



**COUNCIL OF
THE EUROPEAN UNION**

Brussels, 3 April 2012

**8238/2/12
REV 2**

PECHE 104

REVISED VERSION N° 2 TO “I/A” ITEM NOTE

from: Working Party on External Fisheries Policy
to: Permanent Representatives Committee (Part 1) / Council

No. Cion prop.: 18203/10 PECHE 354 - SEC (2010) 1588 final

Subject: Recommendation from the Commission to the Council to authorise the Commission to open negotiations on behalf of the European Union for the renewal of the protocol to the Fisheries Partnership Agreement with Madagascar - Adoption of Council Decision

1. On 20 December 2010, the Commission submitted to the Council a Recommendation to authorise the Commission to open negotiations on behalf of the European Union for the renewal of the protocol to the Fisheries Partnership Agreement with Madagascar¹. The protocol to be renewed expires on 31 December 2012.
2. The Working Party on External Fisheries Policy first examined the recommendation in January 2011. The Danish, German and Swedish delegations expressed reservations due to the political situation in Madagascar and the Presidency concluded that, given the necessity to examine the political issue further, the Working Party would revert to the issue later².

¹ Cf. doc. 18203/10 PECHE 354

² Cf. doc. 5598/11 PECHE 18. The Working Party also reviewed the situation on 3 February 2012 (doc. 6139/12 PECHE 42).

3. During the Working Party on 29 March 2012, the Commission representative presented a note from the EEAS to DG MARE indicated that it "had no objections to DG MARE re-launching the file on a negotiation mandate from the Council and taking official contacts to the Malagasy authorities".
4. In the light of the improved political situation in Madagascar, the said delegations withdrew their reservations, except the German delegation which indicated its intention to abstain. The French and Swedish delegations entered scrutiny reservations on the text of the mandate.
5. COREPER could therefore confirm the agreement of the Working Party and suggest that the Council at one of its forthcoming sessions:
 - adopts the draft Council Decision as set out in doc. 5463/3/11 REV 3 PECHE 15
 - decides not to publish the Decision in accordance with Article 17(2)(b) of its Rules of Procedure,
 - notes that the European Parliament will be informed of the adoption of the above-mentioned Decision in accordance with Article 218(10) TFUE, and
 - includes the statements set out in the addendum to this note, in the minutes of the Council.