



EUROPEAN
COMMISSION

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Recommendation for a

COUNCIL DECISION

authorising the opening of the negotiations on behalf of the European Union for the conclusion of a Sustainable Fisheries Partnership Agreement and its Implementing Protocol between the European Union and the Republic of Mauritius

{SWD(2026) 68 final}

EXPLANATORY MEMORANDUM

1. CONTEXT OF THE PROPOSAL

• Reasons for and objectives of the proposal

The Commission recommends to negotiate with Mauritius a new Sustainable Fisheries Partnership Agreement and its Implementing Protocol, which would meet the needs of the Union fleet and be in accordance with Articles 28, 31 and 32 of Regulation (EU) No 1380/2013 on the Common Fisheries Policy (CFP)¹ and with the 19 March 2012 Council Conclusions on a Communication from the Commission on the external dimension of the CFP.

Replacing the existing Fisheries Partnership Agreement (FPA) between the European Union and Mauritius with a Sustainable Fisheries Partnership Agreement (SFPA) would better reflect the changes resulting from the 2013 reform of the CFP, in particular the greater emphasis on sustainability.

• Consistency with existing policy provisions in the policy area

The current FPA between the European Union and Mauritius² entered into force on 28 January 2014 for a duration of six years, and is tacitly renewable for additional periods of three years. The current four-year Implementing Protocol³ entered into application on 21 December 2022 and will expire on 21 December 2026. It sets the fishing opportunities provided to the Union fleet and the corresponding financial contribution paid by the Union and the ship-owners. It is hereby recommended to negotiate a new Sustainable Fisheries Partnership Agreement and its Implementing Protocol with Mauritius.

The annual Union public financial contribution due to Mauritius amounts to EUR 275 000 for access, plus another EUR 450 000 specifically earmarked for sectoral support to fisheries policy and related policies.

The current Implementing Protocol to the FPA with Mauritius provides fishing opportunities targeting tuna and highly migratory species for Union vessels from four Member States (Spain, France, Italy and Portugal).

SFPAs help promote the objectives of the CFP internationally, ensuring that Union fishing activities outside Union waters are based on the same principles and standards as those applicable under Union law. In addition, SFPAs foster scientific cooperation between the EU and its partners, promote transparency and sustainability for a better management of fishing resources and strengthen governance by building capacity for monitoring, control and surveillance of national and foreign fleets' activities and supporting the fight against illegal, unreported and unregulated (IUU) fishing, and to contribute to the sustainable development of local fishing industry. SFPAs complement other Union's instruments, including the Neighbourhood, Development and International Cooperation Instrument (NDICI), in strengthening national and regional capacities on fisheries management, and rely on existing opportunities such as the trainings offered by the Joint Research Centre (JRC) and the

¹ Regulation (EU) No 1380/2013 of the European Parliament and of the Council of 11 December 2013 on the Common Fisheries Policy, amending Council Regulations (EC) No 1954/2003 and (EC) No 1224/2009 and repealing Council Regulations (EC) No 2371/2002 and (EC) No 639/2004 and Council Decision 2004/585/EC (OJ L 354, 28.12.2013, p. 22).

² http://data.europa.eu/eli/agree_internation/2014/146/oj

³ <http://data.europa.eu/eli/prot/2022/2585/oj>

European Fisheries Control Agency (EFCA). SFPAs strengthen the Union's position in international and regional fishing organisations: in the case of Mauritius, in particular in the Indian Ocean Tuna Commission (IOTC) and in the Southern Indian Ocean Fisheries Agreement (SIOFA). The European Union has already developed a network of bilateral SFPAs in the Indian Ocean, namely with Seychelles, and Madagascar.

- **Consistency with other Union policies**

The negotiation of a new Sustainable Fisheries Partnership Agreement and its Implementing Protocol with Mauritius is in line with the Union's external action towards African, Caribbean and Pacific (ACP) countries, and in particular with the Union objectives on the respect of democratic principles and human rights.

The promotion of decent work should be ensured by the expected negotiation of a social clause in line with ILO Convention C188 for workers from the partner country who are to be employed by Union vessels.

2. LEGAL BASIS, SUBSIDIARITY AND PROPORTIONALITY

- **Legal basis**

The procedural legal basis for the decision is provided by Article 218 (3) and (4) of the Treaty on the Functioning of the European Union (TFEU). The substantive legal basis is Article 43(2) TFEU in relation to the common fisheries policy.

- **Subsidiarity (for non-exclusive competence)**

Not applicable, fisheries policy is an area of EU exclusive competence.

- **Proportionality**

The decision is proportional to the objective of establishing a legal, environmental, economic and social governance framework for fishing activities carried out by Union vessels in third-country waters, in accordance with Article 31 of Regulation (EU) No 1380/2013 establishing the Common Fisheries Policy.

