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**COVER NOTE**

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From: Secretary-General of the European Commission, signed by Ms Martine DEPREZ, Director

date of receipt: 27 February 2026

To: Ms Thérèse BLANCHET, Secretary-General of the Council of the European Union

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Subject: ANNEX to the COMMISSION DELEGATED REGULATION (EU) .../... amending Regulation (EU) 2019/1241 as regards the establishment of measures to ensure compliance with existing mitigation measures to reduce incidental catches of the resident population of the Baltic Proper harbour porpoise (*Phocoena phocoena*) in the Baltic Sea

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Delegations will find attached document C(2026) 1240 annex.

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Encl.: C(2026) 1240 annex



Brussels, 27.2.2026  
C(2026) 1240 final

ANNEX

**ANNEX**

**to the**

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

**amending Regulation (EU) 2019/1241 as regards the establishment of measures to ensure compliance with existing mitigation measures to reduce incidental catches of the resident population of the Baltic Proper harbour porpoise (*Phocoena phocoena*) in the Baltic Sea**

## ANNEX

Annex XIII, Part A, to Regulation (EU) 2019/1241 is amended as follows:

Point 3.5 is replaced by the following:

‘3.5 The following measures shall apply in the areas under points 3.1 to 3.4, when restrictions or prohibitions on fishing with static nets apply:

- (a) Fishing vessels of less than 12 metres in length overall shall be equipped with:
  - (i) a vessel monitoring system (VMS) as referred to Article 9 of Regulation (EC) No 1224/2009; or
  - (ii) an automatic identification system (AIS) referred to in Article 6a of Directive 2002/59/EC of the European Parliament and of the Council<sup>1</sup> and Article 10 of Regulation (EC) No 1224/2009; or
  - (iii) a tracking device approved by the competent authority of the flag Member State, to transmit the vessel position data and, where applicable, date and time, course, speed and external identification mark of the fishing vessel, as well as any other relevant data laid down in implementing acts adopted by the Commission.

If the device is not within reach of a network, the vessel position data shall be stored and transmitted in accordance with Article 9(3) of Regulation (EC) No 1224/2009 as amended by Regulation (EU) 2023/2842.

These measures shall apply until 10 January 2028.

- (b) The frequency of transmission of vessel position data shall be of at least once every 10 minutes including within a 4-nautical mile alert zone that shall be established for vessels using VMS whose devices do not support the automatic change in frequency of reporting.
- (c) The flag Member State shall inform the coastal Member State:
  - (i) when a fishing vessel flying its flag enters the areas under sovereignty or jurisdiction of the relevant coastal Member State, as listed in points 3.1 to 3.4, and
  - (ii) the specific system or device used by the fishing vessel flying its flag.’

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<sup>1</sup> Directive 2002/59/EC of the European Parliament and of the Council of 27 June 2002 establishing a Community vessel traffic monitoring and information system and repealing Council Directive 93/75/EEC (OJ L 208, 5.8.2002, p. 10, ELI: <http://data.europa.eu/eli/dir/2002/59/oj>).