Council of the European Union

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COVER NOTE

From:	Secretary-General of the European Commission, signed by Ms Martine DEPREZ, Director
date of receipt:	1 December 2025
To:	Ms Thérèse BLANCHET, Secretary-General of the Council of the European Union
No. Cion doc.:	COM(2025) 734 final
Subject:	Recommendation for a COUNCIL DECISION authorising the opening of negotiations on a new implementing protocol to the Sustainable Fisheries Partnership Agreement with the Islamic Republic of Mauritania

Delegations will find attached document COM(2025) 734 final.

Encl.: COM(2025) 734 final

EUROPEAN
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Brussels, 1.12.2025
COM(2025) 734 final

Recommendation for a

COUNCIL DECISION

authorising the opening of negotiations on a new implementing protocol to the Sustainable Fisheries Partnership Agreement with the Islamic Republic of Mauritania

{SWD(2025) 386 final} - {SWD(2025) 387 final}

EXPLANATORY MEMORANDUM

1. CONTEXT OF THE PROPOSAL

• Reasons for and objectives of the proposal

The Commission proposes to negotiate a new implementing protocol to the Sustainable Fisheries Partnership Agreement (SFPA) with the Islamic Republic of Mauritania that would meet the needs of the EU fleet and be in line with Articles 28, 31 and 32 of Regulation (EU) No 1380/2013[1] on the Common Fisheries Policy (CFP).

• Consistency with existing provisions in the policy area

The current SFPA between the European Union and the Islamic Republic of Mauritania entered into force on 15 November 2021 for a duration of six years[2] and is tacitly renewable. Its current implementation protocol entered into force on 15 November 2021 and will expire on 14 November 2026. The protocol sets the fishing opportunities provided to the EU fleet and the corresponding financial contribution paid by the EU and the shipowners. It is recommended to negotiate a new implementing protocol to the current SFPA with the Islamic Republic of Mauritania.

The annual EU public financial contribution paid to the Islamic Republic of Mauritania amounts to EUR 57 500 000 for access, with a total amount of EUR16 500 000 set aside for sectoral support to the Islamic Republic of Mauritania's fisheries policy during the period of application of the protocol. In addition to the EU financial contribution, EU vessel owners pay fees for licences and catches.

The protocol concluded with the Islamic Republic of Mauritania is a multi-species agreement, providing fishing opportunities to vessels from 10 Member States targeting shrimp, demersal fish, tunas and small pelagics in Mauritania waters for a total of up to 280 050 tonnes a year. The EU has already developed a network of bilateral SFPAs in the Atlantic Ocean, notably with Cabo Verde, Guinea-Bissau and Côte d'Ivoire.

SFPAs promote CFP objectives internationally by ensuring that EU fishing activities outside EU waters are based on the same principles and standards as those applicable under EU law. In addition, they foster scientific cooperation between the EU and its partners, promote transparency and sustainability for better management of fishing resources, bolster governance by supporting the monitoring and surveillance of national and foreign fleets' activities and fund the fight against illegal, unreported and unregulated fishing. They also help ensure that national and international obligations in this respect are effectively complied with and contribute to the sustainable development of the local fishing industry. SFPAs strengthen the EU's position in international and regional fisheries organisations, in particular in the International Commission for the Conservation of Atlantic Tunas in the case of the Islamic Republic of Mauritania.

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[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] OJ L 439, 8.7.2021, p. 5-51.

SFPAs complement other EU instruments and policies, including the Neighbourhood, Development and International Cooperation Instrument (NDICI), by boosting sustainable fisheries management capacity at national and regional level.

- **Consistency with other EU policies**

Negotiating a protocol with the Islamic Republic of Mauritania is in line with the EU's external action towards African, Caribbean and Pacific (ACP) countries, and in particular with its objectives as regards respecting democratic principles and human rights.

2. LEGAL BASIS, SUBSIDIARITY AND PROPORTIONALITY

- **Legal basis**

The legal basis is Article 43(2) of the Treaty on the Functioning of the European Union (TFEU), which establishes the common fisheries policy, and Article 218 TFEU, which sets out the procedure to be followed for negotiating and concluding agreements between the EU and third countries.

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

Not applicable; exclusive competence.

- **Proportionality**

The proposal is proportionate to the objective of establishing a legal, environmental, economic and social governance framework for fishing activities carried out by EU vessels in non-EU waters, as set out in Article 31 of Regulation (EU) No 1380/2013 establishing the common fisheries policy.

