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**PECHE 353**

## COVER NOTE

From:	Secretary-General of the European Commission, signed by Ms Martine DEPREZ, Director
To:	Ms Thérèse BLANCHET, Secretary-General of the Council of the European Union
No. Cion doc.:	COM(2024) 408 final
Subject:	Proposal for a COUNCIL REGULATION on fixing the fishing opportunities for certain fish stocks and groups of fish stocks applicable in the Mediterranean and Black Seas for 2025

Delegations will find attached document COM(2024) 408 final.

Encl.: COM(2024) 408 final



EUROPEAN  
COMMISSION

Brussels, 16.9.2024  
COM(2024) 408 final

2024/0225 (NLE)

Proposal for a

## **COUNCIL REGULATION**

**on fixing the fishing opportunities for certain fish stocks and groups of fish stocks  
applicable in the Mediterranean and Black Seas for 2025**

## **EXPLANATORY MEMORANDUM**

### **1. CONTEXT OF THE PROPOSAL**

#### **• Reasons for and objectives of the proposal**

All fishing opportunities regulations must limit the harvesting of fish stocks to levels consistent with the overall objectives of the common fisheries policy (CFP). Regulation (EU) No 1380/2013 of the European Parliament and of the Council on the Common Fisheries Policy (the ‘CFP Basic Regulation’)<sup>1</sup> sets out objectives for catch and fishing effort limits to ensure that marine biological resources are exploited under sustainable economic, environmental and social conditions. The European Parliament and the Council have adopted Regulation (EU) 2019/1022 establishing the multiannual plan for demersal stocks in the western Mediterranean<sup>2</sup>, which specifies how to achieve those objectives when fixing fishing opportunities.

The objective of this proposal for a Council regulation is to fix the fishing opportunities for certain stocks and groups of stocks in the Mediterranean and the Black Seas.

In line with the multiannual plan for demersal stocks in the western Mediterranean, this proposal aims to fix fishing opportunities. These fishing opportunities are expressed in terms of maximum allowable fishing effort for all stocks and, in addition, maximum catch limits for deep-water shrimps. It is proposed to allocate of these limits to the Member States concerned (Spain, France and Italy).

This proposal also proposes to fix fishing opportunities pursuant to agreements reached in the framework of the General Fisheries Commission for the Mediterranean (GFCM), which is a regional fisheries management organisation responsible for the conservation and management of living marine resources in the Mediterranean and Black Seas. The European Union is a member of the GFCM, together with Bulgaria, Greece, Spain, France, Croatia, Italy, Cyprus, Malta, Romania and Slovenia. Measures adopted in the framework of the GFCM are binding on its members. This proposal also proposes to fix fishing opportunities pursuant to agreements reached in the framework of the GFCM.

Finally, this proposal proposes to fix an autonomous quota for Black Sea sprat in order not to increase the current level of fishing mortality.

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

The proposed measures are consistent with the objectives and rules of the CFP.

#### **• Consistency with other Union policies**

The proposed measures are consistent with the other Union policies, in particular in the field of the environment.

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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), .ELI: <http://data.europa.eu/eli/reg/2013/1380/oj>

<sup>2</sup> Regulation (EU) 2019/1022 of the European Parliament and of the Council of 20 June 2019 establishing a multiannual plan for the fisheries exploiting demersal stocks in the western Mediterranean Sea and amending Regulation (EU) No 508/2014 (OJ L 172, 26.6.2019, p. 1), .ELI: <http://data.europa.eu/eli/reg/2019/1022/oj>.

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

- **Legal basis**

The legal basis of this proposal is Article 43(3) of the Treaty on the Functioning of the European Union (TFEU).

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

The proposal falls under the Union's exclusive competence, as referred to in Article 3(1)(d) TFEU. The subsidiarity principle therefore does not apply.

- **Proportionality**

The proposal allocates fishing opportunities to Member States in accordance with the objectives of the CFP Basic Regulation, the multiannual plan for demersal stocks in the western Mediterranean and the outcomes of the annual meeting of the GFCM. Under Articles 16(6) and (7) and Article 17 of the CFP Basic Regulation, Member States are to decide how the fishing opportunities available to them may be allocated to fishing vessels flying their flag in accordance with certain criteria set out in those articles., Member States therefore have the necessary margin of discretion when distributing the allocated fishing opportunities in line with their social and economic models.

- **Choice of the instrument**

A regulation is considered the most appropriate instrument because it makes it possible to set requirements that apply directly to Member States and relevant economic operators. This will help ensure that the requirements are implemented in a timely and harmonised way, leading to greater legal certainty.

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

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

Not applicable.

- **Stakeholder consultations**

Interested parties were consulted by means of the Communication from the Commission to the European Parliament and the Council of 7 June 2024 entitled – ‘*Sustainable fishing in the EU: state of play and orientations for 2025*’ (COM(2024) 235 final).

- **Collection and use of expertise**

The assessment of the state of stocks in the Mediterranean and Black Seas is based on the most recent work by the Scientific, Technical and Economic Committee for Fisheries (STECF) and the GFCM Scientific Advisory Committee on Fisheries.

- **Impact assessment**

The scope of fishing opportunities regulations is set by Article 43(3) TFEU.

As regards the fishing opportunities established by the GFCM in the Mediterranean and Black Seas, this proposal proposes to implement internationally agreed measures. Any elements relevant to the assessment of possible impacts of the fishing opportunities are dealt with in the

preparation and conduct phase of international negotiations in the framework of which the Union's fishing opportunities are agreed with third parties.

The proposal reflects not only short-term concerns, but also a longer-term approach whereby fishing effort is gradually adjusted to long-term sustainable levels.

- **Regulatory fitness and simplification**

Not applicable.

