EC/Madagascar Fisheries Partnership Agreement: fishing opportunities and financial contribution from 1 January 2015 to 31 December 2018. Protocol

2014/0319(NLE) - 09/12/2014 - Legislative proposal

PURPOSE: to conclude a Protocol setting out the fishing opportunities and the financial contribution provided for in the Fisheries Partnership Agreement between the Madagascar and the European Community.

PROPOSED ACT: Council Decision.

ROLE OF THE EUROPEAN PARLIAMENT: the Council may adopt the act only if Parliament has given its consent to the act.

BACKGROUND: the European Union negotiated with Madagascar a new protocol to the partnership agreement granting Union vessels fishing possibilities in the fishing zone over which Madagascar has jurisdiction. The Protocol was signed in accordance with a Council Decision and has been applied on a provisional basis.

The Protocol should now be approved.

CONTENT: under this draft Decision, the Council is called upon to approve a Protocol between setting out the fishing opportunities and the financial contribution provided for by the Fisheries Partnership Agreement between Madagascar and the EC on behalf of the Union.

The Protocol aims to set out the conditions under which ships flying under a EU flag might fish in the waters off Madagascar.

For more details on the fishing possibilities and financial contributions to be paid from the EU budget under the Protocol, please *refer to the summary of the Commission's initial legislative proposal of 31/10 /2014.*

Simplified procedure for determining the EU's position in the Joint Committee: the agreement establishes a Joint Committee to see to the application of the agreement. In accordance with the Protocol, the Joint committee may approve certain amendments to the Protocol. In order to ensure approval of the amendments, the Commission is empowered, under certain conditions, to approve them in accordance with a **simplified procedure**.

Annex: the draft decision sets out the extent of the powers conferred on the Commission as well as the procedure for establishing the Union's position in the Joint Committee. The Commission is authorised to negotiate amendments on the following topics with Madagascar:

- review of fishing opportunities, as well as the review of the financial contribution and amendments of the Protocol and the Annex;
- determining fishing possibilities in accordance with the Protocol;

- a decision on the detailed arrangements of the sectoral support;

- adoption of measures to ensure sustainable fishing resources covered by the Protocol and affecting the activities of fishing vessels of the Union;

- amendment of the provisions relating to conditions governing fishing activities and the rules on the implementation of the Protocol and the Annexes

In the Joint Committee, the Union will act in accordance with the objectives pursued by the Union within the framework of the Common Fisheries Policy, as well as promote positions that are consistent with the relevant rules adopted by Regional Fisheries Management Organisations. The Joint Committee must base decisions on the latest statistical, biological and other relevant information transmitted to the Commission.

Technical provisions are set out to establish the framework and practical methods for approving the said amendments to the Protocol.