādažu novads,
- Aizputes novads,
- Aglonas novads,
- Aizkraukles novads,
- Aknīstes novads,
- Alojās novads,
- Alūksnes novads,
- Amatas novads,
- Apes novads,
- Auces novads,
- Babītes novads,
- Baldones novads,
- Baltinavas novads,
- Balvu novads,
- Bauskas novads,
- Beverīnas novads,
- Brocēnu novads,
- Burtnieku novads,
- Carnikavas novads,
- Cēsu novads,
- Cēsvaines novads,
- Ciblas novads,
- Dagdas novads,
- Daugavpils novads,
- Dobeles novads,
- Dundagas novads,



- Durbes novads,
- Engures novads,
- Ērgļu novads,
- Garkalnes novads,
- Gulbenes novads,
- Iecavas novads,
- Ikšķiles novads,
- Ilūkstes novads,
- Inčukalna novads,
- Jaunjelgavas novads,
- Jaunpiebalgas novads,
- Jaunpils novads,
- Jēkabpils novads,
- Jelgavas novads,
- Kandavas novads,
- Kārsavas novads,
- Ķeguma novads,
- Ķekavas novads,
- Kocēnu novads,
- Kokneses novads,
- Krāslavas novads,
- Krimuldas novads,
- Krustpils novads,
- Kuldīgas novada Ēdoles, Īvandes, Padures, Rendas, Kabiles, Rumbas, Kurmāles, Pelču, Snēpeles, Turlavas, Laidu un Vārmes pagasts, Kuldīgas pilsēta,
- Lielvārdes novads,
- Līgatnes novads,
- Limbažu novads,
- Līvānu novads,
- Lubānas novads,
- Ludzas novads,
- Madonas novads,
- Mālpils novads,
- Mārupes novads,
- Mazsalacas novads,
- Mērsraga novads,
- Naukšēnu novads,
- Neretas novads,
- Ogres novads,
- Olaines novads,
- Ozolnieku novads,
- Pārgaujas novads,

- Pļaviņu novads,
- Preiļu novads,
- Priekules novads,
- Priekuļu novads,
- Raunas novads,
- republikas pilsēta Daugavpils,
- republikas pilsēta Jelgava,
- republikas pilsēta Jēkabpils,
- republikas pilsēta Jūrmala,
- republikas pilsēta Rēzekne,
- republikas pilsēta Valmiera,
- Rēzeknes novads,
- Riebiņu novads,
- Rojas novads,
- Ropažu novads,
- Rugāju novads,
- Rundāles novads,
- Rūjienas novads,
- Salacgrīvas novads,
- Salas novads,
- Salaspils novads,
- Saldus novads,
- Saulkrastu novads,
- Sējas novads,
- Siguldas novads,
- Skrīveru novads,
- Skrundas novads,
- Smiltenes novads,
- Stopiņu novada daļa, kas atrodas uz austrumiem no autoceļa V36, P4 un P5, Acones ielas, Dauguļupes ielas un Dauguļupītes,
- Strenču novads,
- Talsu novads,
- Tērvetes novads,
- Tukuma novads,
- Vaiņodes novads,
- Valkas novads,
- Varakļānu novads,
- Vārkavas novads,
- Vecpiebalgas novads,
- Vecumnieku novads,
- Ventspils novada Ances, Tārgales, Popes, Vārves, Užavas, Piltenes, Puzes, Ziru, Ugāles, Usmas un Zlēku pagasts, Piltenes pilsēta,
- Viesītes novads,

- Viļakas novads,
- Viļānu novads,
- Zilupes novads.