- **Fundamental rights**

The proposal respects fundamental rights and in particular those recognised by the Charter of Fundamental Rights of the European Union.

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

The proposal has no budgetary implications.

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

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

Monitoring and compliance will be ensured in accordance with Council Regulation (EC) No 1224/2009<sup>3</sup>.

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

The proposal proposes to fix fishing opportunities for 2025 for certain stocks or groups of stocks in the Mediterranean and Black Seas, and for the following, in particular:

##### **A. Implementation of the western Mediterranean multiannual management plan**

Under the multiannual plan for demersal fisheries in the western Mediterranean, the Council is to set a maximum allowable fishing effort for trawl vessels exploiting demersal stocks in the western Mediterranean, for each fishing effort group, by Member State and for the stock group/s in Annex I to that plan.

In addition, the plan sets out targets and measures for the long-term management of stocks covered by it. From 2025 onwards, the multiannual management plan enters its long term phase where MSY ranges apply, according to Articles 4 and 6. Therefore, the fishing opportunities for 2025 will follow the new ranges provided by STECF and that will be used for the evaluation of the management options in order to produce the most recent scientific advice.

Moreover, Article 7(5) of the multiannual plan provides for the possibility that the fishing regime for trawlers may be supplemented with maximum allowable fishing effort for other fishing gear than trawls on the basis of scientific advice and in order to achieve the value of

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<sup>3</sup> Council Regulation (EC) No 1224/2009 of 20 November 2009 establishing a Community control system for ensuring compliance with the rules of the common fisheries policy, amending Regulations (EC) No 847/96, (EC) No 2371/2002, (EC) No 811/2004, (EC) No 768/2005, (EC) No 2115/2005, (EC) No 2166/2005, (EC) No 388/2006, (EC) No 509/2007, (EC) No 676/2007, (EC) No 1098/2007, (EC) No 1300/2008, (EC) No 1342/2008 and repealing Regulations (EEC) No 2847/93, (EC) No 1627/94 and (EC) No 1966/2006 (OJ L 343, 22.12.2009, p. 1), ELI: <http://data.europa.eu/eli/reg/2009/1224/oj>.

the estimated fishing mortality that, with a given fishing pattern and under current average environmental conditions, gives and maintains the long-term maximum yield (F<sub>msy</sub>).

In 2023, scientific advice from both the STECF and the GFCM Scientific Advisory Committee recommended that, in order to attain MSY for demersal stocks in the western Mediterranean, swift action ought to be undertaken and real reductions in fishing mortality be adopted. The stocks of hake and one stock of nephrops were so overexploited that STECF estimated them at a level below B<sub>lim</sub>, that is the limit reference point, expressed as spawning stock biomass and provided for in the best available scientific advice, in particular by STECF, or a similar independent scientific body recognised at Union or international level, below which there may be reduced reproductive capacity

The STECF (STECF-23-11 and PLEN-23-03) advised that a holistic approach, combining effort measures for both trawlers and longliners and catch limits for deep-water shrimps, was necessary to reduce urgently fishing mortality, in particular for hake and deep-water shrimp stocks. This approach was implemented by Council Regulations (EU) 2022/110<sup>4</sup>, (EU) 2023/195<sup>5</sup> and (EU) 2024/259<sup>6</sup> fixing the fishing opportunities in the Mediterranean and Black Seas for 2022, 2023 and 2024, and the Commission proposes to continue implementing such an approach in 2025, notwithstanding the expiry of the transitional regime established by Article 7(3) of the multiannual plan. This is because Article 7(1)(e) of the CFP Basic Regulation generally provides that “(...) *measures for the conservation and sustainable exploitation of marine biological resources may include (...) measures on the fixing and allocation of fishing opportunities*”, which therefore include catch limits.

A number of fishing opportunities are marked ‘pm’ (pro memoria) in this proposal because the scientific advice from the STECF was not yet available when the proposal was adopted. Once the most recent STECF advice becomes available, this proposal will be updated by means of a Commission services’ non-paper.

Furthermore, in order to promote the use of selective gears and to establish efficient closure areas to protect juveniles and spawners, this proposal maintains the compensation mechanism first established in 2022, while defining the specific details once the most recent STECF advice becomes available.

## **B. GFCM measures applicable in the Mediterranean Sea**

- maximum fleet capacity and a freeze of fish aggregating devices (FADs) per vessel, as well as maximum catch limits for common dolphinfish in the entire Mediterranean Sea (GFCM geographical subareas (GSAs) 1 to 27);
- maximum catch limits for deep-water rose shrimp, and maximum allowable fishing effort and fleet capacity for hake in the Strait of Sicily (GSAs 12 to 16);

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<sup>4</sup> Council Regulation (EU) 2022/110 of 27 January 2022 fixing for 2022 the fishing opportunities for certain fish stocks and groups of fish stocks applicable in the Mediterranean and Black Seas (OJ L 21, 31.1.2022, p. 165), ELI: <http://data.europa.eu/eli/reg/2022/110/oj>.

<sup>5</sup> Council Regulation (EU) 2023/195 of 30 January 2023 fixing for 2023 the fishing opportunities for certain stocks and groups of fish stocks applicable in the Mediterranean and Black Seas and amending Regulation (EU) 2022/110 as regards the fishing opportunities for 2022 applicable in the Mediterranean and the Black Seas (OJ L 28, 31.1.2023, p. 220), ELI: <http://data.europa.eu/eli/reg/2023/195/oj>.

<sup>6</sup> Council Regulation (EU) 2024/259 of 10 January 2024 fixing for 2024 the fishing opportunities for certain fish stocks and groups of fish stocks applicable in the Mediterranean and Black Seas (OJ L, 2024/259, 11.1.2024, ELI: <http://data.europa.eu/eli/reg/2024/259/oj>).

