



Council of the  
European Union

Brussels, 4 December 2014  
(OR. en)

16176/14

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**Interinstitutional Files:**

2014/0318 (NLE)

2014/0319 (NLE)

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PECHE 565

**"I/A" ITEM NOTE**

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From: General Secretariat of the Council

To: Permanent Representatives Committee (Part 1)/Council

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No. prev. doc.: 15958/14 PECHE 507 + ADD 1 - COM(2014) 682 final  
14959/14 PECHE 508 + ADD 1 and 2 - COM(2014) 683 final

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Subject: 1) Proposal for a COUNCIL DECISION on the signature, on behalf of the European Union, and provisional application of the Protocol setting out the fishing opportunities and the financial contribution provided for in the Fisheries Partnership Agreement between the European Community and the Republic of Madagascar  
*- adoption*

2) Proposal for a COUNCIL DECISION on the conclusion of the Protocol setting out the fishing opportunities and the financial contribution provided for in the Fisheries Partnership Agreement between the European Community and the Republic of Madagascar  
*- request of the consent of the EP*

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1. The European Commission submitted the two proposals to the Council on 31 October 2014. The proposals concern a new fisheries protocol to the Fisheries Partnership Agreement between the European Community and Madagascar which was concluded in 2007. The current Protocol expires on 31 December 2014.

2. The Working Party on Internal and External Fisheries Policy examined the proposals at its meetings on 5 November and 4 December 2014. The Netherlands delegation has entered a parliamentary scrutiny reserve which is still pending.

3. The Working Party agreed to amend the legal basis of the Decision on conclusion to "Article 43 in conjunction with Article 218(6)(a) and (7)" TFEU.

4. Consequently, COREPER is invited to confirm the agreement reached by the Working Party and to suggest that Council, at a forthcoming session:

(a) decides on the signature, on behalf of the European Union, and provisional application 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, as set out in doc. 15227/14 PECHE 522 (as finalised by the legal-linguistic experts);

(b) decides with unanimity to amend the legal basis of the Proposal for the Decision on the conclusion 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, so that it reads "Article 43 in conjunction with Article 218(6)(a) and (7) thereof", and to forward this draft Decision on the conclusion (as set out in doc. 15225/14 PECHE 520) as well as the text of the Protocol (as set out in doc. 15226/14 PECHE 521 as finalised by the legal linguistic experts) to the European Parliament for its consent, after the signing of the Protocol by the parties;

(c) enters the statement(s) in the addendum to this note in the minutes of the session.

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