II

(Acts adopted under the EC Treaty/Euratom Treaty whose publication is not obligatory)

DECISIONS

COUNCIL

COUNCIL DECISION

of 23 July 2007

on the conclusion of the Agreement in the form of an Exchange of Letters on the provisional application of the Protocol setting out the fishing opportunities and financial contribution provided for in the Agreement between the Democratic Republic of São Tomé and Príncipe and the European Community for the period from 1 June 2006 to 31 May 2010

(2007/532/EC)

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in particular Article 300(2) in conjunction with Article 37 thereof,

Having regard to the proposal from the Commission,

Whereas:

(1) The Community and the Democratic Republic of São Tomé and Príncipe have negotiated and initialled a Fisheries Partnership Agreement providing Community fishermen with fishing opportunities in the waters falling within the sovereignty or jurisdiction of the Democratic Republic of São Tomé and Príncipe.

(2) It is necessary to guarantee the pursuit of fishing activities between the date of expiry of the previous Protocol setting out the fishing opportunities off the coast of São Tomé and Príncipe and the date of entry into force of the new Protocol setting out the fishing opportunities and financial contribution provided for in the Fisheries Partnership Agreement.

(3) To this end the Community and the Democratic Republic of São Tomé and Príncipe have initialled an Agreement in the form of an Exchange of Letters concerning the provisional application of the new Protocol.

(4) It is in the Community's interest to approve that Agreement in the form of an Exchange of Letters.

(5) The method for allocating the fishing opportunities among the Member States should be defined,

HAS DECIDED AS FOLLOWS:

Article 1

The Agreement in the form of an Exchange of Letters on the provisional application of the Protocol setting out the fishing opportunities and financial contribution provided for in the Agreement between the Democratic Republic of São Tomé and Príncipe and the European Community for the period from 1 June 2006 to 31 May 2010 is hereby approved on behalf of the Community.

The text of the Agreement in the form of an Exchange of Letters is attached to this Decision.

Article 2

The Agreement shall apply provisionally from 1 June 2006.

Article 3

The fishing opportunities set out in the Protocol to the Fisheries Partnership Agreement shall be allocated among the Member States as follows:

Fishing category	Type of vessel	Member State	Licences or quota
Tuna fishing	Freezer tuna seiners	Spain	13
		France	12
Tuna fishing	Surface longliners	Spain	13
		Portugal	5

If licence applications from these Member States do not cover all the fishing opportunities laid down by the Protocol to the Fisheries Partnership Agreement, the Commission may take into consideration licence applications from any other Member State.

Article 4

The Member States whose vessels fish under this Agreement in the form of an Exchange of Letters shall notify the Commission of the quantities of each stock caught within São Tomé and Príncipe's fishing zone in accordance with Commission Regulation (EC) No 500/2001 of 14 March 2001 laying down detailed rules for the application of Council Regulation (EEC) No 2847/93 on the monitoring of catches taken by Community fishing vessels in third country waters and on the high seas [1].

Article 5

The President of the Council is hereby authorised to designate the persons empowered to sign the Agreement in the form of an Exchange of Letters in order to bind the Community.

Done at Brussels, 23 July 2007.

For the Council
The President
L. AMADO

[1] OJ L 73, 15.3.2001, p. 8.