



Council of the
European Union

Brussels, 1 December 2023
(OR. en)

15715/23

**Interinstitutional File:
2023/0350(NLE)**

PECHE 527

NOTE

From:	General Secretariat of the Council
To:	Delegations
No. prev. doc.:	13860/23, 15785/23
Subject:	Proposal for a Council REGULATION fixing the fishing opportunities for certain fish stocks and groups of fish stocks applicable in the Mediterranean and Black Seas for 2024 <ul style="list-style-type: none">• Consolidated version

Delegations will find attached a consolidated version of the above-mentioned Proposal.

Delegations are kindly asked to verify this consolidated version which includes the information provided in the form of a non-paper.

From this moment onwards, further comments should refer to this consolidated version.

N.B. For technical reasons, this document contains no track changes.

Proposal for a

COUNCIL REGULATION

fixing the fishing opportunities for certain fish stocks and groups of fish stocks applicable in the Mediterranean and Black Seas for 2024

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) Article 6 of Regulation (EU) No 1380/2013 of the European Parliament and of the Council¹ requires the adoption of conservation measures taking into account available scientific, technical and economic advice, including, where relevant, reports drawn up by the Scientific, Technical and Economic Committee for Fisheries (STECF), as well as advice received from advisory councils.
- (2) 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) as set out in Article 2(2) of that Regulation. Article 16(1) of Regulation (EU) No 1380/2013 provides that fishing opportunities should be allocated to Member States in such a way as to ensure the relative stability of fishing activities of each Member State for each fish stock or fishery.
- (3) Therefore, in accordance with Regulation (EU) No 1380/2013, total allowable catches (TACs) should be set on the basis of available scientific advice, taking into account biological and socio-economic aspects whilst ensuring fair treatment between fishing sectors, as well as the opinions expressed during the consultations with stakeholders.
- (4) Regulation (EU) 2019/1022 of the European Parliament and of the Council² established a multiannual plan for the fisheries exploiting demersal stocks in the western Mediterranean Sea (the plan). The plan aims 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.

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 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).

- (5) In accordance with Article 4(1) of the plan, fishing opportunities for stocks listed in Article 1 of that Regulation are to be fixed to achieve fishing mortality at MSY on a progressive, incremental basis by 2020 where possible, and by 1 January 2025 at the latest. 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 the plan, as well as 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 Article 7(3), point (b), of the plan.
- (6) STECF advised³ that, in order to attain the MSY targets in 2025 for all the western Mediterranean fish stocks, further actions are needed and significant reductions of fishing mortality are necessary for trawlers. Based on such advice, for 2024, the maximum allowable fishing effort of trawlers in the western Mediterranean Sea should therefore be reduced by 9,5% compared to the baseline between 2015 and 2017, to be deducted from the maximum allowable fishing effort set for 2023 by Council Regulation (EU) 2023/195⁴.
- (7) In 2023, STECF⁵ advised that longlines have an impact on spawners given that, in GSA 1-2-5-6-7, contribute to 7% of the hake landings and that, in GSA 10, they contribute to 13% of the total landings in this GSA⁶ and 6% of the GSA 8-9-10-11. In 2023, STECF also advised that the spawning stock biomass of hake in GSAs 1-5-6-7 and hake in GSAs 8-9-10-11 is still below the conservation limit reference point (B_{LIM}), within the meaning of Article 2(10) of the plan, and that catches should be reduced by at least 89 % in GSAs 1-5-6-7 and 40 % in GSAs 8-9-10-11, in order to reach F_{MSY} in 2024. It is therefore appropriate to maintain, for 2024, the maximum allowable fishing effort for longliners at the same levels set for 2023 by Regulation (EU) 2023/195, on the basis of Article 7(5) of the plan.
- (8) In 2023, STECF advised that the fishing mortality of blue and red shrimps in GSAs 1-2-5-6-7 remains far from sustainable levels and further management measures are thus required. In particular, STECF advised that, in order to reach F_{MSY} by 2024, catches should be reduced on average by 58 % (56% in GSAs 1-2, 59% in GSA 5 and 61% in GSAs 6-7). In accordance with Article 7(3)(b) of the plan, it is therefore appropriate to reduce the maximum catch limits for blue and red shrimp in GSAs 1, 2, 5, 6 and 7 by 9% compared to the fishing opportunities set for 2023 by Council Regulation (EU) 2023/195.
- (9) In 2023, STECF advised that further management measures for blue and red shrimp in GSAs 8-9-10-11 are required and advised to decrease the total catch by 39%. It is therefore appropriate to reduce the maximum catch limits for blue and red shrimp in GSAs 8, 9, 10 and 11 by 7% compared to the fishing opportunities set for 2023 by Council Regulation (EU) 2023/195.
- (10) In 2023, STECF advised that further management measures for giant red shrimp in GSAs 8-9-10-11 are required and advised to decrease the total catch by 31%. It is therefore appropriate to reduce the maximum catch limits of giant red shrimp in GSAs 8, 9, 10 and 11 by 7% compared to the fishing opportunities set for 2023 by Council Regulation (EU) 2023/195.