- maximum fleet capacity and catch limits for giant red shrimp and blue and red shrimp in the Strait of Sicily (GSAs 12 to 16), the Ionian Sea (GSAs 19 to 21) and the Levant Sea (GSAs 24 to 27);
- maximum level of catches and maximum number of longlines and handlines for blackspot seabream in the Alboran Sea (GSAs 1 to 3);
- maximum levels of catches for anchovy and sardine and measures for small pelagic stocks under the 2021 GFCM multiannual management plan for small pelagic species in the Adriatic Sea (GSAs 17 and 18).

The Commission proposes to continue in 2025 the implementation of the provisions of the plan. As in 2024, the Commission proposes to continue the implementation of the fleet capacity ceiling for purse seiners and pelagic trawlers targeting small pelagic stocks. This capacity ceiling is based on the capacity reported to the GFCM in 2014.

- measures for demersal stocks under the 2019 GFCM multiannual management plan for demersal species in the Adriatic Sea (GSAs 17 and 18):

At its upcoming annual meeting in November 2024, the GFCM is due to adopt a new recommendation to reduce for 2025 the fishing effort for otter-trawlers (OTB) and for beam-trawlers (TBB). The proposed maximum fleet capacity is in line with the capacity reported to GFCM for either 2025 or the average 2015-2017.

- The proposal includes a series of placeholders, for stocks where the GFCM transitional measures are expiring at the end of 2024 and for which the GFCM should adopt new measures at its upcoming annual meeting(e.g. European eel, red coral and Adriatic small pelagics species).

Once the upcoming annual meeting of the GFCM takes place, the proposal will be updated by means of a Commission services' non-paper.

### **C. GFCM measures applicable in the Black Sea**

- an autonomous quota for sprat, based on scientific advice;
- the TAC and quota allocation for turbot under the 2017 GFCM multiannual management plan for turbot fisheries, implementing Recommendation GFCM/43/2019/3 (GSA 29).

Regarding the levels of the TAC and quotas for turbot, the proposal will be updated by means of a Commission services' non-paper.

Measures functionally linked to the fishing opportunities (e.g. spawning closures), are part of this proposal, because without such closure periods (such as for turbot in the Black Sea), the fishing opportunities could not be established at the same levels. The extent of the closure periods may vary, depending on the state of the stock as assessed by the scientific advice.

Council Regulation (EC) No 847/96<sup>7</sup> lays down further conditions for year-to-year management of fishing opportunities. Articles 3 and 4 of that Regulation provide for year-to-year flexibility provisions for stocks subject to precautionary and analytical TACs, respectively. Under Article 2 of Regulation (EC) No 847/96, the Council is, when fixing TACs, to decide which stocks will not be subject to Articles 3 and 4 of that Regulation, in particular on the basis of the biological status of the stocks.

<sup>7</sup> Council Regulation (EC) No 847/96 of 6 May 1996 introducing additional conditions for year-to-year management of TACs and quotas (OJ L 115, 9.5.1996, p. 3), ELI: <http://data.europa.eu/eli/reg/1996/847/oj>.

Article 15(9) of the CFP Basic Regulation also lays down a year-to-year flexibility mechanism for all stocks that are subject to the landing obligation. However, in order to avoid excessive flexibility that would undermine the achievement of the CFP objectives, Articles 3 and 4 of Regulation (EC) No 847/96 and Article 15(9) of the CFP Basic Regulation should not apply cumulatively.



Proposal for a

## COUNCIL REGULATION

### on fixing the fishing opportunities for certain fish stocks and groups of fish stocks applicable in the Mediterranean and Black Seas for 2025

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union, and in particular Article 43(3) thereof,

Having regard to the proposal from the European Commission,

Whereas:

- (1) The Council is to adopt measures on the fixing and allocation of fishing opportunities, including certain conditions functionally linked to those fishing opportunities, as appropriate. Under Article 16(4) of Regulation (EU) No 1380/2013, fishing opportunities are to be fixed in accordance with the objectives of the common fisheries policy (CFP) set out in Article 2(2) of that Regulation. Under Article 16(1) of Regulation (EU) No 1380/2013, fishing opportunities are to be allocated among the Member States so as to ensure the relative stability of fishing activities of each Member State for each fish stock or fishery.
- (2) The fishing opportunities should therefore be established in accordance with Article 3 of Regulation (EU) No 1380/2013, on the basis of available scientific advice, taking into account biological and socio-economic aspects, while ensuring fair treatment between fishing sectors and in the light of opinions expressed during the consultation of stakeholders. Moreover, fishing opportunities are to be expressed as maximum allowable fishing effort for trawlers and longliners and fixed in accordance with the fishing effort regime laid down in Article 7 of Regulation (EU) 2019/1022, as well as maximum catch limits for blue and red shrimp (*Aristeus antennatus*) and giant red shrimp (*Aristaeomorpha foliacea*) in deep waters, in accordance with scientific advice and with Article 16(4) of Regulation (EU) No 1380/2013.
- (3) Regulation (EU) 2019/1022 of the European Parliament and of the Council<sup>1</sup> established a multiannual plan for the fisheries exploiting demersal stocks in the western Mediterranean Sea. That plan sets out targets and measures for the long-term conservation and sustainable exploitation of stocks covered by it. This includes measures to reach and maintain the maximum sustainable yield (MSY) for target stocks, ensuring that exploitation of living marine biological resources restores and maintains populations of harvested species above levels which can produce the MSY.
- (4) In accordance with Article 4(1) of Regulation (EU) 2019/1022, fishing opportunities for stocks listed in Article 1(2) of that Regulation (target stocks) are to be fixed to

<sup>1</sup> Regulation (EU) 2019/1022 of the European Parliament and of the Council of 20 June 2019 establishing a multiannual plan for the fisheries exploiting demersal stocks in the western Mediterranean Sea and amending Regulation (EU) No 508/2014 (OJ L 172, 26.6.2019, p. 1), ELI: <http://data.europa.eu/eli/reg/2019/1022/oj>

achieve fishing mortality at MSY on a progressive, incremental basis by 2020 where possible, and by 1 January 2025 at the latest.

