

Brussels, 17 June 2025  
(OR. en)

10398/25

PECHE 180  
DELECT 85

**COVER NOTE**

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From:	Secretary-General of the European Commission, signed by Ms Martine DEPREZ, Director
date of receipt:	17 June 2025
To:	Ms Thérèse BLANCHET, Secretary-General of the Council of the European Union

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Subject:	COMMISSION DELEGATED REGULATION (EU) .../... amending Regulation (EU) 2019/1241 of the European Parliament and of the Council as regards an increase of the minimum mesh size when fishing for squid in the North Sea and North Western Waters
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Delegations will find attached document C(2025) 3720 final.

Encl.: C(2025) 3720 final



EUROPEAN  
COMMISSION

Brussels, 16.6.2025  
C(2025) 3720 final

**COMMISSION DELEGATED REGULATION (EU) .../...**

**of 16.6.2025**

**amending Regulation (EU) 2019/1241 of the European Parliament and of the Council as regards an increase of the minimum mesh size when fishing for squid in the North Sea and North Western Waters**

(Text with EEA relevance)

## **EXPLANATORY MEMORANDUM**

### **1. CONTEXT OF THE DELEGATED ACT**

Regulation (EU) 2019/1241<sup>1</sup> (the ‘Technical Measures Regulation’) on the conservation measures of fisheries resources and the protection of marine ecosystems through technical measures establishes the framework of technical measures that should contribute to achieving the Common Fisheries Policy objectives, namely to fish at maximum sustainable yield levels, reduce unwanted catches and eliminate discards, and contribute to good environmental status as set out in Directive 2008/56/EC<sup>2</sup>. Such technical measures shall apply for the purpose of ensuring the protection of juveniles and spawning aggregations of marine species through the use of selective gear. Annex V to Regulation (EU) 2019/1241 sets out regional technical measures for the North Sea. Annex VI to Regulation (EU) 2019/1241 sets out regional technical measures for the North Western Waters.

Where the Commission has been granted powers to adopt measures by means of delegated acts, Article 18 of Regulation (EU) No 1380/2013<sup>3</sup> (the ‘Basic Regulation’) provides that Member States with a direct management interest may submit joint recommendations to achieve the objectives of the relevant Union conservation measures, multiannual plans or specific discard plans.

To take into account regional specificities of the relevant fisheries, Article 15(2) of the Technical Measures Regulation empowers the Commission to adopt delegated acts that amend, supplement, repeal or derogate from the technical measures set out in the Annexes, in accordance with Article 29 of the Technical Measures Regulation and Article 18 of the Basic Regulation.

In line with Article 18 of the Basic Regulation and Article 15(2) of the Technical Measures Regulation, the delegated act is based on two joint recommendations submitted to the Commission by the North Sea Member States (i.e. Belgium, Denmark, Germany, France, the Netherlands and Sweden) and the North Western Waters Member States (i.e. Belgium, Ireland, France, the Netherlands and Spain), who have a direct management interest in the relevant fishery in these regions.

The chairs of the regional groups of the North Sea Member States and the North Western Waters Member States submitted their joint recommendations to the Commission on 20 and 28 June 2024 respectively. These joint recommendations contain the following elements:

- increase the minimum mesh size in the table below point 1 of Annex V, part B of Regulation (EU) 2019/1241, from 40 mm to 80 mm in ICES sub-area 4, and to

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<sup>1</sup> Regulation (EU) 2019/1241 of the European Parliament and of the Council of 20 June 2019 on the conservation of fisheries resources and the protection of marine ecosystems through technical measures, amending Council Regulations (EC) No 1967/2006, (EC) No 1224/2009 and Regulations (EU) No 1380/2013, (EU) 2016/1139, (EU) 2018/973, (EU) 2019/472 and (EU) 2019/1022 of the European Parliament and of the Council, and repealing Council Regulations (EC) No 894/97, (EC) No 850/98, (EC) No 2549/2000, (EC) No 254/2002, (EC) No 812/2004 and (EC) No 2187/2005 (OJ L 198, 25.07.2019, p. 105, ELI: <http://data.europa.eu/eli/reg/2019/1241/oj>).

<sup>2</sup> Directive 2008/56/EC of the European Parliament and of the Council of 17 June 2008 establishing a framework for community action in the field of marine environmental policy (Marine Strategy Framework Directive) (OJ L 164, 25.6.2008, p. 19, ELI: <http://data.europa.eu/eli/dir/2008/56/oj>).

<sup>3</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>).

