Council of the European Union

Brussels, 29 September 2020
(OR. en)

**11149/20**
**ADD 1**

**Interinstitutional File:**
**2020/0274(NLE)**

**PECHE 258**

**PROPOSAL**

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| From: | Secretary-General of the European Commission, signed by Ms Martine DEPREZ, Director of the Registry |
| date of receipt: | 28 September 2020 |
| To: | Mr Jeppe TRANHOLM-MIKKELSEN, Secretary-General of the Council of the European Union |
| No. Cion doc.: | COM(2020) 588 final Annex |
| Subject: | ANNEX accompanying the Proposal for a COUNCIL DECISION on the conclusion of the Agreement in the form of an exchange of letters between the European Union and the Islamic Republic of Mauritania on the extension of the Protocol setting out the fishing opportunities and financial contribution provided for in the Fisheries Partnership Agreement between the European Community and the Islamic Republic of Mauritania expiring on 15 November 2020 |

Delegations will find attached document COM(2020) 588 final Annex.

Encl.: COM(2020) 588 final Annex

EUROPEAN
COMMISSION

Brussels, 28.9.2020
COM(2020) 588 final

ANNEX

**ANNEX**

**accompanying**

**the Proposal for a COUNCIL DECISION**

**on the conclusion of the Agreement in the form of an exchange of letters between the European Union and the Islamic Republic of Mauritania on the extension of the Protocol setting out the fishing opportunities and financial contribution provided for in the Fisheries Partnership Agreement between the European Community and the Islamic Republic of Mauritania expiring on 15 November 2020**

**ANNEX**

**Agreement in the form of an exchange of letters between the European Union and the Islamic Republic of Mauritania on the extension of the Protocol setting out the fishing opportunities and financial contribution provided for in the Fisheries Partnership Agreement between the European Community and the Islamic Republic of Mauritania, expiring on 15 November 2020**

**A. Letter from the European Union**

Dear Sirs,

I am pleased to confirm that we agree to the following interim arrangements for the second extension of the Protocol currently in force (16 November 2015-15 November 2019, already renewed for one year until 15 November 2020[1]), hereinafter 'the Protocol', setting out the fishing opportunities and financial contribution provided for in the Fisheries Partnership Agreement between the European Community and the Islamic Republic of Mauritania, pending completion of the negotiations on the renewal of the Agreement and Protocol.

The European Union and the Islamic Republic of Mauritania have therefore agreed the following:

(1) As from 16 November 2020, or as from the date of signature of the present exchange of letters if it occurs later, the arrangements in place during the final year of the Protocol will be renewed for a maximum period of one year under the same conditions.

(2) The EU's financial contribution for vessels to have access to Mauritanian waters under the extension will correspond to the annual amount provided for under Article 2 of the Protocol, as amended by the Joint Committee on 15 and 16 November 2016[2]. That payment will be made in a single instalment no later than three months from the date of provisional application of this exchange of letters.

(3) Under this extension agreement, sectoral support amounts to EUR 4.125 million. The Joint Committee provided for under Article 10 of the Fisheries Partnership Agreement will approve the programming for this amount according to the provisions set out in Article 3(1) of the Protocol no later than two months from the date of application of this exchange of letters. The conditions referred to in Article 3 of the Protocol relating to the implementation and payment of sectoral support will apply *mutatis mutandis*.

(4) In the event that the negotiations to renew the Partnership Agreement and its Protocol result in these being signed and subsequently entering into force prior to the expiry of the one-year period provided for under point 1 above, payment of the financial contribution referred to in points 2 and 3 above will be reduced *pro rata temporis*. The corresponding amount already paid will be deducted from the first financial contribution due under the new Protocol.

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1 Council Decision (EU) 2019/1918 of 8 November 2019, (OJ L 297 I, 18.11.2019, p. 1)

2 Ref. Commission Decision (EU) 2017/451 of 14 March 2017, OJ L 69, 15.3.2017, p. 34.

(5) During the application period of this extension agreement, fishing licences will be allocated within the limits set under the Protocol by means of fees or advances corresponding to those set in Appendix 1 of Annex 1 to the Protocol.

(6) Pending its entry into force, this exchange of letters will apply provisionally as from 16 November 2020, or as from the date of signature if it occurs later. It will enter into force on the date on which the Parties notify each other that they have completed the necessary procedures for that purpose.

I should be obliged if you would acknowledge receipt of this letter and confirm that you are in agreement with its terms.

Yours faithfully,

*For the European Union*

**B. Letter from the Islamic Republic of Mauritania**

Dear Sirs, [*please introduce in this letter the corrections made in the letter of the Union]*

I have the honour to acknowledge receipt of your letter of today's date, which reads as follows:

'Dear Sirs,

I am pleased to confirm that we agree to the following interim arrangements for the extension of the Protocol currently in force (16 November 2015-15 November 2019, already renewed for one year until 15 November 2020[3]), hereinafter 'the Protocol', setting out the fishing opportunities and financial contribution provided for in the Fisheries Partnership Agreement between the European Community and the Islamic Republic of Mauritania, pending completion of the negotiations on the renewal of the Agreement and Protocol.

The European Union and the Islamic Republic of Mauritania have therefore agreed the following:

(1) As from 16 November 2020, or as from the date of signature of the present exchange of letters if it occurs later, the arrangements in place during the final year of the Protocol will be extended for a further maximum period of one year under the same conditions.

(2) The EU's financial contribution for vessels to have access to Mauritanian waters under the extension will correspond to the annual amount provided for under Article 2 of the Protocol, as amended by the Joint Committee on 15 and 16 November 2016[4]. That payment will be made in a single instalment no later than three months from the date of provisional application of this exchange of letters.

[3] Ref. Council Decision (EU) 2019/1918 of 8 November 2019, OJ L 297 I, 18.11.2019, p. 1.

[4] Ref. Commission Decision (EU) 2017/451 of 14 March 2017, OJ L 69, 15.3.2017, p. 34.

(3) Under this extension agreement, sectoral support amounts to EUR 4.125 million. The Joint Committee provided for under Article 10 of the Fisheries Partnership Agreement will approve the programming for this amount according to the provisions set out in Article 3(1) of the Protocol no later than two months from the date of application of this exchange of letters. The conditions referred to in Article 3 of the Protocol relating to the implementation and payment of sectoral support will apply *mutatis mutandis*.

(4) In the event that the negotiations to renew the Partnership Agreement and its Protocol result in these being signed and subsequently entering into force prior to the expiry of the one-year period provided for under point 1 above, payment of the financial contribution referred to in points 2 and 3 above will be reduced *pro rata temporis*. The corresponding amount already paid will be deducted from the first financial contribution due under the new Protocol.

(5) During the application period of this extension agreement, fishing licences will be allocated within the limits set under the Protocol by means of fees or advances corresponding to those set in Appendix 1 of Annex 1 to the Protocol.

(6) Pending its entry into force, this exchange of letters will apply provisionally as from 16 November 2020, or as from the date of signature if it occurs later. It will enter into force on the date on which the Parties notify each other that they have completed the necessary procedures for that purpose.'

I can confirm that the terms of your letter are acceptable to my Government.

Your letter and this letter constitute an agreement in accordance with your proposal.

Yours faithfully,

*For the Government of the Islamic Republic of Mauritania*