


# Procedure file

Basic information		
CNS - Consultation procedure Regulation	<a href="#">2004/0070(CNS)</a>	Procedure completed
EC/Madagascar fisheries agreement: protocol for the period from 1st January 2004 to 31st December 2006		
Subject 3.15.15.03 Fisheries agreements with Indian Ocean countries		
Geographical area Madagascar		

Key players				
European Parliament	Committee responsible	Rapporteur	Appointed	
	<b>PECH</b> Fisheries		28/07/2004	
		ALDE <a href="#">MORILLON Philippe</a>		
	Former committee responsible			
	<b>PECH</b> Fisheries			
	Committee for opinion	Rapporteur for opinion	Appointed	
<b>DEVE</b> Development				
<b>BUDG</b> Budgets	The committee decided not to give an opinion.			
Former committee for opinion				
<b>BUDG</b> Budgets				
<b>DEVE</b> Development and Cooperation				
Council of the European Union	Council configuration	Meeting	Date	
	<a href="#">Economic and Financial Affairs ECOFIN</a>	<a href="#">2638</a>	17/02/2005	
European Commission	Commission DG <a href="#">Maritime Affairs and Fisheries</a>	Commissioner		

Key events			
31/03/2004	Legislative proposal published	<a href="#">COM(2004)0218</a>	Summary
19/04/2004	Committee referral announced in Parliament		
01/09/2004	Vote in committee		Summary
03/09/2004	Committee report tabled for plenary, 1st reading/single reading	<a href="#">A6-0002/2004</a>	
15/09/2004	Results of vote in Parliament		

15/09/2004	Decision by Parliament	<a href="#">T6-0007/2004</a>	Summary
16/09/2004	Committee referral announced in Parliament		
17/02/2005	Act adopted by Council after consultation of Parliament		
17/02/2005	End of procedure in Parliament		
13/04/2005	Final act published in Official Journal		

### Technical information

Procedure reference	2004/0070(CNS)
Procedure type	CNS - Consultation procedure
Procedure subtype	International agreement
Legislative instrument	Regulation
Legal basis	EC Treaty (after Amsterdam) EC 300-p2/3-a1; EC Treaty (after Amsterdam) EC 037
Stage reached in procedure	Procedure completed
Committee dossier	PECH/6/21206; PECH/5/20864

### Documentation gateway

Legislative proposal		<a href="#">COM(2004)0218</a>	31/03/2004	EC	Summary
Document attached to the procedure		<a href="#">SEC(2004)0370</a>	31/03/2004	EC	
Committee opinion	<b>DEVE</b>	<a href="#">PE346.907</a>	30/08/2004	EP	
Committee report tabled for plenary, 1st reading/single reading		<a href="#">A6-0002/2004</a>	03/09/2004	EP	
Text adopted by Parliament, 1st reading/single reading		<a href="#">T6-0007/2004</a> <a href="#">OJ C 140 09.06.2005, p. 0059-0101 E</a>	15/09/2004	EP	Summary
Commission response to text adopted in plenary		<a href="#">SP(2004)2350</a>	05/10/2004	EC	

### Additional information

European Commission	<a href="#">EUR-Lex</a>
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### Final act

[Regulation 2005/555](#)  
[OJ L 094 13.04.2005, p. 0001-0002](#) Summary

## EC/Madagascar fisheries agreement: protocol for the period from 1st January 2004 to 31st December 2006

**PURPOSE** : to conclude a new Protocol for tuna fishing opportunities and financial contribution between the EU and the Democratic Republic of Madagascar for the period 1 January 2004 and 31 December 2006. **PROPOSED ACT**: Council Regulation. **CONTENT** : In September 2003 representatives from the Democratic Republic of Madagascar and the EU met to flesh out agreement on a new Protocol defining the technical and financial conditions governing the fishing activities of EU vessels in the waters off Madagascar. The current Fishing Protocol expires on 31 May 2004. The new Protocol will cover the period 1 January 2004 to 31 December 2006. The Protocol grants fishing opportunities for 40 tuna

