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- ★ **Agreement in the form of an Exchange of Letters between the European Union and the Islamic Republic of Mauritania on an extension to the Protocol setting out the fishing opportunities and financial contribution provided for in the Fisheries Partnership Agreement between the European Community and the Islamic Republic of Mauritania, expiring on 15 November 2020** 3

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Acts whose titles are printed in light type are those relating to day-to-day management of agricultural matters, and are generally valid for a limited period.

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II

(Non-legislative acts)

INTERNATIONAL AGREEMENTS

COUNCIL DECISION (EU) 2020/1704

of 23 October 2020

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 Islamic Republic of Mauritania on an extension to the Protocol setting out the fishing opportunities and financial contribution provided for in the Fisheries Partnership Agreement between the European Community and the Islamic Republic of Mauritania, expiring on 15 November 2020

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 Community and the Islamic Republic of Mauritania ⁽¹⁾ (the 'Agreement'), approved by Council Regulation (EC) No 1801/2006 ⁽²⁾, entered into force on 8 August 2008.
- (2) The Protocol to the Agreement, setting out the fishing opportunities and financial contribution provided for in the Agreement, which entered into force on the same day for a period of two years, has been replaced several times.
- (3) On 8 July 2019, the Council authorised the Commission to open negotiations with the Islamic Republic of Mauritania ('Mauritania') with a view to concluding a new sustainable fisheries partnership agreement and a protocol implementing that agreement.
- (4) In order to prevent a long interruption of fishing activity, the Council also authorised the Commission to negotiate an extension, for a maximum period of one year, to the Protocol to the Agreement in force ⁽³⁾ that was due to expire on 15 November 2019 (the 'Protocol'). On 8 November 2019, the Council adopted Decision (EU) 2019/1918 ⁽⁴⁾ on that extension.
- (5) Between September 2019 and February 2020, four rounds of negotiations were held with Mauritania for the conclusion of a new agreement and a new protocol. Those negotiations were not successful.

⁽¹⁾ OJ L 343, 8.12.2006, p. 4.

⁽²⁾ Council Regulation (EC) No 1801/2006 of 30 November 2006 on the conclusion of the Fisheries Partnership Agreement between the European Community and the Islamic Republic of Mauritania (OJ L 343, 8.12.2006, p. 1).

⁽³⁾ Protocol setting out the fishing opportunities and financial contribution provided for in the Fisheries Partnership Agreement between the European Community and the Islamic Republic of Mauritania for a period of four years (OJ L 315, 1.12.2015, p. 3).

⁽⁴⁾ Council Decision (EU) 2019/1918 of 8 November 2019 on the signing, on behalf of the European Union, and provisional application of the Agreement in the form of an Exchange of Letters between the European Union and the Islamic Republic of Mauritania on an extension to the Protocol setting out the fishing opportunities and financial contribution provided for in the Fisheries Partnership Agreement between the European Community and the Islamic Republic of Mauritania, expiring on 15 November 2019 (OJ L 297 I, 18.11.2019, p. 1).

- (6) Due to the current health situation caused by the COVID-19 pandemic, it became clear that the negotiations for the conclusion of the new agreement and the new protocol would not be concluded in time and would therefore not prevent an interruption of fishing activity, despite the first extension to the Protocol. On 26 June 2020, the Council therefore authorised the Commission to negotiate a further extension to the Protocol for a maximum duration of one year.
- (7) Pending completion of the negotiations for the conclusion of the new agreement and the new protocol, the Commission negotiated, on behalf of the Union, an agreement in the form of an Exchange of Letters on a second extension, for a maximum period of one year, to the Protocol setting out the fishing opportunities and financial contribution provided for in the Agreement (the 'Agreement in the form of an exchange of letters'). Following those negotiations, the Agreement in the form of an Exchange of Letters was initialled on 7 July 2020.
- (8) The aim of the Agreement in the form of an Exchange of Letters is to enable the Union and Mauritania to continue working together to promote a sustainable fisheries policy and a sound exploitation of fishery resources in Mauritanian waters and to allow Union vessels to fish in those waters.
- (9) In order to ensure the continuity of fishing activity by Union vessels in Mauritanian waters, the Agreement in the form of an Exchange of Letters should be applied on a provisional basis as from 16 November 2020, or any other subsequent date from its signing, in accordance with point 6 thereof.
- (10) The Agreement in the form of an Exchange of Letters should be signed and 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 Islamic Republic of Mauritania on an extension to the Protocol setting out the fishing opportunities and financial contribution provided for in the Fisheries Partnership Agreement between the European Community and the Islamic Republic of Mauritania, expiring on 15 November 2020, is hereby authorised, subject to the conclusion of that Agreement ⁽⁵⁾.

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 ⁽⁶⁾ as from 16 November 2020, or any other subsequent date from its signing, pending the completion of the procedures necessary for its entry into force.