## 6. Lithuania

The following areas in Lithuania:

- Alytaus miesto savivaldybė,
- Alytaus rajono savivaldybė: Alytaus, Alovės, Butrimonių, Daugų, Nemunaičio, Pivašiūnų, Punios, Raitininkų seniūnijos,
- Anykščių rajono savivaldybė,
- Akmenės rajono savivaldybė,
- Biržų miesto savivaldybė,
- Biržų rajono savivaldybė,
- Druskininkų savivaldybė,
- Elektrėnų savivaldybė,
- Ignalinos rajono savivaldybė,
- Jonavos rajono savivaldybė,
- Joniškio rajono savivaldybė,
- Jurbarko rajono savivaldybė,
- Kaišiadorių rajono savivaldybė,
- Kalvarijos savivaldybė,
- Kauno miesto savivaldybė,
- Kauno rajono savivaldybė: Domeikavos, Garliavos, Garliavos apylinkių, Karmėlavos, Lapių, Linksmakalnio, Neveronių, Rokų, Samylų, Taurakiemio, Vandžiogalos ir Vilkijos seniūnijos, Babtų seniūnijos dalis į rytus nuo kelio A1, Užliedžių seniūnijos dalis į rytus nuo kelio A1 ir Vilkijos apylinkių seniūnijos dalis į vakarus nuo kelio Nr. 1907,
- Kelmės rajono savivaldybė,
- Kėdainių rajono savivaldybė,
- Kupiškio rajono savivaldybė,
- Lazdijų rajono savivaldybė,
- Marijampolės savivaldybė: Degučių, Marijampolės, Mokolų, Liudvinavo ir Narto seniūnijos,
- Mažeikių rajono savivaldybė,
- Molėtų rajono savivaldybė,
- Pagėgių savivaldybė,
- Pakruojo rajono savivaldybė,
- Panevėžio rajono savivaldybė,
- Panevėžio miesto savivaldybė,
- Pasvalio rajono savivaldybė,
- Radviliškio rajono savivaldybė,
- Rietavo savivaldybė,
- Prienų rajono savivaldybė: Stakliškių ir Veiverių seniūnijos,
- Plungės rajono savivaldybė: Žlibinų ir Stalgėnų seniūnijos,
- Raseinių rajono savivaldybė,
- Rokiškio rajono savivaldybė,
- Šakių rajono savivaldybė,

- Šalčininkų rajono savivaldybė,
- Šiaulių miesto savivaldybė,
- Šiaulių rajono savivaldybė,
- Šilutės rajono savivaldybė,
- Širvintų rajono savivaldybė,
- Šilalės rajono savivaldybė,
- Švenčionių rajono savivaldybė,
- Tauragės rajono savivaldybė,
- Telšių rajono savivaldybė,
- Trakų rajono savivaldybė,
- Ukmergės rajono savivaldybė,
- Utenos rajono savivaldybė,
- Varėnos rajono savivaldybė,
- Vilniaus miesto savivaldybė,
- Vilniaus rajono savivaldybė,
- Vilkaviškio rajono savivaldybė: Bartninkų, Gražiškių, Keturvalakių, Kybartų, Klausučių, Pajevonio, Šeimenos, Vilkaviškio miesto, Virbalio, Vištyčio seniūnijos,
- Visagino savivaldybė,
- Zarasų rajono savivaldybė.

## 7. Poland

The following areas in Poland:

w województwie warmińsko-mazurskim:

- gminy Kalinowo, Prostki i gmina wiejska Elk w powiecie elckim,
- gminy Elbląg, Gronowo Elbląskie, Milejewo, Młynary, Markusy, Rychliki i Tolkmicko w powiecie elbląskim,
- powiat miejski Elbląg,
- powiat gołdapski,
- gmina Wieliczki w powiecie oleckim,
- powiat piski,
- gmina Górowo Iławeckie z miastem Górowo Iławeckie w powiecie bartoszyckim,
- gminy Biskupiec, Gietrzwałd, Jonkowo, Purda, Stawiguda, Świątki, Olsztynek i miasto Olsztyn oraz część gminy Barczewo położona na południe od linii wyznaczonej przez linię kolejową w powiecie olsztyńskim,
- gmina Miłakowo, część gminy Małdyty położona na południowy – zachód od linii wyznaczonej przez linię kolejową biegnącą od Olsztyna do Elbląga i część gminy Morąg położona na południe od linii wyznaczonej przez linię kolejową biegnącą od Olsztyna do Elbląga w powiecie ostródzkim,
- część gminy Ryn położona na południe od linii wyznaczonej przez linię kolejową łączącą miejscowości Giżycko i Kętrzyn w powiecie giżyckim,
- gminy Braniewo i miasto Braniewo, Frombork, Lelkowo, Pieniężno, Płoskinia oraz część gminy Wilczęta położona na północ od linii wyznaczonej przez drogę nr 509 w powiecie braniewskim,
- gmina Reszel, część gminy Kętrzyn położona na południe od linii kolejowej łączącej miejscowości Giżycko i Kętrzyn biegnącej do granicy miasta Kętrzyn, na zachód od linii wyznaczonej przez drogę nr 591 biegnącą od miasta Kętrzyn do północnej granicy gminy oraz na zachód i na południe od zachodniej i południowej granicy miasta Kętrzyn, miasto Kętrzyn i część gminy Korsze położona na południe od linii wyznaczonej przez drogę biegnącą od wschodniej granicy łączącą miejscowości Krelikiejmy i Sątoczno i na wschód od linii wyznaczonej przez drogę łączącą miejscowości Sątoczno, Sajna Wielka biegnącą do skrzyżowania z drogą nr 590 w miejscowości Glitajny, a następnie na wschód od drogi nr 590 do skrzyżowania z drogą nr 592 i na południe od linii wyznaczonej przez drogę nr 592 biegnącą od zachodniej granicy gminy do skrzyżowania z drogą nr 590 w powiecie kętrzyńskim,

