


Procedure file

Basic information		
CNS - Consultation procedure Regulation	1995/0187(CNS)	Procedure completed
EC/Madagascar fisheries agreement: protocol for the period from 21 May 1995 to 20 May 1998		
Subject 3.15.15.03 Fisheries agreements with Indian Ocean countries		
Geographical area Madagascar		

Key players			
European Parliament	Committee responsible	Rapporteur	Appointed
	PECH Fisheries	V MCKENNA Patricia	06/09/1995
	Committee for opinion	Rapporteur for opinion	Appointed
	BUDG Budgets	PSE JÖNS Karin	07/09/1995
	DEVE Development and Cooperation		
Council of the European Union	Council configuration	Meeting	Date
	Agriculture and Fisheries	1908	19/03/1996

Key events			
20/07/1995	Legislative proposal published	COM(1995)0376	Summary
22/09/1995	Committee referral announced in Parliament		
23/01/1996	Vote in committee		Summary
23/01/1996	Committee report tabled for plenary, 1st reading/single reading	A4-0007/1996	
15/02/1996	Debate in Parliament		
16/02/1996	Decision by Parliament	T4-0088/1996	Summary
19/03/1996	Act adopted by Council after consultation of Parliament		Summary
19/03/1996	End of procedure in Parliament		
23/03/1996	Final act published in Official Journal		

Technical information	
Procedure reference	1995/0187(CNS)
Procedure type	CNS - Consultation procedure
Procedure subtype	International agreement
Legislative instrument	Regulation
Legal basis	EC before Amsterdam E 043; EC before Amsterdam E 228-p2/3
Stage reached in procedure	Procedure completed
Committee dossier	PECH/4/07115

Documentation gateway					
Legislative proposal		COM(1995)0376	20/07/1995	EC	Summary
Committee report tabled for plenary, 1st reading/single reading		A4-0007/1996 OJ C 047 19.02.1996, p. 0004	23/01/1996	EP	
Text adopted by Parliament, 1st reading/single reading		T4-0088/1996 OJ C 065 04.03.1996, p. 0195-0209	16/02/1996	EP	Summary

Additional information	
European Commission	EUR-Lex

Final act
Regulation 1996/498 OJ L 075 23.03.1996, p. 0001 Summary

EC/Madagascar fisheries agreement: protocol for the period from 21 May 1995 to 20 May 1998

- OBJECTIVE: the regulation is aimed at concluding a fisheries protocol between the European Community and Madagascar which lays down the fishing opportunities and the financial contribution of the Community for the period 21.05.1995 to 20.05.1998. - SUBSTANCE: The protocol, which was initialled by the parties on 18.05.1995, allows Community vessels to fish in Malagasy waters subject to the possession of a licence which is issued on payment of annual fees (ECU 20 per tonne caught). These licences are granted, according to the category of vessel and in accordance with specific administrative procedures, for the following: . 42 freezer tuna seiners, .16 surface longliners. At the request of the Community, authorization may be granted for other categories of fishing vessel under conditions to be laid down by common accord in the Joint Committee set up under the Agreement. Community shipowners must declare their catches and take observers and Malagasy seamen on board. In return for the fishing opportunities, the Community shall make a compensatory payment to Madagascar of ECU 1,350,000 for the duration of the Protocol, to be payable in three equal annual instalments and covering a total weight of catch of 9,000 tonnes of tuna a year. The Community will also contribute ECU 375,000 to finance a scientific programme which is intended to improve Madagascar's knowledge of its fish species and will make available to Malagasy nationals technical study awards totalling ECU 450,000. ?