- (5) Fishing opportunities for stocks listed in Article 1(2) of that Regulation (target stocks) should be fixed in accordance with the range of fishing mortality values resulting in maximum sustainable yield (MSY) (ranges of  $F_{MSY}$ ), or at a lower level, and in accordance with the safeguards provided for in that Regulation. The ranges of  $F_{MSY}$  are set out in the relevant STECF advice. Where no adequate scientific information is available, fishing opportunities for stocks referred to in Article 1(2) or Article 1(3) of that Regulation (by-catch stocks) should be fixed in accordance with the precautionary approach to fisheries management, in accordance with Article 4(6) of that Regulation.
- (6) [placeholder for the maximum allowable fishing effort for trawlers in the western Mediterranean Sea]
- (7) [placeholder for the maximum allowable fishing effort of longliners]
- (8) [placeholder for the maximum catch limits for blue and red shrimp in GSAs 1, 2, 5, 6 and 7]
- (9) [placeholder for the maximum catch limits for blue and red shrimp in GSAs 8, 9, 10 and 11]
- (10) [placeholder for or 2025, the maximum catch limits for giant red shrimp in GSAs 8, 9, 10 and 11]
- (11) In order to promote the use of selective gears and to establish efficient closure areas to protect juveniles and spawners, Council Regulation (EU) 2022/110 established a compensation mechanism in relation to the effort regime for trawlers. [placeholder compensation mechanism]
- (12) At its 46th annual meeting in 2023, the GFCM adopted Recommendation GFCM/46/2023/14 on a multiannual management plan for the sustainable exploitation of common dolphinfish (*Coryphaena hippurus*) in the Mediterranean Sea (geographical subareas 1 to 27). That Recommendation introduced, consistent with the precautionary approach and for the transitional period of 2024 to 2026, a fleet capacity ceiling, a freeze of fish aggregating devices (FADs) capacity per vessel and a catch limit. For recreational fisheries, Recommendation GFCM/46/2023/14 further provided that a daily bag limit is to be observed. Those measures were implemented in Union law for 2024 by Council Regulation (EU) 2024/259<sup>2</sup> and those measures should continue to be implemented in Union law for 2026. Those measures are without prejudice to the management measures that will be proposed by the Scientific Advisory Committee within GFCM for the long-term management plan for the period 2027–2031.
- (13) At its 44th annual meeting in 2021, the GFCM adopted Recommendation GFCM/44/2021/20 on a multiannual management plan for the sustainable exploitation of small pelagic stocks in the Adriatic Sea (GFCM geographical subareas 17 and 18), which introduced from 2022 to 2029 a maximum level of catches and a related fleet capacity ceiling for purse seiners and pelagic trawlers targeting small pelagics. Those measures that relate to 2025 should be implemented in Union law.
- (14) [Placeholder for new measures on Adriatic small pelagics]

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<sup>2</sup> Council Regulation (EU) 2024/259 of 10 January 2024 fixing for 2024 the fishing opportunities for certain fish stocks and groups of fish stocks applicable in the Mediterranean and Black Seas (OJ L, 2024/259, 11.1.2024, ELI: <http://data.europa.eu/eli/reg/2024/259/oj>).

- (15) At its 43rd annual meeting in 2019, the GFCM adopted Recommendation GFCM/43/2019/5 on a multiannual management plan for sustainable demersal fisheries in the Adriatic Sea (GFCM geographical subareas 17 and 18), which introduced a fishing effort regime and a fleet capacity ceiling for certain demersal stocks. Those measures that relate to 2025 should be implemented in Union law.
- (16) [Placeholder for new measures on Adriatic demersals]
- (17) Taking into account the particularities of the Slovenian fleet and its marginal impact on the stocks of small pelagic and demersal stocks, and in accordance with paragraph 33 of Recommendation GFCM/44/2021/20 and paragraph 13 of Recommendation GFCM/43/2019/5, it is appropriate to preserve existing fishing patterns and to ensure access by the Slovenian fleet to a minimum quantity of small pelagic species and a minimum effort allocation for demersal stocks.
- (18) At its 45th annual meeting in 2022, the GFCM adopted Recommendation GFCM/45/2022/4 on a multiannual management plan for the sustainable exploitation of demersal stocks in the Strait of Sicily (geographical subareas 12 to 16), repealing Recommendations GFCM/44/2021/12 and GFCM/42/2018/5. Recommendation GFCM/45/2022/4 introduced an effort regime for hake (*Merluccius merluccius*) and catch limits for deep-water rose shrimps (*Parapenaeus longirostris*), as well as a fishing capacity freeze. For 2025, that Recommendation provides for a freeze in the fishing effort at the level of 2024 and a reduction of 3 % of the catch limits for deep-water rose shrimps. In order to implement those measures in Union law, 3 % should therefore be deducted from the maximum catch limits for deep-water rose shrimp fixed by Council Regulation (EU) 2024/259.
- (19) At its 45th annual meeting in 2022, the GFCM adopted Recommendation GFCM/45/2022/5 on a multiannual management plan for the sustainable exploitation of giant red shrimp and blue and red shrimp stocks in the Strait of Sicily (geographical subareas 12 to 16), repealing Recommendations GFCM/44/2021/7 and GFCM/43/2019/6. Recommendation GFCM/45/2022/5 introduced a catch limit and a fishing capacity freeze. For 2025, that Recommendation provides for a reduction of 3 % of the catch limits for giant red shrimp and blue and red shrimp. In order to implement those measures in Union law, 3 % should therefore be deducted from the maximum catch limits for giant red shrimp and blue and red shrimp fixed by Regulation (EU) 2024/259.
- (20) At its 45th annual meeting in 2022, the GFCM adopted Recommendation GFCM/45/2022/6 on a multiannual management plan for the sustainable exploitation of giant red shrimp and blue and red shrimp stocks in the Ionian Sea (geographical subareas 19 to 21), repealing Recommendations GFCM/44/2021/8 and GFCM/42/2018/4. Recommendation GFCM/45/2022/6 introduced a catch limit and a fishing capacity freeze. For 2025, that Recommendation provides for a reduction of 3 % of the catch limits for giant red shrimp and blue and red shrimp. In order to implement those measures in Union law, 3 % should therefore be deducted from the maximum catch limits for giant red shrimp and blue and red shrimp fixed by Regulation (EU) 2024/259.
- (21) At its 45th annual meeting in 2022, the GFCM adopted Recommendation GFCM/45/2022/7 on a multiannual management plan for the sustainable exploitation of giant red shrimp and blue and red shrimp stocks in the Levant Sea (geographical subareas 24 to 27), repealing Recommendations GFCM/44/2021/8 and GFCM/42/2018/4. Recommendation GFCM/45/2022/7 introduced a catch limit and a