- gminy Lubomino i Orneta w powiecie lidzbarskim,
  - gmina Nidzica w powiecie nidzickim,
  - gminy Dźwierzuty, Jedwabno, Pasym, Szczytno i miasto Szczytno i Świętajno w powiecie szczywieńskim,
  - powiat mrągowski,
  - gmina Zalewo w powiecie ławskim,
- w województwie podlaskim:
- część gminy Brańsk położona na południe od linii od linii wyznaczonej przez drogę nr 66 biegnącą od wschodniej granicy gminy do granicy miasta Brańsk i część gminy Boćki położona na zachód od linii wyznaczonej przez drogę nr 19 w powiecie bielskim,
  - powiat grajewski,
  - powiat moniecki,
  - powiat sejneński,
  - gminy Łomża, Piątnica, Jedwabne, Przytuły i Wiznaw powiecie łomżyńskim,
  - powiat miejski Łomża,
  - gminy Dziadkowice, Grodzisk, Mielnik, Nurzec-Stacja i Siemiatycze z miastem Siemiatycze w powiecie siemiatyckim,
  - gminy Białowieża, Czyże, Narew, Narewka, Hajnówka z miastem Hajnówka i część gminy Dubicze Cerkiewne położona na północny wschód od linii wyznaczonej przez drogę nr 1654B w powiecie hajnowskim,
  - gminy Klukowo, Kobylin-Borzymy i Sokoły w powiecie wysokomazowieckim,
  - powiat kolneński z miastem Kolno,
  - gminy Czarna Białostocka, Dobrzyniewo Duże, Gródek, Michałowo, Supraśl, Tykocin, Wasilków, Zabłudów, Zawady i Choroszcz w powiecie białostockim,
  - powiat suwalski,
  - powiat miejski Suwałki,
  - powiat augustowski,
  - powiat sokólski,
  - powiat miejski Białystok,
- w województwie mazowieckim:
- powiat siedlecki,
  - powiat miejski Siedlce,
  - gminy Bielany, Ceranów, Kosów Lacki, Repki i gmina wiejska Sokołów Podlaski w powiecie sokołowskim,
  - powiat węgrowski,
  - powiat łosicki,
  - gminy Grudusk, Opinogóra Górna, Gołymin-Ośrodek i część gminy Gliniojeck położona na zachód od linii wyznaczonej przez drogę nr 7 w powiecie ciechanowskim,
  - powiat sochaczewski,
  - gminy Policzna, Przyłęk, Tczów i Zwoleń w powiecie zwoleńskim,
  - gminy Garbatka – Letnisko, Gniewoszów i Sieciechów w powiecie kozienickim,
  - gmina Solec nad Wisłą w powiecie lipskim,
  - gminy Gózd, Jastrzębia, Jedlnia Letnisko i Pionki z miastem Pionki w powiecie radomskim,
  - gminy Bodzanów, Bulkowo, Staroźreby i Słubice w powiecie płockim,
  - powiat nowodworski,
  - powiat płoński,

