Basic information

2014/0319(NLE) NLE - Non-legislative enactments	Procedure completed
EC/Madagascar Fisheries Partnership Agreement: fishing opportunities and financial contribution from 1 January 2015 to 31 December 2018. Protocol See also 2007/0006(CNS) **Subject** 3.15.15.02 Fisheries agreements with African countries **Geographical area** Madagascar	

Key players

European Parliament

Committee responsible	Rapporteur	Appointed
PECH Fisheries	SERRÃO SANTOS Ricardo (S&D)	19/11/2014
	Shadow rapporteur KUHN Werner (PPE) TOMAŠIĆ Ruža (ECR) BILBAO BARANDICA Izaskun (ALDE) HAZEKAMP Anja (GUE/NGL)	

Committee for opinion	Rapporteur for opinion	Appointed
DEVE Development	MICHEL Louis (ALDE)	10/02/2015
BUDG Budgets	DENANOT Jean-Paul (S&D)	14/01/2015

Council of the European Union

Council configuration	Meetings	Date
Employment, Social Policy, Health and Consumer Affairs	3412	2015-10-05

European Commission

Commission DG	Commissioner
Maritime Affairs and Fisheries	VELLA Karmenu

Key events

Date	Event	Reference	Summary
31/10/2014	Preparatory document	COM(2014)0683	Summary
09/12/2014	Legislative proposal published	15225/2014	Summary
12/01/2015	Committee referral announced in Parliament		
17/06/2015	Vote in committee		
19/06/2015	Committee report tabled for plenary, 1st reading/single reading	A8-0196/2015	Summary
08/09/2015	Debate in Parliament		
09/09/2015	Decision by Parliament	T8-0302/2015	Summary
09/09/2015	Results of vote in Parliament		
05/10/2015	Act adopted by Council after consultation of Parliament		
05/10/2015	End of procedure in Parliament		
22/10/2015	Final act published in Official Journal		

Technical information

Procedure reference	2014/0319(NLE)
Procedure type	NLE - Non-legislative enactments
Procedure subtype	Consent by Parliament
Amendments and repeals	See also 2007/0006(CNS)
Legal basis	Treaty on the Functioning of the European Union TFEU 218-p7 Treaty on the Functioning of the European Union TFEU 218-p6a Treaty on the Functioning of the European Union TFEU 043-p2
Other legal basis	Rules of Procedure EP 165
Stage reached in procedure	Procedure completed
Committee dossier	PECH/8/01923

Documentation gateway

European Parliament

Document type	Committee	Reference	Date	Summary
Committee draft report		PE544.100	10/04/2015	
Committee opinion	BUDG	PE546.726	07/05/2015	
Committee opinion	DEVE	PE554.780	02/06/2015	
Committee report tabled for plenary, 1st reading/single				

reading		A8-0196/2015	19/06/2015	Summary
Text adopted by Parliament, 1st reading/single reading		T8-0302/2015	09/09/2015	Summary

Council of the EU

Document type	Reference	Date	Summary
Legislative proposal	15225/2014	09/12/2014	Summary
Document attached to the procedure	15226/2014	09/12/2014	

European Commission

Document type	Reference	Date	Summary
Preparatory document	COM(2014)0683	31/10/2014	Summary

Additional information

Source	Document	Date
European Commission	EUR-Lex	

Final act

Decision 2015/1893
OJ L 277 22.10.2015, p. 0001 Summary

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.

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.

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

2014/0319(NLE) - 31/10/2014 - Preparatory document

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

PROPOSED ACT: Council Decision.

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

BACKGROUND: on the basis of the powers conferred on it by the Council, the European Commission has conducted negotiations with Madagascar with a view to renewing the Protocol to the Fisheries Partnership Agreement between the European Community and this country.

At the end of the negotiations a new draft protocol was initialled by the negotiators on 19 June 2014.

It is now necessary to conclude the Protocol on behalf of the European Union.

CONTENT: this proposal calls on the Council to conclude, on behalf of the Union, the Protocol setting out the fishing opportunities and the financial contribution provided for by the Fisheries Partnership Agreement between the European Community and Madagascar.

Objectives: the primary objective of the Protocol to the Agreement is to grant fishing opportunities to EU vessels in the fishing zone of the Republic of Madagascar, in line with the management measures adopted by the relevant Regional Fisheries Management Organisation, namely the Indian Ocean Tuna Commission (IOTC) and where relevant, in keeping within the limits of the available surplus.

The general objective is to enhance cooperation between the European Union and Madagascar, thereby creating a partnership framework within which to develop a sustainable fisheries policy and sound exploitation of fishery resources in the fishing zone of Madagascar, in the interests of both parties.

