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Interinstitutional Files:

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PECHE 347

LEGISLATIVE ACTS AND OTHER INSTRUMENTS

Subject: COUNCIL DECISION on the signing, on behalf of the Union, and provisional application of the Protocol implementing the Fisheries Partnership Agreement between the European Union and the Republic of Mauritius (2022-2026)

COUNCIL DECISION (EU) 2022/...

of ...

**on the signing, on behalf of the Union, and provisional application of
the Protocol implementing the Fisheries Partnership Agreement between
the European Union and the Republic of Mauritius (2022-2026)**

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 Mauritius¹ (the ‘Agreement’) was concluded by Council Decision 2014/146/EU² and entered into force on 28 January 2014.
- (2) The first protocol³ to the Agreement set out, for a period of three years, the fishing opportunities granted to Union vessels in Mauritius waters and the financial contribution granted by the Union. The period of application of that protocol expired on 27 January 2017.
- (3) The second protocol⁴ to the Agreement set out, for a period of four years, the fishing opportunities granted to Union vessels in Mauritius waters and the financial contribution granted by the Union. The period of application of that protocol expired on 7 December 2021.

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 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 (OJ L 79, 18.3.2014, p. 9).

⁴ 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 (OJ L 279, 28.10.2017, p. 3).

- (4) An agreement in the form of an exchange of letters between the Union and Mauritius¹ extended the application of the second protocol to the Agreement until 4 October 2022.
- (5) On 28 September 2021, the Council authorised the Commission to open negotiations with Mauritius for the conclusion of a new protocol implementing the Agreement.
- (6) Those negotiations were successfully concluded and a new protocol implementing the Agreement (the ‘Protocol’) for a period of four years was initialled on 7 May 2022.
- (7) The objective of the Protocol is to implement the Agreement so as to enable the Union and Mauritius to work more closely on promoting cooperation in the fields of ocean economy, aquaculture, sustainable development of the oceans, maritime spatial planning, marine energy and marine environment, development of maritime policy and the blue economy, while contributing to decent working conditions in the fisheries sector.
- (8) Therefore, the Protocol should be signed on behalf of the Union, subject to its conclusion at a later date.

¹ 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 (OJ L 115, 13.4.2022, p. 45).

- (9) In view of the economic importance of Union fishing activities in the Mauritius fishing zone and the need to reduce as much as possible the interruption of such activities, the Protocol should be implemented as soon as possible.
- (10) The Protocol should therefore be applied on a provisional basis as from the date of its signature pending the completion of the procedures necessary for its entry into force, and this Decision should enter into force upon its adoption.
- (11) The European Data Protection Supervisor was consulted in accordance with Article 42 of Regulation (EU) 2018/1725 of the European Parliament and of the Council¹ and delivered an opinion on 24 October 2022,

HAS ADOPTED THIS DECISION:

¹ Regulation (EU) 2018/1725 of the European Parliament and of the Council of 23 October 2018 on the protection of natural persons with regard to the processing of personal data by the Union institutions, bodies, offices and agencies and on the free movement of such data, and repealing Regulation (EC) No 45/2001 and Decision No 1247/2002/EC (OJ L 295, 21.11.2018, p. 39).

Article 1

The signing, on behalf of the Union, of the Protocol implementing the Fisheries Partnership Agreement between the European Union and Mauritius (2022-2026) is hereby authorised, subject to the conclusion of the said Protocol.¹⁺

Article 2

The President of the Council is hereby authorised to designate the person(s) empowered to sign the Protocol on behalf of the Union.

Article 3

The Protocol shall be applied on a provisional basis, in accordance with Article 18 thereof, as from the date of its signature, pending the completion of the procedures necessary for its entry into force.

¹ The text of the Protocol is published in ...

⁺ OJ: please complete the footnote with the reference to the publication of the Protocol in ST 12785/22.

Article 4

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

Done at ...,

For the Council

The President