- gminy Pokrzywnica, Świercze i część gminy Winnica położona na zachód od linii wyznaczonej przez drogę łączącą miejscowości Bielany, Winnica i Pokrzywnica w powiecie pułtuskim,
  - powiat wołomiński,
  - część gminy Somianka położona na południe od linii wyznaczonej przez drogę nr 62 w powiecie wyszkowskim,
  - gminy Borowie, Garwolin z miastem Garwolin, Górzno, Miastków Kościelny, Parysów, Pilawa, Trojanów, Żelechów, część gminy Wilga położona na północ od linii wyznaczonej przez rzekę Wilga biegnącą od wschodniej granicy gminy do ujścia do rzeki Wisły w powiecie garwolińskim,
  - gmina Boguty – Pianki w powiecie ostrowskim,
  - gminy Stupsk, Wiśniewo i część gminy Strzegowo położona na zachód od linii wyznaczonej przez drogę nr 7 w powiecie mławskim,
  - powiat otwocki,
  - powiat warszawski zachodni,
  - powiat legionowski,
  - powiat piaseczyński,
  - powiat pruszkowski,
  - gminy Belsk Duży, Goszczyn, Chynów, Grójec, Jasieniec, Pniewy i Warka w powiecie grójeckim,
  - powiat grodziski,
  - gminy Mszczonów i Radziejowice w powiecie żyrardowskim,
  - gminy Białobrzegi i Promna w powiecie białobrzeskim,
  - powiat miejski Warszawa,
- w województwie lubelskim:
- powiat bialski,
  - powiat miejski Biała Podlaska,
  - gminy Aleksandrów, Biłgoraj z miastem Biłgoraj, Biszczka, Józefów, Księżpol, Łukowa, Obsza i Tarnogród część gminy Frampol położona na południe od linii wyznaczonej przez drogę nr 74, część gminy Goraj położona na zachód od linii wyznaczonej przez drogę nr 835, część gminy Tereszpol położona na południe od linii wyznaczonej przez drogę nr 858, część gminy Turobin położona na zachód od linii wyznaczonej przez drogę nr 835 w powiecie biłgorajskim,
  - gminy Chrzanów i Dzwola w powiecie janowskim,
  - powiat puławski,
  - powiat rycki,
  - gminy Stoczek Łukowski z miastem Stoczek Łukowski, Wola Mysłowska, Trzebieszów, Stanin, gmina wiejska Łuków i miasto Łuków w powiecie łukowskim,
  - gminy Bychawa, Jabłonna, Krzczonów, Garbów Strzyżewice, Wysokie i Zakrzew w powiecie lubelskim,
  - gminy Rybczewice i Piaski w powiecie świdnickim,
  - gmina Fajslawice, część gminy Żółkiewka położona na północ od linii wyznaczonej przez drogę nr 842 i część gminy Łopiennik Górny położona na zachód od linii wyznaczonej przez drogę nr 17 w powiecie krasnostawskim,
  - powiat hrubieszowski,
  - gminy Krynice, Rachanie, Tarnawatka, Łaszczów, Telatyn, Tyszowce i Ulhówek w powiecie tomaszowskim,
  - część gminy Wojsławice położona na zachód od linii wyznaczonej przez drogę biegnącą od północnej granicy gminy przez miejscowość Wojsławice do południowej granicy gminy w powiecie chełmskim,
  - gmina Adamów, Miączyn, Sitno, Komarów-Osada, Krasnobród, Łabunie, Zamość, Grabowiec, część gminy Zwierzyniec położona na południowy-wschód od linii wyznaczonej przez drogę nr 858 i część gminy Skierbieszów położona na wschód od linii wyznaczonej przez drogę nr 843 w powiecie zamojskim,
  - powiat miejski Zamość,