- remove the possibility of using at least 40mm in ICES division 3a (Skagerrak and Kattegat);
- increase the minimum mesh size in the table below point 1 of Annex VI, part B of Regulation (EU) 2019/1241, from 40 mm to 80 mm in ICES divisions 7a, 7b, 7c, 7d, 7e, 7g, 7h, and 7k; a minimum mesh size of 40mm is maintained in ICES division 7e regarding directed fishing for squid with midwater otter trawls (OTM) in the 12 nautical miles zone of the coast of France.

The joint recommendations aim to improve the implementation of the mesh size specification and address control issues. By increasing the mesh size, selectivity is improved, allowing for a more targeted fishing effort and less bycatch, of marine species below the minimum conservation reference size (MCRS).

## **2. CONSULTATIONS PRIOR TO THE ADOPTION OF THE ACT**

In line with the procedure set out in Article 15(3) of the Technical Measures Regulation, the joint recommendations are based on discussions among the North Sea and North Western Waters Member States concerned. These Member States also consulted the North Sea Advisory Council (NSAC) and the North Western Waters Advisory Council (NWWAC), which consists of a balanced representation of all stakeholders in the field of fisheries and aquaculture. The North Sea and North Western Waters Member States sent their draft joint recommendations for consultation to the NSAC on 25 March 2024 and NWWAC on 8 April 2024, which agreed with the proposed increase of the minimum mesh size on 15 April 2024 and 26 April 2024 respectively.

In its plenary meeting of 8-12 July 2024, the STECF<sup>4</sup> assessed the joint recommendations and concluded that, in principle, increasing mesh size is one way to improve selectivity of the fisheries, but the potential effects of the proposed increase in mesh size could not be assessed as no supporting information was provided. Specifically, the expected benefits in relation to optimizing the exploitation patterns, as well as in relation to reducing catches of marine species below the MCRS, were not clear in the joint recommendation submitted by the North Western Waters Member States.

On 29 October 2024, the North Western Waters Member States submitted further supporting information to the STECF as required by Article 15(6) of the Technical Measures Regulation. In its plenary meeting of 11-15 November 2024, the STECF<sup>5</sup> assessed the supporting information submitted by the North Western Waters Member States and concluded that the proposals are unlikely to impact the current fishing patterns in these areas and are at least equivalent to current selectivity characteristics.

According to the STECF, there is evidence to show that the current fishing patterns are unlikely to be requested changes. First, the STECF indicates that the requested 80 mm mesh size is already the dominant mesh size used by fisheries that land squid in ICES divisions 7a, 7b, 7c, 7d, 7e, 7g, 7h and 7k. Further, STECF notes that there is evidence to support a minimum mesh size of 40 mm for directed squid fisheries in ICES division 7e for small-scale fleets currently targeting squid in this area. It also notes that there is evidence to support a minimum mesh size of 40 mm for directed squid fisheries in ICES subareas 5 and 6 where the

<sup>4</sup> Scientific, Technical and Economic Committee for Fisheries (STECF) - 76<sup>th</sup> Plenary Report (STECF-PLEN-24-02). Publications Office of the European Union, Luxembourg, 2024, doi:10.2760/1035959, JRC140570.

<sup>5</sup> Scientific, Technical and Economic Committee for Fisheries (STECF) – 77<sup>th</sup> Plenary Report (STECF-PLEN-24-03). Publications Office of the European Union, Luxembourg, 2024, doi:10.2760/2392535, JRC140580.

mesh size range is currently used to land squid as part of cephalopod targeted trips. Lastly, it notes that there is evidence of a minimum mesh size of 40 mm being used by fisheries landing squid in ICES division 7j, with most of the squid landing coming in larger mesh size ranges (100-110 mm).

On the basis of the STECF advice, the Commission considers that the requirements of Article 15 of Regulation (EU) 2019/1241 are fulfilled, given that (i) the joint recommendations are coherent with the current fishing patterns and lead to benefits for the conservation of marine biological resources that are at least equivalent to the measures referred to in Article 15(1) of Regulation (EU) 2019/1241 and (ii) the increase of the mesh size is a way to improve the selectivity of the fisheries.

Article 496(1) of the Trade and Cooperation Agreement (TCA)<sup>6</sup> provides that each Party shall decide on any measures applicable to its waters in pursuit of the objectives set out in Article 494(1), and (2) and having regard to the principles referred to in Article 494(3).

Article 496(3) of the TCA requires each Party to notify the other Party of new measures that are likely to affect the vessels of the other Party before those measures are applied, allowing sufficient time for the other Party to provide comments or seek clarification.

In this context, the EU will notify the UK before this technical measure is applied, following the guidelines established for this purpose in the Specialised Committee on Fisheries (SCF).

