



**COUNCIL OF
THE EUROPEAN UNION**

**Brussels, 28 September 2012
(OR. en)**

13331/12

**Interinstitutional File:
2012/0229 (NLE)**

**PECHE 318
OC 459**

LEGISLATIVE ACTS AND OTHER INSTRUMENTS

Subject: COUNCIL DECISION on the conclusion of the Protocol setting out the fishing opportunities and financial contribution provided for in the Fisheries Partnership Agreement between the European Community, on the one hand, and the Republic of Kiribati, on the other

COMMON GUIDELINES

Consultation deadline for Croatia: 3.10.2012

COUNCIL DECISION No .../2012/EU

of

**on the conclusion of the Protocol
setting out the fishing opportunities and financial contribution
provided for in the Fisheries Partnership Agreement
between the European Community, on the one hand,
and the Republic of Kiribati, on the other**

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 Parliament¹,

¹ OJ C

Whereas:

- (1) On 23 July 2007 the Council adopted Regulation (EC) No 893/2007 on the conclusion of a Fisheries Partnership Agreement between the European Community, on the one hand, and the Republic of Kiribati, on the other¹ ("the Agreement"). A Protocol setting out the fishing opportunities and financial contribution provided for in the Agreement expired on 15 September 2012.
- (2) The Union has negotiated a new Protocol with the Republic of Kiribati granting EU vessels fishing opportunities in the waters over which the Republic of Kiribati exercises its sovereignty or jurisdiction ("the Protocol").
- (3) The Protocol was signed in accordance with Council Decision .../2012/EU of ...^{2*} and has been applied provisionally since 16 September 2012.
- (4) The Protocol should be approved,

HAS ADOPTED THIS DECISION:

¹ OJ L 205, 7.8.2007, p. 1.

² OJ L

* OJ: please add the number, date and OJ reference of the Decision in document st13330/12.

Article 1

The Protocol setting out the fishing opportunities and financial contribution provided for in the Fisheries Partnership Agreement between the European Community, on the one hand, and the Republic of Kiribati, on the other, ("the Protocol"), is hereby approved on behalf of the Union.^{1*}

Article 2

The President of the Council shall give, on behalf of the Union, the notification provided for in Article 16 of the Protocol.²

Article 3

This Decision shall enter into force on the day following that of its publication in the *Official Journal of the European Union*.

Done at

For the Council
The President

¹ The Protocol has been published in OJ ... together with the decision on signature.
^{*} OJ: please add the OJ reference of the Protocol in document 13333/12.
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.