fishing capacity freeze. For 2025, that Recommendation provides for a reduction of 3 % of the catch limits for giant red shrimp and blue and red shrimp. In order to implement those measures in Union law, 3 % should therefore be deducted from the maximum catch limits for giant red shrimp and blue and red shrimp fixed by Regulation (EU) 2024/259.

- (22) At its 45th annual meeting in 2022, the GFCM adopted Recommendation GFCM/45/2022/3 on a multiannual management plan for the sustainable exploitation of blackspot seabream (*Pagellus bogaraveo*) in the Alboran Sea (geographical subareas 1 to 3), repealing Recommendations GFCM/44/2021/4, GFCM/43/2019/2 and GFCM/41/2017/2. Those measures should be implemented in Union law.
- (23) [placeholder for new measures for blackspot seabream]
- (24) At its 43<sup>rd</sup> annual meeting in 2019, the GFCM adopted Recommendation GFCM/43/2019/3 amending Recommendation GFCM/41/2017/4 on a multiannual management plan for turbot (*Scophthalmus maximus*) fisheries in the Black Sea (GFCM geographical subarea 29). Recommendation GFCM/43/2019/3 introduced an updated regional total allowable catch (TAC) and a quota allocation scheme for turbot, as well as further conservation measures, in particular a two-month closure period and a limitation of fishing days to 180 days per year. In accordance with Recommendation GFCM/43/2019/3, those further conservation measures are functionally linked to the fishing opportunities, as, without those measures in place, the TAC level for turbot would have to be reduced to ensure its recovery. Those measures should be implemented in Union law.
- (25) [Placeholder for new measures on turbot]
- (26) [Placeholder for carry-over of the unused Union quota for turbot]
- (27) Based on the scientific advice provided by the GFCM Working Group for the Black Sea, the current level of fishing mortality of sprat (*Sprattus sprattus*) should be maintained to ensure the sustainability of sprat stocks in the Black Sea. It is therefore appropriate to continue setting an autonomous quota for this stock.
- (28) The use of fishing opportunities available to Union fishing vessels set out in this Regulation is subject to Council Regulation (EC) No 1224/2009<sup>3</sup>, and in particular to Articles 33 and 34 thereof concerning the recording of catches and fishing effort and the notification of data on the exhaustion of fishing opportunities. It is therefore necessary to specify the codes to be used by Member States when sending the Commission data on landings of stocks subject to this Regulation.
- (29) Articles 3 and 4 of Council Regulation (EC) No 847/96<sup>4</sup> provides for additional conditions for the year-to-year management for TACs and quotas for both precautionary and analytical stocks. Under Article 2 of that Regulation, when establishing TACs, the Council is to decide which stocks Articles 3 and 4 of that Regulation are not to apply, in particular on the basis of the biological status of stocks.

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<sup>3</sup> Council Regulation (EC) No 1224/2009 of 20 November 2009 establishing a Community control system for ensuring compliance with the rules of the common fisheries policy, amending Regulations (EC) No 847/96, (EC) No 2371/2002, (EC) No 811/2004, (EC) No 768/2005, (EC) No 2115/2005, (EC) No 2166/2005, (EC) No 388/2006, (EC) No 509/2007, (EC) No 676/2007, (EC) No 1098/2007, (EC) No 1300/2008, (EC) No 1342/2008 and repealing Regulations (EEC) No 2847/93, (EC) No 1627/94 and (EC) No 1966/2006 (OJ L 343, 22.12.2009, p. 1).

<sup>4</sup> Council Regulation (EC) No 847/96 of 6 May 1996 introducing additional conditions for year-to-year management of TACs and quotas (OJ L 115, 9.5.1996, p. 3).

Moreover, Article 15(9) of Regulation (EU) No 1380/2013 provides for further year-to-year flexibility for all stocks that are subject to the landing obligation. In order to avoid excessive flexibility that would undermine the achievement of the objectives of the CFP, and cause the biological status of stocks to deteriorate, year-to-year flexibility for quotas pursuant to Articles 3 and 4 of Regulation (EC) No 847/96 and Article 15(9) of Regulation (EU) No 1380/2013 should not apply cumulatively. Finally, year-to-year flexibility under Article 15(9) of the Basic Regulation should, where relevant, be excluded on the basis of the biological status of stocks.