- **Choice of instrument**

The choice of instrument stems from the application of Article 218(3) TFEU.

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

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

The Commission has carried out an independent *ex post* evaluation of the current protocol to the SFPA with the Islamic Republic of Mauritania and an *ex ante* evaluation of a possible new implementing protocol. The conclusions of the evaluations are set out in a Commission staff working document.

As set out in that document, the Commission concludes that, overall, the current implementing protocol has been moderately effective in achieving the objectives of contributing to the preservation of resources and to the environmental sustainability of the exploitation of Mauritania's fishery resources. However, despite certain shortcomings, the protocol continues to be both relevant and consistent with both the EU's fisheries policy and Mauritania's development objectives. It has helped ensure continuity in the operations of the EU's long-distance fleet, although fishing opportunities exceeded actual needs, which led to low take-up and a financial imbalance, borne to a large extent by the EU. As regards the sectoral support, the Commission concludes that delays in implementation have limited its impact, and concerns have been raised regarding Mauritania's past use of funds.

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The evaluation concluded that it is in the interest of both parties to conclude a new implementing protocol, with improvement of certain points. For the EU, it is important to maintain an instrument allowing close sectoral cooperation with a country which, due to the size of the fishing zone under its jurisdiction, is a major player in ocean governance at sub-regional level. For the EU fleet, this means retaining access to an important fishing area for the deployment of harvesting strategies in a multiannual international legal framework. For the Mauritanian authorities, the objective is to maintain relations with the EU in order to strengthen ocean governance and to benefit from specific access and from sectoral support in the form of multiannual funding of fisheries management.

- **Consultation of interested parties**

EU Member States, industry representatives, international civil society organisations, the fisheries administration and civil society representatives of both the EU and the Islamic Republic of Mauritania were consulted as part of the evaluation. Consultations also took place in the framework of the Long Distance Fleet Advisory Council.

- **Collection and use of expertise**

Not applicable

- **Impact assessment**

Not applicable

- **Regulatory fitness and simplification**

Not applicable

- **Fundamental rights**

The negotiating directives annexed to the proposal for a decision recommend including a clause on the consequences of violations of human rights and democratic principles.

4. BUDGETARY IMPLICATIONS

A new protocol has budgetary implications in the form of a financial contribution to be paid to the Islamic Republic of Mauritania. The annual amounts to be set aside for commitment and payment appropriations must be entered each year in the budget line for SFPAs (08 05 01) and be consistent with the programming for the 2021-2027 multiannual financial framework. The annual amounts for commitments and payments are determined in the yearly budgetary procedure, taking into account the reserve line for protocols that have not entered into force at the beginning of the year[3].

5. OTHER ELEMENTS

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

Negotiations are expected to start in the first quarter of 2026.

[3] See Chapter 40 (reserve line 30 02 02) linked to 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, p. 28).

- **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 conclusion of a new implementing protocol to the Sustainable Fisheries Partnership Agreement with Mauritania;

- the Commission be nominated as the EU negotiator to this end;

- the Commission conduct the negotiations in consultation with a special committee in accordance with the TFEU;

- the Council approve the negotiating instructions set out in the Annex hereto.

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Recommendation for a

COUNCIL DECISION

authorising the opening of negotiations on a new implementing protocol to the Sustainable Fisheries Partnership Agreement with the Islamic Republic of Mauritania

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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(2), in conjunction with Article 218(3) and (4) thereof,

Having regard to the recommendation of the European Commission,

Whereas:

(1) Negotiations should be launched with the Islamic Republic of Mauritania on a new implementing protocol to the current agreement ,

HAS ADOPTED THIS DECISION:

Article 1

The opening of negotiations with a view to concluding a new implementing protocol to the Sustainable Fisheries Partnership Agreement with the Islamic Republic of Mauritania is hereby authorised.

Article 2

The Commission is hereby nominated as the Union negotiator.

Article 3

The negotiating directives in the addendum to this Decision are addressed to the Commission.

Article 4

The negotiations shall be conducted in consultation with the Council Working Party on Fisheries Policy, which is hereby designated as the special committee referred to in Article 218(4) TFEU.

Article 5

This Decision is addressed to the Commission.

Done at Brussels,

For the Council
The President