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## LEGISLATIVE ACTS AND OTHER INSTRUMENTS

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

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**COUNCIL REGULATION (EU) 2024/...**

**of ...**

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

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 Council<sup>1</sup> requires that conservation measures be adopted 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. Article 16(4) of Regulation (EU) No 1380/2013 provides that 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. Article 16(1) of Regulation (EU) No 1380/2013 provides that fishing opportunities are to 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.

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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).

- (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 socioeconomic aspects whilst ensuring fair treatment between fishing sectors, as well as the opinions expressed during consultations with stakeholders.
- (4) Regulation (EU) 2019/1022 of the European Parliament and of the Council<sup>2</sup> established a multiannual plan for the fisheries exploiting demersal stocks in the western Mediterranean Sea. That 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.

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<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).

- (5) In accordance with Article 4(1) of Regulation (EU) 2019/1022, 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 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 7(3), point (b), of that Regulation.
- (6) STECF advised that, in order to attain the MSY targets in 2025 for all the western Mediterranean fish stocks, further action is needed and a significant reduction of fishing mortality is necessary for trawlers. Based on such advice, for 2024 the maximum allowable fishing effort for trawlers in the western Mediterranean Sea should 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) 2023/195<sup>3</sup>.

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<sup>3</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).

- (7) In 2023, STECF advised that longliners have an impact on spawners given that longliners contribute to 7 % of the hake landings in General Fisheries Commission for the Mediterranean (GFCM) geographical subareas (GSAs) 1, 2, 5, 6 and 7, 13 % of the total landings in GSA 10 and 6 % in GSAs 8, 9, 10 and 11. In 2023, STECF also advised that the spawning stock biomass of hake in GSAs 1, 5, 6 and 7 and in GSAs 8, 9, 10 and 11 is still below the conservation limit reference point ( $B_{LIM}$ ), within the meaning of Article 2(10) of Regulation (EU) 2019/1022 and that catches be reduced by at least 89 % in GSAs 1, 5, 6 and 7 and 40 % in GSAs 8, 9, 10 and 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 Regulation (EU) 2019/1022.
- (8) In 2023, STECF advised that the fishing mortality of blue and red shrimps in GSAs 1, 2, 5, 6 and 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 %, and specifically 56 % in GSAs 1 and 2, 59 % in GSA 5 and 61 % in GSAs 6 and 7. In accordance with Article 7(3), point (b), of Regulation (EU) 2019/1022, it is therefore appropriate to complement the fishing effort regime with maximum catch limits. The maximum catch limits for blue and red shrimp in GSAs 1, 2, 5, 6 and 7 should be reduced by 5 % compared to the fishing opportunities set for 2023 by Regulation (EU) 2023/195.

- (9) In 2023, STECF advised that further management measures for blue and red shrimp in GSAs 8, 9, 10 and 11 are required and advised decreasing the total catch by 39 %. It is therefore appropriate to complement the fishing effort regime with maximum catch limits. The maximum catch limits for blue and red shrimp in GSAs 8, 9, 10 and 11 should be reduced by 3 % compared to the fishing opportunities set for 2023 by Regulation (EU) 2023/195.
- (10) In 2023, STECF advised that further management measures for giant red shrimp in GSAs 8, 9, 10 and 11 are required and advised decreasing the total catch by 31 %. It is therefore appropriate to complement the fishing effort regime with maximum catch limits. The maximum catch limits of giant red shrimp in GSAs 8, 9, 10 and 11 should be reduced by 3 % compared to the fishing opportunities set for 2023 by Regulation (EU) 2023/195.
- (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), which introduced from 2020 to 2026 a fishing effort regime and a fleet capacity ceiling for certain demersal stocks. Those measures that relate to 2024 should 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 a 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 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), 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 that relate to 2024 should 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 anchovy and 9 % for sardines should therefore be deducted from the maximum level of catches set for 2023 by 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 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/46/2023/16 on a long-term management plan for European eel. That Recommendation maintains, for 2024, the existing transitional measures, six-month closure period and ban on recreational fishing. Furthermore, that Recommendation provides that Contracting Parties are to implement additional measures to reduce the fishing mortality of glass eel by at least 30 % in 2024 compared to the reference period 2019-2021. Those measures are to apply to all marine waters of the Mediterranean Sea, to freshwaters and to brackish waters such as estuaries, coastal lagoons and transitional waters, in accordance with that Recommendation. Those measures should be implemented in Union law.
- (17) 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 extended 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.