- (30) In order to avoid the interruption of fishing activities and to ensure the livelihood of Union fishers, this Regulation should apply from 1 January 2025. For reasons of urgency, this Regulation should enter into force on the day following that of its publication,

HAS ADOPTED THIS REGULATION:

## TITLE I

### GENERAL PROVISIONS

#### *Article 1* *Scope*

1. This Regulation applies to Union fishing vessels operating in the Mediterranean and Black Seas and exploiting the following fish stocks:
  - (a) European eel (*Anguilla anguilla*), red coral (*Corallium rubrum*) and common dolphinfish (*Coryphaena hippurus*) in the Mediterranean Sea;
  - (b) blue and red shrimp (*Aristeus antennatus*), deep-water rose shrimp (*Parapenaeus longirostris*), giant red shrimp (*Aristaeomorpha foliacea*), European hake (*Merluccius merluccius*), Norway lobster (*Nephrops norvegicus*) and red mullet (*Mullus barbatus*) in the western Mediterranean Sea;
  - (c) anchovy (*Engraulis encrasicolus*) and sardine (*Sardina pilchardus*) in the Adriatic Sea;
  - (d) European hake (*Merluccius merluccius*), Norway lobster (*Nephrops norvegicus*), common sole (*Solea solea*), deep-water rose shrimp (*Parapenaeus longirostris*) and red mullet (*Mullus barbatus*) in the Adriatic Sea;
  - (e) European hake (*Merluccius merluccius*) and deep-water rose shrimp (*Parapenaeus longirostris*) in the Strait of Sicily;
  - (f) giant red shrimp (*Aristaeomorpha foliacea*) and blue and red shrimp (*Aristeus antennatus*) in the Strait of Sicily, in the Ionian Sea and in the Levant Sea;
  - (g) blackspot seabream (*Pagellus bogaraveo*) in the Alboran Sea;
  - (h) sprat (*Sprattus sprattus*) and turbot (*Scophthalmus maximus*) in the Black Sea.
2. This Regulation also applies to other Union fishing activities, including recreational fisheries, where they are expressly referred to in the relevant provisions.



## *Article 2*

### *Definitions*

For the purposes of this Regulation, the definitions laid down in Article 4(1) of Regulation (EU) No 1380/2013 apply. In addition, the following definitions apply:

- (i) ‘international waters’ means waters falling outside the sovereignty or jurisdiction of any State;
- (j) ‘recreational fisheries’ means non-commercial fishing activities exploiting marine living aquatic resources for recreation, tourism or sport;
- (k) ‘total allowable catch’ (TAC) means:
  - (a) in fisheries subject to the exemption of the landing obligation referred to in Article 15(4) to (7) of Regulation (EU) No 1380/2013, the quantity of fish that can be landed from each stock each year;
  - (b) in all other fisheries, the quantity of fish that can be caught from each stock over the period of a year;
- (l) ‘quota’ means a proportion of the TAC allocated to the Union or a Member State;
- (m) ‘Union autonomous quota’ means a catch limit autonomously allocated to Union fishing vessels in the absence of an agreed TAC;
- (n) ‘analytical quota’ means a Union autonomous quota for which an analytical assessment is available;
- (o) ‘analytical assessment’ means a quantitative evaluation of trends in a given stock, based on data about the stock’s biology and exploitation, which scientific review has indicated to be of sufficient quality to provide scientific advice on options for future catches;
- (p) ‘fish aggregating device’ (FAD) means any anchored equipment floating on the sea surface with the objective of attracting fish.

## *Article 3*

### *Fishing zones*

For the purposes of this Regulation, the following fishing zone definitions apply:

- (a) ‘GFCM geographical subareas’ mean the areas specified in Annex I to Regulation (EU) 2023/2124 of the European Parliament and of the Council<sup>5</sup>;
- (b) ‘Mediterranean Sea’ means the waters in GFCM geographical subareas 1 to 27 specified in Annex I to Regulation (EU) 2023/2124;
- (c) ‘western Mediterranean Sea’ means the waters in GFCM geographical subareas 1, 2, 5, 6, 7, 8, 9, 10 and 11 specified in Annex I to Regulation (EU) 2023/2124;
- (d) ‘Adriatic Sea’ means the waters in GFCM geographical subareas 17 and 18 specified in Annex I to Regulation (EU) 2023/2124;

<sup>5</sup> Regulation (EU) 2023/2124 of the European Parliament and of the Council of 4 October 2023 on certain provisions for fishing in the General Fisheries Commission for the Mediterranean (GFCM) Agreement area (recast) (OJ L, 2023/2124, 12.10.2023, ELI: <http://data.europa.eu/eli/reg/2023/2124/oj>).

- (e) ‘Strait of Sicily’ means the waters in GFCM geographical subareas 12, 13, 14, 15 and 16 specified in Annex I to Regulation (EU) 2023/2124;
- (f) ‘Ionian Sea’ means the waters in GFCM geographical subareas 19, 20 and 21 specified in Annex I to Regulation (EU) 2023/2124;
- (g) ‘Levant Sea’ means the waters in GFCM geographical subareas 24, 25, 26 and 27 specified in Annex I to Regulation (EU) 2023/2124;
- (h) ‘Alboran Sea’ means the waters in GFCM geographical subareas 1, 2 and 3 specified in Annex I to Regulation (EU) 2023/2124;
- (i) ‘Black Sea’ means the waters in GFCM geographical subarea 29 specified in Annex I to Regulation (EU) 2023/2124.

