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## COVER NOTE

From:	Secretary-General of the European Commission, signed by Ms Martine DEPREZ, Director
date of receipt:	4 June 2025
To:	Ms Thérèse BLANCHET, Secretary-General of the Council of the European Union
No. Cion doc.:	COM(2025) 269 final
Subject:	Recommendation for a COUNCIL DECISION authorising the opening of the negotiations on behalf of the European Union for the conclusion of an Implementing Protocol to the Sustainable Fisheries Partnership Agreement between the European Union and Seychelles

Delegations will find attached document COM(2025) 269 final.

Encl.: COM(2025) 269 final



EUROPEAN  
COMMISSION

Brussels, 4.6.2025  
COM(2025) 269 final

Recommendation for a

## **COUNCIL DECISION**

**authorising the opening of the negotiations on behalf of the European Union for the  
conclusion of an Implementing Protocol to the Sustainable Fisheries Partnership  
Agreement between the European Union and Seychelles**

{SWD(2025) 136 final} - {SWD(2025) 137 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 with Seychelles, 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)<sup>1</sup> and the 19 March 2012 Council Conclusions on a Communication from the Commission on the External dimension of the CFP.

#### **• Consistency with existing policy provisions in the policy area**

The current Sustainable Fisheries Partnership Agreement (SFPA) between the European Union and Seychelles<sup>2</sup> entered into force on 24 February 2020 for a duration of 6 years, and is tacitly renewable for additional periods of 6 years. The current 6-year Implementing Protocol<sup>3</sup> entered into application on 24 February 2020 and will expire on 23 February 2026. This Protocol fixes 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 Implementing Protocol to the current SFPA with Seychelles.

The annual Union public financial contribution due to Seychelles amounts to 2 500 000 EUR for access, and a specific amount of 2 800 000 EUR earmarked for sectoral support to fisheries policy.

The Protocol with Seychelles provides fishing opportunities targeting tuna and highly migratory species for Union vessels from 4 Member States (Spain, France, Italy and Portugal). The European Union has already developed a network of bilateral Sustainable Fisheries Partnership Agreements (SFPAs) in the Indian Ocean, namely with Mauritius, and Madagascar.

SFPAs contribute to 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 partner, promote transparency and sustainability for a better management of fishing resources and encourage governance by supporting monitoring, control and surveillance of national and foreign fleets' activities and providing funding to 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. SFPA strengthen the Union's position in international and regional fishing organisations: in the case of Seychelles, in particular in the Indian Ocean Tuna Commission (IOTC).

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<sup>1</sup> 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).

<sup>2</sup> [EUR-Lex - 22023A0322\(01\) - EN - EUR-Lex](#)

<sup>3</sup> [EUR-Lex - 22023A0322\(01\) - EN - EUR-Lex](#)

- **Consistency with other Union policies**

The negotiation of a new Implementing Protocol with Seychelles is in line with the Union's external action towards African, Caribbean and Pacific (ACP) countries, and in particular with the Union objectives regarding the respect of democratic principles and human rights.

## **2. LEGAL BASIS, SUBSIDIARITY AND PROPORTIONALITY**

- **Legal basis**

The procedural legal basis for the decision is provided by Article 218 of the Treaty on the Functioning of the European Union (TFEU), in Part Five on the Union's external action, Title V on international agreements, which sets out the procedure for negotiating and concluding agreements between the Union and third countries. The substantive legal basis is Article 43(2) TFEU in relation to the common fisheries policy.

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

Not applicable, 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**

The Commission carried out in 2024 an *ex-post* evaluation of the current protocol to the SFPA with Seychelles as well as an *ex-ante* evaluation of a possible renewal of the 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 Seychelles and that the renewal of the Protocol is in the interest of both parties. Furthermore, the renewal of the Protocol would help strengthening monitoring, control and surveillance, and would contribute to improved governance of the fisheries in the region.

For the Union, it is important to maintain an instrument allowing a deep sectoral cooperation with Seychelles, which is a strategic player at the sub-regional level due to the fishing area under its jurisdiction and an important ally in the framework of the IOTC. Furthermore, for the Union fleet this means maintaining access to an important fishing area for the deployment of harvesting strategies under a multi-year international legal framework. Moreover, the importance of Seychelles in terms of processing of tuna caught in the Indian Ocean and consequent exports of tuna products to the Union contributes to the relevance of the envisaged new Protocol, both for the Union fishing industry and for the partner country. For Seychelles' authorities, the aim is to continue relations with the Union also for strengthening ocean

governance, benefiting from dedicated sectoral support that provides for multi-year funding opportunities.

- **Stakeholder consultations**

Member States, industry representatives, international civil society organisations, as well as Seychelles' fisheries administration and civil society, were consulted as part of the evaluation. Consultations have also taken place 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, recommend authorising the opening of negotiations including a clause on the consequences of violations of human rights and democratic principles.

#### **4. BUDGETARY IMPLICATIONS**

The budgetary implications connected with a new Protocol include the payment of a financial contribution to Seychelles. The related budgetary allocations in terms of commitment and payment appropriations need to be included each year in the budget line for Sustainable Fisheries Partnership Agreements (11 03 01) as well as being compatible with the financial programming of the Multiannual Financial Framework<sup>4</sup> for 2022-2027 . The annual amounts for commitments and payments are established in the yearly budgetary procedure including the reserve line for protocols not entered into force in the beginning of the year.<sup>5</sup>

#### **5. OTHER ELEMENTS**

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

Negotiations are expected to open at the beginning of the last quarter of 2025.

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

The Commission recommends that:

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<sup>4</sup> 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](https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=OJ:L:2020:433I:FULL)

<sup>5</sup> Chapter 40 (reserve line 30 02 02) in line with the MFF inter-institutional agreement ((2013/C 373/01).

- 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 Seychelles;
- 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 approves the negotiating directives annexed to this Recommendation.

Recommendation for a

## **COUNCIL DECISION**

**authorising the opening of the negotiations on behalf of the European Union for the conclusion of an Implementing Protocol to the Sustainable Fisheries Partnership Agreement between the European Union and Seychelles**

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) of thereof,

Having regard to the recommendation from the European Commission,

Whereas negotiations should be opened with a view to concluding a new Implementing Protocol to the Sustainable Fisheries Partnership Agreement with Seychelles,

HAS ADOPTED THIS DECISION:

### *Article 1*

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

### *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*