- (18) 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, a catch limit and a temporal closure. For recreational fisheries, Recommendation GFCM/46/2023/14 further provides that a daily bag limit is to be observed as well as a prohibition period for commercial fisheries. Those measures should be implemented in Union law for the transitional period of 2024 to 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.
- (19) 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 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 Regulation (EU) 2023/195.

- (20) 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 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 Regulation (EU) 2023/195.
- (21) 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 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 Regulation (EU) 2023/195.

- (22) 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 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 set for giant red shrimp and blue and red shrimp for 2023 by Regulation (EU) 2023/195.
- (23) 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. Recommendation GFCM/45/2022/3 introduced maximum levels of catches for 2023, 2024 and 2025, a maximum number of longliners 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 Regulation (EU) 2023/195.

- (24) At its 43rd 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 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, 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) 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.

- (26) 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 that 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 by Regulation (EU) 2023/195 concerning the annual allocation of TACs.
- (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 those stocks.
- (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>4</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 data to the Commission relating to landings of stocks subject to this Regulation.

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<sup>4</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).

- (29) 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<sup>5</sup> established a compensation mechanism in relation to the effort regime for trawlers. As STECF continues to recommend in 2024 the further improvement of selectivity of fishing gear and of efficient closure areas to protect juvenile fish and spawners, it is appropriate to allocate 4,5 % of fishing days. If a vessel fulfils two conditions, a Member State may increase the additional allocation of fishing days to 5 %. If a vessel fulfils at least three conditions, a Member State may increase the additional allocation of fishing days to 6 %.
- (30) Council Regulation (EC) No 847/96<sup>6</sup> provides for additional conditions for the year-to-year management of TACs including, under Articles 3 and 4 thereof, 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 CFP and cause the biological status of stocks to deteriorate, it should be made explicit that Article 3(2) and (3) and Article 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.

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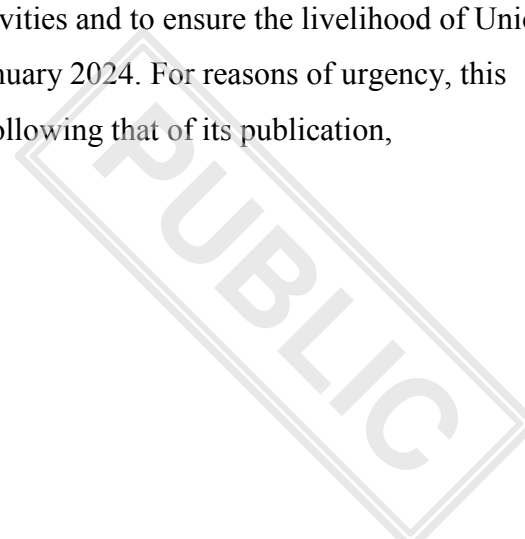
<sup>5</sup> Council Regulation (EU) 2022/110 of 27 January 2022 fixing for 2022 the fishing opportunities for certain fish stocks and groups of fish stocks applicable in the Mediterranean and Black Seas (OJ L 21, 31.1.2022, p. 165).

<sup>6</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).



- (31) 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:



# 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:

- (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' (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' (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) 2023/2124 of the European Parliament and of the Council<sup>7</sup>;
- (b) ‘Mediterranean Sea’ means the waters in GFCM geographical subareas 1 to 27, as defined 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, as defined in Annex I to Regulation (EU) 2023/2124;
- (d) ‘Adriatic Sea’ means the waters in GFCM geographical subareas 17 and 18, as defined in Annex I to Regulation (EU) 2023/2124;
- (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) 2023/2124;
- (f) ‘Ionian Sea’ means the waters in GFCM geographical subareas 19, 20 and 21, as defined in Annex I to Regulation (EU) 2023/2124;

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<sup>7</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 (OJ L, 2023/2124, 12.10.2023, ELI: <http://data.europa.eu/eli/reg/2023/2124/oj>).

- (g) 'Levant Sea' means the waters in GFCM geographical subareas 24, 25, 26 and 27, as defined in Annex I to Regulation (EU) 2023/2124;
- (h) 'Alboran Sea' means the waters in GFCM geographical subareas 1, 2 and 3, as defined in Annex I to Regulation (EU) 2023/2124;
- (i) 'Black Sea' means the waters in GFCM geographical subarea 29, as defined in Annex I to Regulation (EU) 2023/2124.