Article 4

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

Done at Luxembourg, 23 October 2020.

For the Council
The President
S. SCHULZE

⁽⁵⁾ The text of the Agreement in the form of an Exchange of Letters is attached to this Decision.

⁽⁶⁾ The date from which the Agreement in the form of an Exchange of Letters will be applied provisionally will be published in the *Official Journal of the European Union* by the General Secretariat of the Council.

**AGREEMENT IN THE FORM OF AN EXCHANGE OF LETTERS BETWEEN THE EUROPEAN UNION
AND THE ISLAMIC REPUBLIC OF MAURITANIA ON AN EXTENSION TO THE PROTOCOL
SETTING OUT THE FISHING OPPORTUNITIES AND FINANCIAL CONTRIBUTION PROVIDED
FOR IN THE FISHERIES PARTNERSHIP AGREEMENT BETWEEN THE EUROPEAN COMMUNITY
AND THE ISLAMIC REPUBLIC OF MAURITANIA, EXPIRING ON 15 NOVEMBER 2020**

A. Letter from the European Union

Dear Sirs,

I am pleased to confirm that we agree to the following interim arrangements for the second extension to the Protocol currently in force (16 November 2015-15 November 2019, already renewed for one year until 15 November 2020 ⁽¹⁾), hereinafter 'the Protocol', setting out the fishing opportunities and financial contribution provided for in the Fisheries Partnership Agreement between the European Community and the Islamic Republic of Mauritania, pending completion of the negotiations on the renewal of the Partnership Agreement and the Protocol.

The European Union and the Islamic Republic of Mauritania have therefore agreed the following:

- 1) As from 16 November 2020 or any other subsequent date from the signing of this exchange of letters, the arrangements in force during the final year of the Protocol will be renewed under the same conditions for a maximum period of one year.
- 2) The Union's financial contribution for vessels to have access to Mauritanian waters under the extension will correspond to the annual amount provided for under Article 2 of the Protocol, as amended by the Joint Committee on 15 and 16 November 2016 ⁽²⁾. That payment will be made in a single instalment, no later than three months from the date of provisional application of this exchange of letters.
- 3) Under this extension agreement, sectoral support amounts to EUR 4,125 million. The Joint Committee provided for under Article 10 of the Fisheries Partnership Agreement will approve the programming for this amount according to the provisions set out in Article 3(1) of the Protocol no later than two months from the date of application of this exchange of letters. The conditions referred to in Article 3 of the Protocol relating to the implementation and payment of sectoral support will apply *mutatis mutandis*.
- 4) In the event that the negotiations to renew the Partnership Agreement and its Protocol result in these being signed and subsequently entering into force prior to the expiry of the one-year period provided for under point 1, payment of the financial contribution referred to in points 2 and 3 will be reduced *pro rata temporis*. The corresponding amount already paid will be deducted from the first financial contribution due under the new protocol.
- 5) During the application period of this extension agreement, fishing licences will be allocated within the limits set under the Protocol, by means of fees or advances corresponding to those set in Appendix 1 of Annex 1 to the Protocol.
- 6) This exchange of letters will apply provisionally as from 16 November 2020, or any other subsequent date from its signing, pending its entry into force. It will enter into force on the date on which the Parties notify each other that they have completed the necessary procedures for that purpose.

I should be obliged if you would acknowledge receipt of this letter and confirm that you are in agreement with its terms.

Yours faithfully,

⁽¹⁾ Council Decision (EU) 2019/1918 of 8 November 2019 (OJ EU L 297 I, 18.11.2019, p. 1).

⁽²⁾ Commission Decision (EU) 2017/451 of 14 March 2017 (OJ EU L 69, 15.3.2017, p. 34).

For the European Union

Съставено в Брюксел на
Hecho en Bruselas, el
V Bruselu dne
Udfærdiget i Bruxelles, den
Geschehen zu Brüssel am
Brüssel,
Έγινε στις Βρυξέλλες, στις
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Fait à Bruxelles, le
Sastavljeno u Bruxellesu
Fatto a Bruxelles, addì
Briselē,
Priimta Briuselyje,
Kelt Brüsszelben,
Magħmul fi Brussell,
Gedaan te Brussel,
Sporządzono w Brukseli, dnia
Feito em Bruxelas,
Întocmit la Bruxelles,
V Bruseli
V Bruslju,
Tehty Brysselissä
Utfärdat i Bryssel den

15 -11- 2020

За Европейския съюз
Por la Unión Europea
Za Evropskou unii
For Den Europæiske Union
Für die Europäische Union
Euroopa Liidu nimel
Για την Ευρωπαϊκή Ένωση
For the European Union
Pour l'Union européenne
Za Europejsku uniju
Per l'Unione europea
Eiropas Savienības vārdā –
Europos Sąjungos vardu
Az Európai Unió részéről
Għall-Unjoni Ewropea
Voor de Europese Unie
W imieniu Unii Europejskiej
Pela União Europeia
Pentru Uniunea Europeană
Za Európsku úniu
Za Evropsko unijo
Euroopan unionin puolesta
För Europeiska unionen