³ STECF 23-11 page 15-16

⁴ Council Regulation (EU) 2023/195 of 30 January 2023 fixing for 2023 the fishing opportunities for certain fish stocks and groups of fish stocks applicable in the Mediterranean and Black Seas (OJ L 28, 31.1.2023, p. 220).

⁵ STECF 23-11 page 83

⁶ STECF 23-09 page 450

- (11) 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)⁷, which introduced from 2020 to 2026 a fishing effort regime and a fleet capacity ceiling for certain demersal stocks. Those measures for 2024 should therefore be implemented in Union law.
- (12) At its 46th annual meeting in 2023, the GFCM adopted Recommendation GFCM/46/2023/6 on the implementation of a fishing effort regime for key demersal stocks in the Adriatic Sea in 2024 (GSAs 17 and 18), stemming from Recommendation GFCM/43/2019/5. Recommendation GFCM/46/2023/6 provides for a reduction of the fishing effort regime for otter-trawlers by 4% and roll-over of the 2023 effort levels for beam-trawlers. In order to implement those measures into Union law, 4% should therefore be deducted from the maximum allowable fishing effort for otter-trawlers set for 2023 by Council regulation (EU) 2023/195 and the maximum allowable fishing effort for beam-trawlers should be kept at 2023 levels.
- (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)⁸, 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, with a derogation for the national fleets of less than 10 purse seiners or pelagic trawlers actively fishing for small pelagic stocks. Those measures for 2024 should therefore be implemented in Union law.
- (14) At its 46th annual meeting in 2023, the GFCM adopted Recommendation GFCM/46/2023/5 on the extension of the transitional fishing regime and the establishment of a catch limit for 2024 for small pelagic stocks in the Adriatic Sea (GSAs 17 and 18), stemming from Recommendation GFCM/44/2021/20. Recommendation GFCM/46/2023/5 provides for a reduction of the catches for small pelagics with 5% for anchovy and 9% for sardines compared to 2023 levels. In order to implement those measures into Union law, 5% for sardines and 9% for anchovy should therefore be deducted from the maximum level of catches set for 2023 by Council regulation (EU) 2023/195.
- (15) 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 of 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.
- (16) At its 46th annual meeting in 2023, the GFCM adopted Recommendation GFCM/46/2023/13 on a management plan for the sustainable exploitation of red coral (*Corallium rubrum*) in the Mediterranean Sea (geographical subareas 1 to 27), which extending by one year the provisions of Recommendation GFCM/43/2019/4 that introduced a freezing of fishing effort expressed as a maximum number of fishing authorisations, and harvest limits for red coral. Those measures should be implemented in Union law.

⁷ [Compliance Committee \(CoC\) Portal - REC.CM_GFCM_43_2019_5-e.pdf - All Documents \(sharepoint.com\)](#)

⁸ [Compliance Committee \(CoC\) Portal - REC.CM_GFCM_44_2021_20-e.pdf - All Documents \(sharepoint.com\)](#)