- gminy Anapol, Dzierzkowice, Gościeradów i część gminy Urzędów położona na zachód od linii wyznaczonej przez drogę nr 833 w powiecie kraśnickim,
  - powiat opolski,
- w województwie podkarpackim:
- gminy Radomyśl nad Sanem i Zaklików w powiecie stalowowolskim,
  - gminy Horyniec-Zdrój, Cieszanów, Oleszyce i Stary Dzików w powiecie lubaczowskim,
  - gmina Adamówka w powiecie przeworskim,
- w województwie pomorskim:
- gminy Dzierżgoń i Stary Dzierżgoń w powiecie sztumskim,
  - gmina Stare Pole w powiecie malborskim,
- w województwie świętokrzyskim:
- gmina Tarłów i część gminy Ożarów położona na północ od linii wyznaczonej przez drogę nr 74 w powiecie opatowskim,
- w województwie lubuskim:
- gmina Sława w powiecie wschowskim,
  - gmina Kolsko, Siedlisko i część gminy wiejskiej Nowa Sól położona na północ od linii wyznaczonej przez drogi: nr 315 biegnącą od granicy miasta Nowa Sól do skrzyżowania z drogą nr 321 i drogę nr 321 biegnącą do wschodniej granicy gminy w powiecie nowosolskim,
- w województwie dolnośląskim:
- gmina Kotla w powiecie głogowskim.

## 8. Slovakia

The following areas in Slovakia:

- in the district of Košice – okolie, the whole municipalities of Ďurkov, Kalša, Košický Klečenov, Nový Salaš, Rákoš, Ruskov, Skároš, Slančík, Slanec, Slanská Huta, Slanské Nové Mesto, Svinica and Trstené pri Hornáde.

## 9. Romania

The following areas in Romania:

- Județul Bistrița-Năsăud.

## PART III

### 1. Bulgaria

The following areas in Bulgaria:

- the whole region of Kardzhali,
- the whole region of Blagoevgrad,
- the whole region of Montana,
- the whole region of Ruse,
- the whole region of Razgrad,
- the whole region of Silistra,
- the whole region of Pleven,
- the whole region of Vratza,
- the whole region of Vidin,
- the whole region of Targovishte,
- the whole region of Lovech,
- the whole region of Sofia city,

- the whole region of Sofia Province,
- in the region of Shumen:
  - in the municipality of Shumen:
    - Salmanovo,
    - Radko Dimitrivo,
    - Vetrishte,
    - Kostena reka,
    - Vehtovo,
    - Ivanski,
    - Kladenets,
    - Drumevo,
  - the whole municipality of Smyadovo,
  - the whole municipality of Veliki Preslav,
  - the whole municipality of Varbitsa,
- in the region of Varna:
  - the whole municipality of Dalgopol,
  - the whole municipality of Provadiya,
- in the region of Veliko Tarnovo:
  - the whole municipality of Svishtov,
  - the whole municipality of Pavlikeni,
  - the whole municipality of Polski Trambesh,
  - the whole municipality of Strajitsa,
- in Burgas region:
  - the whole municipality of Burgas,
  - the whole municipality of Kameno,
  - the whole municipality of Malko Tarnovo,
  - the whole municipality of Primorsko,
  - the whole municipality of Sozopol,
  - the whole municipality of Sredets,
  - the whole municipality of Tsarevo,
  - the whole municipality of Sungurlare,
  - the whole municipality of Ruen,
  - the whole municipality of Aytos.

## 2. Lithuania

The following areas in Lithuania:

- Alytaus rajono savivaldybė: Simno, Krokialaukio ir Miroslavo seniūnijos,
- Birštono savivaldybė,
- Kauno rajono savivaldybė: Akademijos, Alšėnų, Batniavos, Čekiškės, Ežerėlio, Kačerginės, Kulautuvos, Raudondvario, Ringaudų ir Zapyškio seniūnijos, Babtų seniūnijos dalis į vakarus nuo kelio A1, Užliedžių seniūnijos dalis į vakarus nuo kelio A1 ir Vilkijos apylinkių seniūnijos dalis į rytus nuo kelio Nr. 1907,
- Kazlų Rudos savivaldybė,
- Marijampolės savivaldybė: Gudelių, Igliaukos, Sasnavos ir Šunskų seniūnijos,



- Prienų rajono savivaldybė: Ašmintos, Balbieriškio, Išlaužo, Jiezno, Naujosios Ūtos, Pakuonio, Prienų ir Šilavotos seniūnijos,
- Vilkaviškio rajono savivaldybės: Gižų ir Pilviškių seniūnijos.

