Official Journal
of the European Union

EN
L series

2024/2926

26.11.2024

COMMISSION DELEGATED REGULATION (EU) 2024/2926

of 12 July 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 Trade and Cooperation Agreement between the European Union and the European Atomic Energy Community, of the one part, and the United Kingdom of Great Britain and Northern Ireland, of the other part, as regards picked dogfish

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) On 29 April 2021, the Council adopted Decision (EU) 2021/689 on the conclusion of the Trade and Cooperation Agreement between the European Union and the European Atomic Energy Community, of the one part, and the United Kingdom of Great Britain and Northern Ireland, of the other part (hereinafter 'Trade and Cooperation Agreement') ([2]). The Trade and Cooperation Agreement entered into force on 1 May 2021.

(2) Article 498(2) of the Trade and Cooperation Agreement provides that the Parties to that Agreement are to hold consultations annually to agree, by 10 December of each year, the total allowable catches (TACs) for the following year for the stocks listed in Annex 35 of the Agreement. These consultations may also cover the additional matters referred to in Article 498(4) of the Agreement, including list of stocks for which fishing is prohibited, the determination of the TAC for any stock which is not listed in Annex 35 or Annex 36 and the Parties' respective shares of those stocks, as well as measures for fisheries management.

(3) The Union conducts the annual consultations in line with the objectives and principles set out in Articles 2, 3, 28 and 33 of Regulation (EU) No 1380/2013, Articles 4 and 5 of Regulations (EU) 2019/472 ([3]) and (EU) 2018/973 ([4]) of the European Parliament and of the Council (establishing respectively the multiannual plans for stocks fished in Western Waters and North Sea), and Council Decision (EU) 2021/1875 ([5]).

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

([2]) Council Decision (EU) 2021/689 of 29 April 2021 on the conclusion, on behalf of the Union, of the Trade and Cooperation Agreement between the European Union and the European Atomic Energy Community, of the one part, and the United Kingdom of Great Britain and Northern Ireland, of the other part, and of the Agreement between the European Union and the United Kingdom of Great Britain and Northern Ireland concerning security procedures for exchanging and protecting classified information (OJ L 149, 30.4.2021, p. 2, ELI: http://data.europa.eu/eli/dec/2021/689/oj).

([3]) Regulation (EU) 2019/472 of the European Parliament and of the Council of 19 March 2019 establishing a multiannual plan for stocks fished in the Western Waters and adjacent waters, and for fisheries exploiting those stocks, amending Regulations (EU) 2016/1139 and (EU) No 2018/973, and repealing Council Regulations (EC) No 811/2004, (EC) No 2166/2005, (EC) No 388/2006, (EC) No 509/2007 and (EC) No 1300/2008 (OJ L 83, 25.3.2019, p. 1, ELI: http://data.europa.eu/eli/reg/2019/472/oj).

([4]) Regulation (EU) 2018/973 of the European Parliament and of the Council of 4 July 2018 establishing a multiannual plan for demersal stocks in the North Sea and the fisheries exploiting those stocks, specifying details of the implementation of the landing obligation in the North Sea and repealing Council Regulations (EC) No 676/2007 and (EC) No 1342/2008 (OJ L 179, 16.7.2018, p. 1, ELI: http://data.europa.eu/eli/reg/2018/973/oj).

([5]) Council Decision (EU) 2021/1875 of 22 October 2021 concerning the position to be adopted on behalf of the Union in the annual consultations with the United Kingdom to agree on total allowable catches (OJ L 378, 26.10.2021, p. 6, ELI: http://data.europa.eu/eli/dec/2021/1875/oj).

(4) The Union position during the annual consultations is based on the best available scientific advice, principally that provided by the International Council for the Exploration of the Sea in accordance with Article 494(3)(c) of the Trade and Cooperation Agreement.

(5) In accordance with the obligation set out in Article 498(6) of that Agreement, a Written Record documenting the arrangements made between the Parties as a result of those consultations is to be produced and signed by the heads of delegation of the Parties.

(6) On 6 December 2023, the Union agreed with the United Kingdom on the setting of a substantial number of TACs for 2024 for stocks listed in Annex 35 to the Trade and Cooperation Agreement. The outcome of the consultations was documented in a Written Record signed on 6 December 2023 ([6]) and supplemented by an addendum on 8 December 2023 ([7]), in accordance with Article 498(6) of the Trade and Cooperation Agreement and Decision (EU) 2021/1875.

