

## COUNCIL DECISION

of 23 January 2012

**on the signing, on behalf of the European Union, and provisional application of the Protocol setting out the fishing opportunities and the financial contribution provided for by the Fisheries Partnership Agreement between the European Community and the Republic of Mozambique**

(2012/91/EU)

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) On 22 November 2007, the Council adopted Regulation (EC) No 1446/2007 on the conclusion of the Fisheries Partnership Agreement between the European Community and the Republic of Mozambique <sup>(1)</sup> (the Agreement). A Protocol setting out the fishing opportunities and financial contribution provided for in the Agreement <sup>(2)</sup> was attached thereto. That Protocol expired on 31 December 2011.
- (2) The Union negotiated with Mozambique a new Protocol setting out the fishing opportunities and the financial contribution provided for by the Fisheries Partnership Agreement between the European Community and the Republic of Mozambique (the Protocol), providing EU vessels with fishing opportunities in the waters over which Mozambique have sovereignty or jurisdiction in respect of fisheries.
- (3) As a result of those negotiations, the Protocol was initialled on 2 June 2011.
- (4) In order to ensure the continuation of fishing activities of EU vessels, the Protocol should be applied provisionally from the date of its signature, as provided for in Article 15 thereof.
- (5) The Protocol should be signed and applied on a provisional basis, pending the completion of the procedures for its conclusion,

HAS ADOPTED THIS DECISION:

*Article 1*

The signing of the Protocol setting out the fishing opportunities and the financial contribution provided for by the Fisheries Partnership Agreement between the European Community and the Republic of Mozambique is hereby authorised on behalf of the Union, subject to the conclusion of the said Protocol.

The text of the Protocol is attached to this Decision.

*Article 2*

The President of the Council is hereby authorised to designate the person(s) empowered to sign the Protocol on behalf of the Union.

*Article 3*

The Protocol shall be applied on a provisional basis as from the signature thereof <sup>(3)</sup>, pending the completion of the procedures for its conclusion.

*Article 4*

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

Done at Brussels, 23 January 2012.

*For the Council*

*The President*

M. GJERSKOV

<sup>(1)</sup> OJ L 331, 17.12.2007, p. 1.  
<sup>(2)</sup> OJ L 331, 17.12.2007, p. 39.

<sup>(3)</sup> The date of signature of the Protocol will be published in the *Official Journal of the European Union* by the General Secretariat of the Council.