### 3. Poland

The following areas in Poland:

w województwie warmińsko-mazurskim:

- Gminy Bisztynek, Sępoleń i Bartoszyce z miastem Bartoszyce w powiecie bartoszyckim,
- gminy Kiwity i Lidzbark Warmiński z miastem Lidzbark Warmiński w powiecie lidzbarskim,
- gminy Srokowo, Barciany, część gminy Kętrzyn położona na północ od linii kolejowej łączącej miejscowości Giżycko i Kętrzyn biegnącej do granicy miasta Kętrzyn oraz na wschód od linii wyznaczonej przez drogę nr 591 biegnącą od miasta Kętrzyn do północnej granicy gminy i część gminy Korsze położona na północ od linii wyznaczonej przez drogę biegnącą od wschodniej granicy łączącą miejscowości Krelikiejmy i Sątoczno i na zachód od linii wyznaczonej przez drogę łączącą miejscowości Sątoczno, Sajna Wielka biegnącą do skrzyżowania z drogą nr 590 w miejscowości Glitajny, a następnie na zachód od drogi nr 590 do skrzyżowania z drogą nr 592 i na północ od linii wyznaczonej przez drogę nr 592 biegnącą od zachodniej granicy gminy do skrzyżowania z drogą nr 590 w powiecie kętrzyńskim,
- gmina Stare Juchy w powiecie ełckim,
- część gminy Wilczęta położona na południe od linii wyznaczonej przez drogę nr 509 w powiecie braniewskim,
- część gminy Morąg położona na północ od linii wyznaczonej przez linię kolejową biegnącą od Olsztyna do Elbląga, część gminy Małdyty położona na północny – wschód od linii wyznaczonej przez linię kolejową biegnącą od Olsztyna do Elbląga w powiecie ostródzkim,
- gminy Godkowo i Pasłęk w powiecie elbląskim,
- gminy Kowale Oleckie, Olecko i Świątajno w powiecie oleckim,
- powiat węgorzewski,
- gminy Kruklanki, Wydminy, Miłki, Giżycko z miastem Giżycko i część gminy Ryn położona na północ od linii kolejowej łączącej miejscowości Giżycko i Kętrzyn w powiecie giżyckim,
- gminy Jeziorany, Kolno, Dywity, Dobrze Miasto i część gminy Barczewo położona na północ od linii wyznaczonej przez linię kolejową w powiecie olsztyńskim,

w województwie podlaskim:

- gminy Orla, Wyszki, Bielsk Podlaski z miastem Bielsk Podlaski i część gminy Boćki położona na wschód od linii wyznaczonej przez drogę nr 19 w powiecie bielskim,
- gminy Łapy, Juchnowiec Kościelny, Suraż, Turośń Kościelna, część gminy Poświętne położona na wschód od linii wyznaczonej przez drogę nr 681 w powiecie białostockim,
- gminy Kleszczęły, Czeremcha i część gminy Dubicze Cerkiewne położona na południowy zachód od linii wyznaczonej przez drogę nr 1654B w powiecie hajnowskim,
- gminy Perlejewo, Drohiczyn i Milejczyce w powiecie siemiatyckim,
- gmina Ciechanowiec w powiecie wysokomazowieckim,

w województwie mazowieckim:

- gminy Łaskarzew z miastem Łaskarzew, Maciejowice, Sobolew i część gminy Wilga położona na południe od linii wyznaczonej przez rzekę Wilga biegnącą od wschodniej granicy gminy do ujścia dorzeczki Wisły w powiecie garwolińskim,
- powiat miński,
- gminy Jabłonna Lacka, Sabnie i Sterdyń w powiecie sokołowskim,
- gminy Ojrzeń, Sońsk, Regimin, Ciechanów z miastem Ciechanów i część gminy Gliniojeck położona na wschód od linii wyznaczonej przez drogę nr 7 w powiecie ciechanowskim,
- część gminy Strzegowo położona na wschód od linii wyznaczonej przez drogę nr 7 w powiecie mławskim,
- gmina Nur w powiecie ostrowskim,
- gminy Grabów nad Pilicą, Magnuszew, Głowaczów, Kozienice w powiecie kozienickim,

