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

2014/0319(NLE) - 05/10/2015 - Final act

PURPOSE: to conclude a new Protocol on fishing between the EU and Madagascar.

NON-LEGISLATIVE ACT: Council Decision (EU) 2015/1893 on the conclusion, on behalf of the European Union, of the Protocol setting out the fishing opportunities and the financial contribution provided for in the Fisheries Partnership Agreement between the Republic of Madagascar and the European Community.

BACKGROUND: the EU has 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 Decision 2014/929/EU and has been applied on a provisional basis since 1 January 2015.

The Protocol should now be approved on behalf of the EU.

CONTENT: by this Decision the Protocol setting out the fishing opportunities and the financial contribution provided for by the Fisheries Partnership Agreement between Madagascar and the European Community is approved on behalf of the Union.

Principles and objectives: the Parties undertake to:

- promote **responsible fishing** in Madagascar's fishing zone on the basis of the principles of non-discrimination between the different fleets fishing in those waters;
- ensure that this Agreement is implemented in accordance with the Cotonou Agreement on essential elements regarding **human rights, democratic principles and the rule of law,** and fundamental element regarding good governance, sustainable development and sound environmental management.

Fishing opportunities: the Protocol provides for fishing opportunities in the following categories:

- **40 tuna seiners**;
- **32 surface longliners** with a tonnage greater than 100 GT;
- **22 surface longliners** with a tonnage less than or equal to 100 GT.

The fishing opportunities **may be adjusted** by the Joint Committee insofar as such adjustments guarantee the sustainable management of the fish species covered by the Protocol.

Financial contribution: for the whole of the 4 year period from the date of provisional application, the financial contribution shall be EUR 6 107 500 allocated as follows:

- an annual amount of **EUR 866 250** for each of the first two years of the Protocol, and **EUR 787 500** for each of the two following years, equivalent to a reference tonnage, for all species, of **15 750 tonnes** per year for obtaining access to the Malagasy fishing zone, and
- **a specific amount of EUR 700 000** per year for supporting and implementing Madagascar's sectoral fishery resources and fishing policy. The financial contribution for the sectoral support is made available to the Ministry of Fishery Resources and Fishing.

However, in the event of the annual amount of catches of the species made in the fishing zone of Madagascar exceeds the reference tonnage of 15 750 tonnes per year, the amount of the annual financial contribution shall be increased by EUR 55 during the first two years of the Protocol, and EUR 50 during the last two years for each additional tonne caught.

Exploratory fishing surveys: the Joint Committee may authorise exploratory fishing surveys in the Malagasy fishing zone to test the technical feasibility and economic viability of new fisheries. A scientific observer appointed by Madagascar shall be present on board throughout the duration of the trip. If the Joint Committee considers that **experimental campaigns have yielded positive results**, Madagascar may propose to allocate fishing opportunities for the new species to the European Union fleet under another Protocol.

Joint Committee: a Joint Committee will monitor the application of the Agreement. It may approve amendments to the Protocol. The Commission may approve them under a simplified procedure under certain conditions.

An Annex to the 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,
- 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;

Duration of the Agreement: the Protocol and its Annex will apply for a period of 4 years from the date of provisional application.