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2026/0311 (NLE)

Proposal for a

COUNCIL REGULATION

on the allocation of the fishing opportunities provided for in the Protocol on the implementation of the Sustainable Fisheries Partnership Agreement between the European Union and the Republic of Mauritius (2026-2030)

EXPLANATORY MEMORANDUM

1. CONTEXT OF THE PROPOSAL

• Reasons for and objectives of the proposal

The Fisheries Partnership Agreement (FPA) between the European Union and Mauritius[1] entered into force on 28 January 2014 for a duration of six years and is tacitly renewable for additional periods of three years. The implementing protocol has a four-years duration and will expire on 20 December 2026.

On the basis of the Council Decision of 31 March 2026[2] authorising the opening of negotiations on behalf of the European Union of a new SFPA and implementing Protocol with the Republic of Mauritius, and the negotiating directives contained therein, the Commission conducted negotiations with the Republic of Mauritius (hereinafter 'Mauritius'). Following these negotiations, a new Agreement and implementing Protocol were initialled by the negotiators on 4 September 2026. The new Agreement will repeal the one currently in force. The new Agreement covers a period of four years from the date of its provisional application, tacitly renewed for successive periods of four years. The new Protocol covers a period of four years from the date of provisional application set out in Article 11, i.e. the date of signature by the Parties.

The purpose of the new Protocol is to grant fishing opportunities to Union vessels in the fishing zones located in the waters of Mauritius, in accordance with scientific advice and the recommendations of the relevant regional fisheries management organisations (IOTC). The new Protocol provides for the following fishing opportunities:

- 25 tuna purse seine vessels;

- 25 surface longliners.

The objective of this proposal is to allocate these fishing opportunities among the Member States.

• Consistency with existing policy provisions in the policy area

The main aim of the new Protocol to the Agreement is to provide an updated framework that takes into account the priorities of the common fisheries policy (CFP) and the external dimension. This will help maintain and strengthen the strategic partnership between the European Union and Mauritius.

The new Protocol provides for fishing opportunities for Union vessels. It is based on the best available scientific advice and on the recommendations made by IOTC.

• Consistency with other Union policies

The negotiation of a new protocol to implement the Sustainable Fisheries Partnership Agreement with Mauritius is part of the EU's external action towards the countries of the Organisation of African, Caribbean and Pacific States (OACPS), and in particular with the Union objectives regarding the respect of democratic principles, human rights.

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[1] http://data.europa.eu/eli/agree_internation/2014/146/oj

[2] Ares(2026)3459674

2. LEGAL BASIS, SUBSIDIARITY AND PROPORTIONALITY

• Legal basis

The legal basis is Article 43(3) of the Treaty on the Functioning of the European Union, which establishes that the Council, on a proposal from the Commission, shall adopt measures on the allocation of fishing opportunities.

• Subsidiarity (for non-exclusive competence)

The proposal falls within the exclusive competence of the European Union pursuant to Article 3(1)(d) TFEU. The subsidiarity principle therefore does not apply.

• Proportionality

The proposal is proportionate 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, as set out in Article 31 of Regulation (EU) No 1380/2013 establishing the Common Fisheries Policy. It complies with that provision and with those on financial assistance to third countries laid down in Article 32 of that Regulation.

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

• Ex-post evaluations/fitness checks of existing legislation

The Commission carried out in 2025 an *ex-post* evaluation of the current 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[3].

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. 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, the fisheries administration and representatives of civil society in Mauritius were consulted as part of the assessment.

[3] https://op.europa.eu/publication-detail/-/publication/c7f13a2e-16e6-11f1-8870-01aa75ed71a1

- **Collection and use of expertise**

The Commission used an independent consultant for the *ex post* and *ex ante* evaluations, in accordance with Article 31(10) of Regulation (EU) No 1380/2013 establishing the Common Fisheries Policy.

- **Impact assessment**

Not applicable.

- **Regulatory fitness and simplification**

Not applicable.

- **Fundamental rights**

A clause on the consequences of violations of human rights and democratic principles is included in the Sustainable Fisheries Partnership Agreement.

4. BUDGETARY IMPLICATIONS

The proposed Regulation does not affect the Union budget.

5. OTHER ELEMENTS

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

This procedure is initiated in parallel with the procedures related to the Council Decision on the signing, on behalf of the Union, and provisional application of the Sustainable Fisheries Partnership Agreement and its Implementing Protocol (2026-2030) between the European Union and the Republic of Mauritius. This Regulation shall apply as soon as fishing becomes possible, i.e. on the date of provisional application of the Protocol.

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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 Article 43, paragraph 3 thereof,

Having regard to the proposal from the European Commission,

Whereas:

(1) On 31 March 2026, the Council authorised the Commission to open negotiations with the Republic of Mauritius for a Sustainable Fisheries Partnership Agreement (hereinafter the 'Partnership Agreement'), together with an implementing Protocol (2026-2030) (hereinafter the 'Protocol').

(2) The negotiations were successfully concluded and resulted in the initialling of the Partnership Agreement and its Protocol on 4 September 2026.

(3) On [...], the Council adopted Decision (EU) [...] on the signing and provisional application of the new Protocol, subject to its conclusion at a later date.

(4) The Fisheries Partnership Agreement (FPA) between the European Union and Mauritius entered into force on 28 January 2014 for a duration of six years and is tacitly renewable for additional periods of three years. The Protocol has a four-years duration and will expire on 20 December 2026.

(5) The fishing opportunities provided for in the Protocol should be allocated among the Member States for the entire period of application of the Protocol.

(6) This Regulation should enter into force as soon as possible given the economic importance of Union fishing activities in Mauritius' fishing zone and the need to minimise the duration of interruption of those activities.

(7) The Protocol will apply provisionally from the date of its signature in order to allow the fishing activities of Union vessels. This Regulation should therefore apply from the same date.

HAS ADOPTED THIS REGULATION:

Article 1

The fishing opportunities set out in the Protocol on the implementation of the Sustainable Fisheries Partnership Agreement between the European Union and the Republic of Mauritius ('the Protocol') shall be allocated among the Member States as follows:

(a) tuna purse seine vessels:

– Spain: 14 vessels

– France: 10 vessels

– Italy: 1 vessels

(b) surface longliners:

– Spain: 7 vessels

– France: 16 vessels

– Portugal: 2 vessels

Article 2

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

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

Done at Brussels,

For the Council
The President