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PECHE 410

LEGISLATIVE ACTS AND OTHER INSTRUMENTS

Subject: COUNCIL DECISION on the conclusion, on behalf of the Union, of the Protocol on the implementation of the Sustainable Fisheries Partnership Agreement between the European Union, of the one part, and the Government of Greenland and the Government of Denmark, of the other part (2025–2030)

COUNCIL DECISION (EU) .../...

of ...

**on the conclusion, on behalf of the Union,
of the Protocol on the implementation
of the Sustainable Fisheries Partnership Agreement
between the European Union, of the one part,
and the Government of Greenland
and the Government of Denmark, of the other part (2025–2030)**

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(6), second subparagraph, point (a)(v), and Article 218(7) thereof,

Having regard to the proposal from the European Commission,

Having regard to the consent of the European Parliament¹,

¹ Consent of ... (not yet published in the Official Journal).

Whereas:

- (1) In accordance with Council Decision (EU) .../...²⁺, the Protocol on the implementation of the Sustainable Fisheries Partnership Agreement between the European Union, of the one part, and the Government of Greenland and the Government of Denmark, of the other part (2025–2030) ('the Protocol') was signed on ...⁺⁺, subject to its conclusion at a later date.
- (2) The objectives of the Protocol are to enable Union vessels to fish in the fishing zone of Greenland and to enable the Union and Greenland to work closely together to further promote the development of a sustainable fisheries policy and the responsible exploitation of fishery resources in the fishing zone of Greenland. That cooperation will also contribute to decent working conditions in the fisheries sector.
- (3) The Protocol should be approved.
- (4) In accordance with the Treaties, the Commission should make the notifications provided for in Article 14 of the Protocol.

² Council Decision .../... of ... on the signing, on behalf of the Union, and provisional application of the Protocol on the implementation of the Sustainable Fisheries Partnership Agreement between the European Union, of the one part, and the Government of Greenland and the Government of Denmark, of the other part (2025–2030) (OJ L, ..., ELI: ...).

⁺ OJ: Please insert the number of the Decision in document ST 14653/24 and complete the corresponding footnote.

⁺⁺ OJ: Please insert the date of signing of the Protocol in document ST 14781/24.

- (5) Article 12 of the Sustainable Fisheries Partnership Agreement between the European Union, of the one part, and the Government of Greenland and the Government of Denmark, of the other part³ ('the Agreement') establishes a Joint Committee responsible for monitoring the application of the Agreement and the Protocol. That committee has the power to approve certain amendments to the Protocol. In order to facilitate the approval of such amendments, the Commission should be empowered, subject to substantive and procedural conditions, to approve them on behalf of the Union under a simplified procedure.
- (6) The Union's position on proposed amendments to the Protocol should be established by the Council. The proposed amendments should be approved unless a blocking minority of Member States, in accordance with Article 16(4) of the Treaty on European Union, objects to them.
- (7) The European Data Protection Supervisor was consulted in accordance with Article 42 of Regulation (EU) 2018/1725 of the European Parliament and of the Council⁴ and delivered an opinion on ...,

HAS ADOPTED THIS DECISION:

³ OJ L 175, 18.5.2021, p. 3, ELI: http://data.europa.eu/eli/agree_international/2021/793/oj.

⁴ Regulation (EU) 2018/1725 of the European Parliament and of the Council of 23 October 2018 on the protection of natural persons with regard to the processing of personal data by the Union institutions, bodies, offices and agencies and on the free movement of such data, and repealing Regulation (EC) No 45/2001 and Decision No 1247/2002/EC (OJ L 295, 21.11.2018, p. 39, ELI: <http://data.europa.eu/eli/reg/2018/1725/oj>).

Article 1

The Protocol on the implementation of the Sustainable Fisheries Partnership Agreement between the European Union, of the one part, and the Government of Greenland and the Government of Denmark, of the other part (2025–2030) ('the Protocol') is hereby approved on behalf of the Union.

Article 2

The Commission shall proceed, on behalf of the Union, to make the notifications provided for in Article 14 of the Protocol, in order to express the consent of the Union to be bound by the Protocol⁵.

Article 3

In accordance with the procedure and conditions laid down in the Annex to this Decision, the Commission is authorised to approve, on behalf of the Union, amendments to the Protocol adopted by the Joint Committee established under Article 12 of the Agreement.

⁵ The date of entry into force of the Protocol will be published in the *Official Journal of the European Union* by the General Secretariat of the Council.

Article 4

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

Done at ..., ...

For the Council

The President

ANNEX

Procedure and conditions for the approval of amendments to the Protocol to be adopted by the Joint Committee

1. Where the Joint Committee is asked to adopt amendments to the Protocol in accordance with Article 12 of the Agreement and Articles 4 and 7 of the Protocol, the Commission is authorised to negotiate with the Government of Greenland and the Government of Denmark and, where appropriate and subject to compliance with point 3, approve the proposed amendments to the Protocol on behalf of the Union in respect of the following issues:
 - (a) adjustment of the fishing opportunities and, as a consequence, of the financial contribution referred to in Article 3 of the Protocol;
 - (b) sectoral support arrangements in accordance with Article 4 of the Protocol;
 - (c) the technical conditions and arrangements under which Union vessels carry out their fishing activities.

2. Within the Joint Committee, the Union shall:
 - (a) act in accordance with the objectives of the common fisheries policy;
 - (b) promote positions that are consistent with the relevant rules adopted by regional fisheries management organisations and take account of joint management by coastal States.
3. When a decision on amendments to the Protocol as referred to in point 1 is to be adopted during a Joint Committee meeting, the necessary steps shall be taken so as to ensure that the position to be expressed on behalf of the Union takes account of the latest statistical, biological and other relevant information transmitted to the Commission.
4. To that effect and on the basis of that information, a document setting out the particulars of the proposed Union position shall be transmitted by the Commission, in sufficient time before the relevant Joint Committee meeting, to the Council or to its preparatory bodies for consideration and approval.

5. In respect of the issues referred to in point 1(a), the approval of the proposed Union position by the Council shall require a qualified majority in the Council, in accordance with Article 16(3) of the Treaty on European Union (TEU). In the other cases, the Union position proposed in the preparatory document shall be deemed to be agreed, unless a number of Member States equivalent to a blocking minority in the Council, in accordance with Article 16(4) TEU, objects during a meeting of the Council's preparatory body or within 20 days of receipt of the preparatory document, whichever occurs earlier. In the event of such an objection, the matter shall be referred back to the Council.
 6. If, in the course of subsequent meetings of the Joint Committee, including on-the-spot meetings, it is impossible to reach an agreement, the matter shall be referred back to the Council or its preparatory bodies, in order for the Union position to take account of new factors.
 7. The Commission is invited to take, in due time, any steps necessary as a follow-up to the decision of the Joint Committee, including, where appropriate, publishing the relevant decision in the *Official Journal of the European Union* and submitting any proposal necessary for the implementation of that decision.
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