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COMMISSION IMPLEMENTING REGULATION (EU) 2026/2249

of 12 October 2026

operating deductions from the fishing effort available to Spain in 2026 on account of overfishing in the previous year

THE EUROPEAN COMMISSION,

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

Having regard to Council Regulation (EC) No 1224/2009 of 20 November 2009 establishing a Union control system for ensuring compliance with the rules of the common fisheries policy, amending Regulations (EC) No 847/96, (EC) No 2371/2002, (EC) No 811/2004, (EC) No 768/2005, (EC) No 2115/2005, (EC) No 2166/2005, (EC) No 388/2006, (EC) No 509/2007, (EC) No 676/2007, (EC) No 1098/2007, (EC) No 1300/2008, (EC) No 1342/2008 and repealing Regulations (EEC) No 2847/93, (EC) No 1627/94 and (EC) No 1966/2006 ([1]), and in particular Article 106(1) and (2) thereof,

Whereas:

(1) Fishing efforts in the western Mediterranean Sea for the years 2024, 2025 and 2026 have been fixed, respectively, by Council Regulations (EU) 2024/259 ([2]), (EU) 2025/219 ([3]) and (EU) 2026/266 ([4]).

(2) For the fishing year 2025, Article 7(2) of Regulation (EU) 2025/219 provides that the maximum allowable fishing effort for trawlers and longliners is set out in its Annex IV. In particular, the table in point 1(a) of this Annex sets out the maximum allowable fishing effort, in fishing days, for trawlers in the Alboran Sea, Balearic Islands, Northern Spain and Gulf of Lion (General Fisheries Commission for the Mediterranean (GFCM) geographical subareas (GSAs) 1, 2, 5, 6 and 7).

(3) In order to improve the selectivity of fishing gear and the efficiency of closure areas to protect juvenile fish and spawners, Article 8 of Regulation (EU) 2025/219 establishes a compensation mechanism, allowing a Member State to grant to vessels flying its flag an additional allocation of fishing days for the fishing year 2025, provided that the vessel receiving the additional allocation fulfils certain conditions. Article 8(5) provides that the Member State concerned shall not allocate additional fishing days that would result in exceeding the level of fishing effort set for the relevant fishing effort group in Regulation (EU) 2024/259.

(4) For the fishing year 2024, Article 7(2) of Regulation (EU) 2024/259 provides that the maximum allowable fishing effort for trawlers and longliners is set out in its Annex III. In particular, the table in point 1(a) of this Annex sets out the maximum allowable fishing effort, in fishing days, for trawlers in the Alboran Sea, Balearic Islands, Northern Spain and Gulf of Lion (GSAs 1, 2, 5, 6 and 7).

(5) In order to promote the selectivity of fishing gear and the efficiency of closure areas to protect juvenile fish and spawners, Article 8 of Regulation (EU) 2024/259 establishes a compensation mechanism allowing a Member State to grant to vessels flying its flag an additional allocation of fishing days for the fishing year 2024 provided that the vessel receiving the additional allocation fulfils certain conditions.

([1]) OJ L 343, 22.12.2009, p. 1, ELI: http://data.europa.eu/eli/reg/2009/1224/oj.
([2]) Council Regulation (EU) 2024/259 of 10 January 2024 fixing for 2024 the fishing opportunities for certain fish stocks and groups of fish stocks applicable in the Mediterranean and Black Seas (OJ L, 2024/259, 11.1.2024, ELI: http://data.europa.eu/eli/reg/2024/259/oj).
([3]) Council Regulation (EU) 2025/219 of 30 January 2025 fixing for 2025 the fishing opportunities for certain fish stocks and groups of fish stocks applicable in the Mediterranean and Black Seas (OJ L, 2025/219, 4.2.2025, ELI: http://data.europa.eu/eli/reg/2025/219/oj).
([4]) Council Regulation (EU) 2026/266 of 26 January 2026 fixing for 2026 the fishing opportunities for certain fish stocks and groups of fish stocks applicable in the Mediterranean and Black Seas (OJ L, 2026/266, 30.1.2026, ELI: http://data.europa.eu/eli/reg/2026/266/oj).

