

**AGREEMENT IN THE FORM OF AN EXCHANGE OF LETTERS**

**concerning the provisional application of the Protocol defining for the period 1 January 2004 to 31 December 2006 the Tuna fishing opportunities and the financial contribution provided for in the agreement between the European Economic Community and the Democratic Republic of Madagascar on fishing off Madagascar**

*A. Letter from the Government of Madagascar*

Sir,

With reference to the Protocol initialled on 8 September 2003 in Antananarivo defining the tuna fishing opportunities and the financial contribution for the period 1 January 2004 to 31 December 2006, I have the honour to inform you that the Government of the Republic of Madagascar is prepared to apply this Protocol on a provisional basis with effect from 1 January 2004, pending its entry into force in accordance with Article 7 of the said Protocol, provided the Community is prepared to do likewise.

It is understood that, this being the case, the financial compensation provided for in Article 2 of the Protocol is to be paid before 30 September 2004.

I should be obliged if you would confirm the Community's agreement to such provisional application.

Please accept, Sir, the assurance of my highest consideration.

*For the Government of the Republic of Madagascar*

B. *Letter from the Community*

Sir,

I have the honour to acknowledge receipt of your letter of today's date which reads as follows:

'With reference to the Protocol initialled on 8 September 2003 in Antananarivo defining the tuna fishing opportunities and the financial contribution for the period 1 January 2004 to 31 December 2006, I have the honour to inform you that the Government of the Republic of Madagascar is prepared to apply this Protocol on a provisional basis with effect from 1 January 2004, pending its entry into force in accordance with Article 7 of the said Protocol, provided the Community is prepared to do likewise.

It is understood that, this being the case, the financial compensation provided for in Article 2 of the Protocol is to be paid before 30 September 2004.

I should be obliged if you would confirm the Community's agreement to such provisional application.'

I have the honour to confirm the Community's agreement to such provisional application.

Please accept, Sir, the assurance of my highest consideration.

*On behalf of the Council of the European Union*

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