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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.:	COM(2024) 183 final
Subject:	Proposal for a REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL amending Regulation (EU) No 2023/2124 of the European Parliament and of the Council of 4 October 2023 on certain provisions for fishing in the GFCM (General Fisheries Commission for the Mediterranean) Agreement area

Delegations will find attached document COM(2024) 183 final.

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2024/0098 (COD)

Proposal for a

REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL

amending Regulation (EU) No 2023/2124 of the European Parliament and of the Council of 4 October 2023 on certain provisions for fishing in the GFCM (General Fisheries Commission for the Mediterranean) Agreement area

EXPLANATORY MEMORANDUM

1. CONTEXT OF THE PROPOSAL

• Reasons for and objectives of the proposal

The purpose of this proposal is to implement into EU law the fisheries conservation and management measures adopted in 2021 and 2022 by the General Fisheries Commission for the Mediterranean (GFCM), to which the European Union (EU) has been a contracting party since 1998. The first implementation of GFCM measures was done through Regulation (EU) 1343/2011[1], which was amended by Regulation (EU) 2015/2102[2] and Regulation (EU) 2019/982[3]. Because Regulation (EU) 1343/2011 has been substantially amended several times and further amendments are to be made, it was recast in the interest of clarity, simplification and legal certainty in 2023, through Regulation (EU) 2023/2124[4]. The current proposal will insert further amendments into Regulation (EU) 2023/2124. These further amendments transpose additional GFCM measures.

The GFCM is the regional fisheries management organisation responsible for managing the fishery resources in the Mediterranean and Black Sea. Its main objectives are to promote: (i) the development, conservation, rational management, and best utilisation of living marine resources in the Mediterranean and Black Sea; and (ii) the sustainable development of aquaculture in the Mediterranean, Black Sea. The EU and 10 of its Member States (Bulgaria, Croatia, Cyprus, France, Greece, Italy, Malta, Slovenia, Spain, and Romania) are contracting parties to the GFCM Agreement.

The GFCM has the authority to adopt compulsory decisions ('recommendations') for fisheries conservation and management in its area of competence. These acts are addressed to the GFCM Contracting Parties, but may also contain obligations for operators (e.g. the vessel master). The GFCM recommendations become binding within 120 days after the date of first notification, if no objections are lodged. It is incumbent on the EU to ensure compliance with these measures as international obligations as soon as they enter into force.

Importantly, this proposal provides for delegated powers granted to the Commission under Article 290 of the Treaty on the Functioning of the European Union (TFEU), to ensure that the Union continues to fulfil its obligations under the GFCM Agreement.

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1 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 L347 30.12.2011, p.44)

2 Regulation (EU) 2015/2102 of the European Parliament and of the Council of 28 October 2015 amending Regulation (EU) No 1343/2011 on certain provisions for fishing in the GFCM (General Fisheries Commission for the Mediterranean) Agreement area (OJ L 308 25.11.2015, p.1)

3 Regulation (EU) 2019/982 of the European Parliament and of the Council of 5 June 2019 amending Regulation (EU) No 1343/2011 on certain provisions for fishing in the GFCM (General Fisheries Commission for the Mediterranean) Agreement area (OJ L 164 20.6.2019, p.1).

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).

- **Consistency with existing policy provisions in the policy area**

To the extent to which the GFCM decisions adopted in 2021 and 2022 are not already covered by existing EU law, the implementation of such decisions into the EU legal system is necessary to ensure that they will be uniformly and effectively applied throughout the EU.

Importantly, this proposal considers Regulation (EU) 2019/1241[5]. It pursues the objectives set out in the reformed common fisheries policy[6] and will be applied /without prejudice to Regulation (EC) No 1967/2006[7].

- **Consistency with other Union policies**

Not applicable.

2. LEGAL BASIS, SUBSIDIARITY AND PROPORTIONALITY

- **Legal basis**

This proposal is based on Article 43(2) TFEU, as it sets out provisions necessary for the pursuit of the objectives of the reformed common fisheries policy.

- **Subsidiarity (for non-exclusive competence)**

This proposal falls under the exclusive competence of the Union (Article 3(1)(d) TFEU). Therefore, the subsidiarity principle does not apply.

- **Proportionality**

This proposal will ensure that Union law is in line with international obligations adopted at the GFCM, to which the Union is a contracting party. The proposal implements without exceeding what is necessary to achieve the objective pursued.

- **Choice of the instrument**

The instrument chosen is a Regulation of the European Parliament and of the Council amending an existing Regulation. This choice of instrument takes into account the objectives of the reformed common fisheries policy, as well as the other international obligations undertaken by the EU.

This proposal marks the fifth implementation of GFCM recommendations into EU law.

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5 Regulation (EU) 2019/1241 of the European Parliament and of the Council of 20 June 2019 on the conservation of fisheries resources and the protection of marine ecosystems through technical measures, amending Council Regulations (EC) No 1967/2006, (EC) No 1224/2009 and Regulations (EU) No 1380/2013, (EU) 2016/1139, (EU) 2018/973, (EU) 2019/472 and (EU) 2019/1022 of the European Parliament and of the Council, and repealing Council Regulations (EC) No 894/97, (EC) No 850/98, (EC) No 2549/2000, (EC) No 254/2002, (EC) No 812/2004 and (EC) No 2187/2005 (OJ L 198 25.7.2019, p.105)

6 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).

7 Council Regulation (EC) No 1967/2006 concerning management measures for the sustainable exploitation of fishery resources in the Mediterranean Sea (OJ L 409 21.12.2006, p. 11).

3. RESULTS OF EX-POST EVALUATIONS, STAKEHOLDER CONSULTATIONS AND IMPACT ASSESSMENTS

- **Ex-post evaluations/fitness checks of existing legislation**

Not applicable.

- **Stakeholder consultations**

The purpose of this proposal is to implement existing GFCM measures which are binding upon the Contracting Parties. National experts and industry representatives from EU Member States were consulted both during the run-up to - and throughout - negotiations at the 44th and 45th GFCM Annual Session. Consequently, it was not considered necessary to hold a stakeholder consultation on this regulation.

- **Collection and use of expertise**

Not applicable.

- **Impact assessment**

Measures adopted by the GFCM are based on the advice provided by its Scientific Advisory Committee. Further impact assessment will not be carried out, as no new policy, going further than the GFCM measures, will be laid down and no new significant impacts are expected from the implementation.

- **Regulatory fitness and simplification**

This proposal is not linked to REFIT.

- **Fundamental rights**

This proposal has no consequences for the protection of the fundamental rights of European citizens.

4. BUDGETARY IMPLICATIONS

Not applicable.

5. OTHER ELEMENTS

- **Implementation plans and monitoring, evaluation and reporting arrangements**

Not applicable.

- **Explanatory documents (for directives)**

Not applicable.

- **Detailed explanation of the specific provisions of the proposal**

This proposal will address issues related to: (i) the sustainable conservation and management of fisheries; and (ii) the impact of fishing activities on certain marine species in the Mediterranean and Black Sea areas.

In addition, this proposal contains technical measures for: (i) the sustainable exploitation of european eel and, red coral in the GFCM Agreement area; (ii), the mitigation of incidental captures of seabirds, sea turtles and cetaceans in the GFCM Agreement area; and (iii) the

conservation of monk seals, sharks and rays in the GFCM Agreement area. The proposal also: (i) implements in Union law certain measures for fisheries for small pelagic stocks in the Adriatic Sea; (ii) introduces new provisions on spart and piked dogfish in the Black Sea; and (iii) introduces two new chapters on transhipments and recreational fisheries in the GFCM area.

2024/0098 (COD)

Proposal for a

REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL

amending Regulation (EU) No 2023/2124 of the European Parliament and of the Council of 4 October 2023 on certain provisions for fishing in the GFCM (General Fisheries Commission for the Mediterranean) Agreement area

THE EUROPEAN PARLIAMENT AND THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union, and in particular Article 43(2) thereof,

Having regard to the proposal from the European Commission,

Having regard to the opinion of the European Economic and Social Committee[1] ,

Having regard to the opinion of the Committee of the Regions[2],

Acting in accordance with the ordinary legislative procedure[3],

Whereas:

(1) The Agreement for the establishment of the General Fisheries Commission for the Mediterranean ("the GFCM Agreement") provides an appropriate framework for multilateral cooperation to promote the development, conservation, rational management and best utilisation of living marine resources in the Mediterranean and the Black Sea at levels which are considered sustainable and at low risk of collapse.

(2) The European Union, as well as Bulgaria, Cyprus, Croatia, France, Greece, Italy, Malta, Romania, Slovenia and Spain are contracting parties to the GFCM Agreement.

(3) Recommendations adopted by the General Fisheries Commission for the Mediterranean (GFCM) are binding on its contracting parties. Those recommendations are thus binding on the Union and should therefore be implemented into Union law unless their content is already covered thereby. The Union is to ensure that Union fishing activities outside Union waters are based on the same principles and standards as those applicable under Union law, while promoting fair competition between Union operators and third-country operators.

(4) For those reasons and since the permanent character of recommendations requires also a permanent legal instrument for their implementation into Union law, it is appropriate to implement those recommendations by means of a legislative act, ensuring legal clarity and predictability for Union operators in waters covered by the GFCM.

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1 ELI:
2 ELI:
3 To be inserted:

(5) Regulation (EU) 2023/2124 of the European Parliament and of the Council[4] lays down certain provisions for fishing in the General Fisheries Commission for the Mediterranean ("GFCM") Agreement area. It is the legislative act for the implementation of the GFCM recommendations.

(6) This Regulation should implement into Union law the measures laid down in the following recommendations which are not yet covered by Union law.

(7) At its annual session in 2021, the GFCM adopted Recommendation GFCM/44/2021/2 on the establishment of a fisheries restricted area in the jabuka/pomo pit in the Adriatic sea, amending Recommendation GFCM/41/2017/3 and Recommendation GFCM/44/2021/5 on the establishment of a fisheries restricted area in the gulf of lion to protect spawning aggregations and deep-sea sensitive habitats, repealing Recommendation GFCM/33/2009/1.

(8) At its annual session in 2021, the GFCM also adopted Recommendation GFCM/44/2021/9 on management measures for the sustainable exploitation of sprat in the Black Sea and Recommendation GFCM/44/2021/10 on management measures for the sustainable piked dogfish fisheries in the Black Sea.

(9) At its annual session in 2021, the GFCM also adopted Recommendation GFCM/44/2021/13 on the mitigation of fisheries impacts for the conservation of seabirds in the Mediterranean Sea, Recommendation GFCM/44/2021/14 on the mitigation of fisheries impacts for the conservation of sea turtles, Recommendation GFCM/44/2021/15 on the mitigation of fisheries impacts for the conservation of cetaceans and Recommendation GFCM/44/2021/16 on additional mitigation measures for the conservation of elasmobranchs in the Mediterranean Sea.

(10) At its annual session in 2021, the GFCM also adopted Recommendation GFCM/44/2021/17 on a catch certificate scheme for turbot in the Black Sea.

