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COVER NOTE

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

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

No. Cion doc.: C(2026) 2680 final

Subject: COMMISSION DELEGATED REGULATION (EU) .../... on the implementation of 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(2026) 2680 final.

Encl.: C(2026) 2680 final



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

of 29.4.2026

on the implementation of 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

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) No 2024/2910² established a temporary derogation for giant red shrimp, blue and red shrimp and common dolphinfish, applicable until 31 December 2026. That regulation was amended by Commission Delegated Regulation (EU) 2025/856³ to include for turbot a derogation until 31 December 2026.

At the 44th General Fisheries Commission for the Mediterranean annual meeting held from 2 to 6 November 2021, the GFCM Contracting Parties, following the best scientific advice available, adopted Recommendation GFCM/44/2021/10 on management measures for the sustainable piked dogfish fisheries in the Black Sea (geographical subarea 29). At 47th General Fisheries Commission for the Mediterranean annual meeting held from 4 to 8 November 2024 the GFCM Contracting Parties adopted Recommendation GFCM/47/2024/10 extending the transitional management measures for sustainable piked dogfish fisheries in the Black Sea (geographical subarea 29), amending Recommendation GFCM/44/2021/10.

These recommendations ban retaining on board and landing piked dogfish in the Black Sea when it is smaller than the minimum conservation reference size (MCRS) it defines.

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.

The purpose of this delegated act is to ensure consistency between Recommendation GFCM/44/2021/10 and Recommendation GFCM/47/2024/8, on one side, and EU law, on the other side, so that the landing obligation laid down in Article 15(1) of the Basic Regulation

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

³ Commission Delegated Regulation (EU) 2025/856 of 5 May 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, OJ L, 2025/856, 24.7.2025, ELI: http://data.europa.eu/eli/reg_del/2025/856/oj

does not apply to EU vessels catching piked dogfish and turbot smaller than the MCRS established in these recommendations.

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.

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/44/2021/10 and Recommendation GFCM/47/2024/8, which are binding on the EU.

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 2021, respectively October 2024. The Council working party endorsed the EU position to be taken at the 2021 and 2024 GFCM annual meetings. Recommendations GFCM/44/2021/10 and GFCM/47/2024/8 were then adopted, based on the EU position.

Also, the Expert Group for Fisheries and Aquaculture was consulted on the text of this delegated act.

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) At 44th GFCM annual meeting held from 2 to 6 November 2021, the GFCM Contracting Parties, adopted Recommendation GFCM/44/2021/10. Paragraph 22 of that Recommendation prohibits the retaining on board, transshipping, transferring, landing, storing, selling and displaying of piked dogfish in the Black Sea of a size less than 90 cm. At the 47th General Fisheries Commission for the Mediterranean ('GFCM') annual meeting held from 4 to 8 November 2024 the GFCM Contracting Parties adopted Recommendation GFCM/47/2024/10 on the extension of transitional management measures for sustainable piked dogfish fisheries in the Black Sea (geographical subarea 29), amending Recommendation GFCM/44/2021/10.
- (3) At the 47th GFCM annual meeting 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 those recommendations 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 those recommendations,

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

HAS ADOPTED THIS REGULATION:

Article 1

Subject matter and scope

This Regulation establishes derogations from the landing obligation set out in Article 15(1) of Regulation (EU) No 1380/2013 for the purpose of implementing Union's international obligations under the GFCM. It applies to fishing activities in Union waters or by Union fishing vessels outside Union waters in waters not subject to third countries' sovereignty or jurisdiction.

Article 2

Definitions

For the purpose of this Regulation the following definitions shall apply:

1. 'GFCM Geographical Sub-areas' ('GSAs') means GFCM Geographical Sub-Areas as defined in the Annex I to Regulation (EU) 2023/2124 of the European Parliament and of the Council⁴;
2. 'Black Sea' means the waters in GFCM geographical subarea 29, as defined in Annex I to Regulation (EU) 2023/2124.

Article 3

Piked dogfish

1. This Article shall apply to piked dogfish (*Squalus aquanthias*) 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 piked dogfish (*Squalus aquanthias*) below the minimum conservation reference size set at 90 cm.

Article 4

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).

⁴ 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 (recast) (OJ L, 2023/2124, 12.10.2023, ELI: <http://data.europa.eu/eli/reg/2023/2124/oj>).

Article 5

This Regulation shall enter into force on the twentieth day following that of its publication in the Official Journal of the European Union.

It shall apply from 1 January 2027 until 31 December 2028.

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

Done at Brussels, 29.4.2026

For the Commission
The President
Ursula VON DER LEYEN