(6) By email dated 19 November 2025, the Spanish authorities informed the Commission that, according to Spain's interpretation of Article 8 of Regulation (EU) 2025/219, the limit of fishing days for the fishing year 2025 should include not only the maximum allowable fishing effort set for the fishing year 2024 (referred to by Spain as 'initial days'), but also the additional allocation of fishing days granted under the compensation mechanism for 2024. As a consequence, Spain requested the Commission to update the Spanish fishing effort allocation for 2025 in the Commission QUOTA tool on FIDES.

(7) The Commission replied by email of 23 November 2025 that the calculation of additional days stemming from the compensation mechanism for 2025 should be made taking into account both Article 8(5) of Regulation (EU) 2025/219 and Article 7(2) of Regulation (EU) 2024/259, which refers to the maximum allowable fishing effort set out in Annex III to this Regulation. The Commission concluded that the fishing effort set in Regulation (EU) 2024/259 does not include the additional days granted under the 2024 compensation mechanism.

(8) By Resolution of 25 November 2025 ([5]), Spain amended Resolution of 10 October 2025, which published the quantities available under the compensation mechanism, and granted 7 125 additional fishing days to its Mediterranean trawling fleet, representing approximately 13 fishing days per vessel, to be used before the end of 2025.

(9) Consequently, the Commission sent a letter dated 1 December 2025 to the Spanish authorities requesting them to provide detailed explanations regarding the legal basis used by Spain to grant these additional fishing days for 2025 through the said Resolution of 25 November 2025. The Commission reiterated that the level of fishing effort set in Regulation (EU) 2024/259 does not include the additional fishing days granted under the 2024 compensation mechanism. The Commission also reminded Spain that, in accordance with Article 106(1) and (2) of Regulation (EC) No 1224/2009, the Commission is required to deduct any fishing effort deployed in excess of the 2025 fishing effort allocated to Spain for the stock concerned from the fishing effort available for that stock in the following year or years.

(10) In a letter dated 22 January 2026, Spain replied that 'given that Regulation (EU) 2024/259 also foresaw a compensation mechanism, according to which Member States may grant an additional allocation of fishing days up to 6 %, provided that the conditions established were fulfilled, the level of fishing effort set for in Regulation (EU) 2024/259 shall be regarded as the initial allocation plus that 6 % (in case the conditions were fulfilled), this being the maximum that additional allocation of fishing days in 2025 shall not exceed based on the compensation mechanism in Article 8(5) of Regulation (EU) 2025/219.' Spain explained that 'pursuant to Article 8(5) of Regulation (EU) 2025/219, the Member State may allocate additional fishing days up to the limit of the level of fishing effort established by (…) Regulation (EU) 2024/259, it being understood that such limit is determined by the initial allocation of fishing days, increased by 6 %, if certain conditions are met'.

(11) Pursuant to Article 106(1) of Regulation (EC) No 1224/2009, when the Commission has established that a Member State has exceeded the fishing effort which has been allocated to it, the Commission, after consulting the Member State concerned, is to operate deductions from the future fishing effort allocated to that Member State.

(12) Article 106(2) of Regulation (EC) No 1224/2009 provides that such deductions are to be operated in the following year or years by applying a multiplying factor as set out therein.

([5]) Resolución de 25 de noviembre de 2025, de la Secretaría General de PESCA, por la que se modifica la de 10 de octubre de 2025, por la que se publica para 2025 la cantidad disponible de días de pesca del mecanismo de optimización por buque y grupo de buques de arrastre de fondo del Mediterráneo, https://www.boe.es/diario_boe/txt.php?id=BOE-A-2025-23990.

(13) After assessing Spain's excess utilisation of fishing opportunities in accordance with Article 47 of Commission Implementing Regulation (EU) 2025/2196 ([6]), the Commission concluded that Spain exceeded its available fishing effort by the following quantities:

— 520,5 fishing days for trawlers between 12 and 18 meters in length overall (EFF1/MED1_TR2) targeting red mullet in GSAs 1, 5, 6 and 7, European hake in GSAs 1, 5, 6 and 7, deep-water rose shrimp in GSAs 1, 5 and 6, and Norway lobster in GSAs 5 and 6;

— 2 127,5 fishing days for trawlers between 18 and 24 meters in length overall (EFF1/MED1_TR3) targeting the same species in the same areas as above;

— 149,5 fishing days for trawlers of 24 meters in length overall and above (EFF1/MED1_TR4) targeting the same species in the same areas as above;

— 170,5 fishing days for trawlers of 24 meters in length overall and above (EFF2/MED1_TR4) targeting blue and red shrimp in GSAs 1, 2, 5, 6, and 7.