(11) At its annual session in 2021, the GFCM also adopted Recommendation GFCM/44/2021/19 on the establishment of a list of vessels presumed to have carried out illegal, unreported and unregulated fishing, repealing Recommendation GFCM/43/2019/8. Council Regulation (EC) No 1005/2008[5] only partly covers the content of that recommendation.

(12) At its annual session in 2021, the GFCM also adopted Recommendation GFCM/44/2021/20 on a multiannual management plan for the sustainable exploitation of small pelagic stocks in the Adriatic Sea.

(13) At its annual session in 2022, the GFCM adopted Recommendation GFCM/45/2022/1 on a multiannual management plan for European eel in the Mediterranean Sea, amending Recommendation GFCM/42/2018/1.

(14) At its annual session in 2022, the GFCM also adopted Recommendation GFCM/45/2022/2 on a management plan for the sustainable exploitation of red coral in the Mediterranean Sea, amending Recommendation GFCM/43/2019/4.

(15) At its annual session in 2022, the GFCM also adopted Recommendation GFCM/45/2022/3 on a multiannual management plan for the sustainable exploitation

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[5] Council Regulation (EC) No 1005/2008 of 29 September 2008 establishing a Community system to prevent, deter and eliminate illegal, unreported and unregulated fishing, amending Regulations (EEC) No 2847/93, (EC) No 1936/2001 and (EC) No 601/2004 and repealing Regulations (EC) No 1093/94 and (EC) No 1447/1999 (OJ L 286, 29.10.2008, p. 1, ELI: http://data.europa.eu/eli/reg/2008/1005/oj).

of blackspot seabream in the Alboran Sea, repealing Recommendations GFCM/44/2021/4, GFCM/43/2019/2 and GFCM/41/2017/2.

(16) At its annual session in 2022, the GFCM also adopted Recommendation GFCM/45/2022/4 on a multiannual management plan for the sustainable exploitation of demersal stocks in the Strait of Sicily, repealing Recommendations GFCM/44/2021/12 and GFCM/42/2018/5.

(17) At its annual session in 2022, the GFCM also 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 repealing Recommendations GFCM/44/2021/7 and GFCM/43/2019/6.

(18) At its annual session in 2022, the GFCM also 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, repealing Recommendations GFCM/44/2021/8 and GFCM/42/2018/4.

(19) At its annual session in 2022, the GFCM also adopted Recommendation GFCM/45/2022/7 on a multiannual management plan for sustainable demersal trawl fisheries targeting giant red shrimp and blue and red shrimp in the Levant Sea, repealing Recommendation GFCM/42/2018/3.

(20) At its annual session in 2022, the GFCM adopted Recommendation GFCM/45/2022/12 on the establishment of a set of minimum rules for sustainable recreational fisheries in the Mediterranean Sea.

(21) At its annual session in 2022, the GFCM also adopted Recommendation GFCM/45/2022/11 on the establishment of a set of minimum standards for fisheries restricted areas in the GFCM area of application.

(22) At its annual session in 2022, the GFCM also adopted Recommendation GFCM/45/2022/14 on the regulation of transshipment in the GFCM area of application.

(23) At its annual session in 2022, the GFCM also adopted Recommendation GFCM/45/2022/15 and Recommendation GFCM/45/2022/16 on international joint inspection and surveillance schemes outside the waters under national jurisdiction in the Strait of Sicily and in the Ionian Sea.

(24) The European Data Protection Supervisor was consulted in accordance with Article 42(1) of Regulation (EU) 2018/1725 of the European Parliament and of the Council and delivered an opinion on [date][6].

(25) Implementing powers should be conferred on the Commission in order to ensure uniform conditions for the implementation of the provisions of this Regulation in respect of cooperation and exchange of information with the GFCM Secretariat and in respect of the format and transmission of applications for carrying over lost days due to bad weather in the closed season for dolphinfish fisheries and the report on such carrying over; and the report in the context of collecting data on dolphinfish fisheries. Those powers should be exercised in accordance with Regulation (EU) No 182/2011 of the European Parliament and of the Council.

[6] [Opinion reference].

(26) In order to ensure that the Union continues to fulfil its obligations under the GFCM Agreement, the power to adopt acts in accordance with Article 290 of the Treaty on the Functioning of the European Union should be delegated to the Commission in respect of the implementation into Union law of amendments, which have become binding on the Union, to existing GFCM measures which have already been implemented into Union law, as regards the transmission to the GFCM Secretariat of the list of authorised vessels for the purpose of the GFCM Register; the derogations to conservation measures for red coral; the implementation of the permanent catch documentation scheme (CDS) for red coral and for turbot; port state measures; the table, map and geographic coordinates of the GFCM geographical subareas; port state inspection procedures for vessels; transhipment declaration; sighting report and GFCM statistical matrices. It is of particular importance that the Commission carry out appropriate consultations during its preparatory work, including at expert level, and that those consultations be conducted in accordance with the principles laid down in the Interinstitutional Agreement of 13 April 2016 on Better Law-Making[7]. In particular, to ensure equal participation in the preparation of delegated acts, the European Parliament and the Council should receive all documents at the same time as Member States' experts, and their experts systematically should have access to meetings of Commission expert groups dealing with the preparation of delegated acts.

(27) Regulation (EU) 2023/2124 should therefore be amended accordingly;

HAVE ADOPTED THIS REGULATION:

Article 1

Amendments to Regulation (EU) No 2023/2124

Regulation (EU) 2023/2124 is amended as follows:

(1) Article 3 is amended as follows:

(a) the introductory phrase is replaced by the following:

"For the purposes of this Regulation, the following definitions shall apply in addition to the definitions laid down in Article 4 of Regulation (EU) No 1380/2013 of the European Parliament and of the Council, Article 2 of Council Regulation (EC) No 1967/2006, Article 2, points (1) to (4), of Council Regulation (EC) No 1005/2008, Article 4 of Council Regulation (EC) No 1224/2009, Article 2, points (1) to (13), of Regulation (EU) 2019/1022 of the European Parliament and of the Council and Article 6 of Regulation (EU) 2019/1241 of the European Parliament and of the Council";

(b) the following points are added:

"(9) "Fisheries restricted area" means a geographically-defined area in which some specific fishing activities are temporarily banned or restricted in order to improve the conservation and sustainable use of marine living resources in the GFCM area of application.

(10) "Designated landing point" means ports, or places close to the shore, offshore terminals and other installations for landing, transhipping, packaging, processing, refuelling or resupplying of fishing vessels, where landings, transhipments, packaging and/or processing operations of fishery products are permitted, designated by the contracting parties and cooperating non-contracting parties in accordance with Recommendation

[7] Interinstitutional Agreement between the European Parliament, the Council of the European Union and the European Commission on Better Law-Making (OJ L 123, 12.5.2016, p. 1–14)

GFCM/40/2016/1 on a regional scheme on port state measures to combat illegal, unreported and unregulated fishing activities in the GFCM area of application;

(11) "Catch certificate" means an official document accompanying a consignment and validated by the competent authority, allowing to pass accurate and verifiable information concerning fish throughout the supply chain;

(12) "Catch documentation scheme" or "CDS" means a system established in accordance with relevant international obligations, with the primary purpose of helping to determine, throughout the supply chain whether the fish originates from catches that are consistent with applicable national, regional and international conservation and management measures."

(2) Article 4 is replaced by the following:

"*Article 4*

Scope

This Chapter applies to all fishing activities catching European eel (Anguilla anguilla), namely targeted, incidental and recreational fisheries, in all the waters of the Mediterranean Sea as provided for in Annex I, including freshwaters and transitional and brackish waters, such as lagoons and estuaries."

(3) the following Article 12a is inserted between Article 12 and Article 13:

"*Article 12a*

Recreational fisheries

Member States shall ensure that recreational fishing of all stages of European eel (glass, yellow, silver) is prohibited in all habitats." ;

(4) the following Article 14a is inserted between Article 14 and Article 15:

"*Article 14a*

Fleet management measures

Member States shall ensure that the overall fleet capacity or fishing effort of the fleets, operating with demersal trawls actively fishing for key stocks in terms of gross tonnage (GT) and/or gross registered tonnage (GRT), engine power (kW) and number of vessels, as recorded both in national and GFCM registers, does not exceed the number of vessels or fishing effort for otter trawlers fishing deep water shrimps during the years 2014–2017 or over another period of three consecutive years such as 2015-2018 provided that the increase cannot be more than 50% in respect of the 2014-2017 reference period.";

(5) Article 15 is amended as follows:

(a) paragraph 1 is replaced by the following:

"1. Member States shall communicate the list of all fishing vessels that are authorized to fish for and are actively fishing for the species listed in Article 13 for a given year to the Commission by 15 March of each year. The Commission shall transmit that list to the GFCM Secretariat by 31 March of each year. That list shall include, for each vessel, the information referred to in Annex VIII.";

(b) the following paragraph is added:

“4. Vessels operating with otter trawls under the scope of this section shall only be allowed to carry out specific fishing activities if these are indicated in a valid fishing authorization issued by the competent authorities.”;

(6) in Article 16, point 3 is replaced by the following:

“(3) Total catch and discards”.;

(7) Article 17 is replaced by the following:

“*Article 17*

Additional spatial or temporal restrictions

1. Bottom trawlers targeting deep-water red shrimp spawning aggregations shall stop fishing for 30 consecutive days between the months of March and December.

2. Member States shall communicate these temporal restrictions to the Commission by 30 May of each year. The Commission shall transmit that information to the GFCM Secretariat by 30 June of each year.”;

(8) in Article 18 the following paragraph is added:

“Without prejudice to Article 34 of Regulation (EC) No 1224/2009, Member States shall monitor the consumption of the catch limits and, by the fifteenth day of each month for the previous month, communicate to the Commission reports on catches, starting from the date when 80 percent of the respective quota has been exhausted.

The Commission shall communicate that information to the GFCM Secretariat without delay.

When the catch limit has been reached, the Member State concerned shall prohibit any further catches of the key stocks.”;

(9) Article 20 is replaced by the following:

“*Article 20*

Vessel monitoring system

Notwithstanding Article 9 of Regulation (EC) No 1224/2009, all vessels above 12 metres length overall (LOA) actively fishing within the scope of this section shall be equipped with a satellite-based vessel monitoring system (VMS).

Until 8 January 2026, Member States may allow vessels of less than 15 metres to derogate from the first paragraph if they operate exclusively within the territorial seas of the Member State or/and never spend more than 24 hours at sea from the time of departure to the return to port.

Member States shall report immediately to the Commission the derogations granted in accordance with Article 9(5) of Regulation 1224/2009 as well as the other control means deployed to monitor those vessels. The Commission shall transmit that information to the GFCM Secretariat without delay.”;

(10) the following Article 21a is inserted between Article 21 and Article 22:

"*Article 21a*

Fisheries management measures or national management plans

1. Member States shall adopt fisheries management measures or national management plans under the scope of this section to ensure that the exploitation levels of giant red shrimp and blue and red shrimp, reach and maintain the maximum sustainable yield.

