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COMMISSION DELEGATED REGULATION (EU) 2024/2925

of 19 June 2024

amending Regulation (EU) 2023/2053 of the European Parliament and of the Council as regards the management of bluefin tuna in the eastern Atlantic and in the Mediterranean

THE EUROPEAN COMMISSION,

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

Having regard to Regulation (EU) 2023/2053 of the European Parliament and of the Council of 13 September 2023 establishing a multiannual management plan for bluefin tuna in the eastern Atlantic and the Mediterranean, amending Regulations (EC) No 1936/2001, (EU) 2017/2107, and (EU) 2019/833 and repealing Regulation (EU) 2016/1627 ([1]), and in particular Article 66, paragraph 1, points (e) and (k), thereof,

Whereas:

(1) The Union is party to the International Commission for the Conservation of Atlantic Tunas (ICCAT), having approved the ICCAT Convention pursuant to Council Decision 86/238/EEC ([2]).

(2) ICCAT adopts measures to ensure the long-term conservation and sustainable use of the fishery resources in the ICCAT Convention area and to safeguard the marine ecosystems in which these resources occur. Such measures may become binding upon the Union.

(3) Since the adoption of Regulation (EU) 2023/2053, ICCAT has adopted at its 2023 annual meeting ICCAT recommendation 23-06 ([3]) in relation to the management of bluefin tuna in the eastern Atlantic and in the Mediterranean. ICCAT recommendation 23-06 includes provisions on a revision of the limits on bluefin tuna farming capacity, an addition to the release protocol and an update to the reporting template for the treatment of dead and/or lost fish and an update on the procedure for the provision of ICCAT seals to ICCAT regional observers. Those measures should be implemented into Union law.

(4) Moreover, a number of updates and amendments need to be made to Regulation (EU) 2023/2053, namely updating the entirety of the release protocol in Annex XII and amending the indicated vessel length in Annex XV.

(5) As the provisions provided for in this Regulation have a direct impact on the planning of the fishing season of Union vessels and on related economic activities, this Regulation should enter into force as soon as possible,

([1]) Regulation (EU) 2023/2053 of the European Parliament and of the Council of 13 September 2023 establishing a multiannual management plan for bluefin tuna in the eastern Atlantic and the Mediterranean, amending Regulations (EC) No 1936/2001, (EU) 2017/2107, and (EU) 2019/833 and repealing Regulation (EU) 2016/1627 (OJ L 238, 27.9.2023, p. 1, ELI: http://data.europa.eu/eli/reg/2023/2053/oj).

([2]) Council Decision 86/238/EEC of 9 June 1986 on the accession of the Community to the International Convention for the Conservation of Atlantic Tunas, as amended by the Protocol annexed to the Final Act of the Conference of Plenipotentiaries of the States Parties to the Convention signed in Paris on 10 July 1984 (OJ L 162, 18.6.1986, p. 33, ELI: http://data.europa.eu/eli/dec/1986/238/oj).

([3]) Recommendation by ICCAT amending the recommendation 22-08 establishing a multi-annual management plan for bluefin tuna in the eastern Atlantic and the Mediterranean.

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EU) 2023/2053 is amended as follows:

(1) in Article 15, paragraph 3 is deleted;

(2) Annexes XII, XIII, XV and XVa are amended in accordance with the Annex to this Regulation.

Article 2

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, 19 June 2024.

For the Commission
The President
Ursula VON DER LEYEN

ANNEX

Annexes XII, XIII, XV and XVa to Regulation (EU) 2023/2053 are amended as follows:

(1) Annex XII is replaced by the following:

'ANNEX XII

RELEASE PROTOCOL

Issuing of release orders

1. Release orders before caging shall be issued:

by the competent authority of the Member State or CPC of the donor operator when, on the basis of the prior transfer notification, the competent authority of the Member State of the catching vessel or trap refuses the transfer operation as per Article 46; or

by the competent authority of the farm Member State or CPC when, in accordance with Article 45d, paragraph 8 the caging authorisation has not been issued by the competent authorities of the farm Member State or CPC within 1 month after the request for a caging authorisation.

2. Release orders after caging shall be issued:

by the competent authority of the catching flag or trap Member States or CPC when, following procedures in paragraphs 7 to 9 of Article 50 it is established that the weight caged exceed that reported caught. The release order shall be notified to the competent authorities of the farm Member State or CPC, which shall transmit it to the farm operator concerned; or

by the competent authorities of the farm Member State or CPC when, after harvest, the remaining fish is not covered by an eBCD, or when a carry-over assessment or control transfer has identified an excess of fish.

For cases under the first paragraph of point 2, the total weight of bluefin tuna to be released shall be converted into a corresponding number of individuals by applying the average weight resulting from the analysis of the stereoscopic camera video footages related to the relevant caging operation, made by the competent authorities of the farm Member State or CPC in accordance with paragraph 1 of Article 51.