seiners and 40 surface long liners. The financial contribution is fixed at EUR 825 000 per year, covering an annual catch of 11 000 tonnes of tuna in the waters off Madagascar. A large portion of this amount (EUR 505 000 per year) is earmarked for targeted measures, such as scientific and training programmes, support for an inspection and surveillance system, assistance with the development of traditional fisheries etc. As well as being in keeping with the tuna agreements concluded by the Community with other Indian Ocean countries, new elements have been introduced into the Protocol. They stress the promotion of responsible and sustainable fishery in the Indian Ocean. Specifically speaking the new elements introduced include: - An exclusivity clause, which prohibits the existence of private licences or other private arrangements outside the scope of the Agreement; - A detailed programme for targeted measures, including a schedule and the objectives to be achieved; - VMS requirements to reinforce checks on vessels operating in the waters off Madagascar, including the transmission of hourly reports giving their course and speed; - The social clause applicable to local seamen signed on by Community vessels; - Penalties imposed for infringements of the Protocol and - A section on safeguarding the marine environment and protected species. FINANCIAL IMPLICATIONS: - Budget line: 110301 (ex B78000): "International fisheries agreements" 11010404 (ex B78000A): "International fisheries agreements: expenditure on administrative management". - Total allocation for action (Part B): min. EUR 2 411 385 and max. EUR 4 762 770 in commitment appropriations and payment appropriations. - Period of application: 2004-06. - Impact on human resources: 1 temporary post Grade B; 1 temporary post Grade C.?

## EC/Madagascar fisheries agreement: protocol for the period from 1st January 2004 to 31st December 2006

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The committee adopted the report by Philippe MORILLON (ALDE, FR) approving the proposal under the consultation procedure, subject to a few amendments. It stressed that protection of the EU's fisheries interests must go hand in hand with the sustainable management of fisheries resources and the development of coastal populations which depend on fisheries. The Commission was accordingly urged to continue assessing the sustainable nature of the agreement with Madagascar, to ensure that the funds were properly used for the purposes laid down in the agreement and to monitor the impact on the local population.

Other amendments reflected Parliament's traditional position on renewing fishing agreements, namely, that a general assessment report should be presented by the Commission before the beginning of negotiations in order to allow an evaluation of the costs and benefits of the fisheries agreement and protocol, with particular reference to the specific measures. Only after the report had been received and Parliament had given its opinion thereon should the Council authorise the Commission to enter into negotiations for a possible new Protocol.

## EC/Madagascar fisheries agreement: protocol for the period from 1st January 2004 to 31st December 2006

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The European Parliament adopted, by 507 votes for, 68 against and 86 abstentions, a resolution drafted by Philippe MORILLON (ALDE, FR) approving the Commission's proposal with a few amendments. (Please see the document of 01/09/04.) The Commission must forward to the European Parliament and to the Council a copy of the annual report referred to in the Protocol, including an analysis of the use of the funds earmarked for targeted measures.

## EC/Madagascar fisheries agreement: protocol for the period from 1st January 2004 to 31st December 2006

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**PURPOSE :** to conclude a new Protocol for tuna fishing opportunities and financial contribution between the EU and the Democratic Republic of Madagascar for the period 1 January 2004 and 31 December 2006.

**LEGISLATIVE ACT :** Council Regulation 555/2005/EC on the conclusion of the Protocol defining for the period 1 January 2004 to 31 December 2006 the tuna fishing opportunities and the financial contribution provided for in the Agreement between the European Economic Community and the Democratic Republic of Madagascar on fishing off Madagascar.

**CONTENT :** the new Protocol will cover the period 1 January 2004 to 31 December 2006. The Protocol grants fishing opportunities for 40 tuna seiners and 40 surface long liners. The financial contribution is fixed at EUR 825 000 per year, covering an annual catch of 11 000 tonnes of tuna in the waters off Madagascar. A large portion of this amount (EUR 505 000 per year) is earmarked for targeted measures, such as scientific and training programmes, support for an inspection and surveillance system, assistance with the development of traditional fisheries

As well as being in keeping with the tuna agreements concluded by the Community with other Indian Ocean countries, new elements have been introduced into the Protocol. They stress the promotion of responsible and sustainable fishery in the Indian Ocean. Specifically speaking the new elements introduced include:

- An exclusivity clause, which prohibits the existence of private licences or other private arrangements outside the scope of the Agreement;
- A detailed programme for targeted measures, including a schedule and the objectives to be achieved;
- VMS requirements to reinforce checks on vessels operating in the waters off Madagascar, including the transmission of hourly reports giving their course and speed;
- The social clause applicable to local seamen signed on by Community vessels;
- Penalties imposed for infringements of the Protocol and
- A section on safeguarding the marine environment and protected species.

The fishing opportunities provided for in the Protocol shall be allocated among the Member States as follows:

- tuna seiners: Spain: 22 vessels; France: 16 vessels; Italy: 2 vessels;

- surface longliners: Spain: 24 vessels; France: 10 vessels; Portugal: 6 vessels.

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 : 16 April 2005.