2. Member States shall communicate management measures or national management plans adopted and any modifications made to those measures or plans to the Commission by 15 April of each year. The Commission shall transmit those measures or plans and modifications thereof to the GFCM Secretariat by 30 April of each year.";

(11) the following Article 23a is inserted between Article 23 and 24:

"*Article 23a*

Fleet management measures

Member States shall ensure that the overall fleet capacity in terms of gross tonnage (GT) and/or gross registered tonnage (GRT), engine power (kW) and number of vessels, as recorded both in national and GFCM registers, does not exceed the fleet capacity for otter trawlers fishing deep water shrimps in year 2019.

(12) Article 24 is amended as follows:

(a) paragraph 1 is replaced by the following:

"1. Member States shall communicate the list of all fishing vessels flying their flag that are authorized to fish for and are actively fishing for the species listed in Article 22 for a given year to the Commission by 15 March of each year. The Commission shall transmit that list to the GFCM Secretariat by 31 March of each year. That list shall include, for each vessel, the information referred to in Annex VIII.";

(b) the following paragraph 4 is added:

"4. Vessels operating with otter trawls under the scope of this section shall only be allowed to carry out specific fishing activities if these are indicated in a valid fishing authorization issued by the competent authorities.";

(13) in Article 25, point 3 is replaced by the following:

"(3) Total catch and discards.";

(14) Article 26 is replaced by the following:

"*Article 26*

Temporal restrictions

"1. Bottom trawlers targeting deep-water red shrimp spawning aggregations shall stop fishing for 30 consecutive days between the months of March and December.

2. Member States shall communicate these temporal restrictions to the Commission by 30 May of each year. The Commission shall transmit that information to the GFCM Secretariat by 30 June of each year.";

(15) Article 27 is replaced by the following:

"*Article 27*

Reporting obligations

1. Notwithstanding Article 14(1) of Regulation (EC) No 1224/2009, fishers or masters of authorised fishing vessels actively fishing within the scope of this section shall declare all catches and by-catch of giant red shrimp and blue and red shrimp, irrespective of the live weight of the catch.

2. Without prejudice to Article 34 of that Regulation (EC) No 1224/2009, Member States shall monitor the consumption of the catch limits, as follows: beginning from the date when 80 percent of the quota has been exhausted, the Member State concerned shall communicate to the Commission monthly reports on catch. The Commission shall communicate that information to the GFCM Secretariat without delay. Such a report shall be sent by the fifteenth day of the month for the previous month. When the catch limit has been reached, the Member State shall prohibit any further catches of the key stocks.";

(16) Article 29 is replaced by the following:

"*Article 29*

Vessel monitoring system

Notwithstanding Article 9 of Regulation (EC) No 1224/2009, all vessels above 12 metres in length overall (LOA) actively fishing within the scope of this section shall be equipped with a satellite-based vessel monitoring system (VMS).

Until 8 January 2026, Member States may grant a derogation for vessels of less than 15m may derogate from the rule in the first paragraph if they operate exclusively within the territorial seas of that Member State or never spend more than 24 hours at sea from the time of departure to the return to port. Member States shall report immediately to the Commission the derogations granted in accordance with Article 9(5) of Regulation (EC) 1224/2009 as well as the other control means deployed to monitor those vessels. The Commission shall transmit that information to the GFCM Secretariat without delay.";

(17) the following Articles 30a, 30b, 30c and 30d are inserted between Article 30 and Article 31:

"*Article 30a*

Fisheries management measures or national management plans

1. Member States shall adopt fisheries management measures or national management plans under the scope of this section to ensure that the exploitation levels of giant red shrimp and blue and red shrimp, reach and maintain the maximum sustainable yield.

2. Member States shall communicate management measures or national management plans adopted and any modifications made to those measures or plans to the Commission by 15

April of each year. The Commission shall transmit those measures or plans and modifications thereof to the GFCM Secretariat by 30 April of each year.

Article 30b

International Joint Inspection and Surveillance Scheme

1. Member States may carry out inspection and surveillance activities under the scope of this section in the framework of an International Joint Inspection and Surveillance Scheme ('the Scheme') covering the waters outside national jurisdiction in GFCM geographical subareas 19, 20 and 21 (Ionian Sea), as defined in Annex I ('the inspection and surveillance area').

2. Member States may assign inspectors and inspection means and carry out inspections under the Scheme. The Commission or a body designated by it may also assign Union inspectors to the Scheme.

3. The Commission or body designated by it shall coordinate the surveillance and inspection activities for the Union and may draw up, in coordination with the Member States concerned, a joint deployment plan to enable the Union to fulfil its obligation under the Scheme. Member States shall adopt the necessary measures to facilitate the implementation of those plans, particularly as regards the human and material resources required and the periods and geographical areas in which those resources are to be deployed.

4. Each Member State shall, by 15 November of each year, notify to the Commission, or body designated by it, the list of the names of inspectors authorised to perform the inspection and surveillance in the area referred to in paragraph 1, as well as the names of the vessels and aircraft used for inspection and surveillance which they intend to assign to the Scheme for the following year. The Commission or body designated by it shall send this information to the GFCM Secretariat by 1 December of each year or as soon as possible before the commencement of inspection activities.

5. Inspectors assigned to the Scheme shall carry a GFCM inspector card issued by the competent authorities, which shall be in the form set out in Annex IV.

6. Vessels carrying out boarding and inspection duties in accordance with the Scheme shall fly a special flag or pennant, as described in Annex V.

7. Each Member State shall ensure that every inspection platform entitled to fly its flag operating in the area referred to in paragraph 1 maintains secure contact, daily where possible, with every other inspection platform operating in that area, to exchange information necessary to coordinate the activities.

8. Each Member State with an inspection or surveillance presence in the area referred to in paragraph 1 shall provide to each inspection platform, upon its entry into the area, a list of sightings established in accordance with Annex VII, of boardings and inspections it has conducted in the previous 10-day period, including dates, coordinates and any other relevant information.

Article 30c

Conduct of inspections

1. Inspectors assigned to the Scheme shall:

(a) prior to boarding, notify the fishing vessel of the name of the inspection vessel;

(b) display, on the inspection vessel and boarding vessel, the pennant described in Annex V;

(c) limit each inspection team to a maximum of three inspectors.

2. Upon boarding the vessel, inspectors shall produce the identity card described in Annex IV to the master of the fishing vessel. Inspections shall be conducted in one of the official languages of the GFCM and, where possible, in the language spoken by the master of the fishing vessel.

3. Inspectors shall draw up a report of the inspection in the format set out in Annex VI.

4. Inspectors shall sign the report in the presence of the master of the vessel who shall be entitled to add to the report any observations which he or she may think suitable and who must also sign.

5. Copies of the report shall be given to the master of the vessel and to the authorities of the inspection party, which shall transmit copies to the authorities of the flag State of the inspected vessel and to the Commission and/or a body designated by it. The Commission shall forward the copy to the GFCM Secretariat.

6. The size of the inspection party and length of the inspection shall be determined by the commanding officer of the inspection vessel taking into account all relevant circumstances.

Article 30d

Infringements

1. For the purposes of this Article, the following activities shall be considered as infringements:

(a) the activities referred to in Article 3(1), points (a), (b), (c), (e), (f), (g) and (h) of Regulation (EC) No 1005/2008[8];

(b) interference with satellite monitoring system; and

(c) operating without a VMS.

2. In the case of any boarding and inspection of a fishing vessel during which the inspectors detect an infringement, the authorities of the flag Member State of the inspection vessel shall immediately inform the Commission, or a body designated by it, which shall notify the flag State of the inspected fishing vessel both directly and through the GFCM Secretariat. They shall also inform any inspection ship of the flag State of the fishing vessel known to be in the vicinity.

3. The flag Member State of the fishing vessel shall ensure that, following an inspection in which an infringement has been detected, the fishing vessel concerned ceases all fishing activities. The flag Member State shall require the fishing vessel to proceed within 72 hours to a port designated by it, where an investigation shall be initiated.

4. In the event that an infringement has been detected during an inspection, the actions and follow-up taken by the flag Member State shall be notified to the Commission or a body designated by it. The Commission or a body designated by it shall forward the action and follow-up taken to the GFCM Secretariat.

5. Member States' authorities shall act on inspection reports, as referred to in Article 30(3), sighting information sheet as provided in Annex VII and statements resulting from

[8] Council Regulation (EC) No 1005/2008 of 29 September 2008 establishing a Community system to prevent, deter and eliminate illegal, unreported and unregulated fishing, amending Regulations (EEC) No 2847/93, (EC) No 1936/2001 and (EC) No 601/2004 and repealing Regulations (EC) No 1093/94 and (EC) No 1447/1999 (OJ L 286, 29.10.2008, p. 1–32)ELI: http://data.europa.eu/eli/reg/2008/1005/oj

documentary inspections by inspectors on a similar basis as they act on reports and statements of national inspectors."

(18) Article 34 is amended as follows:

(a) paragraph 1 is replaced by the following:

"1. Member States shall communicate the list of all fishing vessels flying their flag that are authorized to fish for and are actively fishing for the species listed in Article 31 for a given year to the Commission by 15 March of each year. The Commission shall transmit that list to the GFCM Secretariat by 31 March of each year. That list shall include, for each vessel, the information referred to in Annex VIII.";

(b) the following paragraph 3 is added:

"3. Vessels operating with otter trawls under the scope of this section shall only be allowed to carry out specific fishing activities if these are indicated in a valid fishing authorization issued by the competent authorities.";

(19) Article 35 is replaced by the following:

"*Article 35*

Fishing activities

1. Member States shall communicate to the Commission, by 15 August of each year, a detailed report on fishing activities of fishing vessels operating within the scope of this section for the previous year in an aggregated format. The Commission shall transmit that report to the GFCM Secretariat by 31 August of each year. This report shall include, at least the following:

(1) operating days;

(2) operating area;

(3) total catch and discards of key species listed in Article 31.";

(20) Article 36 is replaced by the following:

"*Article 36*

Temporal restrictions

1. Bottom trawlers targeting deep-water red shrimp spawning aggregations shall stop fishing for 30 consecutive days between the months of March and December.

2. Member States shall communicate these temporal restrictions to the Commission by 30 May of each year. The Commission shall transmit that information to the GFCM Secretariat by 30 June of each year.";

(21) Article 37 is amended as follows:

(a) paragraph 1 is replaced by the following:

"1. Member States shall designate landing points where the landings by vessels actively fishing within the scope of this section shall take place. For each designated port, Member States shall specify permitted landing and transhipping times and places." ;

(b) the following paragraph 4 is inserted:

"4. Member States shall transmit to the Commission by 15 November of each year, any changes to the list of the designated landing points in which landings of the key stocks as listed in Article 31 may take place. The Commission shall transmit that list to the GFCM Secretariat by 30 November of each year.";

(22) the following Articles 37a, 37b, 37c and 37d are inserted between Article 37 and Article 38:

"Article 37a

Fisheries management measures or national management plans

1. Member States shall adopt fisheries management measures or national management plans under the scope of this section to ensure that the exploitation levels of giant red shrimp and blue and red shrimp, reach and maintain the maximum sustainable yield.

2. Member States shall communicate management measures or national management plans adopted and any modifications made to those measures or plans to the Commission by 15 April of each year. The Commission shall transmit those measures or plans and modifications thereof to the GFCM Secretariat by 30 April of each year.