Financial contribution: the annual financial contribution, which is EUR 1 566 250 for each of the first two years of the Protocol and EUR 1 487 500 for each of the following two years, is based on:

- a reference tonnage of 15 750 tonnes linked to access, for 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 following two years;
- support for the development of the sectoral fisheries policy of Madagascar, amounting to EUR 700 000 per year. This support meets the objectives of the national fisheries policy and in particular the needs of the Republic of Madagascar in the fight against illegal fishing.

In the event of the annual amount of catches of the species referred to the Protocol exceeds the reference tonnage of 15 750 tonnes, 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.

However, the annual amount paid by the European Union in respect of access to Madagascar's fishing zone shall not be more than twice the amount of the tonnage reference for the corresponding year. If the amounts caught by European Union vessels in Madagascar's fishing zone exceed a quantity corresponding to twice that total annual amount, the amount due in respect of the quantity exceeding that limit shall be paid the following year.

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.

New fishing opportunities: the new fishing opportunities and technical measures may be reviewed by mutual agreement within the Joint Committee. They may be adjusted by the Joint Committee insofar as the resolutions and recommendations adopted by the IOTC confirm that such adjustments guarantee the sustainable management of the fish species covered by this Protocol. In this case, the financial contribution shall be adjusted proportionately and pro rata temporis.

Exploratory fishing surveys may be authorised in the Malagasy fishing zone to test the technical feasibility and economic viability of new fisheries.

Duration of the Agreement: the new Protocol covers a period of four years from the date of provisional application – i.e. from the date of its signature and 1 January 2015 at the earliest.

BUDGETARY IMPLICATION: the total financial envelope allocated to this Protocol amounts to **EUR 6.602 million from 2015 to 2018**, including administrative management costs and human resources.

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

2014/0319(NLE) - 31/10/2014

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

PROPOSED ACT: Council Decision.

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

BACKGROUND: on the basis of the powers conferred on it by the Council, the European Commission has conducted negotiations with Madagascar with a view to renewing the Protocol to the Fisheries Partnership Agreement between the European Community and this country.

At the end of the negotiations a new draft protocol was initialled by the negotiators on 19 June 2014.

It is now necessary to conclude the Protocol on behalf of the European Union.

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Objectives: the primary objective of the Protocol to the Agreement is to grant fishing opportunities to EU vessels in the fishing zone of the Republic of Madagascar, in line with the management measures adopted by the relevant Regional Fisheries Management Organisation, namely the Indian Ocean Tuna Commission (IOTC) and where relevant, in keeping within the limits of the available surplus.

The general objective is to enhance cooperation between the European Union and Madagascar, thereby creating a partnership framework within which to develop a sustainable fisheries policy and sound exploitation of fishery resources in the fishing zone of Madagascar, in the interests of both parties.

Financial contribution: the annual financial contribution, which is EUR 1 566 250 for each of the first two years of the Protocol and EUR 1 487 500 for each of the following two years, is based on:

- a reference tonnage of 15 750 tonnes linked to access, for 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 following two years;
- support for the development of the sectoral fisheries policy of Madagascar, amounting to EUR 700 000 per year. This support meets the objectives of the national fisheries policy and in particular the needs of the Republic of Madagascar in the fight against illegal fishing.

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However, the annual amount paid by the European Union in respect of access to Madagascar's fishing zone shall not be more than twice the amount of the tonnage reference for the corresponding year. If the amounts caught by European Union vessels in Madagascar's fishing zone exceed a quantity corresponding to twice that total annual amount, the amount due in respect of the quantity exceeding that limit shall be paid the following year.

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BUDGETARY IMPLICATION: the total financial envelope allocated to this Protocol amounts to **EUR 6.602 million from 2015 to 2018**, including administrative management costs and human resources.

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

2014/0319(NLE) - 19/06/2015 - Committee report tabled for plenary, 1st reading/single reading

The Committee on Fisheries adopted the recommendation by Ricardo SERRÃO SANTOS (S&D, PT) on the draft Council decision 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.

Members called on the European Parliament to give its consent to the conclusion of the Protocol.

Members welcomed the Protocol but considered that further measures should be taken to ensure a better monitoring of the implementation such as transmitting relevant information to Parliament on the joint scientific meetings provided for in the Partnership Agreement and on the changes to fishing conditions. The Commission is also asked to present to Parliament and to the Council, during the last year of the Protocol's validity and before the opening of negotiations for its renewal, an ex-post evaluation report on its implementation.

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

2014/0319(NLE) - 09/09/2015 - Text adopted by Parliament, 1st reading/single reading

The European Parliament adopted by 609 votes to 64, with 20 abstentions, a legislative resolution on the draft Council decision 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 Madagascar and the European Community.

Parliament gave its consent to the conclusion of the protocol.