COMMISSION DELEGATED REGULATION (EU) 2024/2910

of 28 May 2024

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

THE EUROPEAN COMMISSION,

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

Having regard to Regulation (EU) No 1380/2013 of the European Parliament and of the Council of 11 December 2013 on the Common Fisheries Policy, amending Council Regulations (EC) No 1954/2003 and (EC) No 1224/2009 and repealing Council Regulations (EC) No 2371/2002 and (EC) No 639/2004 and Council Decision 2004/585/EC ([1]), and in particular Article 15(2) thereof,

Whereas:

(1) Regulation (EU) No 1380/2013 provides for the landing of all catches of species which are subject to catch limits and, in the Mediterranean, also catches of species which are subject to minimum sizes ('the landing obligation'). Article 15(1) of that Regulation covers fishing activities in Union waters or by Union fishing vessels outside Union waters not falling under third countries' sovereignty or jurisdiction.

(2) Article 15(2) of Regulation (EU) No 1380/2013 empowers the Commission to adopt delegated acts for the purpose of implementing international obligations into Union law, including, in particular, derogations from the landing obligation.

(3) Recommendation GFCM/46/2023/2 of General Fisheries Commission for the Mediterranean ('GFCM') prohibits retaining on board and landing giant red shrimp and blue and red shrimp in the Strait of Sicily of less than 25 mm carapace length.

(4) Recommendation GFCM/46/2023/3 of General Fisheries Commission for the Mediterranean ('GFCM') prohibits retaining on board and landing giant red shrimp and blue and red shrimp in the Ionian Sea of less than 25 mm carapace length.

(5) Recommendation GFCM/46/2023/4 of General Fisheries Commission for the Mediterranean ('GFCM') prohibits retaining on board and landing giant red shrimp and blue and red shrimp in the Levant Sea of less than 25 mm carapace length.

(6) Paragraph 4 of these recommendations grant the possibility of a 5 % margin of tolerance for incidental catch of giant red shrimp and blue and red shrimp below the minimum size.

(7) Recommendation GFCM/46/2023/14 of General Fisheries Commission for the Mediterranean ('GFCM') prohibits retaining on board and landing common dolphinfish in the Mediterranean Sea of less than 35 cm total length. Furthermore, paragraph 16 of the Recommendation grants the possibility of a 5 % margin of tolerance for incidental catch of dolphinfish below the minimum size.

(8) In order to ensure consistency between those Recommendations and Union law, the landing obligation in Article 15(1) of Regulation (EU) No 1380/2013 should not apply to Union vessels participating in the fisheries covered by those recommendations.

(9) Since this prohibition currently applies in the GFCM Agreement area of application, in order to ensure legal continuity, this Regulation should enter into force on the day following that of its publication,

([1]) OJ L 354, 28.12.2013, p. 22, ELI: http://data.europa.eu/eli/reg/2013/1380/oj.

HAS ADOPTED THIS REGULATION:

Article 1

Subject matter and scope

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

Article 2

Definitions

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

(1) 'GFCM Geographical Sub-areas' ('GSAs') means General Fisheries Commission for the Mediterranean ('GFCM') Geographical Sub-Areas as defined in the Annex I to Regulation (EU) 2023/2124 of the European Parliament and of the Council ([2]);

(2) 'Mediterranean Sea' means the waters in GFCM geographical subareas 1 to 27, as defined in Annex I to Regulation (EU) 2023/2124;

(3) 'Strait of Sicily' means the waters in GFCM geographical subareas 12, 13, 14, 15 and 16, as defined in Annex I to Regulation (EU) 2023/2124;

(4) 'Ionian Sea' means the waters in GFCM geographical subareas 19, 20 and 21, as defined in Annex I to Regulation (EU) 2023/2124;

(5) 'Levant Sea' means the waters in GFCM geographical subareas 24, 25, 26 and 27, as defined in Annex I to Regulation (EU) 2023/2124.

Article 3

Giant red shrimp and blue and red shrimp

1. This Article shall apply to giant red shrimp (*Aristaeomorpha foliacea*) and blue and red shrimp (*Aristeus antennatus*) in the Strait of Sicily, the Ionian Sea and the Levant Sea.

2. By way of derogation from Article 15(1) of Regulation (EU) No 1380/2013, it shall be prohibited to target, retain on board, tranship, transfer, land, transport, store, display or offer for sale giant red shrimp (*Aristaeomorpha foliacea*) and blue and red shrimp (*Aristeus antennatus*) below the minimum conservation reference size set at 25 mm carapace length.

3. By way of derogation from paragraph 2 of this Article, incidental catches of maximum 5 % of giant red shrimp (*Aristaeomorpha foliacea*) and blue and red shrimp (*Aristeus antennatus*) of less than 25 mm carapace length may be retained on board, transhipped, transferred, landed, transported, stored, sold, displayed or offered for sale.

4. The percentage of 5 % referred to in paragraph 3 shall be calculated on the basis of the weight of giant red shrimp and blue and red shrimp of the vessel's total catch per landing.

Article 4

Common dolphinfish

1. This Article shall apply to common dolphinfish (*Coryphaena hippurus*) in the Mediterranean Sea fished by means of Fish Aggregating Devices (FADs).

([2]) 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 (OJ L, 2023/2124, 12.10.2023, ELI: http://data.europa.eu/eli/reg/2023/2124/oj).

2. By way of derogation from Article 15(1) of Regulation (EU) No 1380/2013, it shall be prohibited to target, retain on board, tranship, transfer, land, transport, store, display or offer for sale common dolphinfish (*Coryphaena hippurus*) below the minimum conservation reference size set at 35 cm total length.

3. By way of derogation from paragraph 2 of this Article, incidental catches of maximum 5 % of common dolphinfish (*Coryphaena hippurus*) of less than 35 cm total length may be retained on board, transhipped, transferred, landed, transported, stored, sold, displayed or offered for sale.

4. The percentage of 5 % referred to in paragraph 3 shall be calculated on the basis of weight or/and number of pieces per landing of the total common dolphinfish catch of the vessels.

Article 5

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

It shall apply until 31 December 2026.

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

Done at Brussels, 28 May 2024.

For the Commission
The President
Ursula VON DER LEYEN