Article 37b

International Joint Inspection and Surveillance Scheme

1. Member States may carry out inspection and surveillance activities under the scope of this section in the framework of an International Joint Inspection and Surveillance Scheme ('the Scheme') covering the waters outside national jurisdiction in GFCM geographical subareas 12, 13, 14, 15 and 16 (Strait of Sicily), as defined in Annex I ('the inspection and surveillance area').

2. Member States may assign inspectors and inspection means and carry out inspections under the Scheme. The Commission or a body designated by it may also assign Union inspectors to the Scheme.

3. The Commission or a body designated by it shall coordinate the surveillance and inspection activities for the Union and may draw up, in coordination with the Member States concerned, a joint deployment plan to enable the Union to fulfil its obligation under the Scheme. Member States shall adopt the necessary measures to facilitate the implementation of those plans, particularly as regards the human and material resources required and the periods and geographical areas in which those resources are to be deployed.

4. Each Member State shall, not later than 15 November of each year, notify to the Commission, or a body designated by it, on the list of the names of inspectors authorised to perform the inspection and surveillance in the area referred to in paragraph 1, as well as the names of the vessels and aircraft used for inspection and surveillance which they intend to assign to the Scheme for the following year. The Commission or a body designated by it shall send this information to the GFCM Secretariat by 1 December of each year or as soon as possible before the commencement of inspection activities.

5. Inspectors assigned to the Scheme shall carry a GFCM inspector card issued by the competent authorities, which shall be in the form set out in Annex IV.

6. Vessels carrying out boarding and inspection duties in accordance with the Scheme shall fly a special flag or pennant, as described in Annex V.

7. Each Member State shall ensure that every inspection platform entitled to fly its flag operating in the area referred to in paragraph 1 maintains secure contact, daily where possible, with every other inspection platform operating in that area, to exchange information necessary to coordinate the activities.

8. Each Member State with an inspection or surveillance presence in the area referred to in paragraph 1 shall provide to each inspection platform, upon its entry into the area, a list of sightings established in accordance with Annex VII, of boardings and inspections it has conducted in the previous 10-day period, including dates, coordinates and any other relevant information.

Article 37c

Conduct of inspections

1. Inspectors assigned to the Scheme shall:

(a) prior to boarding, notify the fishing vessel of the name of the inspection vessel;

(b) display, on the inspection vessel and boarding vessel, the pennant described in Annex V;

(c) limit each inspection team to a maximum of three inspectors.

2. Upon boarding the vessel, inspectors shall produce the identity card described in Annex IV to the master of the fishing vessel. Inspections shall be conducted in one of the official languages of the GFCM and, where possible, in the language spoken by the master of the fishing vessel.

3. Inspectors shall draw up a report of the inspection in the format set out in Annex VI.

4. Inspectors shall sign the report in the presence of the master of the vessel who shall be entitled to add to the report any observations which he or she may think suitable and who must also sign.

5. Copies of the report shall be given to the master of the vessel and to the authorities of the inspection party, which shall transmit copies to the authorities of the flag State of the inspected vessel and to the Commission and/or a body designated by it. The Commission shall forward the copy to the GFCM Secretariat.

6. The size of the inspection party and length of the inspection shall be determined by the commanding officer of the inspection vessel taking into account all relevant circumstances.

Article 37d

Infringements

1. For the purposes of this Article, the following activities shall be considered as infringements:

(a) the activities referred to in Article 3(1), points (a), (b), (c), (e), (f), (g) and (h) of Regulation (EC) No 1005/2008;

(b) interference with satellite monitoring system; and

(c) operating without a VMS.

2. In the case of any boarding and inspection of a fishing vessel during which the inspectors detect an infringement, the authorities of the flag Member State of the inspection vessel shall immediately inform the Commission, or a body designated by it, which shall notify the flag State of the inspected fishing vessel both directly and through the GFCM Secretariat. They

shall also inform any inspection ship of the flag State of the fishing vessel known to be in the vicinity.

3. The flag Member State of the fishing vessel shall ensure that, following an inspection in which an infringement has been detected, the fishing vessel concerned ceases all fishing activities. The flag Member State shall require the fishing vessel to proceed within 72 hours to a port designated by it, where an investigation shall be initiated.

4. In the event that an infringement has been detected during an inspection, the actions and follow-up taken by the flag Member State shall be notified to the Commission or a body designated by it. The Commission or a body designated by it shall forward the action and follow-up taken to the GFCM Secretariat.

5. Member States' authorities shall act on inspection reports, as referred to in Article 37(c), sighting information sheet as provided in Annex VII and statements resulting from documentary inspections by inspectors on a similar basis as they act on reports and statements of national inspectors.";

(23) in Article 44, paragraph 3 is replaced by the following:

"3. When a trigger catch level of red coral as referred to in paragraph 4 has been reached, Member States shall close the area concerned to any red coral fishery. The Member State shall immediately inform the Commission. The Commission shall inform as soon as possible the GFCM Secretariat.";

(24) in Article 49, the introductory paragraph is replaced by the following:

"Without prejudice to more stringent provisions laid down in Article 17 of Regulation (EC) 1224/2009, prior to entry into any port, and at least four hours before the estimated time of arrival at port, or at least one hour if the fishing grounds are less than four hours from the port of arrival, the masters of the fishing vessels or their representative or the authorised fishers, shall notify the relevant authorities the following information:";

(25) in Article 56, paragraph 1 point (d) is replaced by the following:

"(d) Diameter of each colony harvested or average of diameter by landing.";

(26) Article 57 is replaced by the following:

"*Article 57*

Scope

This section applies to all fishing activities by Union bottom trawlers targeting key demersal stocks of European hake (*Merluccius merluccius*) and deep-water rose shrimp (*Parapenaeus longirostris*), in the Strait of Sicily, GSAs 12, 13, 14, 15 and 16 as provided for in Annex I.";

(27) in Article 58, paragraph 2 is replaced by the following:

"2. Member States shall communicate management measures or national management plans adopted and any modifications made to those measures or plans to the Commission by 1 April of each year. The Commission shall transmit this information to the GFCM Secretariat by 30 April of each year.";

(28) Article 59 is replaced by the following:

"*Article 59*

Additional spatial or Temporal restrictions

1. Fishing activities with bottom longlines, gillnets and trammel nets targeting European hake spawning aggregations shall be stopped for 30 consecutive days between the months of March and April. Member States shall communicate data on these temporal restrictions to the Commission by 31 May of each year. The Commission shall transmit that information to the GFCM Secretariat by 30 June of each year.

2. Every year from 1 July until 30 September, fishing activities with bottom trawlers, irrespective of the vessels' length overall shall not be allowed between the coast and the 200 m depth isobath in GSA 14 (Gulf of Gabès)..

3. Member States shall ensure the continuation of existing surveys-at-sea, as well as the monitoring of new areas, including the shelf and slopes at the borders of the Malta plateau. Particular focus shall be given to the continuation of the scientific surveys in GSAs 12, 13 and 14 towards confirming European hake nursery areas in the Gulf of Hammamet and the Gulf of Tunis as potential temporary or permanent Fisheries Restricted Areas. In addition, Member States shall continue efforts to map vulnerable marine ecosystems towards their protection from trawling in the Strait of Sicily. Member States shall submit data necessary for the evaluation of new Fisheries Restricted Areas in the southern Strait of Sicily one month ahead of the 2024 meeting of the Subregional Committee for the Central Mediterranean at the latest and support the work for their evaluation.";

(29) the following Article 60a is inserted:

"*Article 60a*

Fleet management measures

Member States shall ensure that the overall fleet capacity of the fleet under this section in terms of gross tonnage (GT) and/or gross registered tonnage (GRT), engine power (kW) and number of vessels, as recorded both in national and GFCM registers, does not exceed the fleet capacity for demersal fisheries in year 2021";

(30) Article 61 is replaced by the following:

"*Article 61*

Authorisations for bottom trawling fisheries on demersal stocks

1. Member States shall communicate to the Commission the list of vessels flying their flag which are authorized to fish and are actively fishing the species listed in Article 57 by 15 March of each year. The Commission shall transmit the list to the GFCM Secretariat by 31 March of each year. This list shall include, for each vessel, the information referred to in Annex VIII.

2. Member States shall maintain and keep up-to-date a register of the vessels listed as per paragraph 1.

3. Member States shall communicate to the Commission, by 15 August of each year, a report on fishing activities carried out by the vessels under the scope of this section in an aggregated

format. This report shall include, at least, the number of exploitation days, exploitation area, catches and discards of European hake and of deep-water rose shrimp.

4. The Commission shall transmit to the GFCM Secretariat the report established in paragraph 3 by 31 August of each year.

5. Vessels operating with otter trawls under the scope of this section shall only be allowed to carry out specific fishing activities if these are indicated in a valid fishing authorization issued by the competent authorities.";

(31) Article 62 is amended as follows:

(a) paragraph 1 is replaced by the following:

"1. Each Member State shall designate landing points in which landings of European hake and deep-water rose shrimp from the Strait of Sicily shall take place, in accordance with Article 43(5) of Regulation (EC) No 1224/2009. Member States shall transmit to the Commission by 15 November of each year, any changes to that list. The Commission shall transmit this information to the GFCM Secretariat by 30 November of each year.";

(b) paragraph 3 is replaced by the following:

"3. Member States shall specify, for each designated landing point, the permitted landing and transhipping times and places. Member States shall also ensure inspection coverage of such activities during all landing and transhipping times at all designated landing points.";

(32) in Article 65, paragraph 5 is replaced by the following:

"5. Member States' authorities shall act on inspection reports as referred to in Article 64(3), sighting information sheets as provided in Annex VII and statements resulting from documentary inspections by inspectors on a similar basis as they act on reports and statements of national inspectors established in accordance with their national legislation.";

(33) Article 70 is amended as follows:

(a) paragraph 3 is replaced by the following:

"3. Vessels operating within the scope of this section shall only be allowed to carry out specific fishing activities with a valid fishing authorisation issued by the competent authorities. Authorised vessels above 12 metres in LOA shall be equipped with a satellite-based VMS.";

(b) the following paragraph is added:

"6. Member States shall monitor the consumption of the effort limit, or the effort limit expressed in fishing days by effort group as per Annex XIII and communicate to the Commission in a monthly report the exhaustion of fishing effort established in Article 30 Council Regulation (EC) No 1224/2009. The Commission shall send this information to the GFCM Secretariat without delay";

(34) in Article 72, paragraph 1 is replaced by the following:

"1. Notwithstanding Article 9 of Council Regulation (EC) No 1224/2009, authorised trawl vessels fishing within the scope of this section above 12 metres in LOA shall be equipped with a satellite-based VMS. Notwithstanding Article 9(3) of Council Regulation (EC) No 1224/2009, authorised trawl vessels below 9 metres LOA shall be equipped with an appropriate system of geopositioning.";

(35) Article 73 is replaced by the following:

"*Article 73*

Scope

This section applies to all fishing activities targeting key small pelagic stocks (anchovy and sardine) in GSAs 17 and 18 as provided for in Annex I.";

(36) the following Articles 74a, 74b, 74c, 74d, 74e, 74f and 74g are inserted between Article 74 and Article 75:

"*Article 74a*

Scientific and commercial data

1. Member States shall ensure yearly that all scientific data and commercial data collected in a specific year is provided by 15 March of the following year to the Commission.