- (17) At its 46th annual meeting in 2023, the GFCM adopted Recommendation GFCM/46/2023/14 on a management plan for the sustainable exploitation of common dolphinfish (*Coryphaena hippurus*) in the Mediterranean Sea (geographical subareas 1 to 27), which introduced for the transitional period of 2024 to 2026, a fleet capacity ceiling, a freeze of FADs capacity per vessel, a catch limit and a temporal closure. For recreational fisheries, Recommendation GFCM/46/2023/14 further provides that a daily bag limit should be observed as well as a prohibition period for commercial fisheries. Those measures should be implemented in Union law.
- (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)⁹, 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 2024, that Recommendation provides for 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 allowable catch limits for deep-water rose shrimp set for 2023 by Council Regulation (EU) 2023/195.
- (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)¹⁰, 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 2024, 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 allowable catch limits for giant red shrimp and blue and red shrimp set for 2023 by Council Regulation (EU) 2023/195.
- (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)¹¹, 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 2024, 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 allowable catch limits for giant red shrimp and blue and red shrimp set for 2023 by Council Regulation (EU) 2023/195.
- (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)¹², 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 2024, 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

⁹ [Compliance Committee \(CoC\) Portal – REC.CM_GFCM_45_2022_4-e.pdf – All Documents \(sharepoint.com\)](#)

¹⁰ [Compliance Committee \(CoC\) Portal - REC.CM_GFCM_45_2022_5-e.pdf - All Documents \(sharepoint.com\)](#)

¹¹ [Compliance Committee \(CoC\) Portal - REC.CM_GFCM_45_2022_6-e.pdf - All Documents \(sharepoint.com\)](#)

¹² [Compliance Committee \(CoC\) Portal - REC.CM_GFCM_45_2022_7-e.pdf - All Documents \(sharepoint.com\)](#)

therefore be deducted from the maximum allowable catch limits set for giant red shrimp and blue and red shrimp for 2023 by Council Regulation (EU) 2023/195.

- (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)¹³, repealing Recommendations GFCM/44/2021/4, GFCM/43/2019/2 and GFCM/41/2017/2. Recommendation GFCM/45/2022/3 introduced maximum levels of catches for 2023, 2024 and 2025, a maximum number of longlines and handlines authorised and new measures for recreational fisheries. In order to implement those measures in Union law, 7% should therefore be deducted from the maximum allowable catch limits set for blackspot seabream for 2023 by Council Regulation (EU) 2023/195.
- (23) At its 43rd annual meeting in 2019, the GFCM adopted Recommendation GFCM/43/2019/3¹⁴ 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 from 2020 to 2024 an updated regional 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, these further conservation measures are functionally linked to the fishing opportunities, as, without those measures in place, TAC level for turbot would have to be reduced to ensure its recovery. Those measures should therefore be implemented in Union law.
- (24) At its 46th annual meeting in 2023, the GFCM adopted Recommendation GFCM/46/2023/7 on a multiannual management plan for turbot fisheries in the Black Sea (geographical subarea 29), amending Recommendation GFCM/43/2019/3. That Recommendation maintained the existing TAC until 31 December 2024. Those measures should be implemented in Union law.
- (25) At its 46th annual meeting in 2023, the GFCM approved a carry-over of the unused Union quota for turbot in 2022, in view of the exceptional situation created by the regional context in the Black Sea. That measure should be implemented in Union law. The distribution of the fishing opportunities arising from the under-utilisation should be carried out on the basis of the respective contribution of each Member State towards the under-utilisation, without modifying the distribution key established in Regulation (EU) 2023/195 concerning the annual allocation of total allowable catches.
- (26) 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 those stocks.

¹³ [Compliance Committee \(CoC\) Portal - REC.CM_GFCM_45_2022_3-e.pdf - All Documents \(sharepoint.com\)](#)

¹⁴ [Compliance Committee \(CoC\) Portal - REC.CM_GFCM_45_2022_9-e.pdf - All Documents \(sharepoint.com\)](#)

- (27) The use of fishing opportunities available to Union fishing vessels set out in this Regulation is subject to Council Regulation (EC) No 1224/2009¹⁵, and in particular to Articles 33 and 34 of that Regulation 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 data to the Commission relating to landings of stocks subject to this Regulation.
- (28) In order to promote the use of selective gears and to establish efficient closure areas to protect juveniles and spawners, Regulation (EU) 2022/110 established a compensation mechanism in relation to the effort regime for trawls. As STECF continues to recommend in 2024 the further improvement of selectivity and of efficient closure areas to protect juvenile fish, it is appropriate to allocate 4 % of fishing days.
- (29) Council Regulation (EC) No 847/96¹⁶ provides for additional conditions for the year-to-year management of TACs including, under its Articles 3 and 4, flexibility provisions for precautionary and analytical TACs. Under Article 2 of that Regulation, when establishing TACs, the Council is 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 stocks. Therefore, to avoid excessive flexibility that would undermine the principle of rational and responsible exploitation of living marine biological resources, hinder the achievement of the objectives of the Common Fisheries Policy and cause the biological status of stocks to deteriorate, it should be made explicit that Articles 3(2), 3(3) and 4 of Regulation (EC) No 847/96 apply to analytical TACs only where the year to year flexibility provided for in Article 15(9) of Regulation (EU) No 1380/2013 is not used.
- (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 2024. For reasons of urgency, this Regulation should enter into force on the day following that of its publication,

