Council of the European Union

Brussels, 5 November 2019
(OR. fr)

12927/19

Interinstitutional File:
2019/0209 (NLE)

PECHE 441

LEGISLATIVE ACTS AND OTHER INSTRUMENTS

Subject:	Agreement in the form of an Exchange of Letters between the European Union and the Islamic Republic of Mauritania on an extension to 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 2019

AGREEMENT
IN THE FORM OF AN EXCHANGE OF LETTERS
BETWEEN THE EUROPEAN UNION
AND THE ISLAMIC REPUBLIC OF MAURITANIA
ON AN EXTENSION TO 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 2019

A. Letter from the European Union

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), 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.

In this regard, the European Union and the Islamic Republic of Mauritania have therefore agreed the following:

(1) As from 16 November 2019, or any other subsequent date from the signing of this Exchange of Letters, the arrangements in force during the final year of the Protocol will be renewed under the same conditions for a maximum period of one year.

(2) The Union'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[1]. That payment will be made in a single instalment no later than three months from the date this Exchange of Letters is provisionally applied.

(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.

[1] Commission Decision (EU) 2017/451 of 14 March 2017 approving, on behalf of the European Union, certain amendments to 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 (OJ EU L 69, 15.3.2017, p. 34).

(6) This Exchange of Letters will apply provisionally as from 16 November 2019, or any other subsequent date from its being signed, pending its entry into force. 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,

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), 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.

In this regard, the European Union and the Islamic Republic of Mauritania have therefore agreed the following:

(1) As from 16 November 2019, or any other subsequent date from the signing of this Exchange of Letters, the arrangements in force during the final year of the Protocol will be renewed under the same conditions for a maximum period of one year.

(2) The Union'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[1]. That payment will be made in a single instalment no later than three months from the date this Exchange of Letters is provisionally applied.

[1] Commission Decision (EU) 2017/451 of 14 March 2017 approving, on behalf of the European Union, certain amendments to 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 (OJ EU 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) This Exchange of Letters will apply provisionally as from 16 November 2019, or any other subsequent date from its being signed, pending its entry into force. 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 content of your letter is 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.