2. The Commission shall send the data referred to in paragraph 1 to the GFCM Secretariat by 1 April of each year.

Article 74b

Reporting obligations

Catches of target species as well as catches of non-target species in excess of 50 kg shall be declared by electronic means by vessels above 12 metres length and by vessels catching more than 10 000 kg per year, regardless of their length.

Article 74c

Control and enforcement measures

1. Member States shall designate landing points where landings by vessels actively fishing for anchovy and sardine shall take place. For each designated point, Member States shall specify permitted landing and transhipping times and places.

2. It shall be prohibited to land or tranship from fishing vessels any quantity of catches of anchovy and sardine fished using purse-seines and pelagic-trawls in the Adriatic Sea at any place other than the landing points designated by Member States.

3. Member States shall communicate to the Commission by 15 November each year any change to the list of designated landing points where landings of anchovy and sardine may take place. The Commission shall transmit this information by 30 November each year.

Article 74d

Fisheries management measures or national management plans

1. Member States shall adopt fisheries management measures or national management plans under the scope of this section to ensure that the exploitation levels of the stocks of anchovy and sardine reach and maintain the maximum sustainable yield.

2. Member States shall promptly communicate management measures or national management plans adopted and any modifications made to these measures or plans to the Commission by 15 April of each year. The Commission shall transmit those measures and plans to the GFCM Secretariat by 30 April of each year.

Article 74e

Fleet management measures

1. Member States shall communicate to the Commission by 15 March of each year the list of vessels flying their flag authorized to fish for key small pelagic stocks (anchovy and sardine) by means of pelagic trawls and purse seines in the Adriatic Sea. The Commission shall transmit this list to the GFCM Secretariat by 31 March of each year.

2. Vessels operating within the scope of this section shall only be allowed to carry out specific fishing activities with a valid fishing authorisation issued by the competent authorities.

Article 74f

Spatial and temporal closures

1. During the transitional period, Member States shall apply specific temporal closures at the fleet level in view of protecting the stocks during the spawning period. Such closures do not need to be applied simultaneously for purse seiners and pelagic trawlers. They shall cover the entire distribution of small pelagic stocks in the Adriatic Sea and affect all fleets targeting small pelagics, for no less than 30 successive days per fleet segment. During the closure period, vessels belonging to fleets subject to a closure shall be prohibited to change gear to target small pelagics (such as purse seine to or from pelagic trawl). Such closures shall take place according to the following timeframes:

a) from 1 October to 31 March for sardine; and

b) from 1 April to 30 September for anchovy.

2. By way of derogation from paragraph 1, such temporal closures may be implemented for periods of no less than 15 successive days for national fleets of less than 15 purse seiners and/or pelagic trawlers actively fishing for small pelagic stocks.

3. During the transitional period, the Member States shall apply spatial closures to vessels over 12 metres LOA for no less than 9 months. Such closures shall cover 30 percent of the territorial or inner waters identified as important for the protection of early-age classes of fish.

4. Member States shall communicate annually to the Commission the temporal and spatial closures, as defined in paragraphs 1 and 3, that they apply in the waters under their jurisdiction with a view to protecting spawning and nursery areas of small pelagic stocks. The Commission shall communicate that information to the GFCM Secretariat without delay.

Article 74g

Scientific monitoring

Member States shall yearly scientifically monitor the status and spawning biomass of the species referred in Article 73.";

(37) in Title II, Chapter V, the following Section II is inserted between Article 75 and Article 76:

"Section II

Black Sea

Article 75a

Scope

This Section applies to fishing activities targeting European sprat (*Sprattus sprattus*) in the Black Sea, in GSA 29 as provided for in Annex I.

Article 75b

Scientific monitoring

Member States shall ensure on an annual basis an adequate scientific monitoring of the status of the species included within the scope of this section.

Article 75c

List of authorised and active vessels

1. Member States shall communicate to the Commission by 15 January of each year the list of all fishing vessels flying their flag that are authorised to fish for and are actively fishing for European sprat for the given year. The Commission shall transmit the list to the GFCM Secretariat by 31 January of each year. This list shall include, for each vessel, the information referred to in Annex VIII.

3. Member States shall promptly notify the Commission of any addition to, deletion from or modification of the fishing fleets for European sprat at any time such changes may occur and at least on a monthly basis. The Commission shall transmit these modifications to the GFCM Secretariat without delay.

4. Vessels not listed by the Member States shall not catch, retain on board, tranship, land, store or sell European sprat.

Article 75d

Reporting obligations for the masters of the vessels

1. The masters of the vessels fishing for sprat shall communicate to the Member States twice a year and not later than 1 July and 1 January of each year, a detailed report on its fishing activities. This report shall include at least the following information:

(1) operating days;

(2) operating area;

(3) total catch of European sprat.

2. Member States shall transmit this report to the Commission not later than 15 July and 15 January of each year.

3. The Commission shall transmit this report to the GFCM Secretariat twice a year and not later than 31 July and 31 January of each year.

Article 75e

Additional measures

Member States may adopt additional spatio-temporal measures to protect aggregation areas of juveniles of sprat.

Article 75f

Control, monitoring and surveillance of fisheries for European Sprat in the Black Sea

1. Each Member States shall ensure adequate mechanisms are set up for the recording of each fishing vessel in a national fleet register, for the recording of the vessel's catches and fishing effort of European sprat via the logbook.

2. Fishers or masters of authorised fishing vessels actively fishing European sprat shall declare all catches and bycatch, irrespective of the live weight of the catch.

Article 75g

Designated landing points

1. Member States shall designate landing points where landings and transhipping by vessels actively fishing within the scope of this section shall take place.

2. It shall be prohibited to land or tranship from fishing vessels any quantity of species included within the scope of this section at any place other than points designated by Member States in accordance with paragraph 1.";

(38) Article 76 is replaced by the following:

"*Article 76*

Scope

This Chapter applies to all fishing activities targeting blackspot seabream (*Pagellus bogaraveo*) with handlines, set and mixed longliners, in the Alboran Sea, GSAs 1, 2 and 3 as provided for in Annex I.";

(39) Articles 77 and 78 are replaced by the following:

"*Article 77a*

Spatial and temporal closures

1. Over the transitional period, Member States shall apply specific temporal closures at the fleet level, with a view to protecting the key stock during spawning periods. Such closures are not required to be applied simultaneously for different type of fishing gear. They shall cover the key areas of distribution of blackspot seabream in the Alboran Sea and affect all vessels concerned by this Chapter for periods of no less than 30 continuous days per fleet segment. Such closures shall take place from December to March. Each Member State shall submit the closure period and the list of vessels concerned to the Commission. The Commission shall submit that information to the GFCM Secretariat without delay.

2. Member States shall communicate annually to the Commission the temporal closures, as defined in paragraph 1, that apply in the waters under their jurisdiction, with a view to protecting spawning and nursery areas for blackspot seabream stock.

Article 78

Fleet management measures

1. Member States shall ensure that the overall fleet capacity in terms of gross tonnage (GT) and/or gross registered tonnage (GRT), engine power (kW) and number of vessels, as recorded both in national and GFCM registers, does not exceed the fleet capacity for the fisheries averaged over years 2018-2021.

2. Member States shall adapt to the fishing opportunities the overall fleet capacity of the fleets fishing blackspot seabream operating with handlines, set and mixed longliners in terms of

gross tonnage (GT) and/or gross registered tonnage (GRT), engine power (kW) and number of vessels, as recorded both in national and GFCM registers.

3. Member States shall communicate to the Commission by 15 March of each year the list of vessels flying their flag which are authorized to fish for that year blackspot seabream under the scope of this chapter. The Commission shall transmit this list to the GFCM Secretariat by 31 March of each year. The list shall include, for each vessel, the information referred to in Annex VIII.

(40) Article 79 is replaced by the following:

"*Article 79*

Control and enforcement measures

-1. Member States shall establish a mechanism to ensure that vessels actively fishing in the Alboran Sea declare all catches of the key stock, as per Article 76.

1. Member States shall designate landing points in which landing blackspot seabream is authorised.

1a. Member States shall transmit to the Commission on 15 November each year, any changes to the list. The commission shall transmit to the GFCM Secretariat on 30 November each year, the updated list. Landings of blackspot seabream shall only take place in designated landing points.

2. Member States shall specify permitted landing for each designated point.

3. Prior to entry into any port, except for small-scale vessels, and at least four hours before the estimated time of arrival, the fishers or their representative shall notify the relevant authorities of the following information:

(a) estimated time of arrival;

(b) external identification number and name of the fishing vessel; and

(c) estimated live weight retained on board.

4. The information stipulated in paragraph 4 may be submitted by the fishers or their representatives up to one hour before the estimated time of arrival, where the fishing grounds are less than four hours away from the port of arrival.

5. Without prejudice to Article 14 of Regulation (EC) No 1224/2009, fishers or masters of authorised fishing vessels actively fishing within the scope of this section shall report all daily catches, irrespective of the live weight of the catch and shall record or make estimations of the catches of that species.

6. It shall be prohibited to land or tranship from fishing vessels any quantity of blackspot seabream fished in the Alboran Sea at any place other than points ports designated by the Member States.

7. Each Member State shall establish a programme based on risk analysis, in order to verify the landings and validate the logbooks.

8. Transhipment operations at sea shall be prohibited.

9. Vessels operating with handlines, set and mixed longliners catching blackspot seabream in the Alboran Sea shall only be allowed if these are indicated in a valid fishing authorization issued by the competent authorities.

10. Notwithstanding Article 9 of Regulation (EC) No 1224/2009, by 1 January 2024 all the authorized vessels under this chapter above 10 meters length overall (LOA) shall be equipped with a vessel monitoring system (VMS) or any other geolocation system allowing control authorities to track their activity at all times during the fishing trips. ";

(41) Article 80 is replaced by the following:

"*Article 80*

Scientific monitoring

1. Member States shall ensure that either all scientific fisheries (echo-survey) and/or commercial (catch and discard) data, collected each year, are provided to GFCM Secretariat by 1st of April of the following year.

2. Member States shall send to the Commission the commercial data established in paragraph 1 by 15 March of each year.";

(42) the following Article 80a is inserted:

"Article 80a

Fisheries management measures or national management plans

1. Member States shall adopt fisheries management measures or national management plans under the scope of this chapter to ensure adequate conservation of the species referred to in Article 76.

2. Member States shall communicate management measures or national management plans adopted and any modifications made to those measures or plans to the Commission by 15 April of each year. The Commission shall transmit those measures or plans and modifications thereof to the GFCM Secretariat by 30 April of each year.";

(43) in Article 86, paragraph 2 is deleted.