### **3. LEGAL ELEMENTS OF THE DELEGATED ACT**

#### **Summary of the action**

The main legal action is to amend technical measures set out in the table below point 1 of Annex V, Part B and in the table below point 1 of Annex VI, Part B of the Technical Measures Regulation, namely by removing the possibility of using at least 40 mm in ICES division 3a (Skagerrak and Kattegat), and increasing the minimum mesh size for squid in ICES sub-area 4 and divisions 7a, 7b, 7c, 7d, 7e, 7g, 7h, and 7k to enhance enforcement of the mesh size specification, optimize exploitation patterns to provide protection for juveniles and spawning aggregations of marine biological resources and to reduce catches of marine species below the minimum conservation reference size in the North Sea and North Western Waters. A minimum mesh size of 40mm is maintained in ICES division 7e regarding directed fishing for squid with midwater otter trawls (OTM) in the 12 nautical miles zone of the coast of France.

#### **Legal basis**

Article 15(2) of the Technical Measures Regulation.

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<sup>6</sup> Trade and Cooperation Agreement between the European Union and the European Atomic Energy Community, of the one part, and the United Kingdom of Great Britain and Northern Ireland, of the other part (OJ L 149, 30.04.2021, p. 10, ELI: [http://data.europa.eu/eli/agree\\_internation/2021/689\(1\)/oj](http://data.europa.eu/eli/agree_internation/2021/689(1)/oj)).

**COMMISSION DELEGATED REGULATION (EU) .../...**

**of 16.6.2025**

**amending Regulation (EU) 2019/1241 of the European Parliament and of the Council as regards an increase of the minimum mesh size when fishing for squid in the North Sea and North Western Waters**

(Text with EEA relevance)

THE EUROPEAN COMMISSION,

Having regard to the Treaty on the Functioning of the European Union,

Having regard to Regulation (EU) 2019/1241 of the European Parliament and of the Council of 20 June 2019 on the conservation of fisheries resources and the protection of marine ecosystems through technical measures, amending Council Regulations (EC) No 1967/2006, (EC) No 1224/2009 and Regulations (EU) No 1380/2013, (EU) 2016/1139, (EU) 2018/973, (EU) 2019/472 and (EU) 2019/1022 of the European Parliament and of the Council, and repealing Council Regulations (EC) No 894/97, (EC) No 850/98, (EC) No 2549/2000, (EC) No 254/2002, (EC) No 812/2004 and (EC) No 2187/2005<sup>7</sup>, and in particular Article 15(2) thereof,

Whereas:

- (1) Annexes V and VI to Regulation (EU) 2019/1241 provide for specific regional technical measures for the North Sea and North Western Waters of Union waters. Part B, point 1 of those Annexes provide baseline mesh sizes for towed gear in those waters. Point 1.2 of those Annexes allows the use of smaller mesh sizes under certain conditions.
- (2) Belgium, Denmark, Germany, France, the Netherlands and Sweden ('the North Sea Member States') have a direct fisheries management interest in the North Sea; Belgium, Ireland, France, the Netherlands and Spain ('North Western Waters Member States') have a direct fisheries management interest in the North Western waters.
- (3) On 20 and 28 June 2024, the regional groups submitted to the Commission two joint recommendations proposing to amend the table below point 1 of Annex V, Part B and the table below point 1 of Annex VI, Part B to Regulation (EU) 2019/1241. The North Sea Member States requested to increase the minimum mesh size for directed fishing for squid (*Loliginidae*, *Ommastrephidae*) from 40 mm to 80 mm in ICES subarea 4 and remove the possibility of using at least 40 mm in ICES division 3a (Skagerrak and Kattegat); The North Western Member States requested to increase the minimum mesh size from 40 mm to 80 mm in ICES divisions 7a, 7b, 7c, 7d, 7e, 7g, 7h, and 7k. A minimum mesh size of 40mm is maintained in ICES division 7e regarding directed fishing for squid with midwater otter trawls (OTM) in the 12 nautical miles zone of the coast of France.

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<sup>7</sup> OJ L 198, 25.07.2019, p. 105; ELI: <http://data.europa.eu/eli/reg/2019/1241/oj>.

