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PECHE 351

LEGISLATIVE ACTS AND OTHER INSTRUMENTS

Subject: COUNCIL REGULATION on the allocation of fishing opportunities under the Protocol implementing the Fisheries Partnership Agreement between the European Union and the Republic of Mauritius (2022-2026)

COUNCIL REGULATION (EU) 2022/...

of ...

**on the allocation of fishing opportunities under
the Protocol implementing the Fisheries Partnership Agreement
between the European Union and the Republic of Mauritius (2022-2026)**

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 Fisheries Partnership Agreement between the European Union and the Republic of Mauritius¹ (the ‘Agreement’) was concluded by Council Decision 2014/146/EU² and entered into force on 28 January 2014.
- (2) The first protocol³ to the Agreement set out, for a period of three years, the fishing opportunities granted to Union vessels in Mauritius waters and the financial contribution granted by the Union. The period of application of that protocol expired on 27 January 2017.
- (3) The second protocol⁴ to the Agreement set out, for a period of four years, the fishing opportunities granted to Union vessels in Mauritius waters and the financial contribution granted by the Union. The period of application of that protocol expired on 7 December 2021.

¹ OJ L 79, 18.3.2014, p. 3.

² Council Decision 2014/146/EU of 28 January 2014 on the conclusion of the Fisheries Partnership Agreement between the European Union and the Republic of Mauritius (OJ L 79, 18.3.2014, p. 2).

³ Protocol setting out the fishing opportunities and the financial contribution provided for by the Fisheries Partnership Agreement between the European Union and the Republic of Mauritius (OJ L 79, 18.3.2014, p. 9).

⁴ Protocol setting out the fishing opportunities and the financial contribution provided for by the Fisheries Partnership Agreement between the European Union and the Republic of Mauritius (OJ L 279, 28.10.2017, p. 3).

- (4) An agreement in the form of an exchange of letters between the Union and Mauritius¹ extended the application of the second protocol to the Agreement until 4 October 2022.
- (5) On 28 September 2021, the Council authorised the Commission to open negotiations with Mauritius for the conclusion of a new protocol implementing the Agreement.
- (6) As a result of those negotiations, a new protocol for a period of four years (the ‘Protocol’) was initialled on 7 May 2022.
- (7) On ...⁺, the Council adopted Decision (EU) 2022/...²⁺⁺ on the signing and provisional application of the Protocol, subject to its conclusion at a later date.
- (8) The fishing opportunities provided for in the Protocol should be allocated among the Member States for the entire period of its application.

¹ Agreement in the form of an Exchange of Letters between the European Union and the Republic of Mauritius concerning the extension of the Protocol setting out the fishing opportunities and the financial contribution provided for by the Fisheries Partnership Agreement between the European Union and the Republic of Mauritius (OJ L 115, 13.4.2022, p. 45).

⁺ OJ: Please insert the date of adoption of the decision in ST 12752/22.

² Council Decision (EU) 2022/... of ... 2022 on the signing, on behalf of the Union, and provisional application of the Protocol implementing the Fisheries Partnership Agreement between the European Union and the Republic of Mauritius (2022-2026) (OJ L ..., ..., p. ...).

⁺⁺ OJ: Please insert the number of the decision in ST 12752/22 and complete the corresponding footnote.

- (9) The Protocol should be implemented as soon as possible in view of the economic importance of Union fishing activities in the Mauritius fishing zone and the need to minimise the interruption of such activities.
- (10) 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:

Article 1

The fishing opportunities established under the Protocol implementing the Fisheries Partnership Agreement between the European Union and Mauritius (2022-2026) shall be allocated among the Member States as follows:

- (1) 40 purse seiners:
 - Spain: 22 vessels
 - France: 16 vessels
 - Italy: 2 vessels;
- (2) 45 surface longliners:
 - Spain: 12 vessels
 - France: 29 vessels
 - Portugal: 4 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 ...⁺.

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 adoption of the decision in ST 12752/22.