Council Decision (EU) 2020/985 of 7 July 2020 on the conclusion of the Protocol on the implementation of the Fisheries Partnership Agreement between the Democratic Republic of São Tomé and Príncipe and the European Community

COUNCIL DECISION (EU) 2020/985

of 7 July 2020

on the conclusion of the Protocol on the implementation of the Fisheries Partnership Agreement between the Democratic Republic of São Tomé and Príncipe and the European Community

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 point (a)(v) of the second subparagraph of Article 218(6) and Article 218(7) thereof,

Having regard to the proposal from the European Commission,

Having regard to the consent of the European Parliament[(1)],

Whereas:

(1) On 23 July 2007 the Council adopted Regulation (EC) No 894/2007[(2)], concluding the Fisheries Partnership Agreement between the Democratic Republic of São Tomé and Príncipe and the European Community[(3)] ('the Agreement'). The Agreement entered into force on 29 August 2011 and remains in force.

(2) On 18 December 2017 the Council authorised the Commission to open negotiations with the Democratic Republic of São Tomé and Príncipe ('São Tomé and Príncipe') with a view to the conclusion of a new protocol to implement the Agreement.

(3) The previous protocol to the Agreement expired on 22 May 2018.

(4) The Commission has negotiated a new protocol on behalf of the Union. Following the conclusion of the negotiations, the new protocol was initialled on 17 April 2019.

(5) In accordance with Council Decision (EU) 2019/2218[(4)], the Protocol on the implementation of the Fisheries Partnership Agreement between the Democratic Republic of São Tomé and Príncipe and the European Community ('the Protocol') was signed on 19 December 2019.

(6) The Protocol has been applied on a provisional basis since the date of its signature.

(7) The objective of the Protocol is to enable the Union and São Tomé and Príncipe to work together more closely in order to promote a sustainable fisheries policy and the sound exploitation of fisheries resources in São Tomé and Príncipe waters and to support efforts by São Tomé and Príncipe to develop its fisheries sector.

(8) The Protocol should be approved.

Changes to legislation: *There are currently no known outstanding effects for the Council Decision (EU) 2020/985. (See end of Document for details)*

(9) Article 9 of the Agreement establishes a Joint Committee responsible for monitoring the application of the Agreement. Furthermore, in accordance with that Article and Articles 6 and 7(2) of the Protocol, the Joint Committee can adopt certain amendments to the Protocol. In order to facilitate the approval of such amendments, the Commission should be empowered, subject to specific substantive and procedural conditions, to approve them on behalf of the Union through a simplified procedure.

(10) The Union's position on the amendments to the Protocol should be established by the Council. The proposed amendments will be approved, unless a blocking minority of Member States object in accordance with Article 16(4) of the Treaty on European Union.

(11) The position to be taken by the Union in the Joint Committee with regard to other matters should be determined in accordance with the Treaties and established practices,

HAS ADOPTED THIS DECISION:

Article 1

The Protocol on the implementation of the Fisheries Partnership Agreement between the Democratic Republic of São Tomé and Príncipe and the European Community is hereby approved on behalf of the Union[(5)].

Article 2

The President of the Council shall, on behalf of the Union, give the notification provided for in Article 16 of the Protocol.

Article 3

In accordance with the procedure set out in the Annex to this Decision, the Commission is authorised to approve, on behalf of the Union, the amendments to the Protocol to be adopted by the Joint Committee set up in accordance with Article 9 of the Agreement.

Article 4

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

Done at Brussels, 7 July 2020.

For the Council

The President

M. ROTH