HAS ADOPTED THIS REGULATION:

¹⁵ 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).

¹⁶ 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).

TITLE I

GENERAL PROVISIONS

Article 1

Scope

1. This Regulation applies to Union fishing vessels operating in the Mediterranean and Black Seas exploiting the following fish stocks:
 - (a) 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:

- (a) ‘international waters’ means waters falling outside the sovereignty or jurisdiction of any State;
- (b) ‘recreational fisheries’ means non-commercial fishing activities exploiting marine living aquatic resources for recreation, tourism or sport;
- (c) ‘total allowable catch’ or ‘TAC’ means:
 - (i) 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;
 - (ii) in all other fisheries, the quantity of fish that can be caught from each stock over the period of a year;
- (d) ‘quota’ means a proportion of the TAC allocated to the Union or a Member State;
- (e) ‘Union autonomous quota’ means a catch limit autonomously allocated to Union fishing vessels in the absence of an agreed TAC;
- (f) ‘analytical quota’ means a Union autonomous quota for which an analytical assessment is available;
- (g) ‘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;
- (h) ‘fish-aggregating device’ or ‘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 geographical zone definitions apply:

- (a) ‘GFCM geographical subareas’ mean the areas defined in Annex I to Regulation (EU) No 1343/2011 of the European Parliament and of the Council¹⁷;
- (b) ‘Mediterranean Sea’ means the waters in GFCM geographical subareas 1 to 27, as defined in Annex I to Regulation (EU) No 1343/2011;
- (c) ‘western Mediterranean Sea’ means the waters in GFCM geographical subareas 1, 2, 5, 6, 7, 8, 9, 10 and 11, as defined in Annex I to Regulation (EU) No 1343/2011;
- (d) ‘Adriatic Sea’ means the waters in GFCM geographical subareas 17 and 18, as defined in Annex I to Regulation (EU) No 1343/2011;
- (e) ‘Strait of Sicily’ means the waters in GFCM geographical subareas 12, 13, 14, 15 and 16, as defined in Annex I to Regulation (EU) No 1343/2011;
- (f) ‘Ionian Sea’ means the waters in GFCM geographical subareas 19, 20 and 21, as defined in Annex I to Regulation (EU) No 1343/2011;
- (g) ‘Levant Sea’ means the waters in GFCM geographical subareas 24, 25, 26 and 27, as defined in Annex I to Regulation (EU) No 1343/2011;
- (h) ‘Alboran Sea’ means the waters in GFCM geographical subareas 1 to 3, as defined in Annex I to Regulation (EU) No 1343/2011;
- (i) ‘Black Sea’ means the waters in GFCM geographical subarea 29, as defined in Annex I to Regulation (EU) No 1343/2011.

¹⁷ Regulation (EU) No 1343/2011 of the European Parliament and of the Council of 13 December 2011 on certain provisions for fishing in the GFCM (General Fisheries Commission for the Mediterranean) Agreement area and amending Council Regulation (EC) No 1967/2006 concerning management measures for the sustainable exploitation of fishery resources in the Mediterranean Sea (OJ L 347, 30.12.2011, p. 44).

TITLE II

FISHING OPPORTUNITIES

CHAPTER I

Mediterranean Sea

Article 4

Red coral

1. This Article applies to all activities by Union fishing vessels and other Union fishing activities harvesting red coral (*Corallium rubrum*), namely targeted and recreational fisheries in the Mediterranean Sea.
2. For targeted fisheries, the maximum number of fishing authorisations and the maximum quantities of red coral stocks harvested by Union fishing vessels and Union harvesting activities shall not exceed the levels set out in Annex I.
3. It shall be prohibited for Union fishing vessels subject to paragraph 2 to tranship red coral at sea.
4. For recreational fisheries, Member States shall take the necessary measures to prohibit the catch and retention on board, transhipment or landing of red coral.

