# Council Decision (EU) 2020/392 of 5 March 2020 on the conclusion of the Sustainable Fisheries Partnership Agreement between the European Union and the Republic of The Gambia and of the Protocol on the implementation of that Partnership Agreement

## COUNCIL DECISION (EU) 2020/392

## of 5 March 2020

## on the conclusion of the Sustainable Fisheries Partnership Agreement between the European Union and the Republic of The Gambia and of the Protocol on the implementation of that Partnership Agreement

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)],

Having regard to the Commission recommendation and the Council decision authorising the opening of negotiations,

Whereas:

(1) In accordance with Council Decision (EU) 2019/1332[(2)], the Sustainable Fisheries Partnership Agreement between the European Union and the Republic of The Gambia ('the Partnership Agreement') and the Protocol on the implementation of the Partnership Agreement ('the Protocol') were signed on 31 July 2019, subject to their conclusion at a later date.

(2) The Partnership Agreement repeals the Agreement between the European Economic Community and the Government of the Republic of the Gambia on fishing off the Gambia[(3)], which entered into force on 2 June 1987.

(3) The Partnership Agreement and the Protocol have been applied on a provisional basis since the date of their signature.

(4) The Partnership Agreement and the Protocol should be approved.

(5) Article 9 of the Partnership Agreement establishes the Joint Committee responsible for monitoring its implementation. Pursuant to that Article and to Articles 5, 6 and 8 of the Protocol, the Joint Committee is able to adopt modifications to the Protocol. In order to facilitate the approval of such amendments, the Commission should be authorised, subject to specific substantive and procedural conditions, to approve them on behalf of the Union under a simplified procedure.

**Changes to legislation:** *There are currently no known outstanding effects for the Council Decision (EU) 2020/392. (See end of Document for details)*

(6) The Union position on the modifications to the Protocol should be established by the Committee of Permanent Representatives of the Governments of the Member States (Coreper). The proposed modifications will be accepted unless a blocking minority of the Member States in accordance with Article 16(4) of the Treaty on European Union (TEU) objects in Coreper.

(7) The position to be adopted by the Union in the Joint Committee on other matters should be determined in accordance with the Treaties and established forms of practice,

HAS ADOPTED THIS DECISION:

*Article 1*

The Sustainable Fisheries Partnership Agreement between the European Union and the Republic of The Gambia and the Protocol on the implementation of the Sustainable Fisheries Partnership Agreement between the European Union and the Republic of The Gambia are hereby approved on behalf of the Union[(4)].

*Article 2*

In accordance with the procedure laid down in the Annex to this Decision, the Commission shall be authorised to approve, on behalf of the Union, the modifications to the Protocol to be adopted by the Joint Committee established under Article 9 of the Partnership Agreement.

*Article 3*

The President of the Council shall, on behalf of the Union, give the notification provided for in Article 18 of the Partnership Agreement and in Article 16 of the Protocol.

*Article 4*

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

Done at Brussels, 5 March 2020.

*For the Council*

*The President*

T. ĆORIĆ