



COMMISSION OF THE EUROPEAN COMMUNITIES

Brussels, 13.12.2007  
COM(2007) 782 final

Proposal for a

**COUNCIL DECISION**

**on the termination of the Protocol setting out the fishing opportunities and financial contribution under the Fisheries Partnership Agreement between the European Community and the Islamic Republic of Mauritania**

(presented by the Commission)

## **EXPLANATORY MEMORANDUM**

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 was concluded for a period of two years as from 1 August 2006. According to Article 12 of the Protocol, it may be renewed twice, each time for a period of two years, on the basis of a tacit agreement between the Parties, unless notice of termination is given. Such termination is provided for in Article 13 of the Protocol and requires the Party concerned to notify the other Party in writing of its intention to withdraw from the Protocol at least six months before the date of expiry of the initial period or each additional period.

The financial contribution under the Protocol is fixed at EUR 86 000 000 per year for fishing opportunities in eleven categories, which may be used by twelve Member States. Optimum use is not being made of these fishing categories, most of which are under-utilised, thus jeopardising the economic and financial viability of this Protocol. Consequently, it is proposed that this Protocol should not be tacitly renewed, but should be terminated in accordance with Article 13 thereof, so that fresh negotiations can be opened with Mauritania with a view to negotiating a new protocol offering fishing opportunities which are adapted to the established requirements of the fleets of the Member States concerned and a financial contribution which has been adjusted accordingly.

The Commission proposes, therefore, that the Council adopt this Decision.

Proposal for a

## COUNCIL DECISION

### **on the termination of the Protocol setting out the fishing opportunities and financial contribution under the Fisheries Partnership Agreement between the European Community and the Islamic Republic of Mauritania**

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in particular Article 300(2) in conjunction with Article 37 thereof,

Having regard to the proposal from the Commission,

Whereas:

- (1) The Community and the Islamic Republic of Mauritania have concluded a 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<sup>1</sup> for a period of two years as from 1 August 2006. According to Article 12 of the Protocol, it may be renewed twice, each time for a period of two years, on the basis of a tacit agreement between the Parties, unless notice of termination is given by either side.
- (2) In view of the fact that optimum use is not being made of the fishing opportunities granted under that Protocol, it is in the interests of the Community, under the conditions laid down in Article 13 thereof, to terminate that Protocol and to open consultations with the Islamic Republic of Mauritania.
- (3) In order to guarantee the continuation of fishing activities from the date of expiry of the Protocol thus terminated, fresh negotiations should be opened in order to renegotiate a protocol which is better adapted to the established requirements of Member States' fleets in terms of fishing opportunities, in accordance with the guidelines issued by the Council,

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<sup>1</sup> 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. 9).

HAS DECIDED AS FOLLOWS:

*Sole Article*

The Council hereby empowers the Commission to terminate the above-mentioned Protocol on behalf of the Community and formally notify the Islamic Republic of Mauritania of such termination.

Done at Brussels,

*For the Council  
The President*