

## II

(Non-legislative acts)

## INTERNATIONAL AGREEMENTS

## COUNCIL DECISION (EU) 2020/1786

of 27 November 2020

**on the conclusion of the Protocol on the implementation of the Agreement on a Sustainable Fisheries Partnership between the European Union and the Republic of Senegal**

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

Having regard to the proposal from the European Commission,

Having regard to the consent of the European Parliament <sup>(1)</sup>,

Whereas:

- (1) In accordance with Council Decision (EU) 2019/1925 <sup>(2)</sup>, the Protocol on the implementation of the Agreement on a Sustainable Fisheries Partnership between the European Union and the Republic of Senegal ('the Protocol') was signed on 18 November 2019.
- (2) The objective of the Protocol is to enable the Union and the Republic of Senegal ('Senegal') to work more closely on promoting a sustainable fisheries policy and sound exploitation of fishery resources in Senegalese waters and to support Senegal's efforts to develop its fisheries sector.
- (3) The Protocol should be approved on behalf of the Union.
- (4) Article 7 of the Agreement establishes a Joint Committee responsible for monitoring the Agreement's implementation. Furthermore, the Joint Committee may 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 under a simplified procedure.
- (5) The Union's position on envisaged amendments to the Protocol should be established by the Council. The proposed amendments should be approved unless a blocking minority of Member States, in accordance with Article 16(4) of the Treaty on European Union, objects to the amendments,

HAS ADOPTED THIS DECISION:

*Article 1*

The Protocol on the implementation of the Agreement on a Sustainable Fisheries Partnership between the European Union and the Republic of Senegal is hereby approved on behalf of the Union <sup>(3)</sup>.

<sup>(1)</sup> Consent of 11 November 2020 (not yet published in the Official Journal).

<sup>(2)</sup> Council Decision (EU) 2019/1925 of 14 November 2019 on the signature, on behalf of the Union, and provisional application of the Protocol on the implementation of the Agreement on a Sustainable Fisheries Partnership between the European Union and the Republic of Senegal (OJ L 299, 20.11.2019, p. 11).

<sup>(3)</sup> The text of the Protocol has been published in OJ L 299 of 20 November 2019 together with the decision on its signature.

*Article 2*

In accordance with the procedure laid down in the Annex to this Decision, the Commission is hereby authorised to approve, on behalf of the Union, amendments to the Protocol adopted by the Joint Committee established under Article 7 of the Agreement.

*Article 3*

The President of the Council shall, on behalf of the Union, give the notification provided for in Article 17 of the Protocol.

*Article 4*

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

Done at Brussels, 27 November 2020.

*For the Council*  
*The President*  
M. ROTH

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## ANNEX

**PROCEDURE FOR THE APPROVAL OF AMENDMENTS TO THE PROTOCOL TO BE ADOPTED BY THE JOINT COMMITTEE**

Where the Joint Committee is asked to adopt amendments to the Protocol in accordance with Articles 8 and 10 thereof, the Commission shall be authorised to approve the proposed amendments on behalf of the Union, under the following conditions:

- (1) The Commission shall ensure that the approval on behalf of the Union:
    - (a) is in accordance with the objectives of the common fisheries policy;
    - (b) is consistent with the relevant rules adopted by regional fisheries management organisations and takes account of joint management by coastal States;
    - (c) takes account of the latest statistical, biological and other relevant information sent to the Commission.
  - (2) Before the Commission approves proposed amendments on behalf of the Union, the Commission shall submit them to the Council in sufficient time before the relevant Joint Committee meeting.
  - (3) The compliance of the proposed amendments with the criteria laid down in point 1 of this Annex shall be assessed by the Council.
  - (4) Unless a number of Member States equivalent to a blocking minority of the Council in accordance with Article 16(4) of the Treaty on European Union object to the proposed amendments, the Commission shall approve them on behalf of the Union. If there is such a blocking minority, the Commission shall reject the proposed amendments on behalf of the Union.
  - (5) If, in the course of subsequent meetings of the Joint Committee, it is impossible to reach an agreement, including on the spot, the matter shall be referred back to the Council, in accordance with the procedure set out in points 2 to 4, in order for the Union position to take account of new factors.
  - (6) The Commission is invited to take, in due time, any steps necessary to follow up on the decision of the Joint Committee, including, where appropriate, publication of the relevant decision in the *Official Journal of the European Union* and submission of any proposal necessary for the implementation of that decision.
  - (7) As regards other matters which do not concern amendments to the Protocol in accordance with Articles 8 and 10 thereof, the position to be adopted by the Union in the Joint Committee shall be determined in accordance with the Treaties and established working practices.
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