(44) in Article 87, paragraph 2 is replaced by the following:

"2. Member States shall report to the Commission by 15 July of each year the number of vessels involved in the fishery, as well as the total landings and transhipments of common dolphinfish carried out in the previous year by the fishing vessels flying their flag in each GSA of the GFCM Agreement area as set out in Annex I. The Commission shall send this information to the GFCM Secretary each year by 31 July.";

(45) in Article 88, paragraph 6 is replaced by the following:

"6. Without prejudice to stricter provisions laid down in Articles 14(7) and Article 48 of Regulation (EC) 1224/2009, in the event of loss or impossibility to haul in a FAD, fishers or masters of fishing vessels shall record the last known position and its date. Fishing vessels

exploiting common dolphinfish shall collect and report the last registered position of the lost FAD as well as the date of its last registered position, its identification number and any information allowing the identification of the FAD owner.";

(46) in Article 91, paragraph 2 (f) is replaced by the following:

"(f) main gear(s) used for turbot, fleet segment and operational unit;";

(47) the following Article 94a is inserted:

"Article 94a

Catch certificate for turbot

1. Member States shall issue a GFCM catch certificate to identify the origin of turbot catches in GSA 29 in all the steps of the supply chain. Such certificate shall be used to certify that such catches have been made in accordance with the conservation and management measures established in Title II Chapter VIII.

2. A valid GFCM catch certificate issued by the competent authorities of the Member States shall accompany all landings, imports, exports and re-exports of turbot.

3. Each catch certificate shall have a unique document identification number. Such number shall be specific to the flag Member State and assigned to each fishing vessel authorized to fish for turbot. The catch certificate shall not be transferable to another fishing vessel.

5. The competent authorities of the relevant flag Member State shall validate the catch certificates for turbot only once it has been established, after having checked the supporting documents and corresponding consignment, that all the information contained in the certificates is accurate.";

(48) the following Articles 96a, 96b, 96c, 96d and 96e are inserted:

"*Article 96a*

Fleet capacity and fishing effort

Member States shall maintain the fishing fleet capacity or fishing effort at the levels established for years 2015to 2021 for the exploitation of piked dogfish in the Black Sea.

Article 96b

Scientific monitoring

1. Member States shall contribute to the implementation of the GFCM research programme on piked dogfish in the Black Sea and shall ensure annually an adequate scientific monitoring of the status of piked dogfish species.

2. Member States shall ensure that information on fishing activities, catch data, incidental catch, release and/or discarding events for piked dogfish is recorded by the ship-owner or vessel master in the logbook, and is reported to the Commission within their annual national reporting, in accordance with the data reporting requirements of relevant GFCM recommendations, in line with the GFCM Data Collection Reference Framework (DCRF) . The Commission shall send this information to the GFCM Secretariat without delay.

3. Member States shall ensure that any additional measure is taken to improve data collection for the purpose of the scientific monitoring of picked dogfish species.

4. Member States shall collect reliable information on the impacts of bottom-set gillnets targeting piked dogfish on cetacean populations in the Black Sea.

Article 96c

Fleet management measures

1. Member States shall communicate to the Commission by 15 January of each year the list of fishing vessels flying their flag authorized to fish and actively fishing for piked dogfish in the Back Sea. This list shall include, for each vessel, the information referred to in Annex VIII.

The Commission shall transmit that list to the GFCM Secretariat by 31 January of each year. Fishing vessels targeting piked dogfish shall only be allowed to carry out fishing activities if these are indicated in a valid fishing authorization issued by the competent authorities and specifying the technical conditions under which such activities shall be carried out, as defined in Annex VIII.

2. Member States shall promptly notify the Commission of any addition to, deletion from or modification of the fishing fleets for piked dogfish at any time such changes may occur or at least on a monthly basis. The Commission shall notify the GFCM Secretariat of these modifications, without delay.

3. Vessels not listed by the Member States shall not catch, retain on board, tranship, land, store or sell piked dogfish.

4. Member States shall communicate to the Commission by 15 July and 15 January of each year, detailed reports on fishing activities of fishing vessels actively fishing for or that have caught as bycatch or as incidental catch picked dogfish.

Those reports shall include at least the following:

(a) operating days;

(b) operating area;

(c) total catch of piked dogfish.

The Commission shall transmit those reports to the GFCM Secretariat by 30 July and 30 January of each year.

Article 96d

Specific measures to address IUU fishing

Member States shall ensure that vessels fishing in GSA 29 declare all catches and bycatch of piked dogfish.

Without prejudice to Article 14 of Regulation (EC) No 1224/2009, fishers or masters of vessels shall declare in the logbook all catches and bycatch of picked dogfish, irrespective of the volume of the catch and gear used.

Article 96e

Landing points

1. Member States shall designate landing points where landings by vessels actively fishing for picked dogfish in the Black Sea shall take place.

2. Member States shall, for each designated landing point port, specify permitted landing and transhipping times and places.

3. It shall be prohibited to land or tranship from fishing vessels any quantity of picked dogfish fished in the Black Sea at any place other than the designated points.

4. Member States shall communicate to the Commission by 15 November of each year any change to the list of designated landing points where landings of picked dogfish in the Black Sea may take place. The Commission shall transmit these changes to the GFCM Secretariat by 30 November of each year.";

(49) Article 98 is amended as follows:

(a) paragraph 1 is replaced by the following:

"1. Member States shall ensure a high protection from fishing activities for elasmobranch species listed in Annex II and III to of the Protocol concerning specially protected areas and biological diversity in the Mediterranean".;

(b) the following paragraphs are added:

"4. Member States shall report to the Commission, by 15 April 2026 at the latest, on at least one activity per species/gender listed in Annex XVII and present in the geographical subarea where fishing activities are carried out, or on at least five species-specific actions in total. to improve the conservation status of elasmobranchs, mitigate and, where possible, eliminate the risk of incidental catch of elasmobranch in fishing operations and the associated mortality. The Commission shall send that information to the GFCM Secretariat by 30 April 2026, at the latest.

5. Member States shall require fishing vessels catching sharks species as bycatch or incidental catch shall limit the bycatch of sharks listed in Annex III to the Protocol concerning specially protected areas and biological diversity in the Mediterraneanto a maximum percentage of the total catch in weight by fishing trip or to no more than three specimens.

(50) in Article 102, the following paragraph is added:

"3. In the geographical zones of the Mediterranean Sea (GSAs 1-27), where the bycatch of the seabird species listed under Annex II to the SPA/BD Protocol of the Barcelona Convention occurs according to the SAC advice (mainly when seabirds are caught incidentally during fishing operations), the following measures shall apply:

(a) Member States shall collect data to fully characterize the bycatch of seabirds in fisheries, including the incidental catch of the critically endangered Balearic shearwater. Member States shall report to the Commission, by 15 April of each year, the information referred to in Annex XXII. The Commission shall send that information to the GFCM Secretariat by 30 April of each year;

(b) Member States shall evaluate, by 2024, the effectiveness of at least two transitional mitigation measures listed in Annex XVIII to improve the conservation status of seabird species, mitigate and, where possible, eliminate the risk of incidental catch of seabirds in fishing operations and associated mortality.";

(51) the following Article 103a is inserted:

"*Article 103a*

Mitigation measures

1. Member States are encouraged to take the necessary steps to implement existing legislation and mitigation measures to mitigate and, where possible, eliminate the incidental catch of sea turtles during fishing operations, such as but not limited to:

(a) fishing gear modifications and alternative fishing gear types;

(b) time- area fishing restrictions and closures, such as those based for instance on spatial recognition measures to identify sea turtle presence;

(c) improvements in fishing gear marking and detection, including acoustic reflectivity, such as the use of coloured nets, light passive reflectors, thicker twine diameter, corks or other materials within the net, metal compounds that have acoustic detection features such as barium sulphate, and illuminating nets with battery-operated light sticks;

(d) implementation of maximum potential bycatch thresholds and use of turtle excluder devices with sorting and shepherding devices; and

(e) rules on fishing behaviour and strategies;

2. The Member States are encouraged to facilitate the implementation of measures to avoid entanglement during depredation activity and to reduce post-release mortality, through appropriate guidelines and training.

3. By 2026, Member States shall notify to the Commission at least two of the mitigation measures adopted pursuant to points 1 and 2. In this regard, the areas and fleets with higher risks of interactions should be taken into consideration.

4. The Commission shall, without delay, notify the GFCM Secretariat such measures.

(52) the following Article 105a is inserted:

"*Article 105a*

Mitigation measures

1. Member States are encouraged to expand bycatch mitigation measures to minimize and eliminate, where possible, the incidental catch of cetaceans during fishing operations in fisheries with a high risk of bycatch identified by the SAC. Such mitigation measures shall be accompanied by an appropriate monitoring to establish the efficacy of the actions and may include, inter alia:

(a) fishing gear modifications and alternative fishing gear types;

(b)- improvements in fishing gear marking and detection;

(c) time- area fishing restrictions or closures, if appropriate;

(d) maximum potential bycatch thresholds;

(e) use of acoustic deterrent devices;

(f) modifications in fishing behaviour and strategies;

2. The Member States are encouraged to facilitate the implementation of measures to avoid entanglement during depredation activity and to reduce post-release mortality, through appropriate guidelines and training.

3. The Member States are encouraged to identify areas with a high risk of interactions between fisheries and cetaceans and, based on the existing pressures, may consider modifying the national legislation in force.

4. The CPCs may also consider, on a voluntary basis, other types of management such as incentive- based management, rewarding low-impact operators while simultaneously driving poorly performing operators to adopt better practices or leave the industry, or market-based incentive management employing, for example, dolphin- safe or dolphin-friendly labelling in fisheries with a medium to high risk of interactions with cetaceans.

5. By 2026, Member States shall notify to the Commission at least two of the mitigation measures adopted pursuant to points 1, 2, 3, and 4.

4. The Commission shall, without delay, notify the GFCM Secretariat such measures.";

(53) paragraph 1 of Article 106 is amended as follows:

(a) the introductory phrase is replaced by the following:

"1. Without prejudice to more stringent provisions laid down in Article 14 of Regulation (EC) 1224/2009, masters of fishing vessels shall record in the fishing logbook the following information:";

(b) point (e) is replaced by the following:

"(e) any event of incidental catch, release and/or discarding of sharks species listed either in Annex II or Annex III to the SPA/BD Protocol concerning specially protected areas and biological diversity in the Mediterranean.";

(c) the following point (f) is added:

"(f) any event of incidental catches of elasmobranchs";

(54) in Title III, Chapter I, Section II, the following Articles are inserted before Subsection 1**:**

"Subsection -1

Minimum standards

Article 106a

Establishment of minimum standards

This subsection sets minimum standards to all Fisheries Restricted Areas (FRAs) established at GFCM level and shall apply to all FRAs established at GFCM level after 2022.

Article 106b

Management measures

1. Member States shall monitor fishing activities in the fisheries restricted area/s in waters under their jurisdiction or sovereignty.

2. Member States shall provide annually to the Commission a list of authorised fishing vessels as listed in Annex XIX, with associated effort and capacity, and any further parameters listed as relevant by the SAC.

