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COVER NOTE

From:	Secretary-General of the European Commission, signed by Ms Martine DEPREZ, Director
date of receipt:	5 May 2025
To:	Ms Thérèse BLANCHET, Secretary-General of the Council of the European Union

No. Cion doc.:	C(2025) 2570 final
Subject:	COMMISSION DELEGATED REGULATION (EU) .../... amending Delegated Regulation (EU) 2024/2910 on the implementation of the Union's international obligations, as referred to in Article 15(2) of Regulation (EU) No 1380/2013 of the European Parliament and of the Council, under the General Fisheries Commission for the Mediterranean

Delegations will find attached document C(2025) 2570 final.

Encl.: C(2025) 2570 final



EUROPEAN
COMMISSION

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

of 5.5.2025

amending Delegated Regulation (EU) 2024/2910 on the implementation of the Union's international obligations, as referred to in Article 15(2) of Regulation (EU) No 1380/2013 of the European Parliament and of the Council, under the General Fisheries Commission for the Mediterranean

EXPLANATORY MEMORANDUM

1. CONTEXT OF THE DELEGATED ACT

Reasons for and objective of the delegated act

Regulation (EU) No 1380/2013 of the European Parliament and of the Council of 11 December 2013 on the common fisheries policy¹ ('Basic Regulation') provides for the phased introduction of the landing obligation, set out in its Article 15(1). The purpose of the landing obligation is to put an end to the problem of discarding fish. According to Article 15(2) of the Basic Regulation, Article 15(1) is without prejudice to the European Union's ('EU's') international obligations.

Commission Delegated Regulation (EU) 2024/2910² on the implementation of the EU's international obligations as defined in Article 15(2) of the Basic Regulation, provides a series of derogations to the obligation to land fish. It aims to ensure that the EU's rules are in line with its international obligations and that the EU complies with decisions adopted by regional fisheries management organisations, in particular the General Fisheries Commission for the Mediterranean (GFCM).

At the 47th General Fisheries Commission for the Mediterranean annual meeting held from 4 to 8 November 2024, the GFCM Contracting Parties, following the best scientific advice available, adopted Recommendation GFCM/47/2024/8 on a multiannual management plan for turbot fisheries in the Black Sea (geographical subarea 29), amending Recommendations GFCM/43/2019/3 and GFCM/41/2017/4.

This recommendation bans retaining on board and landing turbot in the Black Sea when it is smaller than the minimum conservation reference size (MCRS) it defines.

This recommendation entered into force on 19 April 2025.

The purpose of this delegated act is to ensure consistency between Recommendation GFCM/47/2024/8 and EU law, so that the landing obligation laid down in Article 15(1) of the Basic Regulation does not apply to EU vessels catching turbot smaller than the MCRS established in this recommendation.

Detailed explanation of the specific provisions of the delegated act

Article 15(1) of the Basic Regulation establishes a landing obligation (or ban to discard) for all catches of species subject to catch limits. In the Black Sea, the catches of species are also subject to minimum sizes catch. This obligation applies to fishing in EU waters or by EU fishing vessels outside EU waters not falling under non-EU countries' sovereignty or jurisdiction.

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

² Commission Delegated Regulation (EU) 2024/2910 of 28 May 2024 on the implementation of the Union's international obligations, as referred to in Article 15(2) of Regulation (EU) No 1380/2013 of the European Parliament and of the Council, under the General Fisheries Commission for the Mediterranean (OJ L, 2024/2910, 26.11.2024, ELI: http://data.europa.eu/eli/reg_del/2024/2910/oj)

Article 15(2) of the Basic Regulation empowers the Commission to adopt delegated acts for the purpose of implementing into EU law international obligations, including derogations from the landing obligation.

The EU is a Contracting Party to the GFCM. The GFCM adopted Recommendation GFCM/47/2024/8 which entered into force on 19 April 2025 and is binding on the EU.

Delegated Regulation (EU) 2024/2910 should therefore be amended to ensure that the ban on retaining on board and landing of undersized turbot is aligned with EU law.