(14) By email of 30 March 2026, the Commission informally consulted Spain on the deductions to operate from the fishing effort available to Spain in 2026 on account of overfishing in 2025. Spain replied by email on 7 April 2026 that it could not agree with the intended deductions since Spain did not report any excess of fishing effort deployed in any fleet segments for 2025. In its reply, Spain referred to aforementioned letter dated 22 January 2026, maintaining that the additional days that a Member State may allocate pursuant to Article 8(5) of Regulation (EU) 2025/219 for the year 2025 should not exceed the initial fishing effort days established by Regulation (EU) 2024/259 for the year 2024 increased by 6 % resulting from the compensation mechanism for 2024, if certain conditions are met.

(15) Pursuant to Article 106(1) and (2) of Regulation of Regulation (EC) No 1224/2009, the Commission, by letter of 11 June 2026, formally consulted Spain. The Commission reiterated its intention to apply deductions on the fishing effort allocated to Spain in 2026. In this letter, the Commission explained that the calculations of the overfishing are based on the adapted fishing effort, which corresponds to the fishing effort set out in Annex IV to Regulation (EU) 2025/219 to which are added possible additional fishing days allocated in accordance with Article 8(1) of the same Regulation without exceeding the level of fishing effort referred to in Article 8(5), possible transfer of fishing opportunities in accordance with Article 9(3) of Regulation (EU) 2019/1022, exchanges of fishing opportunities in accordance with Article 16(8) of Regulation (EU) No 1380/2013, as well as deductions of fishing opportunities in accordance with Article 106 of Regulation (EC) No 1224/2009.

(16) Spain replied on 24 June 2026 contesting the existence of an excess of fishing effort deployed, considering that 'the maximum number of fishing days that may be allocated during the 2025 fishing year must be calculated by reference to the sum of the days initially allocated and the days resulting from the compensation mechanism applicable to 2024.'

(17) The Commission considers that Spain's decision to grant additional fishing days for 2025 is based on an incorrect interpretation of Article 8(5) of Regulation (EU) 2025/219, which requires Member States not to allocate additional fishing days that would result in exceeding the level of fishing effort set for the relevant fishing effort group in Regulation (EU) 2024/259. That provision is to be read in conjunction with Article 7(2) of Regulation (EU) 2024/259, pursuant to which the maximum allowable fishing effort is set out in Annex III to this Regulation. This Annex sets out a specific level of fishing effort for trawlers and longliners, in fishing days, for each fishing effort group. It results that the level of fishing effort set by Regulation (EU) 2024/259, referred to in Article 8(5) of Regulation (EU) 2025/219, does not include the additional fishing days granted under the compensation mechanism for 2024 since such days are not set in Regulation (EU) 2024/259 but depend on the use, in part or in full, of this compensation mechanism by the Member States.

([6]) Commission Implementing Regulation (EU) 2025/2196 of 17 October 2025 laying down detailed rules for the implementation of Council Regulation (EC) No 1224/2009 as regards access to waters and resources, control of fisheries, surveillance, inspection and enforcement, deduction of quotas and fishing efforts, data and information, and repealing Commission Implementing Regulation (EU) No 404/2011 (OJ L, 2025/2196, 12.11.2025, ELI: http://data.europa.eu/eli/reg_impl/2025/2196/oj).

(18) Spain has been informed by registered email sent on 22 September 2026 that the Commission maintains its position as regards the interpretation of Article 8(5) of Regulation (EU) 2025/219.

(19) Deductions should therefore be operated from the fishing effort available to Spain in 2026 for the exceeded fishing effort in the fishing areas and fisheries concerned, in accordance with Article 106(1) and (2) of Regulation (EC) No 1224/2009.

(20) Further updates or corrections may still occur following the detection, for the current or previous deduction exercises, of errors, omissions or misreporting in the fishing effort deployment data declared by Spain pursuant to Article 33 of Regulation (EC) No 1224/2009,

HAS ADOPTED THIS REGULATION:

Article 1

The fishing effort fixed for the year 2026 in Regulation (EU) 2026/266 shall be reduced by the deductions set out in the Annex to this Regulation.

Article 2

This Regulation shall enter into force on the seventh 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, 12 October 2026.