3. The Commission shall send to the GFCM Secretariat the list established in paragraph 2 without delay.

Article 106c

Data collection, monitoring and research

1. Member States shall develop a scientific monitoring plan for each Fisheries Restricted Area, including a toolkit and integrated guidelines in order to provide the information necessary to assess the effectiveness of the fisheries restricted area in rebuilding the stocks and to protect the habitats and vulnerable marine ecosystems

They shall report to the Commission the results of the plan referred to in the first paragraph every year.

2. Member States shall ensure that the shipowners:

(a) record in the electronic logbook or in an equivalent document, in line with the international standards and the data reporting requirements of relevant GFCM recommendations information on fishing activities, catch data of key species referred to in Articles 4, 15, 24, 33, 40, 59, 68, 75, 77a, 78, 84, 93 and 98, incidental catches, release and/or discarding of sensitive species listed either in Annex II or Annex III of the SPA/BD Protocol;,;

(b) report to the national authorities the information referred to in point (a); for notification within their annual national reporting in line with the DCRF manual2, and to the Commission.

3. Member States may adopt any additional measure to improve data collection in view of the scientific monitoring of key species.

4. The Commission shall send to the GFCM Secretariat the information contained in the reports referred to in paragraph 1 and the information referred to in point (b) of paragraph 3.

Article 106d

Control and reporting

1. Member States shall communicate to the Commission the list of authorized vessels fishing in temporary closures of each Fisheries Restricted Area concerned no later than 15 April of each year. For each vessel, the list shall contain the information detailed in Annex XIX. The Commission shall communicate the list to the GFCM Secretariat by 30 April each year.

2. Fishing vessels authorized to fish in zone B shall be equipped with remote electronic monitoring using increased data transmission frequency as well as an electronic logbook in correct working order or an equivalent document, and fishing gear on board or in use shall be duly identified, numbered and marked before the start of any fishing operation or navigation within the Fisheries Restricted Area. To the extent possible, the frequency of data transmissions of vessel monitoring systems (VMS or automated identification systems) shall be of at least once every 30 minutes when a fishing vessel enters any zone of a Fisheries Restricted Area.

3. Fishing in prohibited areas and periods shall be considered as a serious infringement. The flag Member State shall ensure that the vessel that commits this serious infringement shall immediately cease its fishing activities and return to port for investigation.

4. Member States shall send to the Commission, by 15 May of each year, a report on management measures taken in the FRAs. The Commission is empowered to adopt delegated

acts supplementing this Regulation in accordance with Article 140 of this Regulation and Article 18(1) to (6) of Regulation (EU) No 1380/2013 in respect of the content of the report, as will be agreed at GFCM level.

5. The report provided for in paragraph 2 shall contain the following:

(a) information on the conservation, control and management measures;

(b) the list of authorized vessels and related information on authorizations in the FRA;

(c) the results of the inspection schemes including at least the number of infractions detected, the type of infraction and the sanctions applied;

(d) information on activities in the FRA (e.g. fishing, transiting);

(e) an action plan, as regards the vessels and vessel owners with identified infringements, to reinforce the monitoring of the vessels flying their flag concerned by the FRA.

7. The Commission shall send to the GFCM Secretariat, by 31 May each year, the report referred to in paragraph 3.";

(55) Article 107 is replaced by the following:

"*Article 107*

Establishment of a fisheries restricted area

1. A fisheries restricted area is established in the eastern Gulf of Lions, bounded by lines joining the geographic coordinates set out in Part A of Annex XI.

2. In Part A Zone (1), professional fishing vessels targeting demersal stocks using towed nets, bottom and mid-water longlines and bottom-set nets and recreational fishing activity shall be prohibited.

3. Fishing activities targeting demersal stocks using towed nets, bottom and mid-water longlines as well as bottom-set nets shall be prohibited in Part A Zone (2) from 1 November to 30 April of each year.";

(56) Article 108 is replaced by the following:

"Article 108

Fishing effort

1. For demersal stocks, the fishing effort (days at sea) of vessels using towed nets, bottom- and mid-water longlines and bottom-set nets in the fisheries restricted area as referred to in Article 107 shall not exceed the level of fishing effort applied in 2008 by each Member State in that area.

2. Member States shall not transfer effort between vessels authorized to fish in the FRA that are of differing gear.";

(57) Article 112 is deleted.

(58) Article 113 is replaced by the following:

"*Article 113*

Fisheries restricted areas

1. Fishing with bottom trawl nets shall be prohibited in the:

(1)fisheries restricted area 'East of Adventure Bank' bound by lines joining the coordinates set out in Part B of Annex XI;

(2)fisheries restricted area 'West of Gela Basin' bound by lines joining the coordinates set out in Part B of Annex XI;

(3)fisheries restricted area 'East of Malta Bank' bound by lines joining the coordinates set out in Part B of Annex XI.

2. Any demersal fishing activity, including recreational fisheries, irrespective of the vessels' length overall, shall not be allowed in the FRAs referred to in paragraph 1";

(59) in Article 115, the following paragraph 4is added:

"4. Fishing activity with purse seines and pelagic trawls targeting anchovy or sardine shall be prohibited in the area bounded by lines joining the coordinates set out in Part D of Annex XI.";

(60) in Title III, in chapter I, the following sections are inserted:

"*Section V*

Transhipments

Article 120a

Scope

1. Without prejudice to Article 20 Regulation (EC) No 1224/2009, this section regulates transhipment operations in the GFCM Area, as provided for in Annex I.

2. Transhipments at sea outside Union waters shall be prohibited, except in case of force majeure legally detected by a control authority within the GFCM area of application.

3. Transhipments shall be allowed only in ports, landing points or places close to the shore authorized for that purpose, subject to an authorization and to the conditions laid down in this section.

4. Transhipment shall not take place if any of the vessels involved are included in the GFCM IUU vessel list.

5. For the purpose of this section, relocation, pair trawling activities and fishing operations involving joint action (Joint fisheries operations) by two or more fishing vessels from Member States or contracting parties of the GFCM shall not be considered as transhipment.

Article 120b

Transhipment operations at port

1. A transhipment operation at port shall be allowed only subject to an authorization given by the authorities of the coastal Member States and by the authorities of the vessels.

2. The authorisation referred to in paragraph 1 shall be issued when the flag vessel authorities have verified that the activities carried out by the vessels taking part in the transhipment are in line with the GFCM management conservation measures and that the vessels have not been engaged in IUU fishing activities.

3. The authorisation referred to in paragraph 2 must be kept on board of the donor vessel and made available during an inspection or control procedure.

4. The master of the donor fishing vessel shall notify the Port Member States authorities on the identification of the receiving vessel, date, time and port where the transhipment will take place, at least 48 hours in advance of the transhipment operation.

5. The identification referred to in paragraph 4 shall contain, at least, the name of the vessel, International Maritime Organisation number, GFCM register number, external mark, port of registry and flag of the fishing vessel.

6. The master of the receiving vessel shall, 48 hours before landing, transmit a GFCM transhipment declaration to the competent authorities of the state where the landing is to take place.

7. The master of the receiving vessel shall, no later than 24 hours before starting the transhipment, complete and transmit to the port authorities information about the catches and fisheries product on board. Catches shall be reported by indicating species and weight or number of individuals where relevant.

8. The Member State, shall require the master of the donor fishing vessel issuing the request to transmit the following information:

(a) species by FAO alfa-code identification and product form;

(b) catches on board to be transhipped, in kg live-weight, in processed weight and/or number of individuals when pertinent;

(c) geographic location of the catches (as recorded in the logbook);

(d) place and date where the transhipment is foreseen;

(e) information regarding the receiving vessel, name, registration number, IMO number, flag.

9. Member States shall monitor vessels that are not flying their flag and are seeking access to their ports and prevent that such vessels have not been engaged in fishing and/or fishing-related activities in contravention with any GFCM conservations measure.

Article 120c

GFCM Transhipment declarations

1. Masters of fishing vessels over 15 meters in length overall flying their flag involved in a transhipment operation shall complete a GFCM transhipment declaration in accordance with Annex XX and indicate specifically all quantities of each species transhipped or received above 50 kg of live-weight equivalent and/or number of individuals when relevant.

2. The GFCM transhipment declaration referred to in paragraph 1 shall contain at least:

(a) the external identification number and the name of both the donor and the receiving fishing vessels;

(b) the FAO alpha-3 code of each species and the relevant geographical area in which the catches were taken;

(c) the estimated quantities of each species in kilograms in product weight, broken down by type of product presentation, or, where appropriate, the number of individuals, including the quantities or individuals below the applicable minimum conservation reference size, as a separate entry;

(d) the port of destination of the receiving fishing vessel;

(e) the designated port of transhipment.

3. The masters of both donor and the receiving fishing vessel shall submit a GFCM transhipment declaration, as soon as possible and not later than 48 hours after transhipment:

(a) to their flag Member State; and

(b) if the transhipment has taken place in a port of another Member State or in a port of a non-EU contracting party of the GFCM, the submission of the GFCM transhipment declaration shall also be done to the competent authorities of the port concerned.

4. GFCM transhipment declaration must be signed by the master of the receiving vessel and the master of the donor vessel.

5. The masters of both vessels shall each be responsible for the accuracy of the data recorded in their GFCM transhipment declaration.

6. A copy of the GFCM transhipment declaration shall be retained on board of each vessel until all catches and products have been landed.

Article 120d

Monitoring and control measures

1. The permitted margin of tolerance in estimates recorded in the GFCM transhipment declaration of the quantities in kilograms live-weights of fish transhipped or received shall be 10% for all species.

2. The port authorities shall review the information received, in cooperation with the flag authorities of the vessels if needed, to determine consistency between the reported catches, transhipments, and landings of each vessel. This verification shall be carried out in a manner whereby the vessel suffers the minimum interference and inconvenience, and that degradation of the fish is avoided.

3. All donor and receiver vessels authorized to conduct transhipment shall be required to have and use an operational vessel monitoring system onboard in line with the minimum standards referred to in Recommendation GFCM/33/2009/7.

Article 120e

Reporting

1. Member States shall report to the Commission, by 15 April every year, the list of ports, landing points, and places close to the shore where transhipment operations under this section are allowed.

2. The Commission shall report to the GFCM Secretariat the information referred to in paragraph 1, by 30 April of each year.

3. Member States shall report to the Commission any relevant information on the implementation of Recommendation GFCM/45/2022/14 by 15 April of each year.

4. The Commission shall send to the GFCM Secretariat the information established in paragraph 3 by 30 April of each year.

Section VI

Recreational fisheries in the Mediterranean Sea

Article 120f

Scope

This section establishes the minimum rules for management, control and monitoring of recreational fishing activities in the Mediterranean Sea, GSAs 1 to 27 as provided for in Annex I.

Article 120g

Prohibitions

Without prejudice to more stringent provisions laid down in Article 7 of Regulation (EU) 2019/1241, it shall be prohibited to:

(a) engage in recreational fishing without a valid fishing license or registration, in accordance with this chapter and from its date of application;

(b) sell or trade catches from recreational fishing activities;

(c) retain any specimen pertaining to the species listed in Annex XXI on Prohibit Species;

(d) retain any specimen smaller than the minimum conservation reference sizes adopted by the GFCM ;

(e) fish in the areas protected by means of and in accordance with GFCM decisions, in particular the sensitive habitats and the Fisheries Restricted Areas established to protect Essential Fish Habitats (EFHs) and Vulnerable Marine Ecosystems (VMEs) and Areas specifically prohibited to recreational fishing under Member States legislation.

