Council Regulation (EU) 2019/1089 of 6 June 2019 on the allocation of fishing opportunities under the Protocol on the implementation of the Fisheries Partnership Agreement between the European Community and the Republic of Guinea-Bissau (2019-2024)

COUNCIL REGULATION (EU) 2019/1089

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on the allocation of fishing opportunities under the Protocol on the implementation of the Fisheries Partnership Agreement between the European Community and the Republic of Guinea-Bissau (2019-2024)

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union, and in particular Article 43(3) thereof,

Having regard to the proposal from the European Commission,

Whereas:

(1) On 17 March 2008, the Council adopted Regulation (EC) No 241/2008[(1)], concluding the Fisheries Partnership Agreement between the European Community and the Republic of Guinea-Bissau[(2)] ('the Agreement'). The Agreement entered into force on 15 April 2008, was tacitly renewed and remains in force.

(2) The previous protocol to the Agreement expired on 23 November 2017.

(3) The Commission has negotiated on behalf of the Union a new protocol. As a result of those negotiations the new protocol was initialled on 15 November 2018.

(4) In accordance with Council Decision (EU) 2019/1088[(3)], the Protocol on the implementation of the Fisheries Partnership Agreement between the European Community and the Republic of Guinea-Bissau (2019-2024) ('the Protocol') was signed on 15 June 2019.

(5) The fishing opportunities provided for in the Protocol should be allocated among the Member States for the duration of application of the Protocol.

(6) The Protocol will apply on a provisional basis as from the signature thereof in order to ensure an expeditious start to fishing activities of Union vessels. This Regulation should therefore apply from the same date,

HAS ADOPTED THIS REGULATION:

Changes to legislation: *There are currently no known outstanding effects for the Council Regulation (EU) 2019/1089. (See end of Document for details)*

Article 1

Definitions

For the purposes of this Regulation 'highly migratory species' means the species listed in Annex I to the 1982 United Nations Convention on the Law of the Sea, except for the family *Alopiidae*, the family *Sphyrnidae*, and the following species: *Cetorhinus maximus*, *Rhincodon typus*, *Carcharodon carcharias*, *Carcharinus falciformis*, *Carcharinus longimanus*.

Article 2

Fishing opportunities

The fishing opportunities established under the Protocol on the implementation of the Fisheries Partnership Agreement between the European Community and the Republic of Guinea-Bissau (2019-2024) shall be allocated among the Member States in accordance with Articles 3 and 4 of this Regulation.

Article 3

Demersal and small pelagic species

Fishing opportunities for demersal and small pelagic species shall be allocated among the Member States as follows:

(1) during the first and second years of application of the Protocol, based on a system of fishing effort (gross register tonnage, GRT):

(a) freezer shrimp trawlers:

Spain	2 500 GRT;
Greece	140 GRT;
Portugal	1 060 GRT;

(b) freezer fin-fish and cephalopod trawlers:

Spain	2 900 GRT;
Greece	225 GRT;
Italy	375 GRT;

(c) small-pelagic trawlers:

Spain	3 500 GRT;
Portugal	500 GRT;
Lithuania	5 000 GRT;

Latvia	5 000 GRT;
Poland	1 000 GRT;

(2) from the third year of application of the Protocol, based on a system setting catch limits for each species (total allowable catch, TAC):

(a) freezer shrimp trawlers:

Spain:	1 650 tonnes;
Greece:	100 tonnes;
Portugal:	750 tonnes;

(b) freezer fin-fish trawlers:

Spain:	9 500 tonnes;
Greece:	500 tonnes;
Italy:	1 000 tonnes;

(c) freezer cephalopod trawlers:

Spain:	1 200 tonnes;
Greece:	150 tonnes;
Italy:	150 tonnes;

(d) small-pelagic trawlers:

Spain:	3 900 tonnes;
Portugal:	700 tonnes;
Lithuania:	6 000 tonnes;
Latvia:	6 000 tonnes;
Poland:	1 400 tonnes.

Article 4

Highly migratory species

Fishing opportunities for highly migratory species shall be allocated as follows:

(a) freezer tuna seiners and surface longliners:

Spain:	14 vessels;
France:	12 vessels;
Portugal:	2 vessels;