(7) Picked dogfish (*Squalus acanthias*) is a stock jointly managed by the Union and the United Kingdom. During the annual consultations, the Union and the United Kingdom agreed the relevant TAC levels, documented in the Written Record and its addendum, and subsequently implemented in Council Regulation (EU) 2024/257 ([8]).

(8) The Union and the United Kingdom also agreed that, in order to protect a component of this stock that is particularly vulnerable to fishing mortality, it is appropriate to deter directed fisheries targeting aggregations of mature females. To this end, the Union and the United Kingdom agreed that, pending the review of this measure under the Specialised Committee on Fisheries established by the Trade and Cooperation Agreement, a maximum catch size of 100 cm for picked dogfish should be respected.

(9) Pending the adoption of such a maximum catch size in Union law in accordance with Article 15(2) of Regulation (EU) No 1380/2013, the measure agreed with the United Kingdom was established in Annex IA to Regulation (EU) 2024/257. That measure is functionally linked to the TAC for picked dogfish, as, without such measure, the TAC level alone would not ensure sufficient protection of spawning females, which constitute a particularly vulnerable part of the population.

(10) This Regulation aims at excluding picked dogfish above 100 cm from the landing obligation, ensuring that when caught accidentally, such specimens are not harmed and are promptly released back into the sea.

(11) This Regulation provides a more stable legal framework, given the temporary nature of the measures adopted by the Council which, in accordance with Article 59, third paragraph, point (l), of Regulation (EU) 2024/257, will cease to apply on the date on which a delegated act introducing corresponding measures and regulating the treatment of picked dogfish catches of those stocks over 100 cm becomes applicable.

(12) This Regulation ensures compliance by the Union with its international obligations and creates legal certainty and a level playing field for Union fishermen.

(13) As the measures provided for in this Regulation have a direct impact on the conservation of the stock, this Regulation should enter into force as soon as possible after its publication.

(14) As the measures agreed in the Written Record and its addendum will expire on 31 December 2024, this Regulation should also cease to apply on that date,

([6]) Written Record of fisheries consultations between the United Kingdom and the European Union for 2024: https://oceans-and-fisheries.ec.europa.eu/document/download/543b9dc6-6cb1-48c3-b3b5-6d08c00dbe69_en?filename=2024-eu-uk-fisheries-consultations_en.pdf.

([7]) Addendum to the Written Record of fisheries consultations between the United Kingdom and the European Union for 2024 signed on 6 December 2023: https://oceans-and-fisheries.ec.europa.eu/document/download/304f76cc-de72-4dce-9d27-fe8d4869b002_en?filename=2024-eu-uk-fisheries-consultations_addendum-en.pdf.

([8]) Council Regulation (EU) 2024/257 of 10 January 2024 fixing for 2024, 2025 and 2026 the fishing opportunities for certain fish stocks, applicable in Union waters and, for Union fishing vessels, in certain non-Union waters, and amending Regulation (EU) 2023/194 (OJ L, 2024/257, 11.1.2024, ELI: http://data.europa.eu/eli/reg/2024/257/oj).

HAS ADOPTED THIS REGULATION:

Article 1

Subject matter and scope

This Regulation establishes a derogation from the landing obligation set out in Article 15 of Regulation (EU) No 1380/2013 for the purpose of implementing the Union's international obligations as regards shared stocks subject to the fisheries consultations held between the United Kingdom and the European Union under the Trade and Cooperation Agreement.

This Regulation applies to fishing activities in Union waters or by Union fishing vessels outside Union waters in waters not subject to third countries' sovereignty or jurisdiction.

Article 2

Derogation concerning Picked dogfish (*Squalus acanthias*)

By way of derogation from Article 15(1) of Regulation (EU) No 1380/2013, it shall be prohibited to target, retain on board or tranship, land, transport, store, display or offer for sale, sell or market picked dogfish above the length of 100 cm.

Any picked dogfish above the length of 100 cm, when caught accidentally, shall not be harmed and shall be promptly released back into the sea.

Article 3

Entry into force and application

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 apply until 31 December 2024.

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

Done at Brussels, 12 July 2024.

For the Commission
The President
Ursula VON DER LEYEN