



Council of the
European Union

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PECHE 351

LEGISLATIVE ACTS AND OTHER INSTRUMENTS

Subject: COUNCIL REGULATION on the allocation of fishing opportunities under the Protocol on the implementation of the Sustainable Fisheries Partnership Agreement between the European Union and the Government of the Cook Islands

COUNCIL REGULATION (EU) 2021/...

of ...

**on the allocation of fishing opportunities under the Protocol on the implementation
of the Sustainable Fisheries Partnership Agreement
between the European Union and the Government of the Cook Islands**

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) The Sustainable Fisheries Partnership Agreement between the European Union and the Government of the Cook Islands¹ ('the Agreement') was concluded by Council Decision (EU) 2017/418² and entered into force on 10 May 2017. The Protocol on the implementation of the Agreement ('the current Protocol') was provisionally applied since 14 October 2016³.
- (2) The current Protocol was extended for one year⁴, and is due to expire on 13 November 2021.
- (3) On 7 July 2020, the Council authorised the Commission to open negotiations with the Government of the Cook Islands for the conclusion of a new Protocol on the implementation of the Agreement ('the Protocol').
- (4) As a result of those negotiations, the Protocol was initialled on 28 July 2021.

¹ OJ L 131, 20.5.2016, p. 3.

² Council Decision (EU) 2017/418 of 28 February 2017 on the conclusion on behalf of the European Union of the Sustainable Fisheries Partnership Agreement between the European Union and the Government of the Cook Islands and the Implementation Protocol thereto (OJ L 64, 10.3.2017, p. 1).

³ OJ L 289, 25.10.2016, p. 1.

⁴ OJ L 395, 25.11.2020, p. 1.

- (5) On [...] ⁺, the Council adopted Decision (EU) 2021/... ⁺⁺ on the signing and provisional application of the Protocol.
- (6) The fishing opportunities set out in the Protocol should be allocated among the Member States for the entire period of its application.
- (7) In view of the economic importance of the Union fishing activities in the Cook Islands' fishing areas and in view of the need to avoid interrupting those activities upon the expiration of the current Protocol, this Regulation should enter into force as soon as possible.
- (8) The Protocol will apply on a provisional basis as from the date of its signature, in order to allow for the fishing activities of Union vessels. This Regulation should therefore apply from the same date,

HAS ADOPTED THIS REGULATION:

⁺ OJ: please insert the date of adoption of the Decision contained in document ST 12627/21.
¹ Council Decision (EU) 2021/... of ... on the signing, on behalf of the European Union, and provisional application of the Protocol on the implementation of the Sustainable Fisheries Partnership Agreement between the European Union and the Government of the Cook Islands (OJ L [...], [...], p. [...]).

⁺⁺ OJ: please insert in the text the number of the Decision contained in document ST 12627/21 and in the corresponding footnote – the number, date of adoption and publication reference of that Decision.

Article 1

The fishing opportunities set out in the Protocol on the implementation of the Sustainable Fisheries Partnership Agreement between the European Union and the Government of the Cook Islands ('the Protocol') shall be allocated among the Member States as follows:

Tuna seiners:

- Spain: 3 vessels
- France: 1 vessel

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 ...⁺

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

Done at ...,

For the Council

The President

⁺ OJ: please insert the date of signature of the Protocol.