



Council of the  
European Union

Brussels, 19 June 2023  
(OR. fr)

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**Interinstitutional File:  
2023/0019 (NLE)**

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**PECHE 210**

## **LEGISLATIVE ACTS AND OTHER INSTRUMENTS**

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Subject: COUNCIL REGULATION on the allocation of the fishing opportunities under the Protocol on the implementation of the Sustainable Fisheries Partnership Agreement between the European Union and the Republic of Madagascar (2023-2027)

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**COUNCIL REGULATION (EU) 2023/...**

**of ...**

**on the allocation of the fishing opportunities under the Protocol on the implementation  
of the Sustainable Fisheries Partnership Agreement  
between the European Union and the Republic of Madagascar (2023-2027)**

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union, and in particular  
Article 43(3) thereof,

Having regard to the proposal from the European Commission,

Whereas:

- (1) The Fisheries Partnership Agreement between the Republic of Madagascar ('Madagascar') and the European Community<sup>1</sup> (the '2007 Agreement'), approved by Council Regulation (EC) No 31/2008<sup>2</sup>, has been applied on a provisional basis since 1 January 2007. The Protocol thereto setting out the fishing opportunities and financial contribution provided for in the 2007 Agreement, which entered into force on the same day, has been replaced several times.
- (2) The previous Protocol to the 2007 Agreement expired on 31 December 2018.
- (3) On 4 June 2018, the Council adopted a Decision authorising the Commission to open negotiations with Madagascar for the conclusion of a new Sustainable Fisheries Partnership Agreement (the 'Agreement') and a new Protocol implementing the Agreement (the 'Protocol').
- (4) Between July 2018 and October 2022, eight rounds of negotiations were held with Madagascar regarding the Agreement and the Protocol. Following those negotiations, the Agreement and the Protocol were initialled on 28 October 2022.

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<sup>1</sup> OJ L 331, 17.12.2007, p. 7.

<sup>2</sup> Council Regulation (EC) No 31/2008 of 15 November 2007 on the conclusion of the Fisheries Partnership Agreement between the European Community and the Republic of Madagascar (OJ L 15, 18.1.2008, p. 1).

- (5) In accordance with Council Decision (EU) 2023/...<sup>1+</sup>, the Agreement and the Protocol were signed on ...<sup>++</sup>.
- (6) The fishing opportunities provided for in the Protocol for highly migratory fish stocks, established in accordance with the recommendations and resolutions adopted by the Indian Ocean Tuna Commission, should be allocated among the Member States for the entire period of its application.
- (7) These measures are urgent, given the economic importance of Union fishing activities in the Madagascar fishing zone and the need to keep to a minimum any interruption of those activities. The Protocol will therefore apply on a provisional basis from ...<sup>+++</sup>, pending the completion of the procedures necessary for its entry into force, in order to allow the fishing activities of Union vessels to resume as soon as possible. This Regulation should therefore apply from the same date. For reasons of urgency, this Regulation should enter into force immediately after its publication,

HAS ADOPTED THIS REGULATION:

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<sup>1</sup> OJ ...

<sup>+</sup> OJ: Please insert the number of the Decision contained in document ST 9523/23 and complete the corresponding footnote.

<sup>++</sup> OJ: Please insert the date of signature of the Agreement and the Protocol contained in document ST 9007/23.

<sup>+++</sup> OJ: please insert date – 1 July 2023 – or the date of signature of the Agreement and Protocol contained in document ST 9007/23 if the signature occurs after 1 July 2023.

*Article 1*

The fishing opportunities established by the Protocol shall be allocated among the Member States as follows, for the entire period of application of the Protocol:

a) tuna seiners:

Spain: 16 vessels

France: 15 vessels

Italy: 1 vessel

Total: 32 vessels;

b) surface longliners with a tonnage greater than 100;

Spain: 7 vessels

France: 4 vessels

Portugal: 2 vessels

Total: 13 vessels;

c) surface longliners with a tonnage less than or equal to 100;

France: 20 vessels

Total: 20 vessels.

*Article 2*

This Regulation shall enter into force on the date of its publication in the *Official Journal of the European Union*.

This Regulation shall apply from ... [*date of signature of the Protocol*].

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at ...,

*For the Council*

*The President*

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