For the Commission
The President
Ursula VON DER LEYEN

ANNEX

DEDUCTIONS FROM THE FISHING EFFORT FOR THE YEAR 2026 FOR THE STOCKS WHICH HAVE BEEN OVERFISHED

Member State	Fishing effort group code	Stock group	Vessel length	Vessel type	Initial fishing effort allocated for 2025 (in fishing days)	Adapted fishing effort for 2025 (1) (in fishing days)	Total fishing effort deployed in 2025 (in fishing days)	Effort uptake in 2025 (in %)	Overfishing related to adapted fishing effort in 2025 (in fishing days)	Multi-plying factor (2)	Deduction to apply on the fishing effort allocation for 2026 (in fishing days)
ES	EFF1/MED1_TR2 including additional allocations under EFF1/MED1_TR2_AA (3)	Red mullet in GSAs 1, 5, 6 and 7; European hake in GSAs 1, 5, 6 and 7; deep-water rose shrimp in GSAs 1, 5 and 6; Norway lobster in GSAs 5 and 6	≥ 12 m and < 18 m	Trawlers	3 400	16 189	16 709,500	103,22 %	520,500	1,0	520,500
ES	EFF1/MED1_TR3 including additional allocations EFF1/MED1_TR3_AA (3)	Red mullet in GSAs 1, 5, 6 and 7; European hake in GSAs 1, 5, 6 and 7; deep-water rose shrimp in GSAs 1, 5 and 6; Norway lobster in GSAs 5 and 6	≥ 18 m and < 24 m	Trawlers	6 379	30 375	32 502,500	107,00 %	2 127,500	1,0	2 127,500
ES	EFF1/MED1_TR4 including additional allocations under EFF1/MED1_TR4_AA (3)	Red mullet in GSAs 1, 5, 6 and 7; European hake in GSAs 1, 5, 6 and 7; deep-water rose shrimp in GSAs 1, 5 and 6; Norway lobster in GSAs 5 and 6	≥ 24 m	Trawlers	2 247	10 698	10 847,500	101,40 %	149,500	1,0	149,500

Member State	Fishing effort group code	Stock group	Vessel length	Vessel type	Initial fishing effort allocated for 2025 (in fishing days)	Adapted fishing effort for 2025 (1) (in fishing days)	Total fishing effort deployed in 2025 (in fishing days)	Effort uptake in 2025 (in %)	Overfishing related to adapted fishing effort in 2025 (in fishing days)	Multi-plying factor (2)	Deduction to apply on the fishing effort allocation for 2026 (in fishing days)
ES	EFF2/MED1_TR4 including additional allocations under EFF2/MED1_TR4_AA (3)	Blue and red shrimp in GSAs 1, 2, 5, 6 and 7	≥ 24 m	Trawlers	1 297	6 173	6 343,500	102,76 %	170,500	1,0	170,500

(1) Effort available to a Member State pursuant to the relevant fishing opportunities Regulation after taking into account possible additional fishing days in accordance with Article 8 of Regulation EU 2025/219 of the Council of 30 January 2025 fixing for 2025 the fishing opportunities for certain fish stocks and groups of fish stocks applicable in the Mediterranean and Black Sea, possible transfer of fishing opportunities in accordance with Article 9(3) of Regulation (EU) 2019/1022 of the European Parliament and of the Council of 20 June 2019 establishing a multiannual plan for the fisheries exploiting demersal stocks in the western Mediterranean Sea and amending Regulation (EU) No 508/2014 (OJ L 172, 26.6.2019, p. 1, ELI: http://data.europa.eu/eli/reg/2019/1022/2019-08-14), exchanges of fishing opportunities in accordance with Article 16(8) of Regulation (EU) No 1380/2013 of the European Parliament and of the Council of 11 December 2013 on the Common Fisheries Policy, amending Council Regulations (EC) No 1954/2003 and (EC) No 1224/2009 and repealing Council Regulations (EC) No 2371/2002 and (EC) No 639/2004 and Council Decision 2004/585/EC (OJ L 354, 28.12.2013, p. 22, ELI: http://data.europa.eu/eli/reg/2013/1380/oj), as well as deduction of fishing opportunities in accordance with Article 106 of Regulation (EC) No 1224/2009.

(2) As set out in Article 106(2) of Regulation (EC) No 1224/2009.

(3) As set out in Article 8 of Regulation (EU) 2025/219.