

COUNCIL DECISION

of 28 November 2012

on the signing, on behalf of the European Union, and on the provisional application of the Protocol agreed between the European Union and the Republic of Madagascar setting out fishing opportunities and the financial contribution provided for in the Fisheries Partnership Agreement between the two parties currently in force

(2012/826/EU)

THE COUNCIL OF THE EUROPEAN UNION,

HAS ADOPTED THIS DECISION:

Having regard to the Treaty on the Functioning of the European Union, and in particular Article 43, in conjunction with Article 218(5) thereof,

Having regard to the proposal from the European Commission,

Whereas:

- (1) On 15 November 2007, the Council adopted Regulation (EC) No 31/2008 on the conclusion of the Fisheries Partnership Agreement between the European Community and the Republic of Madagascar ⁽¹⁾ ("the Partnership Agreement").
- (2) A new Protocol to the Partnership Agreement was initialled on 10 May 2012 ("the new Protocol"). The new Protocol grants EU vessels fishing opportunities in waters in which Madagascar exercises its sovereignty or jurisdiction as regards fishing.
- (3) The current Protocol expires on 31 December 2012.
- (4) To ensure EU vessels can continue their fishing activities, the new Protocol provides for it to apply on a provisional basis from the date of its signature, and from 1 January 2013 at the earliest, pending the completion of the procedures for its conclusion.
- (5) The new Protocol should be signed,

Article 1

The signing, on behalf of the Union, of the Protocol agreed between the European Union and the Republic of Madagascar setting out fishing opportunities and the financial contribution provided for in the Fisheries Partnership Agreement between the two parties currently in force ("the Protocol") is hereby authorised, subject to its conclusion.

The text of the Protocol is attached to this Decision.

Article 2

The President of the Council is hereby authorised to designate the person(s) empowered to sign the Protocol on behalf of the Union.

Article 3

The Protocol shall be applied provisionally, in accordance with Article 15 thereof, from the date of its signature, and from 1 January 2013 at the earliest, pending the completion of the procedures for its conclusion.

Article 4

This Decision shall enter into force on the date of its adoption.

Done at Luxembourg, 28 November 2012.

For the Council
The President
S. ALETRARIS

⁽¹⁾ OJ L 15, 18.1.2008, p. 1.