EC/Madagascar Fisheries Partnership Agreement

2007/0006(CNS) - 15/11/2007 - Final act

PURPOSE: to approve a Fisheries Partnership Agreement between the EC and Madagascar.

LEGISLATIVE ACT: Council Regulation (EC) No 31/2008 on the conclusion of the Fisheries Partnership Agreement between the European Community and the Republic of Madagascar.

CONTENT: this Regulation approves the Fisheries Partnership Agreement between the European Community and Madagascar, on behalf of the Community, for a period of six years from the date of entry into force. The Agreement is renewable. The Protocol to the Agreement sets out the fishing opportunities and financial contribution on fishing off the coast of Madagascar for the period from 1 January 2007 to 31 December 2012.

The Agreement establishes the principles, rules and procedures governing:

-economic, financial, technical and scientific cooperation in the fisheries sector with a view to promoting responsible fishing in Madagascar's fishing zones to guarantee the conservation

and sustainable exploitation of fisheries resources and develop Madagascar's fisheries sector;

-the conditions governing access by Community fishing vessels to Madagascar's fishing zones;

-cooperation on the arrangements for policing fisheries in Madagascar's fishing zones with a view to ensuring that the above rules and conditions are complied with, that the measures for the conservation and management of fish stocks are effective and that illegal, undeclared and unregulated fishing is prevented;

-partnerships between companies aimed at developing economic activities in the fisheries sector and related activities, in the common interest.

Implementation principles: to promote responsible fishing in Madagascar's fishing zones on the basis of the principles of non-discrimination between the different fleets fishing in those waters; to ensure that the Agreement is implemented in accordance with the principles of good economic and social governance, respecting the state of fish stocks; to apply measures to ensure that the employment of ACP seamen on board Community vessels shall be governed by the International Labour Organisation (ILO) Declaration on Fundamental Principles and Rights at Work.

Strengthened dialogue: the two Parties are taking part in a political dialogue on topics of mutual interest in the fisheries sector. In the Partnership Agreement, the current priorities of national fisheries policy in Madagascar will allow the identification by mutual agreement between the two Parties of objectives, and the annual and multiannual programming to attain them, with a view to ensuring sustainable and responsible management of the sector.

Licences: Community vessels may fish in Madagascar's fishing zone only if they are in possession of a valid fishing licence issued by Madagascar under the Agreement and the Protocol. The procedure for obtaining a fishing licence for a vessel, the taxes applicable and the method of payment to be used by shipowners shall be as set out in the Annex to the Protocol.

The financial contribution as amended in the Protocol signed on 16 March 2007 is fixed at **EUR 1 197 000 per year** against a reference tonnage of **13 300 tonnes**. Of this financial contribution, 80% will

provide annual financial support for defining and implementing a sectoral fisheries policy in Madagascar, with a view to introducing responsible and sustainable fishing. This financial support will be based on annual and multiannual programming.

The fishing opportunities provided for in the revised Protocol have been laid down according to three categories:

1) for the fishing category “freezer tuna seiners”:43 vessels;

2) for the fishing category “surface longliners over 100 GT”: 50 vessels;

3) for the fishing category “surface longliners of 100 GT or below”: 26 vessels.

In addition, 5 vessels may carry out exploratory line or bottom longline fishing for demersal species over two 6-month periods. Shipowners’ fees have been fixed for each category and, overall, could provide Madagascar with an additional annual income of around EUR 465 000 (for a reference tonnage of 13 300 tonnes).

The new fishing opportunities shall be allocated among the Member States as follows:

As regards tuna fishing:

- Freezer tuna seiners: Spain : 23; France : 19; Italy : 1.
- Surface longliners: Spain : 25; France : 13; Portugal : 7; United Kingdom : 5.
- Tuna fishing Surface longliners of 100 GT or below: France 26.

Demersal fishing: exploratory line or bottom longline fishing: France 5.

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

ENTRY INTO FORCE: 25/01/2008. The Protocol with its Annex shall enter into force on the date on which the Parties notify each other of the completion of the procedures necessary for that purpose. It will apply with effect from 1 January 2007.