Council of the European Union

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PECHE 270

LEGISLATIVE ACTS AND OTHER INSTRUMENTS

Subject:	COUNCIL DECISION on the signing, on behalf of the Union, and provisional application of the Agreement in the form of an exchange of letters between the European Union and the Government of the Cook Islands concerning an extension of the Protocol on the implementation of the Sustainable Fisheries Partnership Agreement between the European Union and the Government of the Cook Islands

COUNCIL DECISION (EU) 2020/…

of …

on the signing, on behalf of the Union,
and provisional application of the Agreement in the form of an exchange of letters
between the European Union and the Government of the Cook Islands
concerning an extension of 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, in conjunction with Article 218(5) 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 Islands[1] ('the Agreement'), approved by Council Decision (EU) 2017/418[2], entered into force on 10 May 2017. The Protocol on the implementation of the Agreement[3] ('the Protocol') has been applied since 14 October 2016[4] for a period of four years.

(2) The Protocol is set to expire on 13 October 2020.

(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 implementing the Agreement.

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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 Protocol on the implementation of the Sustainable Fisheries Partnership Agreement between the European Union and the Government of the Cook Islands (OJ L 131, 20.5.2016, p. 10).

4 OJ L 289, 25.10.2016, p. 1.

(4) Pending completion of the negotiations on the renewal of the Protocol, the Commission negotiated, on behalf of the Union, an Agreement in the form of an exchange of letters between the European Union and the Government of the Cook Islands concerning an extension of the Protocol on the implementation of the Sustainable Fisheries Partnership Agreement between the European Union and the Government of the Cook Islands ('Agreement in the form of an exchange of letters') for a maximum period of one year. The negotiations were concluded successfully and the exchange of letters was initialled on 29 July 2020.

(5) The aim of the Agreement in the form of an exchange of letters is to enable the Union and the Government of the Cook Islands to continue working together to promote a sustainable fisheries policy and the sound exploitation of fisheries resources in the Cook Islands' waters, and to allow Union vessels to carry out their fishing activities in those waters.

(6) The Agreement in the form of an exchange of letters should be signed on behalf of the Union, subject to its conclusion at a later date.

(7) To ensure the continuity of fishing activity by Union vessels in the Cook Islands' waters, the Agreement in the form of an exchange of letters should be applied on a provisional basis, pending the completion of the procedures necessary for its entry into force,

HAS ADOPTED THIS DECISION:

Article 1

The signing, on behalf of the Union, of the Agreement in the form of an exchange of letters between the European Union and the Government of the Cook Islands concerning an extension of the Protocol on the implementation of the Sustainable Fisheries Partnership Agreement between the European Union and the Government of the Cook Islands is hereby authorised, subject to the conclusion of the said Agreement in the form of an exchange of letters[1+].

Article 2

The President of the Council is hereby authorised to designate the person(s) empowered to sign the Agreement in the form of an exchange of letters on behalf of the Union.

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1 The text of the Agreement in the form of an exchange of letters is published in … [insert OJ reference].

\+ Delegations: see document st11271/20.

Article 3

The Agreement in the form of an exchange of letters shall be applied on a provisional basis, in accordance with point 6 thereof, as from 14 October 2020 or any other subsequent date from the day it is signed[1], pending the completion 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 …,

For the Council
The President

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[1] The date from which the Agreement in the form of an exchange of letters will be provisionally applied will be published in the *Official Journal of the European Union* by the General Secretariat of the Council.