

II

(Acts adopted under the EC Treaty/Euratom Treaty whose publication is not obligatory)

DECISIONS

COUNCIL

COUNCIL DECISION

of 15 November 2007

on the conclusion of the Agreement in the form of an Exchange of Letters on the provisional application of the amendments to the Protocol setting out the fishing opportunities and financial contribution provided for in the Fisheries Partnership Agreement between the European Economic Community and the Republic of Madagascar on fishing off the coast of Madagascar for the period from 1 January 2007 to 31 December 2012

(2007/797/EC)

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in particular Article 37, in conjunction with Article 300(2), thereof,

Having regard to the proposal from the Commission,

Whereas:

- (1) The Community and the Republic of Madagascar have negotiated and initialled a Fisheries Partnership Agreement providing Community fishermen with fishing opportunities in the waters falling within the sovereignty of the Republic of Madagascar.
- (2) It is in the Community's interest to approve that Agreement.
- (3) It is necessary to guarantee the pursuit of fishing activities from the date of expiry of the previous Protocol ⁽¹⁾ until the date of entry into force of the Protocol setting out the fishing opportunities and financial contribution provided for in that Agreement.

- (4) The method for allocating the fishing opportunities among the Member States should be defined,

HAS DECIDED AS FOLLOWS:

Article 1

The Agreement in the form of an Exchange of Letters on the provisional application of the amendments to the Protocol setting out the fishing opportunities and financial contribution provided for in the Fisheries Partnership Agreement between the European Economic Community and the Republic of Madagascar on fishing off the coast of Madagascar for the period from 1 January 2007 to 31 December 2012 is hereby approved on behalf of the Community.

The text of the Agreement is attached to this Decision.

Article 2

The Agreement shall apply provisionally from 1 January 2007.

Article 3

The fishing opportunities set out in the Protocol to the Agreement shall be allocated among the Member States as follows:

⁽¹⁾ Approved by Council Regulation (EC) No 555/2005 of 17 February 2005 (OJ L 94, 13.4.2005, p. 1).

Fishing category	Type of vessel	Member State	Licences or quota
Tuna fishing	Freezer tuna seiners	Spain	23
		France	19
		Italy	1
Tuna fishing	Surface longliners over 100 GT	Spain	25
		France	13
		Portugal	7
		United Kingdom	5
Tuna fishing	Surface longliners of 100 GT or below	France	26
Demersal fishing	Exploratory line or bottom longline fishing	France	5

If licence applications from these Member States do not cover all the fishing opportunities laid down by the Protocol, the Commission may take into consideration licence applications from any other Member State.

Article 4

The Member States whose vessels fish under this Agreement shall notify the Commission of the quantities of each stock caught within Madagascar's fishing zone in accordance with Commission Regulation (EC) No 500/2001 of 14 March 2001 laying down detailed rules for the application of Council Regulation (EEC) No 2847/93 on the monitoring of catches taken by Community fishing vessels in third country waters and on the high seas ⁽¹⁾.

Article 5

The President of the Council is hereby authorised to designate the persons empowered to sign the Agreement in order to bind the Community.

Done at Brussels, 15 November 2007.

For the Council
The President
M. L. RODRIGUES

⁽¹⁾ OJ L 73, 15.3.2001, p. 8.