2. CONSULTATIONS PRIOR TO THE ADOPTION OF THE ACT

This delegated act ensures consistency between the EU's international obligations and the common fisheries policy's principles.

Member States were consulted at the Council working party on fisheries policy in October 2024. On 19 October 2024, the Council working party endorsed the EU position to be taken at the 2024 GFCM annual meeting. Recommendation GFCM/47/2024/8 was then adopted, based on that EU position.

As the delegated act is based on the power provided for in Article 15(2) of the Basic Regulation and does not present a new policy initiative, there was no need to carry out an impact assessment.

3. LEGAL ELEMENTS OF THE DELEGATED ACT

Article 15(2) of Regulation (EU) No 1380/2013.

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THE EUROPEAN COMMISSION,

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

Having regard to 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/EC¹, and in particular Article 15(2) thereof,

Whereas:

- (1) Regulation (EU) No 1380/2013 provides for the landing of all catches of species which are subject to catch limits ('the landing obligation'). Article 15 of that Regulation covers fishing activities in Union waters or by Union fishing vessels outside Union waters not falling under third countries' sovereignty or jurisdiction.
- (2) Commission Delegated Regulation (EU) 2024/2910² implements the Union's international obligations in the General Fisheries Commission for the Mediterranean (GFCM) Agreement area of application in accordance with Article 15(2) of Regulation (EU) No 1380/2013 by providing a series of derogations to the obligation to land fish, in compliance with Recommendations adopted during the annual meetings of the GFCM.
- (3) At the 47th General Fisheries Commission for the Mediterranean annual meeting held from 4 to 8 November 2024, the GFCM Contracting Parties adopted Recommendation GFCM/47/2024/8. Paragraph 2 of that Recommendation prohibits the retaining on board, transshipping, transferring, landing, storing, selling and displaying of turbot in the Black Sea of a size less than 45 cm, measured from the tip of the snout to the end of the tail fin.
- (4) In order to ensure consistency between that Recommendation and Union law, the landing obligation in Article 15(1) of Regulation (EU) No 1380/2013 should not apply to Union vessels participating in the fisheries covered by that recommendation.

¹ OJ L 354, 28.12.2013, p.22, ELI: <http://data.europa.eu/eli/reg/2013/1380/oj>

² Commission Delegated Regulation (EU) 2024/2910 of 28 May 2024 on the implementation of the Union's international obligations, as referred to in Article 15(2) of Regulation (EU) No 1380/2013 of the European Parliament and of the Council, under the General Fisheries Commission for the Mediterranean (OJ L, 2024/2910, 26.11.2024, ELI: http://data.europa.eu/eli/reg_del/2024/2910/oj)

- (5) Commission Delegated Regulation (EU) 2024/2910 should therefore be amended to take account of the decision taken in GFCM.
- (6) Since this prohibition currently applies in the GFCM Agreement area of application, in order to ensure legal continuity this Regulation should enter into force on the day following that of its publication.

HAS ADOPTED THIS REGULATION:

Article 1

Commission Delegated Regulation (EU) 2024/2910 is amended as follows:

(1) In Article 2 the following point (6) is added:

“(6) ‘Black Sea’ means the waters in GFCM geographical subarea 29, as defined in Annex I to Regulation (EU) 2023/2124.”

(2) the following Article 4a is inserted between Article 4 and Article 5:

“Article 4a

Turbot

1. This Article shall apply to turbot (*Scophthalmus maximus*) in the Black Sea.
2. By way of derogation from Article 15(1) of Regulation (EU) No 1380/2013, it shall be prohibited to target, retain on board, tranship, transfer, land, transport, store, display or offer for sale turbot (*Scophthalmus maximus*) below the minimum conservation reference size set at 45 cm measured from the tip of the snout to the end of the tail fin (total length).”

Article 2

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 until 31 December 2026.

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

Done at Brussels, 5.5.2025

For the Commission

The President

Ursula VON DER LEYEN