## **TITLE II**

# **FISHING OPPORTUNITIES FOR UNION FISHING VESSELS**

### **Chapter I**

### **Mediterranean Sea**

#### *Article 4*

#### *European eel*

1. This Article applies to the GFCM geographical subareas 1 to 27, to brackish waters and to freshwaters. Brackish waters include estuaries, coastal lagoons and transitional waters.
2. It shall be prohibited to engage in commercial fishing activities for European eel, either as a targeted species or as incidental by-catch, at all life stages for a period of at least six months. To that effect, each Member State concerned shall determine one or more closure periods subject to the following:
  - (a) where appropriate, the closure period or periods may differ within one Member State from one fishing area to another in order to take account of the geographical and temporal migration pattern of eel at its different life stages;
  - (b) the closure period or periods shall last either at least six consecutive months, or a total of six months in accordance with the conditions set out in paragraph 3; and

- (c) the closure period or periods shall be consistent with the conservation objectives set out in Council Regulation (EC) No 1100/2007<sup>8</sup>, with national management plans in place and with the temporal migration patterns of European eel at the respective life stage in the Member State concerned.
3. The closure period shall be from 1 January to 31 March 2024, and an additional closure period of three months shall be established by each Member State concerned to take place between 1 April and 30 November 2024.
4. Recreational fisheries of European eel at all life stages shall be prohibited.
5. Member States shall implement additional measures to reduce the fishing mortality for European eel of an overall length of less than 12 cm. That reduction shall represent a decrease of at least 30 % compared to the reference period 2019-2021.
6. Each Member State concerned shall inform the Commission of:
- (a) the closure period or closure periods that it has determined in accordance with paragraphs 2 and 3 by 1 March 2024;
  - (b) the national measures relating to the closure period or closure periods that it has determined in accordance with paragraphs 2 and 3 within two weeks after their adoption; and
  - (c) the measures established in accordance with paragraph 5 by 31 March 2024.

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<sup>8</sup> Council Regulation (EC) No 1100/2007 of 18 September 2007 establishing measures for the recovery of the stock of European eel (OJ L 248, 22.9.2007, p. 17).



## *Article 5*

### *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 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 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 five fish of any size per person per day, and during the period from 15 August to 31 December.

## **Chapter II**

### **Western Mediterranean Sea**

#### *Article 7*

#### *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 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 8*

##### *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 4,5 %, calculated in accordance with paragraph 4, provided that the vessel flying its flag 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 period of at least four 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;
- (h) the Member State concerned has set a closure for fishing activities using twin trawlers;
- (i) the Member State concerned has set a closure for fishing activity with trawlers at a depth higher than 800 m;
- (j) the Member State concerned has established permanent 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;
- (k) the vessel uses a trawl with flying or mid-waters doors or other doors which reduce the contact of the doors and the gear with the seabed, to preserve the essential fish habitats of the demersal species;

- (1) the Member State concerned has set a closure period of at least four 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 blue and red shrimp and/or giant red shrimp.
2. If a vessel fulfils two of the conditions set out in paragraph 1, a Member State may increase the additional allocation of fishing days to 5 %, calculated in accordance with paragraph 4.
3. If a vessel fulfils at least three of the conditions set out in paragraph 1, a Member State may increase the additional allocation of fishing days to 6 %, calculated in accordance with paragraph 4.
4. The additional allocation of fishing days 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.
5. The Member State concerned shall notify to the Commission the list of fishing vessels concerned by such an additional allocation of fishing days, as well as the related number of additional fishing days.
6. 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 paragraphs 1, 2 and 3 by using the specific reporting codes for that allocation.

7. 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 1.

#### *Article 9*

##### *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 under paragraph 1, Member States 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 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, 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 11*

##### *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 12*

##### *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 of this Regulation.

## **Chapter IV**

### **Strait of Sicily**

#### *Article 13*

##### *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 14*

##### *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 15*

*Data transmission*

Where, 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 of this Regulation.

**Chapter V**  
**Ionian Sea and Levant Sea**

*Article 16*

*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 17* *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 longliners 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 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*

##### *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 19*

##### *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 20*

##### *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 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 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 23*

### *Data transmission*

Where, 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 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 2024 to 31 December 2024.

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

Done at ...,

*For the Council*

*The President*

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