Article 5

Common dolphinfish

1. This Article applies to all commercial pelagic fishing activities by Union fishing vessels targeting common dolphinfish (*Coryphaena hippurus*) by using fish aggregating devices (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 GT, of Union fishing vessels authorised to fish for common dolphinfish, is set out in Annex II.
3. The maximum number of FADs per vessel authorised to fish for common dolphinfish is set out in Annex II.
4. The maximum level of catches of common dolphinfish shall not exceed the levels set out in Annex II.
5. For recreational fisheries, the maximum number of catches shall be limited to 10 Kg or 5 fish of any size per person per day, and during the period 15 August to 31 December.

CHAPTER II

Western Mediterranean Sea

Article 6

Demersal stocks

1. This Article applies to all 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 is set out in Annex III to this Regulation. 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 allocation among Member States of maximum catch limits for Union fishing vessels in Union waters of the western Mediterranean Sea is also set out in Annex III.
4. The allocation of fishing opportunities by Member States, as set out in this Article and Annex III, shall fulfil the following conditions:
 - (a) it shall be in accordance with the criteria set out in Article 17 of Regulation (EU) No 1380/2013;
 - (b) it shall be without prejudice to:
 - (i) exchanges made pursuant to Article 16(8) of Regulation (EU) No 1380/2013;
 - (ii) deductions and reallocations made pursuant to Article 37 of Regulation (EC) No 1224/2009;
 - (iii) additional landings allowed under Article 3 of Council Regulation (EC) No 847/96 or under Article 15(9) of Regulation (EU) No 1380/2013;
 - (iv) 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;
 - (v) deductions made pursuant to Articles 105, 106 and 107 of Regulation (EC) No 1224/2009.

Article 7

Compensation mechanism

1. For the fleet segment concerned, a Member State may grant, in 2024, to vessels flying its flag an additional allocation of fishing days of 4% calculated from the baseline between 2015 and 2017 of that Member State as set out in paragraph 4.

2. The Member State concerned shall notify to the Commission the list of the fishing vessels concerned by such an additional allocation of fishing days, as well as the related number of additional fishing days.
3. The additional allocation shall be calculated from the maximum effort allowed in the baseline between 2015 and 2017 for the relevant fleet segment of the Member State concerned as from 1 January 2024.
4. A Member State may grant the additional allocation of fishing days referred to in paragraph 1, provided that a vessel fulfils one of the following conditions:
 - (a) the vessel uses a trawl net with 45 mm square-mesh codend in order to reduce by at least 25 % catches of the juveniles of hake;
 - (b) the vessel uses a trawl net with a 50 mm square-mesh codend for deep-water fisheries in order to reduce by at least 25 % catches of blue and red shrimps with a carapace length (CL) of less than 25 mm in geographical subareas 1, 2, 5, 6, 7, 8, 9, 10 and 11 and to reduce by at least 25 % catches of giant red shrimps with a CL of less than 35 mm in the geographical subareas 8, 9, 10 and 11;
 - (c) the vessel uses a regulated highly selective gear, the technical specifications of which result in, according to the scientific study by STECF, a reduction of at least 25 % of catches of juveniles of all demersal species or at least 20 % of catches of spawners of all demersal species compared to 2020, such as a sorting grid of at least 20 mm spacing;
 - (d) the Member State concerned has established temporary closure areas in order to reduce by at least 25 % catches of juveniles of all demersal species or by at least 20 % catches of spawners of all demersal species;
 - (e) the Member State concerned has adopted a new minimum conservation reference size for hake of at least 26 cm, and has secured the enforcement of appropriate technical measures to comply with this minimum conservation reference size, in order to progressively reach the length at first maturity and improve hake stocks status;
 - (f) the Member State concerned has adopted a new minimum conservation reference size for blue and red shrimp (*Aristeus antennatus*) of at least 25 mm CL and for giant red shrimp (*Aristaeomorpha foliacea*) of at least 35 mm CL, and has secured the enforcement of appropriate technical measures to comply with those minimum conservation reference sizes, in order to progressively reach the length at first maturity and improve stocks status;
 - (g) the Member State concerned has set a closure of at least 4 continuous weeks for fishing activities with trawlers in the areas and periods recognised as important, on the basis of the best available scientific advice, for the protection of spawners of hake stocks. Such areas shall also account for spatial patterns of spawners' distribution, including depths from 150 m to 500 m. The periods of the temporary fishing closure shall be from February to March and from October to November.

