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From:	Secretary-General of the European Commission, signed by Mr Jordi AYET PUIGARNAU, Director
date of receipt:	25 April 2018
To:	Mr Jeppe TRANHOLM-MIKKELSEN, Secretary-General of the Council of the European Union

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Subject:	ANNEX to the Recommendation for a Council Decision authorising the opening of negotiations on behalf of the European Union for the conclusion of a Sustainable Fisheries Partnership Agreement and a protocol with the Republic of Madagascar

Delegations will find attached document COM(2018) 240 final - ANNEX 1.

Encl.: COM(2018) 240 final - ANNEX 1



Brussels, 25.4.2018
COM(2018) 240 final

ANNEX 1

ANNEX

to the

Recommendation for a Council Decision

authorising the opening of negotiations on behalf of the European Union for the conclusion of a Sustainable Fisheries Partnership Agreement and a protocol with the Republic of Madagascar

{SWD(2018) 143 final} - {SWD(2018) 144 final}

ANNEX

Negotiating directives for the conclusion of a new Sustainable Fisheries Partnership Agreement and a protocol between the European Union and the Republic of Madagascar

- The objective of the negotiations is the conclusion of a new Sustainable Fisheries Partnership Agreement and a protocol between the European Union and Madagascar in line with Regulation (EU) N° 1380/2013 on the Common Fisheries Policy and with the Council Conclusions of 19 March 2012 on the Commission Communication of 13 July 2011 on the external dimension of the Common Fisheries Policy.
- To promote sustainable and responsible fishing while ensuring mutual benefits for the EU and Madagascar through a new protocol, the Commission's negotiation objectives shall seek to:
 - Ensure access to the fishing zone of Madagascar and the necessary authorisations for vessels of the EU fleet to fish in that zone, thereby *inter alia* maintaining the network of Sustainable Fisheries Partnership Agreements available to EU operators;
 - Take into account the best available scientific advice and relevant management plans adopted by Regional Fisheries Management Organisations (RFMO), in order to ensure sustainable fishing activities and to promote ocean governance at the international scale. The fishing activities should be directed exclusively at available surplus resources, taking into account the local fleet's fishing capacity, while paying special attention to the highly migratory nature of some of the stocks concerned;
 - Obtain an appropriate share of the fisheries resources, commensurate with the EU fleets' interests, when they also interest other foreign fleets; taking into account the activity of the EU fleet in the region, in the light of the most updated and best available scientific assessments;
 - Establish a dialogue to reinforce the sectoral policy with a view to encouraging the implementation of a responsible fisheries policy, in connection with the country's development objectives, in particular as regards the fisheries governance, the fight against illegal, unreported and unregulated fishing, control, monitoring and surveillance of fishing activities and provision of scientific advice, and foster employment generation contributing to *inter alia* addressing the socio-economic development of Madagascar;
 - Include a clause on the consequences of violations of human rights and democratic principles;
 - Include a clause for the preferential access of the EU fleet to available surpluses and for the application of the same technical conditions to all foreign fleets;
 - Include an exclusivity clause.
- In order to avoid interruption of fishing activities, the new Agreement and protocol should include a clause of provisional application.
- In particular, the protocol should define:

- the fishing opportunities, by category, to be granted to European Union vessels;
- the financial compensation and the conditions for its payment; and
- the priorities and the mechanisms for an effective implementation of sectoral support and its regular monitoring.