## TITLE II

### FISHING OPPORTUNITIES FOR UNION FISHING VESSELS

#### *CHAPTER I*

##### *Mediterranean Sea*

##### *Article 4*

##### *European eel*

[placeholder]

##### *Article 5*

##### *Red coral*

[Placeholder]

##### *Article 6*

##### *Common dolphinfish*

1. This Article applies to all commercial pelagic fishing activities by Union fishing vessels targeting common dolphinfish (*Coryphaena hippurus*) by using FADs in the Mediterranean Sea. It also applies to recreational fisheries of common dolphinfish in the Mediterranean Sea.
2. The maximum fleet capacity, expressed in number of vessels, kW and gross tonnage (GT), of Union fishing vessels authorised to fish for common dolphinfish shall be limited as set out in Annex II, point (a).
3. The maximum number of FADs per vessel authorised to fish for common dolphinfish shall be limited as set out in Annex II, point (b).
4. The maximum level of catches of common dolphinfish shall not exceed the levels set out in Annex II, point (c).
5. For recreational fisheries, the maximum number of catches shall be limited to 10 kg or five fish of any size per person per day.

## **CHAPTER II**

### ***Western Mediterranean Sea***

#### ***Article 7***

##### ***Demersal stocks***

1. This Article applies to all fishing activities by Union fishing vessels and other Union fishing activities catching demersal stocks referred to in Article 1(2) of Regulation (EU) 2019/1022 in the western Mediterranean Sea.
2. The maximum allowable fishing effort for trawlers and longliners shall be limited as set out in Annex III, point 1. Member States shall manage the maximum allowable fishing effort in accordance with Article 9 of Regulation (EU) 2019/1022 and Articles 26 to 34 of Regulation (EC) No 1224/2009.
3. The maximum catch limits for deep-water shrimps in the Alboran Sea, Balearic Islands, Northern Spain and Gulf of Lion shall be limited as set out in Annex III, point 2(a).
4. The maximum catch limits for deep-waters shrimps in Corsica Island, Ligurian Sea, Tyrrhenian Sea and Sardinia Island shall be limited as set out in Annex III, point 2(b).
5. The allocation of fishing opportunities among Member States as set out in Annex III shall be without prejudice to:
  - (a) exchanges made pursuant to Article 16(8) of Regulation (EU) No 1380/2013;
  - (b) deductions and reallocations made pursuant to Article 37 of Regulation (EC) No 1224/2009;
  - (c) additional landings allowed under Article 3 of Regulation (EC) No 847/96 or under Article 15(9) of Regulation (EU) No 1380/2013;
  - (d) quantities withheld in accordance with Article 4 of Regulation (EC) No 847/96 or transferred under Article 15(9) of Regulation (EU) No 1380/2013;
  - (e) deductions made pursuant to Articles 105, 106 and 107 of Regulation (EC) No 1224/2009.

#### ***Article 8***

##### ***Compensation mechanism***

[Placeholder]

#### ***Article 9***

##### ***Data recording and transmission***

1. Member States shall record and transmit the fishing effort data to the Commission in accordance with Articles 33 and 34 of Regulation (EC) No 1224/2009 and Articles 146c, 146d and 146e of Commission Implementing Regulation (EU) No 404/2011.<sup>6</sup>

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<sup>6</sup> Commission Implementing Regulation (EU) No 404/2011 of 8 April 2011 laying down detailed rules for the implementation of Council Regulation (EC) No 1224/2009 establishing a Community control system for



2. When Member States submit to the Commission data relating to fishing effort pursuant to Articles 33 and 34 of Regulation (EC) No 1224/2009, they shall use the fishing effort group codes set out in Annex III.

### **CHAPTER III**

#### ***Adriatic Sea***

##### ***Article 10***

##### ***Small pelagic stocks***

1. This Article applies to all fishing activities by Union fishing vessels and other Union fishing activities catching sardine (*Sardina pilchardus*) and anchovy (*Engraulis encrasicolus*) in the Adriatic Sea.
2. The maximum level of catches of sardine and anchovy shall not exceed the levels set out in Annex IV, point 1(a).
3. The maximum fleet capacity, expressed in kW, GT and number, of Union fishing vessels authorised to fish small pelagic stocks shall be limited as set out in Annex IV, point 1(b).
4. Articles 3 and 4 of Regulation (EC) No 847/96 shall not apply where a Member State uses the year-to-year flexibility provided for in Article 15(9) of Regulation (EU) No 1380/2013.

##### ***Article 11***

##### ***Demersal stocks***

1. This Article applies to all fishing activities by Union fishing vessels and other Union fishing activities catching European hake (*Merluccius merluccius*), Norway lobster (*Nephrops norvegicus*), common sole (*Solea solea*), deep-water rose shrimp (*Parapenaeus longirostris*) and red mullet (*Mullus barbatus*) in the Adriatic Sea.
2. The maximum allowable fishing effort for those demersal stocks and the maximum fleet capacity within the scope of this Article shall be limited as set out in Annex IV, point 2(a) and (b).
3. Member States shall manage the maximum allowable effort in accordance with Articles 26 to 35 of Regulation (EC) No 1224/2009.

##### ***Article 12***

##### ***Data transmission***

When Member States submit to the Commission data relating to landings and fishing effort pursuant to Articles 33 and 34 of Regulation (EC) No 1224/2009, they shall use the stock codes and fishing effort group codes set out in Annex IV.

### **CHAPTER IV**

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ensuring compliance with the rules of the Common Fisheries Policy (OJ L 112 30.4.2011, p. 1), ELI: [http://data.europa.eu/eli/reg\\_impl/2011/404/oj](http://data.europa.eu/eli/reg_impl/2011/404/oj).