Segregation of fish prior to the release operation

3. Prior to the release from a farm cage, the competent authorities of the farm Member State or CPC shall ensure that:

the fish to be released is segregated and moved to an empty transport cage, and the transfer of the fish to the transport cage is monitored by control camera in the water, in accordance with the minimum standards set out in Annex X;

the number of fish segregated for release corresponds to the release order.

4. The prior segregation of the fish shall be conducted in the presence of an ICCAT regional observer.

Record of the release operation by video camera

5. The release of bluefin tuna from transport or farm cages into the sea shall be recorded by control camera. All release operations into the sea shall be observed by an ICCAT regional observer.

Reporting

6. For each release operation performed, the donor operator or farm operator responsible for the release shall complete a release report, using the template set out in section 13 of this Annex.

7. The ICCAT regional observer shall validate the information in the release declaration. The donor operator or farm operator shall submit the release declaration to its authorities within 48 hours of the release operation taking place for transmission to the ICCAT Secretariat.

General provisions

8. Release operations from purse seine nets, traps or transport cages shall be executed immediately after receipt of the release order.

9. Release operations from farms shall be executed within 3 months of the last caging operation of the fish concerned and at a minimum distance of 10 miles from the farm. For releases of less than 5 tonnes of bluefin tuna, the competent authorities of the farm Member State or CPC may set a shorter distance, of minimum 5 miles, for the release.

10. The master of the towing vessel or the farm operator shall be responsible for the fish survival until the release operation has taken place.

11. The competent authorities of the farm Member State or CPC might implement any additional measures they feel necessary to guarantee that the release operations take place at the most appropriate time and place in order to increase the probability of the fish going back to the stock.

12. The provisions of this Annex shall not apply to release of bluefin tuna from traps as a result of lifting of the gear at the end of the activity.

13. RELEASE REPORT TEMPLATE:

ICCAT Release Report	Document No:

1 – **CATCHING/CAGING DETAILS**

Farm/catching vessel/trap/towing vessel carrying out the release:

ICCAT Register number:

Release order reference:

Catching vessel(s)/trap ([1]):

JFO number:

Caging authorisation(s) number ([1]):

Release cage(s) number:

eBCD(s) reference(s):

Release authorisation number:

2 – **DETAILS OF THE RELEASE OPERATION**

Type of release ([3]):

Date of the operation:

Towing vessel name:

ICCAT Register number:

Flag:

Segregation of fish prior to the release operation:

Verification cage number:

Release cage number:

Number of BFT individuals released:

Weight of BFT released (kg):

Operator name, date and signature ([2]):		Observer name, ICCAT No., date and signature:
Presence of Observer (Y/N)	Reasons for disagreement:	Rules or procedure not respected:

([1]) Only for releases from farms.
([2]) Signature of the farm operator for releases from farms, or of the fishing vessel master for releases ordered to catching vessels or towing vessels.
([3]) Release after completion of caging reports; BFT remaining after harvesting that is not covered by an eBCD; excess of BFT found following a control transfer or carry-over assessment.';

(2) in Annex XIII, Part F 'Reporting Template', in the fifth row of the template, a new third column 'Destination of dead fish (discarded or landed)' is added between the columns 'N° of dead BFT' and 'Master's signature':

'F. **Reporting template**

	Reporting of fish that die during further transfers and towing operations		
Towing vessel	Name		
	ICCAT N° and flag		
	ITD N° and cage N°		
	Master's name		
Catching vessel(s)/ trap	Name of vessel(s)/trap		
	ICCAT number and JFO N°		
	eBCDs number(s)		
Previous towing vessel (if any)	Name		
	ICCAT N° and flag		
	ITD N° and cage N°		
	Total number of BFT reported dead (*)		
Farm of destination	CPC/Name/ICCAT N°		
Date	N° of dead BFT	Destination of dead fish (discarded or landed)	Master's signature

TOTAL			

(*) In case of further transfers, the master of the donor towing vessel shall deliver the original of the mortalities report to the master of the receiving towing vessel.';

(3) in Annex XV, the introductory paragraph to point 1 is replaced by the following:

'1. Notwithstanding any stricter requirements applicable in specific ICCAT fisheries, each flag Member State shall implement a VMS for all its fishing vessels equal or greater than 12 metres in length overall, and for all their towing vessels, irrespective of their length, authorised to fish in waters beyond jurisdiction of the flag Member State and shall:';

(4) in Annex XVa, point 1 is replaced by the following:

'1. Prior to their deployment on a purse seine vessel, a trap, or a towing vessel, the entity operating the ICCAT regional observer programme shall provide a minimum of 25 ICCAT seals to each ICCAT regional observer under their responsibility and maintain a record of the seals provided and used'.