(f) fish underwater with an autonomous breathing apparatus;

(g) fish underwater from sunset until dawn;

(h) hold simultaneously hand-held spears or spear guns and an autonomous breathing apparatus (aqualung);

(i) fish with toxic, stupefying or corrosive substances, explosives or electric current.

Article 120h

Licences

Member States shall, by 1 January 2025, put in place and maintain either a mandatory licensing or registry scheme covering all recreational fishers.

Article 120i

Control and enforcement

1. Member States shall establish and implement a system to control and monitor recreational fishing activities complementing existing national control plans, for recreational fishing activities made from vessels.

Such system shall be based on risk analysis, taking into account the frequency and threats posed by recreational fishing activities to marine biological resources, in particular regarding the prohibitions listed in Article 120g.

3. Member States shall establish and implement an effective sanctioning system against any infringement to the rules set out in this Chapter. The sanctions and penalties applied shall be effective, proportionate and dissuasive and shall take into account the frequency and the threats posed to marine biological resources, in particular regarding the prohibitions listed in Article 120g.

Article 120j

Data collection

Without prejudice to more stringent provisions laid down in Article 55 of Regulation (EC) 1224/2009 Member States shall perform sample checks and surveys of the recreational fishing activities in Union waters taking place on their territory.

Article 120k

Data reporting

1. Member States shall report to the Commission, by 15 January of each year, the elements listed below:

(a) the list of species prohibited to recreational fishing under national and/or local legislation;

(b) the fishing methods prohibited for recreational fishing under national and/or local legislation;

(c) the areas specifically prohibited to recreational fishing under national and/or local legislation;

(d) the list of species regulated for recreational fishing under national and/or local legislation;

(e) any measures regulating recreational fishing activities under national and/or local legislation.

2. The Commission shall report to the GFCM Secretariat by 31 January each year the information established in paragraph 1.";

(61) in Article 122, paragraph 2 is replaced by the following:

"2. The list indicated in paragraph 1 shall include the information set out in the first column of Annex XXIII and the following information:

(a) the vessel's CFR number and its external marking, as defined in Implementing Regulation (EU) 2017/218;

(b) the period during which fishing and/or transhipment is authorised;

(c) the fishing gears used.";

(62) Article 128 is amended as follows:

(a) in paragraph 1, point (b) is replaced by the following:

"(b) evidence reported by Member States supporting the presumption of IUU fishing activities, including information on the identification of the vessel concerned.";

(b) the following paragraphs 4, to 6 are added:

"4. Within the scope of this section, fishing vessels are deemed to have carried out IUU fishing activities in the GFCM area when a Member State presents evidence that such vessels have engaged in one or more of the following activities in contravention of GFCM conservation and management measures:

(a) the activities referred to in points (a), (b), (c), (e), (i) and (j) of Article 3(1) of Regulation (EC) No 1005/2008;

(b) harvesting fish in the GFCM area of application whilst being without nationality;

(c) harvesting fish in the GFCM area of application whilst being without adequate vessel identification number;

(d) engaging in fishing or fishing-related activities, in contravention of any other GFCM conservation and management measures.

5. Where appropriate, Member States shall investigate on the alleged IUU fishing activity and/or monitor the relevant vessels.

6. Where appropriate, Member States shall notify the owner of the vessel concerned regarding the submission of information on the vessel by the Member State for its inclusion in the draft GFCM IUU vessel list and regarding the consequences that may result should the vessel be included on the IUU vessel list adopted by the GFCM." ;

(63) Article 130 is replaced by the following:

"*Article 130*

Draft GFCM IUU vessel list

1. Upon receipt of the draft IUU vessel list from the GFCM Secretariat, Member States shall:

(a) closely monitor the vessels included in the draft IUU list and determine their activities and possible changes of name, flag and/or registered owner.

(b) notify the owner of the vessel flying its flag of its inclusion in the draft GFCM IUU vessel list and of the consequences that may result from being confirmed in the Adopted GFCM IUU vessel list.

2. Upon receipt of the draft IUU vessel list from the GFCM Secretariat, Member States may communicate their comments to the Commission as appropriate.

3. The Commission shall communicate this information to the GFCM Secretariat at least 30 days before the annual session of the GFCM.

4. Member States may submit to the Commission at the latest 7 days before the GFCM annual session any additional information which may be relevant for the establishment of the GFCM IUU vessel list.

5. The Commission shall send that information to the GFCM Secretariat before the GFCM annual session";

(64) the following Article 130a is inserted between Article 130 and Article 131:

"Article 130a

Vessel sightings

1. Member States shall collect, through enforcement and surveillance operations conducted by their competent authorities in the GFCM area of application, as much information as possible whenever a foreign-flagged vessel or vessel with undetermined or without nationality is sighted as engaged in fishing or fishing-related activities that are deemed to be illegal, unreported, and unregulated.

2. Member states shall collect information on vessel sightings in accordance with the sighting information sheet set out in Annex VII.

3. When a vessel is sighted, the sighting Member State shall, without delay, notify the sighting information sheet and provide any recorded images of the vessel to the appropriate authorities of the flag Member State or GFCM Contracting Parties or flag non-contracting parties of the sighted vessel, and:

(a) Where the sighted vessel is flying the flag of a Member State, the flag Member State shall, without undue delay, take appropriate action with respect to the vessel in question. Both the sighting Member State and the flag Member state of the sighted vessel shall provide information on the sighting to the Commission and the European Fisheries Control Agency (EFCA), including details of any follow-up actions taken;

(b) If the sighted vessel is flagged to another GFCM contracting party, a non-contracting party, is of indeterminate flag, or is without nationality, the sighting Member State shall without undue delay, provide to the Commission and the EFCA all appropriate information related to the sighting. The Commission, as appropriate, shall transmit the sighting information to the GFCM Secretariat. t.

5. Member States conducting a boarding of a vessel operating without nationality shall notify the Commission without delay. The Commission shall notify the GFCM Secretariat without delay.

6. Member States shall immediately report to the Commission relevant information collected from boardings on vessels of non- contracting parties conducting fishing or fishing-related activities on species covered by GFCM fisheries management measures in waters beyond national jurisdiction in the GFCM area of application. The Commission shall inform the GFCM Secretariat without delay.

7. Fishing and support vessels of Member States operating in the GFCM area of application shall collect and report relevant information to their appropriate domestic authorities to support the vessel sighting process set forth in this article.

8. The Commission is empowered to adopt delegated acts supplementing this Regulation in accordance with Article 140 of this Regulation and Article 18(1) to (6) of Regulation (EU) No 1380/2013 in respect of the data to be included in Annex VII.";

(65) in Article 139, paragraph 1 the following points are added:

"(11) The implementation of new template for the sightings under Article 130a and Annex VII;

(12) measures concerning turbot as set out in Articles 90 to 94a.";

(66) the following Article 138a is inserted between Article 138 and Article 139:

"Article 138a

Data management, protection of personal data and confidentiality

1. Personal data required for the application of Article 15 (1), Article 24(1), Article 30b (4) and (5), Article 30c, Article 34(1), Article 37b (4) and (5), Article 37c, Article 47(4), Article 54, Article 63 (4) and (5), Article 64, Article 70 (2), Article 75c (1), Article 78 (3)(a), Article 94a (1), Article 96c (1), Article 106d (2), Article 126, Article 128 (3) shall be collected and processed by the authorities of the Member States and the Commission for the following purposes:

(a) complying with the obligations of identifying relevant fishing vessels information and carry out data exchanges of fisheries data in accordance with Article 15, Article 24, Article 34, Article 47, Article 70, Article 77, Article 78, Article 94a and Article 96c of this Regulation; and

(b) monitoring, control, inspection and surveillance of fishing activities in accordance with Article 54, Articles 30b and 30c, Articles 37b and 37c, Articles 63 and 64, Article 126, Article 106d and Article 128 of this Regulation.

2. Personal data received in accordance with this Regulation shall not be stored for longer than it is necessary for the purpose it was collected and, in any event, longer than 5 years from the collection, except for personal data that is necessary to allow the follow up of complaints, infringements and judicial or administrative proceedings, which may be retained until the end of the concerned procedure, administrative or judicial proceedings or the time needed for the application of sanctions. If the information is retained for a longer period, the data shall be anonymized.

3. The authorities of the Member States shall be regarded as controllers as defined in Article 4(7) of Regulation (EU) 2016/679 in relation with the processing of personal data which they collect and transmit pursuant to this Regulation.

4. The Commission shall be each regarded as controllers as defined in Article 3(8) of Regulation (EU) 2018/1725 in relation with the processing of personal data which they collect and transmit pursuant to this Regulation.

5. In addition to the obligations established in Regulations (EU) 2016/679 and (EU) 2018/1725, the authorities of the Member States and the Commission shall each:

(a) ensure confidential treatment when transmitting and receiving electronic data;

(b) take the necessary measures to comply with the confidentiality and security provisions set out in Recommendations approved by GFCM, including appropriate encryption protocols to ensure confidentiality and authenticity;

(c) where necessary, at the request of the GFCM Secretariat, rectify or erase electronic reports or messages processed in a manner which does not comply with this Regulation;

(d) ensure that electronic data is stored and used only for monitoring, control, inspection and enforcement or other purposes specified in this Regulation; and

(e) ensure that all transmission of electronic data use data communication systems duly tested with the GFCM Secretariat.

6. The authorities of the Member States and the Commission shall each ensure the security of the processing of personal data in respect of the processing of personal data that takes place for the application of this Regulation, including the processing of personal data by the

authorities having a right to access relevant fisheries databases. In particular, they shall adopt the necessary measures in order to:

(a) physically protect data, including by making contingency plans for the protection of critical infrastructure;

(b) prevent the unauthorised reading, copying, modification or removal of data media;

(c) prevent the unauthorised input of data and the unauthorised access, modification or deletion of recorded personal data;

(d) prevent the unauthorised processing of data and any unauthorised copying, modification or deletion of data;

(e) ensure that persons authorised to access the relevant fisheries data bases have access only to the data covered by their access authorisation, by means of individual user identities and confidential access modes only;

(f) ensure that it is possible to verify and establish to which bodies personal data may be transmitted and what data has been processed in the relevant fisheries data bases, when, by whom and for what purpose;

(g) prevent the unauthorised reading, copying, modification or deletion of personal data during the transmission of personal data to or from the relevant fisheries data bases or during the transport of data media, in particular by means of appropriate encryption techniques; and

(h) monitor the effectiveness of the security measures referred to in this paragraph and take the necessary organisational measures related to internal monitoring to ensure compliance with this Regulation.";

(67) Annexes VII, VIII and XI are replaced as set out in point (1) of the Annex to this Regulation.

(68) Annexes XVII, XVIII, XIX, XX, XXI, XXII and XXIII are added as set out in point (2) of the Annex to this Regulation.

Article 2

Entry into force

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

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

Done at Brussels,

For the European Parliament	*For the Council*
The President	*The President*