- gmina Stromiec w powiecie białobrzeskim,
  - gminy Czerwińsk nad Wisłą i Naruszewo w powiecie płońskim,
  - gminy Wyszogród i Mała Wieś w powiecie płockim,
- w województwie lubelskim:
- gminy Bełżec, Jarczów, Lubycza Królewska, Susiec, Tomaszów Lubelski i miasto Tomaszów Lubelski w powiecie tomaszowskim,
  - gminy Białopole, Dubienka, Chełm, Leśniowice, Wierzbica, Sawin, Ruda Huta, Dorohusk, Kamień, Rejowiec, Rejowiec Fabryczny z miastem Rejowiec Fabryczny, Siedliszcze, Żmudź i część gminy Wojsławice położona na wschód od linii wyznaczonej przez drogę biegnącą od północnej granicy gminy do miejscowości Wojsławice do południowej granicy gminy w powiecie chełmskim,
  - powiat miejski Chełm,
  - gminy Izbica, Gorzków, Rudnik, Kraśniczyn, Krasnystaw z miastem Krasnystaw, Siennica Różana i część gminy Łopiennik Górny położona na wschód od linii wyznaczonej przez drogę nr 17, część gminy Żółkiewka położona na południe od linii wyznaczonej przez drogę nr 842 w powiecie krasnostawskim,
  - gmina Stary Zamość, Radecznica, Szczebrzeszyn, Sułów, Nielisz, część gminy Skierbieszów położona na zachód od linii wyznaczonej przez drogę nr 843, część gminy Zwierzyniec położona na północny-zachód od linii wyznaczonej przez drogę nr 858 powiecie zamojskim,
  - część gminy Frampol położona na północ od linii wyznaczonej przez drogę nr 74, część gminy Goraj położona na wschód od linii wyznaczonej przez drogę nr 835, część gminy Tereszpol położona na północ od linii wyznaczonej przez drogę nr 858, część gminy Turobin położona na wschód od linii wyznaczonej przez drogę nr 835 w powiecie biłgorajskim,
  - gminy Hanna, Hańsk, Wola Uhruska, Urszulin, Stary Brus, Wiryki i gmina wiejska Włodawa w powiecie włodawskim,
  - powiat łączyński,
  - gmina Trawniki w powiecie świdnickim,
  - gminy Adamów, Krzywda, Serokomla, Wojcieszków w powiecie łukowskim,
  - powiat parczewski,
  - powiat radzyński,
  - powiat lubartowski,
  - gminy Głusk, Jastków, Niemce i Wólka w powiecie lubelskim,
  - gminy Mełgiew i miasto Świdnik w powiecie świdnickim,
  - powiat miejski Lublin,
- w województwie podkarpackim:
- gmina Narol w powiecie lubaczowskim.

#### 4. Romania

The following areas in Romania:

- Zona oraşului Bucureşti,
- Judeţul Constanţa,
- Judeţul Satu Mare,
- Judeţul Tulcea,
- Judeţul Bacău,
- Judeţul Bihor,
- Judeţul Brăila,
- Judeţul Buzău,
- Judeţul Călăraşi,
- Judeţul Dâmboviţa,

- Județul Galați,
- Județul Giurgiu,
- Județul Ialomița,
- Județul Ilfov,
- Județul Prahova,
- Județul Sălaj,
- Județul Vaslui,
- Județul Vrancea,
- Județul Teleorman,
- Județul Mehedinți,
- Județul Gorj,
- Județul Argeș,
- Județul Olt,
- Județul Dolj,
- Județul Arad,
- Județul Timiș,
- Județul Covasna,
- Județul Brașov,
- Județul Botoșani,
- Județul Vâlcea,
- Județul Iași,
- Județul Hunedoara,
- Județul Alba,
- Județul Sibiu,
- Județul Caraș-Severin,
- Județul Neamț,
- Județul Harghita,
- Județul Mureș,
- Județul Cluj,
- Județului Maramureș.

#### 5. Slovakia

The following areas in Slovakia:

- the whole district of Trebisov,
- in the district of Michalovce, the whole municipalities of the district not already included in Part I.

#### PART IV

#### Italy

The following areas in Italy:

- tutto il territorio della Sardegna.'
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