- (4) According to the Joint Recommendations, increasing the minimum mesh size to 90 mm in ICES division 3a (Skagerrak and Kattegat) and 80 mm for directed fishing for squid in ICES subarea 4 and divisions 7a, 7b, 7c, 7d, 7e, 7g, 7h, and 7k for directed fishing for squid, intends to optimise the exploitation patterns to provide protection for juveniles and spawning aggregations of marine biological resources and reduce the catches of marine species below the minimum conservation reference sizes. It further intends to enhance the enforcement of mesh size specifications.
- (5) The North Sea Advisory Council and the North Western Waters Advisory Council were consulted on the two joint recommendations in March 2024 and April 2024, respectively.
- (6) The Scientific, Technical and Economic Committee for Fisheries (STECF) assessed the two joint recommendations at its plenary session from 8 to 12 July 2024 (STECF-24-02)<sup>8</sup>. Although the STECF considered that the potential effects of the proposed increases in mesh size cannot be assessed due to insufficient data, it concluded that, in principle, increasing the minimum mesh size is one way to improve selectivity of the fisheries. Furthermore, the STECF noted that increased mesh size already applies in neighbouring third-country waters for the fisheries targeting squids (belonging to families *Loliginidae* and *Ommastrephidae*) from 40 mm to 80 mm. The STECF also concluded that the expected benefits in relation to optimising the exploitation patterns regarding the proposal of the North Western Waters Member States were not clear.
- (7) Following the STECF advice, the Commission invited the North Western Waters Member States to align the joint recommendation with the scientific evaluation. Accordingly, the North Western Waters Member States submitted an updated version of their joint recommendation with further supporting information in October 2024, which was transmitted to STECF.
- (8) In its plenary meeting on 11-15 November 2024, the STECF concluded that the elements contained in the updated version of the joint recommendation submitted by the North Western Waters Member States are unlikely to impact the current fishing patterns in these areas and are at least equivalent to current selectivity characteristics<sup>9</sup>. Indeed the STECF indicates that the proposed minimum mesh size of 80 mm is already the dominant mesh size used by fisheries landing squid in ICES divisions 7a, 7b, 7c, 7d, 7e, 7g, 7h, 7k. Further, the STECF notes that there is evidence to support a minimum mesh size of 40 mm for directed squid fisheries in ICES division 7e for small-scale fleets currently targeting squid in this area. The STECF also notes that there is evidence to support a minimum mesh size of 40 mm for directed squid fisheries in ICES subareas 5 and 6 where the mesh size range is currently used to land squid as part of cephalopod targeted trips. The STECF concludes that there is evidence of a minimum mesh size of 40 mm being used by fisheries landing squid in ICES division 7j, with most of the squid landing coming in larger mesh size ranges (100-110 mm). Furthermore, the STECF notes that increased mesh size already applies in neighbouring third-country waters for the fisheries targeting squids (belonging to families *Loliginidae* and *Ommastrephidae*) from 40 mm to 80 mm.

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<sup>8</sup> Scientific, Technical and Economic Committee for Fisheries (STECF) - 76th Plenary Report (STECF-PLN-24-02). Publications Office of the European Union, Luxembourg, 2024, doi:10.2760/1035959, JRC140570.

<sup>9</sup> Scientific, Technical and Economic Committee for Fisheries (STECF) – 77th Plenary Report (STECF-PLN-24-03). Publications Office of the European Union, Luxembourg, 2024, doi:10.2760/2392535, JRC140580.

- (9) Given that: (i) the amendments under the joint recommendations are coherent with the current fishing patterns and therefore are at least equivalent to current selectivity characteristics, (ii) the proposed measures enhance the enforcement of mesh size specifications and (iii) the increase of the mesh size is a way to improve selectivity of the fisheries, the Commission considers that the requirements of Articles 15 and 18 of Regulation (EU) 2019/1241 are fulfilled.
- (10) Regulation (EU) 2019/1241 should therefore be amended accordingly.
- (11) The measures provided for by this Regulation applicable to Union waters are in pursuit of the objectives set out in Article 494(1) and (2) of the Trade and Cooperation Agreement between the European Union and the European Atomic Energy Community, of the one part, and the United Kingdom of Great Britain and Northern Ireland, of the other part<sup>10</sup>, and have regard to the principles referred to in Article 494(3) of that agreement. They are without prejudice to any measures applicable in waters of the United Kingdom of Great Britain and Northern Ireland.
- (12) As the measures provided for in this Regulation have a direct impact on the planning of the fishing season of Union vessels and on related economic activities, this Regulation should enter into force on the day following that of its publication,

HAS ADOPTED THIS REGULATION:

*Article 1*

Annex V and VI to Regulation (EU) 2019/1241 are amended in accordance with the Annex to this Regulation.

*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, 16.6.2025

*For the Commission*  
*The President*  
*Ursula VON DER LEYEN*

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<sup>10</sup> Trade and Cooperation Agreement between the European Union and the European Atomic Energy Community, of the one part, and the United Kingdom of Great Britain and Northern Ireland, of the other part (OJ L 149, 30.04.2021, p. 10, ELI: [http://data.europa.eu/eli/agree\\_internation/2021/689\(1\)/oj](http://data.europa.eu/eli/agree_internation/2021/689(1)/oj)).