



**COUNCIL OF
THE EUROPEAN UNION**

**Brussels, 11 January 2012
(OR. en)**

18059/11

**Interinstitutional File:
2011/0378 (NLE)**

PECHE 372

LEGISLATIVE ACTS AND OTHER INSTRUMENTS

Subject: COUNCIL DECISION on the conclusion of the Protocol setting out the fishing opportunities and the financial contribution provided for by the Fisheries Partnership Agreement between the European Community and the Republic of Mozambique

COUNCIL DECISION

of

**on the conclusion of the Protocol setting out the fishing opportunities
and the financial contribution provided for by
the Fisheries Partnership Agreement between
the European Community and the Republic of Mozambique**

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union, and in particular Article 43(2), in conjunction with Article 218(6)(a) thereof,

Having regard to the proposal from the European Commission,

Having regard to the consent of the European Parliament,

Whereas:

- (1) On 22 November 2007 the Council adopted Regulation (EC) No 1446/2007 on the conclusion of the Fisheries Partnership Agreement between the European Community and the Republic of Mozambique¹ (the "Agreement"). A Protocol setting out the fishing opportunities and financial contribution provided for in the Agreement² was attached thereto. That protocol expired on 31 December 2011.
- (2) The Union negotiated with Mozambique a new Protocol setting out the fishing opportunities and the financial contribution provided for by the Fisheries Partnership Agreement between the European Community and the Republic of Mozambique (the "Protocol"), providing EU vessels with fishing opportunities in the waters over which Mozambique have sovereignty or jurisdiction in respect of fisheries.
- (3) As a result of those negotiations, the Protocol was initialled on 2 June 2011.
- (4) In accordance with Council Decision 2012/.../EU of ...^{3*}, the Protocol was signed and is being applied provisionally.
- (5) The Protocol should be approved,

HAS ADOPTED THIS DECISION:

¹ OJ L 331, 17.12.2007, p. 1.

² OJ L 331, 17.12.2007, p. 39.

³ OJ L ...

* OJ: Please insert the date, the number and the reference to OJ of document st18058/11.

Article 1

The Protocol setting out the fishing opportunities and the financial contribution provided for by the Fisheries Partnership Agreement between the European Community and the Republic of Mozambique¹ is hereby approved on behalf of the Union.

Article 2

The President of the Council shall designate the person(s) empowered to proceed, on behalf of the Union, to the notification provided for in Article 16 of the Protocol, in order to express the consent of the Union to be bound by the Protocol².

Article 3

This Decision enter into force on the day of its adoption.

Done at Brussels,

For the Council

The President

¹ The Protocol has been published in OJ ...** together with the decision on signature.

** OJ: Please insert the reference to OJ for doc st18058/11.

² The date of entry into force of the Protocol will be published in the *Official Journal of the European Union* by the General Secretariat of the Council.