



**COUNCIL OF
THE EUROPEAN UNION**

**Brussels, 12 May 2014
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PECHE 239

NOTE

From: General Secretariat of the Council

To: Permanent Representatives Committee/Council

No. Cion doc.: COM(2014) 189 final, COM(2014) 190 final, COM(2014) 191 final

Subject: Proposal for a COUNCIL DECISION on the signing, on behalf of the European Union, and provisional application of the Protocol setting out the fishing opportunities and the financial contribution provided for in the Fisheries Partnership Agreement between the European Union and the Democratic Republic of São Tomé and Príncipe

- adoption

Proposal for a COUNCIL DECISION on the conclusion of the Protocol setting out the fishing opportunities and the financial contribution provided for in the Fisheries Partnership Agreement between the European Union and the Democratic Republic of São Tomé and Príncipe

- request for the consent of the EP

Proposal for a COUNCIL REGULATION on the allocation of fishing opportunities under the Protocol setting out the fishing opportunities and the financial contribution provided for in the Fisheries Partnership Agreement between the European Union and the Republic of São Tomé and Príncipe

- adoption

The European Commission submitted on 1 April 2014 the three proposals to the Council. The proposals are the follow-up to the negotiations for a new protocol to the Fisheries Partnership Agreement with São Tomé and Príncipe . The current protocol expires on 12 May 2014.

The Danish, Netherlands and United Kingdom delegations have entered parliamentary reserves. The French, Portuguese and Spanish delegations underlined the importance of avoiding any interruptions of fishing activities in São Tomé and Príncipe.

Several discussions took place at the level of the Working Party on Internal and External Fishery policy, most recently on 8 May 2014. During this time and at the request of the Working Party, the Commission services contacted São Tomé and Príncipe about clarifying the initialled protocol text with regard to the empowerment of the joint committee. The authorities of São Tomé and Príncipe did not agree to such clarifications of the initialled text. The Working Party therefore agreed to adopt the initialled text, but aligned the empowerments to the Commission in Annex II of the Decision on conclusion to the empowerments of the joint committee under the Protocol. The Commission services accepted exceptionally this alignment in the light of the urgency to sign and provisionally apply this new protocol.

As regards the allocation of fishing opportunities, the Presidency noted very broad support for its compromise as set out in doc. 9231/147 PECHE 213.

Consequently, COREPER is invited to confirm the agreement reached by the Working Party and to suggest that Council, at a forthcoming session:

(a) decides on the signature, on behalf of the European Union, and the provisional application of the Protocol setting out the fishing opportunities and the financial contribution provided for in the Fisheries Partnership Agreement between the European Union and the Democratic Republic of São Tomé and Príncipe as set out in doc. 8583/14 PECHE 185 (as finalised by the legal-linguistic experts);

(b) adopts the Regulation on the allocation of fishing opportunities under Protocol setting out the fishing opportunities and the financial contribution provided for in the Fisheries Partnership Agreement between the European Union and the Democratic Republic of São Tomé and Príncipe as set out in doc. 8589/14 PECHE 187;

(c) decides with unanimity to amend the legal basis of the proposal for the Decision on the conclusion of the new Protocol setting out the fishing opportunities and the financial contribution provided for in the Fisheries Partnership Agreement between the European Union and the Democratic Republic of São Tomé and Príncipe to read "Article 43 in conjunction with Article 218(6)(a) and (7) thereof" and to forward this draft Decision on the conclusion of the Protocol (as set out in doc. 8585/14 PECHÉ 186) as well as the text of the Protocol contained in doc. 8554/14 PECHÉ 180 (as finalised by the legal-linguistic experts) to the European Parliament for its consent, after the signing of the Protocol by the parties.

(d) enters the statement in the addendum to this note in the minutes of the session.
