



Brussels, 3 November 2014
(OR. en)

Interinstitutional File:
2014/0319 (NLE)

14959/14
ADD 2

PEECHE 508

PROPOSAL

From:	Secretary-General of the European Commission, signed by Mr Jordi AYET PUIGARNAU, Director
date of receipt:	31 October 2014
To:	Mr Uwe CORSEPIUS, Secretary-General of the Council of the European Union
No. Cion doc.:	COM(2014) 683 final - ANNEX 2
Subject:	ANNEX Scope of the empowerment and procedure for establishing the Union position in the Joint Committee

Delegations will find attached document COM(2014) 683 final - ANNEX 2.

Encl.: COM(2014) 683 final - ANNEX 2



Brussels, 31.10.2014
COM(2014) 683 final

ANNEX 2

ANNEX

**Scope of the empowerment and procedure for establishing the Union position in the
Joint Committee**

ANNEX

Scope of the empowerment and procedure for establishing the Union position in the Joint Committee

(1) The Commission shall be authorised to negotiate with the Republic of Madagascar and, where appropriate and, subject to complying with point 3 of this Annex, agree on modifications to the Protocol in respect of the following issues:

- a) review of fishing opportunities in accordance with Articles 8 and 9 of the Protocol;
- b) decision on the modalities of the sectoral support in accordance with Article 6 of the Protocol;
- c) amendment of the provisions relating to conditions governing fishing activities and the rules on the implementation of the Protocol and the Annexes in accordance with Article 8(3) of the Protocol.

(2) In the Joint Committee set up under the Sustainable Fisheries Partnership Agreement, the Union shall:

- a) act in accordance with the objectives pursued by the Union within the framework of the Common Fisheries Policy;
- b) follow the Council Conclusions of 19 March 2012 on a Communication on the external dimension of the Common Fisheries Policy;
- c) promote positions that are consistent with the relevant rules adopted by Regional Fisheries Management Organisations.

(3) When a decision on modifications to the Protocol referred to in point 1 is foreseen to be adopted during a Joint Committee Meeting, the necessary steps shall be taken so as to ensure that the position to be expressed on behalf of the Union takes account of the latest statistical, biological and other relevant information transmitted to the Commission.

To this effect and based on that information, a document setting out the particulars of the proposed Union position shall be transmitted by the Commission services, in sufficient time before the relevant Joint Committee Meeting, to the Council or to its preparatory bodies for consideration and approval.

In respect of the issues referred to in point 1(a), the approval of the envisaged Union position by the Council shall require a qualified majority of votes. In the other cases, the Union position envisaged in the preparatory document shall be deemed to be agreed, unless a number of Member States equivalent to a blocking minority objects during a meeting of the Council's preparatory body or within 20 days from receipt of the preparatory document, whichever occurs earlier. In case of such objection, the matter shall be referred to the Council.

If, in the course of further meetings, including on the spot, it is impossible to reach an agreement in order for the Union position to take account of new elements, the matter shall be referred to the Council or its preparatory bodies.

The Commission is invited to take, in due time, any steps necessary as a follow up to the decision of the Joint Committee, including, where appropriate, a publication of the relevant decision in the Official Journal of the European Union and a submission of any proposal necessary for the implementation of that decision.