Council of the
European Union

Brussels, 9 November 2021
(OR. en)

12411/21

Interinstitutional File:
2021/0302 (NLE)

PECHE 339

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 Islamic Republic of Mauritania (2021-2026)

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 Islamic Republic of Mauritania (2021-2026)

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 Community and the Islamic Republic of Mauritania ('Mauritania'), approved by Council Regulation (EC) No 1801/2006[1], has been applied on a provional basis since 8 August 2008. The Protocol thereto setting out the fishing opportunities and financial contribution provided for in the Agreement, which has been applied on a provisional basis since the same day, has been replaced several times.

(2) The Protocol currently in force will expire on 15 November 2021.

(3) On 8 July 2019, the Council adopted a Decision authorising the Commission to open negotiations with Mauritania with a view to concluding a new sustainable fisheries partnership agreement and a new protocol implementing that agreement.

[1] Council Regulation (EC) No 1801/2006 of 30 November 2006 on the conclusion of the Fisheries Partnership Agreement between the European Community and the Islamic Republic of Mauritania (OJ L 343, 8.12.2006, p. 1).

(4) Between September 2019 and July 2021, eight rounds of negotiations were held with Mauritania. Following those negotiations, the Sustainable Fisheries Partnership Agreement between the European Union and the Islamic Republic of Mauritania ('the Partnership Agreement') and the Implementing Protocol thereto ('the Protocol') were initialled on 28 July 2021.

(5) In accordance with Council Decision (EU) 2021/…[1+], the Partnership Agreement and the Protocol were signed on …[++].

(6) The fishing opportunities provided for in the Protocol should be allocated among the Member States for the entire period of its application.

---

1 Council Decision (EU) 2021/… of … 2021 on the signing, on behalf of the European Union, and provisional application of the Sustainable Fisheries Partnership Agreement between the European Union and the Islamic Republic of Mauritania and the Implementing Protocol thereto (OJ L …).

+ OJ: please insert the number of the Decision indicated in document ST 12392/21 and complete the corresponding footnote.

++ OJ: please insert the date of signature of the Partnership Agreement and of the Protocol indicated in document ST 12446/21.

(7) This Regulation should enter into force as soon as possible in view of the economic importance of Union fishing activities in the Mauritanian fishing zone and the need to avoid or to reduce as much as possible the duration of any interruption of those activities.

(8) The Protocol will apply on a provisional basis as from the date it is signed to allow Union vessels to continue their fishing activity. This Regulation should therefore apply from the same date,

HAS ADOPTED THIS REGULATION:

Article 1

The fishing opportunities established under the Protocol shall be allocated among the Member States as follows:

(1) Category 1 – Vessels fishing for crustaceans other than spiny lobster and crab:

Spain	4 150 tonnes
Italy	600 tonnes
Portugal	250 tonnes

In this category, no more than 15 vessels may operate in Mauritanian waters at any one time.

(2) Category 2 – Black hake (non-freezer) trawlers and bottom longliners:

Spain	6 000 tonnes

In this category, no more than four vessels may operate in Mauritanian waters at any one time.

(3) Category 2a – Black hake (freezer) trawlers:

Spain:

Black hake 3 500 tonnes

Squid 1 450 tonnes

Cuttlefish 600 tonnes

In this category, no more than six vessels may operate in Mauritanian waters at any one time.

(4) Category 3 – Vessels fishing for demersal species other than black hake with gear other than trawls:

Spain 3 000 tonnes

In this category, no more than six vessels may operate in Mauritanian waters at any one time.

(5) Category 4 – Tuna seiners (14 000 tonnes – reference tonnage):

Spain 17 annual licences

France 12 annual licences

(6) Category 5 – Pole-and-line tuna vessels and surface longliners (7 000 tonnes -- reference tonnage):

Spain	14 annual licences
France	1 annual licence

(7) Category 6 – Pelagic freezer trawlers:

Germany	13 038,4 tonnes
France	2 714,6 tonnes
Latvia	55 966,6 tonnes
Lithuania	59 837,6 tonnes
Netherlands	64 976,1 tonnes
Poland	27 106,6 tonnes
Ireland	8 860,1 tonnes

During the period of application of the Protocol, the Member States shall have the following number of quarterly licences:

Germany	4
France	2
Latvia	20
Lithuania	22
Netherlands	16
Poland	8
Ireland	2

The Member States shall inform the Commission if certain licences may be made available to other Member States.

In this category, no more than 19 vessels may operate in Mauritanian waters at any one time.

(8) Category 7 – Non-freezer pelagic vessels:

Ireland 15 000 tonnes

If not used, these fishing opportunities shall be transferred to category 6 according to the method of allocation of that category.

In this category, no more than two vessels may operate in Mauritanian waters at any one time.

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 … (date of signature of the Protocol).

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

Done at Brussels,

For the Council
The President