2024/1012

27.3.2024

COUNCIL DECISION (EU) 2024/1012

of 25 March 2024

on the conclusion, on behalf of the European Union, of the Agreement between the European Union and the Republic of Seychelles on access for Seychelles fishing vessels to the waters of Mayotte

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,

Whereas:

(1) In accordance with Council Decision (EU) 2023/658 ([1]), the Agreement between the European Union and the Republic of Seychelles on access for Seychelles fishing vessels to the waters of Mayotte (the 'Agreement') was signed on 10 March 2023, subject to its conclusion at a later date.

(2) The Agreement has been applied on a provisional basis as from the date of its signature.

(3) The objective of the Agreement is to enable the Union and Seychelles to further strengthen their strategic partnership and to align the technical and financial conditions of the Agreement with the Sustainable Fisheries Partnership Agreement between the European Union and the Republic of Seychelles ([2]) and its Implementing Protocol signed in 2020, as well as to contribute to responsible fishing in Union waters and to develop fishery policy in Mayotte.

(4) The Agreement should be approved.

(5) Article 8 of the Agreement establishes a Joint Committee responsible for monitoring the application of the Agreement. Furthermore, pursuant to the Agreement, the Joint Committee may approve certain amendments thereto. The Union's position on proposed amendments to the Agreement should be established by the Council. The Commission should approve the proposed amendments on behalf of the Union, unless a number of Member States constituting a blocking minority, in accordance with Article 16(4) of the Treaty on European Union, objects to them.

(6) The European Data Protection Supervisor was consulted in accordance with Article 42 of Regulation (EU) 2018/1725 of the European Parliament and of the Council ([3]) and delivered an opinion on 12 December 2022,

HAS ADOPTED THIS DECISION:

Article 1

The Agreement between the European Union and the Republic of Seychelles on access for Seychelles fishing vessels to the waters of Mayotte (the 'Agreement') is hereby approved on behalf of the Union.

([1]) Council Decision (EU) 2023/658 of 23 January 2023 on the signing, on behalf of the European Union, and provisional application of the Agreement between the European Union and the Republic of Seychelles on access for Seychelles fishing vessels to waters of Mayotte (OJ L 83, 22.3.2023, p. 7.).

([2]) OJ L 60, 28.2.2020, p. 5.

([3]) Regulation (EU) 2018/1725 of the European Parliament and of the Council of 23 October 2018 on the protection of natural persons with regard to the processing of personal data by the Union institutions, bodies, offices and agencies and on the free movement of such data, and repealing Regulation (EC) No 45/2001 and Decision No 1247/2002/EC (OJ L 295, 21.11.2018, p. 39).

Article 2

The President of the Council shall, on behalf of the Union, give the notification provided for in Article 20 of the Agreement.

Article 3

In accordance with the procedure set out in the Annex to this Decision, the Commission is hereby authorised to approve, on behalf of the Union, amendments to the Agreement adopted by the Joint Committee established under Article 8 of the Agreement.

Article 4

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

Done at Brussels, 25 March 2024.

For the Council
The President
A. MARON

ANNEX

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

Where in accordance with Articles 8 and 9 of the Agreement between the European Union and the Republic of Seychelles on access for Seychelles fishing vessels to the waters of Mayotte, the Joint Committee is asked to adopt amendments to the Agreement, 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 approving the proposed amendments on behalf of the Union, the Commission shall submit them to the Council sufficiently in advance of the relevant Joint Committee meeting.

(3) The compliance of the proposed amendments with the conditions set out in point (1) of this Annex shall be assessed by the Council.

(4) The Commission shall approve the proposed amendments on behalf of the Union, unless a number of Member States constituting a blocking minority in the Council in accordance with Article 16(4) of the Treaty on European Union objects to those amendments. However, 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, including on-the-spot meetings, it is impossible to reach an agreement on the proposed amendments, the matter shall be referred back to the Council, in accordance with the procedure set out in points (2), (3) and (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 as a follow-up to the decision of the Joint Committee regarding the proposed amendments, including, where appropriate, the publication of the relevant decision in the *Official Journal of the European Union* and the submission of any proposal necessary for the implementation of that decision.

(7) As regards other matters which do not concern amendments to the Agreement in accordance with Articles 8 and 9 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.