- **Choice of the instrument**

The instrument is provided for under Article 218(3) TFEU.

3. RESULTS OF EX POST EVALUATIONS, STAKEHOLDER CONSULTATIONS AND IMPACT ASSESSMENTS

- **Ex post evaluations/fitness checks of existing legislation**

In 2025 the Commission carried out an *ex-post* evaluation of the current Implementing Protocol to the FPA with Mauritius as well as an *ex-ante* evaluation of a possible renewal of the current Agreement and Protocol. The conclusions of the evaluation are set out in a separate Staff Working Document.

The evaluation concluded that the Union fishing sectors are firmly interested in fishing in Mauritius and that the negotiation of a new Agreement and its Implementing Protocol is in the interest of both parties. The evaluation report also highlights a discrepancy in the latest Protocol between the number of fishing opportunities offered and their use. Any future Protocol should reduce the number of fishing opportunities offered, which should result in a reduction in the financial contribution under the Protocol. Furthermore, the renewal of the

Protocol would help strengthen monitoring, control and surveillance, and would help improve governance of the fisheries in the region.

For the Union, it is important to maintain an instrument that allows for deep sectoral cooperation with Mauritius, which is a strategic player in the region due to the fishing area under its jurisdiction and an important ally in the framework of the IOTC. For the Union fleet's harvesting strategies, this means maintaining access to an important fishing area under a multi-year international legal framework. Moreover, the importance of Mauritius in terms of processing tuna caught in the Indian Ocean and exports of tuna products to the Union contributes to the relevance of the envisaged new Protocol, both for Mauritius and for the Union fishing industry. For the Mauritian authorities, continued relations with the Union would also help strengthen ocean governance, because of the Union's dedicated support that provides for multi-year funding opportunities for this sector.

- **Stakeholder consultations**

Member States, industry representatives, international civil society organisations, plus Mauritius' fisheries administration and civil society were consulted as part of the evaluation. Stakeholders were also consulted in the framework of the Long Distance Advisory Council's meetings.

- **Collection and use of expertise**

Not applicable.

- **Impact assessment**

Not applicable.

- **Regulatory fitness and simplification**

Not applicable.

- **Fundamental rights**

The negotiating directives, proposed as an annex to the decision, include a clause on the consequences of violations of human rights and democratic principles.

4. BUDGETARY IMPLICATIONS

The new Implementing Protocol would include the payment of a financial contribution to Mauritius. The related budgetary allocations (commitments and payment appropriations) need to be included each year in the budget line for SFPAs (08 05 01) and be compatible with the financial programming of the Multiannual Financial Framework⁴ for 2021-2027. The annual amounts for commitments and payments are established in the yearly budgetary procedure including the reserve line for protocols that had not entered into force in the beginning of the year⁵.

⁴ Article 20 of the Interinstitutional Agreement of 16 December 2020 between the European Parliament, the Council of the European Union and the European Commission on budgetary discipline, on cooperation in budgetary matters and on sound financial management, as well as on new own resources, including a roadmap towards the introduction of new own resources (OJ L 433I, 22.12.2020, pp.28-46) eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=OJ:L:2020:433I:FULL

⁵ Chapter 40 (reserve line 30 02 02) in line with the MFF interinstitutional agreement ((2013/C 373/01).

5. OTHER ELEMENTS

- **Implementation plans and monitoring, evaluation and reporting arrangements**

Negotiations are expected to open at the beginning of the second quarter of 2026.

- **Detailed explanation of the specific provisions of the proposal**

The Commission recommends that:

The Council authorise the Commission to open and conduct negotiations for the signature and conclusion of a new Sustainable Fisheries Partnership Agreement and its Implementing Protocol with Mauritius;

The Commission be nominated as the EU negotiator on this subject;

The Commission conduct the negotiations in consultation with the special committee, as set out in the Treaty on the Functioning of the European Union;

The Council addresses the negotiating directives annexed to this Recommendation to the Commission.

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THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union, and in particular its Article 43(2), in conjunction with its Article 218(3) and (4),

Having regard to the recommendation from the European Commission,

Whereas negotiations with Mauritius should be opened with a view to concluding a new Sustainable Fisheries Partnership Agreement and its Implementing Protocol,

HAS ADOPTED THIS DECISION:

Article 1

The Commission is hereby authorised to negotiate with Mauritius, on behalf of the Union, a new Sustainable Fisheries Partnership Agreement and its Implementing Protocol.

Article 2

The negotiating directives are set out in the Annex.

Article 3

The negotiations shall be conducted in consultation with the Council Working Party on External Fisheries Policy.

Article 4

This Decision is addressed to the Commission.

Done at Brussels,

*For the Council
The President*