B. Letter from the Islamic Republic of Mauritania

Dear Sirs,

I have the honour to acknowledge receipt of your letter of today's date, which reads as follows:

'Dear Sirs,

I am pleased to confirm that we agree to the following interim arrangements for the second extension to the Protocol currently in force (16 November 2015-15 November 2019, already renewed for one year until 15 November 2020 ⁽³⁾), hereinafter 'the Protocol', setting out the fishing opportunities and financial contribution provided for in the Fisheries Partnership Agreement between the European Community and the Islamic Republic of Mauritania, pending completion of the negotiations on the renewal of the Partnership Agreement and the Protocol.

The European Union and the Islamic Republic of Mauritania have therefore agreed the following:

- 1) As from 16 November 2020 or any other subsequent date from the signing of this exchange of letters, the arrangements in force during the final year of the Protocol will be renewed under the same conditions for a maximum period of one year.
- 2) The Union's financial contribution for vessels to have access to Mauritanian waters under the extension will correspond to the annual amount provided for under Article 2 of the Protocol, as amended by the Joint Committee on 15 and 16 November 2016 ⁽⁴⁾. That payment will be made in a single instalment, no later than three months from the date of provisional application of this exchange of letters.
- 3) Under this extension agreement, sectoral support amounts to EUR 4,125 million. The Joint Committee provided for under Article 10 of the Fisheries Partnership Agreement will approve the programming for this amount according to the provisions set out in Article 3(1) of the Protocol no later than two months from the date of application of this exchange of letters. The conditions referred to in Article 3 of the Protocol relating to the implementation and payment of sectoral support will apply *mutatis mutandis*.
- 4) In the event that the negotiations to renew the Partnership Agreement and its Protocol result in these being signed and subsequently entering into force prior to the expiry of the one-year period provided for under point 1, payment of the financial contribution referred to in points 2 and 3 will be reduced *pro rata temporis*. The corresponding amount already paid will be deducted from the first financial contribution due under the new protocol.
- 5) During the application period of this extension agreement, fishing licences will be allocated within the limits set under the Protocol, by means of fees or advances corresponding to those set in Appendix 1 of Annex 1 to the Protocol.
- 6) This exchange of letters will apply provisionally as from 16 November 2020, or any other subsequent date from its signing, pending its entry into force. It will enter into force on the date on which the Parties notify each other that they have completed the necessary procedures for that purpose.'

I can confirm that the terms of your letter are acceptable to my Government.

Your letter and this letter constitute an agreement in accordance with your proposal.

Yours faithfully,

⁽³⁾ Council Decision (EU) 2019/1918 of 8 November 2019 (OJ EU L 297 I, 18.11.2019, p. 1).

⁽⁴⁾ Commission Decision (EU) 2017/451 of 14 March 2017 (OJ EU L 69, 15.3.2017, p. 34).

For the Government of the Islamic Republic of Mauritania

Fait à Bruxelles, le
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 Întocmit la Bruxelles,
 V Bruseli
 V Bruslju,
 Tehty Brysselissä
 Utfärdat i Bryssel den

15 -11- 2020

Pour le Gouvernement de la République islamique de Mauritanie
 За правителството на Ислямска република Мавритания
 Por el Gobierno de la República Islámica de Mauritania
 Za vládu Mauritánské islámské republiky
 For Den Islamiske Republik Mauretaniens regering
 Für die Regierung der Islamischen Republik Mauretanien
 Mauritaania Islamivabariigi valitsuse nimel
 Για την Κυβέρνηση της Ισλαμικής Δημοκρατίας της Μαυριτανίας
 For the Government of the Islamic Republic of Mauritania
 Za Vladu Islamske Republike Mauritanije
 Per il governo della Repubblica islamica di Mauritania
 Mauritānijas Islāma Republikas valdības vārdā –
 Mauritānijos Islamo Respublikos vyriausybės vardu
 A Mauritániai Iszlám Köztársaság kormányára részéről
 Ghall-Gvern tar-Repubblika Iżlamika tal-Mauritania
 Voor de regering van de Islamitische Republiek Mauritanie
 W imieniu Rządu Islamskiej Republiki Mauretańskiej
 Pelo Governo da República Islâmica da Mauritânia
 Pentru Guvernul Republicii Islamice Mauritania
 Za vládu Mauritánskej islamskej republiky
 Za vlado Islamske republike Mavretanije
 Mauritanian islamilaisen tasavallan hallituksen puolesta
 För Islamiska republiken Mauretaniens regering

عبد الله ولد محمد

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