Council of the
European Union

Brussels, 8 February 2022
(OR. en)

5656/22

Interinstitutional File:
2022/0013 (NLE)

PECHE 21

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 Republic of Mauritius concerning the extension of the Protocol setting out the fishing opportunities and the financial contribution provided for by the Fisheries Partnership Agreement between the European Union and the Republic of Mauritius

COUNCIL DECISION (EU) 2022/…

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 Republic of Mauritius concerning the extension of the Protocol setting out the fishing opportunities and the financial contribution provided for by the Fisheries Partnership Agreement between the European Union and the Republic of Mauritius

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 Fisheries Partnership Agreement between the European Union and the Republic of Mauritius[1] ('the Agreement') was approved on behalf of the Union by means of Council Decision 2014/146/EU[2] and entered into force on 28 January 2014.

(2) The application of the Protocol setting out the fishing opportunities and the financial contribution provided for by the Fisheries Partnership Agreement between the European Union and the Republic of Mauritius[3] ('the Protocol') started on 8 December 2017 for a period of four years. The Protocol expired on 7 December 2021.

(3) On 28 September 2021 the Council authorised the Commission to open negotiations with the Republic of Mauritius for the conclusion of a new protocol implementing the Agreement.

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1 OJ L 79, 18.3.2014, p. 3.

2 Council Decision 2014/146/EU of 28 January 2014 on the conclusion of the Fisheries Partnership Agreement between the European Union and the Republic of Mauritius (OJ L 79, 18.3.2014, p. 2).

3 OJ L 279, 28.10.2017, p. 3.

(4) Pending the completion of the negotiations on the renewal of the Protocol, the Commission has negotiated, on behalf of the Union, an agreement in the form of an exchange of letters between the Union and the Republic of Mauritius on the extension of the Protocol for a maximum period of six months. The negotiations on the extension of the Protocol were concluded successfully, and the Agreement in the form of an Exchange of Letters between the European Union and the Republic of Mauritius concerning the extension of the Protocol setting out the fishing opportunities and the financial contribution provided for by the Fisheries Partnership Agreement between the European Union and the Republic of Mauritius ('the Agreement in the form of an Exchange of Letters') was initialled on 6 December 2021.

(5) The objectives of the Agreement in the form of an Exchange of Letters are to enable the Union and the Republic of Mauritius to continue working together to promote a sustainable fisheries policy and the sound exploitation of fisheries resources in Mauritius 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, subject to its conclusion at a later date.

(7) To limit the interruption of the fishing activity of Union vessels in Mauritius 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 Republic of Mauritius concerning the extension of the Protocol setting out the fishing opportunities and the financial contribution provided for by the Fisheries Partnership Agreement between the European Union and the Republic of Mauritius is hereby authorised, subject to the conclusion of the said Agreement.[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.

Article 3

The Agreement in the form of an Exchange of Letters shall be applied on a provisional basis, in accordance with point (10) of the Agreement in the form of an Exchange of Letters, as from 1 January 2022 or any other subsequent date upon it being signed, pending the completion of the procedures necessary for its entry into force.

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1 The text of the Agreement in the form of an Exchange of Letters is published in OJ L ….

\+ OJ: please insert in the footnote the OJ reference for the Agreement in the form of an Exchange of Letters contained in the document ST 5658/22.

Article 4

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

Done at Brussels,

For the Council
The President