## *Strait of Sicily*

### *Article 13*

#### *European hake and deep-water rose shrimp*

1. This Article applies to all activities by Union fishing vessels and other Union fishing activities catching European hake (*Merluccius merluccius*) and deep-water rose shrimp (*Parapenaeus longirostris*) in the Strait of Sicily.
2. The maximum fleet capacity, expressed in number of vessels, kW and GT, of bottom trawl vessels authorised to fish for demersal stocks within the scope of this Article shall be limited as set out in Annex V, point 1(a).
3. The maximum allowable fishing effort for European hake (in number of fishing days), for bottom otter-trawl vessels (OTB) targeting European hake shall be limited as set out in Annex V, point 1(b).
4. The maximum level of catches of deep-water rose shrimp shall not exceed the levels set out in Annex V, point 1(c).
5. Member States shall manage the maximum allowable fishing effort in accordance with Articles 26 to 35 of Regulation (EC) No 1224/2009.

### *Article 14*

#### *Deep-water shrimps*

1. This Article applies to all fishing activities by Union fishing vessels and other Union fishing activities catching giant red shrimp (*Aristaeomorpha foliacea*) and blue and red shrimp (*Aristeus antennatus*) in the Strait of Sicily.
2. The maximum fleet capacity, expressed in number of vessels, kW and GT, of bottom trawl vessels authorised to fish the demersal stocks within the scope of this Article shall be limited as set out in Annex V, point 2(a).
3. The maximum level of catches of deep-water shrimps shall not exceed the levels set out in Annex V, point 2(b) and (c).

### *Article 15*

#### *Data transmission*

When Member States submit to the Commission data relating to landings of quantities of stocks caught pursuant to Articles 33 and 34 of Regulation (EC) No 1224/2009, they shall use the stock codes set out in Annex V.

## **CHAPTER V**

### *Ionian Sea and Levant Sea*

*Article 16*  
***Deep-water shrimps***

1. This Article applies to all fishing activities by Union fishing vessels and other Union fishing activities catching giant red shrimp (*Aristaeomorpha foliacea*) and blue and red shrimp (*Aristeus antennatus*) in the Ionian Sea and in the Levant Sea.
2. The maximum fleet capacity, expressed in number of vessels, kW and GT, of bottom trawl vessels authorised to fish for deep water shrimp stock referred to in this Article shall be limited as set out in Annex VI, point 1(a) and 2(a).
3. The maximum level of catches of deep-water shrimps referred to in this Article shall not exceed the levels set out in Annex VI, point 1(b) and (c) and point 2(b) and (c).

**CHAPTER VI**  
***Alboran Sea***

*Article 17*  
***Blackspot seabream***

1. This Article applies to all commercial and recreational fishing activities catching blackspot seabream (*Pagellus bogaraveo*) with longlines and handlines by Union fishing vessels in the Alboran Sea.
2. The maximum level of catches shall not exceed the levels set out in Annex VII, point (a).
3. The maximum number of longliners and handlines authorised to fish for blackspot seabream shall be limited as set out in Annex VII, point (b).
4. For recreational fishing activities, the maximum number of catches shall be limited to one fish per fisher per day. The minimum conservation reference size of 40 cm for blackspot seabream shall apply to recreational fisheries in the Alboran Sea. Recreational fishing for that species shall be prohibited during the closure period of commercial fisheries set at national level.

**CHAPTER VII**  
**Black Sea**

*Article 18*  
***Sprat***

1. This Article applies to all activities by Union fishing vessels and other Union fishing activities catching sprat (*Sprattus sprattus*) in the Black Sea.
2. The Union autonomous quota for sprat shall not exceed the levels set out in Annex VIII.
3. Articles 3 and 4 of Regulation (EC) No 847/96 shall not apply where a Member State uses the year-to-year flexibility provided for in Article 15(9) of Regulation (EU) No 1380/2013.

## *Article 19*

### *Turbot*

1. This Article applies to all activities by Union fishing vessels and other Union fishing activities catching turbot (*Scophthalmus maximus*) in the Black Sea.
2. The TAC for turbot applicable in Union waters in the Black Sea, the allocation of such TAC among Member States and the conditions functionally linked thereto, where appropriate, are set out in Annex VIII.
3. Articles 3 and 4 of Regulation (EC) No 847/96 shall not apply where a Member State uses the year-to-year flexibility provided for in Article 15(9) of Regulation (EU) No 1380/2013.

## *Article 20*

### *Management of fishing effort for turbot*

Union fishing vessels authorised to fish for turbot within the scope of Article 19, irrespective of the vessels' length overall, shall not exceed 180 fishing days per year.

## *Article 21*

### *Closure period for turbot*

It shall be prohibited for Union fishing vessels to carry out any fishing activity, including transshipment, retaining on board, landing and first sale of turbot in Union waters in the Black Sea from 15 April to 15 June.

## *Article 22*

### *Special provisions on allocations of fishing opportunities in the Black Sea*

The allocation of fishing opportunities among Member States as set out in Annex VIII shall be without prejudice to:

- (a) exchanges made pursuant to Article 16(8) of Regulation (EU) No 1380/2013;
- (b) deductions and reallocations made pursuant to Article 37 of Regulation (EC) No 1224/2009;
- (c) deductions made pursuant to Articles 105 and 107 of Regulation (EC) No 1224/2009.

## *Article 23*

### *Data transmission*

When Member States submit to the Commission data relating to landings of quantities of stocks of sprat and turbot caught in Union waters in the Black Sea pursuant to Articles 33 and 34 of Regulation (EC) No 1224/2009, they shall use the stock codes set out in Annex VIII of this Regulation.

## **TITLE III**

### **FINAL PROVISIONS**

*Article 24*  
*Entry into force and application*

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

It shall apply from 1 January 2025 to 31 December 2025.

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

Done at Brussels,

*For the Council*  
*The President*