5. The Member State concerned shall also separately notify every month to the Commission the effort deployed to be counted against the additional allocation referred to in paragraph 1 by using the specific reporting codes for that allocation.
6. The Member State concerned shall submit to the Commission, by 15 October at the latest, all available information related to the implementation of the measures referred to in paragraph 4, points (a) to (g).

Article 8

Data recording and transmission

1. Member States shall record and transmit the fishing effort data to the Commission in accordance with Article 10 of Regulation (EU) 2019/1022.
2. When submitting fishing effort data to the Commission in accordance with this Article, Member States shall use the fishing effort group codes set out in Annex III.

CHAPTER III

Adriatic Sea

Article 9

Small pelagic stocks

1. This Article applies to all 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 shall not exceed the levels set out in Annex IV.
3. The maximum fleet capacity, expressed in kW, gross tonnage (GT) and number, of Union fishing vessels authorised to fish small pelagic stocks, is set out in Annex IV.
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 10

Demersal stocks

1. This Article applies to all 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 demersal stocks and the maximum fleet capacity within the scope of this Article is set out in Annex IV.
3. A Member State may amend its fishing effort allocation as set out in Annex IV by transferring fishing days across fishing effort groups of the same geographical area and/or gear, provided that it applies a national conversion factor which is supported by the best available scientific advice.
4. Member States shall manage the maximum allowable effort in accordance with Articles 26 to 35 of Regulation (EC) No 1224/2009.

Article 11

Data transmission

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

CHAPTER IV Strait of Sicily

Article 12

Demersal stocks

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 level of catches of deep-water rose shrimp shall not exceed the levels set out in Annex V.
3. The maximum allowable fishing effort for European hake and 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 are set out in Annex V.
4. Member States shall manage the maximum allowable fishing effort in accordance with Articles 26 to 35 of Regulation (EC) No 1224/2009.

Article 13

Deep-water shrimps

1. This Article applies to all 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 for demersal stocks within the scope of this Article is set out in Annex V.
3. The maximum level of catches shall not exceed the levels set out in Annex V.

Article 14

Data transmission

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

CHAPTER V

Ionian Sea and Levant Sea

Article 15

Deep-water shrimps

1. This Article applies to all 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 demersal stocks within the scope of this Article is set out in Annex VI.
3. The maximum level of catches shall not exceed the levels set out in Annex VI.

CHAPTER VI

Alboran Sea

Article 16

Blackspot seabream

1. This Article applies to commercial and recreational fishing with longlines and handlines by Union fishing vessels catching blackspot seabream (*Pagellus bogaraveo*) in the Alboran Sea.
2. The maximum level of catches shall not exceed the levels set out in Annex VII.
3. The maximum number of longlines and handlines authorised to fish for blackspot seabream is set out in Annex VII.
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 (*Pagellus bogaraveo*) shall apply to recreational fisheries in the Alboran Sea. Recreational fishing for this species shall be prohibited during the closure period of commercial fisheries set at national level.

CHAPTER VII

Black Sea

Article 17

Allocation of fishing opportunities for 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, the allocation of such quota 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 18

Allocation of fishing opportunities for 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 19

Management of fishing effort for turbot

Union fishing vessels authorised to fish for turbot within the scope of Article 18, irrespective of the vessels' length overall, shall not exceed 180 fishing days per year.

Article 20

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 21

Special provisions on allocations of fishing opportunities in the Black Sea

The allocation of fishing opportunities among Member States as set out in Articles 17 and 18 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 22

Data transmission

When, pursuant to Articles 33 and 34 of Regulation (EC) No 1224/2009, 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, they shall use the stock codes set out in Annex VIII.

TITLE III FINAL PROVISIONS

Article 23

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 2024 to 31 December 2024.

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

Done at Brussels,

*For the Council
The President*