EC/Madagascar fisheries agreement: protocol for the period from 21 May 1995 to 20 May 1998

The Committee adopted by a majority of 12 votes to 2 with 1 abstention the report by Mrs Patricia McKENNA (GREENS, IRL), for the renewal of the protocol between the Community and Madagascar for the period 1995 to 1998. As is now customary, this report also contained the important charge that in this, as in virtually every other third country agreement, the Council had repeatedly failed to consult Parliament at a meaningful stage of the negotiations. However, the Committee did not accept the conclusion of the rapporteur, that this and other shortcomings in the agreement justified its outright rejection. Nevertheless, through a series of amendments, members showed their dissatisfaction with the Commission's approach, calling in particular for an increased obligation on the part of the Union in future agreements to invest in local infrastructure. Members also called for a full assessment report on the impact of the current accord before the end of 1996. On the institutional question, the Committee preferred to hold its fire and wait for the Report by Mrs LANGENHAGEN on the IGC and for an oral question with debate on "International and multilateral agreements in the Fisheries sector", which it is hoped will be taken during the March plenary. It should be noted that a further opportunity to discuss the democratic deficit in this area will occur later in the year, at a seminar on international agreements, to be organised by the Commission and attended by MEPs and industry representatives. MEPs and industry representatives.

EC/Madagascar fisheries agreement: protocol for the period from 21 May 1995 to 20 May 1998

In adopting the report by Mrs McKENNA (Irl, V), the European Parliament approved the proposal for a regulation with the following amendments: -Parliament noted that, in accordance with the Interinstitutional Agreement of 29 October 1993, expenditure relating to this protocol was non-compulsory; -it emphasized the importance of conservation of the Indian Ocean tuna stock for the Union and the coastal states of the region. In this connection, it was concerned that no regional regime for the conservation of stocks, as required by the UNCLOS Convention, had been implemented in this region. At the same time, it pointed out that no provision had been made in the protocol for any scientific observer programme based in Madagascar. It therefore called, in the future, for account to be taken of the above considerations in the 'third generation' fisheries agreements (in particular, by incorporating Community investment aimed at modernizing local artisanal fisheries infrastructure). It raised the matter of joint ventures in connection with local processing, marketing and construction of fishing vessels, for which no provision had been made in the protocol; -with regard to Parliament being kept informed, the Commission should submit to the EP every year, before 1 May, a report on the progress made in the implementation of the protocol, accompanied by an up-dated financial statement. Before any negotiations on a new fisheries agreement, the EP should be informed of the progress made in the implementation of the present protocol, and only after the Council had consulted the EP could the Council give a new negotiating mandate to the Commission; -by the end of 1996, the Commission should present the Council and European Parliament with a report evaluating the impact of the agreement and of other fisheries agreements with Indian Ocean states on fishermen in this region. ?

EC/Madagascar fisheries agreement: protocol for the period from 21 May 1995 to 20 May 1998

-OBJECTIVE: inclusion of a fisheries protocol between the Community and Madagascar defining the fishing opportunities and the financial contribution of the Community for the period 21 May 1995 to 20 May 1998. -COMMUNITY MEASURE: Council Regulation (EC) No 498/96 on the conclusion of the Protocol defining, for the period 21 May 1995 to 20 May 1998, the fishing opportunities and the financial contribution provided for by the Agreement between the European Community and the Government of the Republic of Madagascar on fishing off Madagascar. -SUBSTANCE: the protocol, initialled by the parties on 18 May 1995, authorizes Community vessels to fish in Malagasy waters subject to the possession of a licence which is issued on payment of annual fees (ECU 20 per tonne caught). Such licences are granted according to the category of vessel and in accordance with specific administrative formalities, to: .42 freezer tuna seiners, .16 surface longliners. At the request of the Community, authorization may be granted for other categories of fishing vessel under conditions to be laid down in the Joint Committee set up under the Agreement. Community shipowners must declare their catches and take observers and Malagasy seamen on board. In return for the fishing opportunities, the Community shall make a compensatory payment to Madagascar of ECU 1 350 000 for the duration of the Protocol payable in three equal annual instalments and covering an annual catch of 9 000 tonnes of tuna. The Community shall also contribute ECU 375 000 to finance a Malagasy scientific programme to improve knowledge of its fish species and make available to Malagasy nationals training awards whose total cost may not exceed ECU 450 000. -ENTRY INTO FORCE: the regulation will enter into force on 26 March 1996. The date of entry into force of the protocol will be published in the OJEC by the General Secretariat of the Council. ?

EC/Madagascar fisheries agreement: protocol for the period from 21 May 1995 to 20 May 1998

The Council adopted the Regulation.?