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Proposal for a

COUNCIL REGULATION

fixing for 2025 and 2026 the fishing opportunities for certain fish stocks, applicable in Union waters and, for Union fishing vessels, in certain non-Union waters

EXPLANATORY MEMORANDUM

1. CONTEXT OF THE PROPOSAL

• Reasons for and objectives of the proposal

Regulation (EU) No 1380/2013[1] of the European Parliament and of the Council on the Common Fisheries Policy (CFP) ('Basic Regulation') sets out objectives that are *inter alia* to be applied when establishing fishing opportunities, i.e. catch and fishing effort limits, with the aim of ensuring that EU fisheries are ecologically, economically and socially sustainable. The European Parliament and the Council adopted Regulations (EU) 2018/973[2] and (EU) 2019/472[3] establishing multiannual plans ('MAPs') for the North Sea and for the Western Waters specifying for certain stocks how to reach those objectives when fixing fishing opportunities ('North Sea MAP' and 'Western Waters MAP').

The fishing opportunities are to be fixed for most stocks every year and for certain stocks every 2 to 4 years.

Some of the fishing opportunities are to be fixed autonomously by the EU, while some are to be fixed following multilateral or bilateral consultations with non-EU countries.

This proposal aims to fix fishing opportunities for certain:

– stocks for which the fishing opportunities are fixed autonomously by the EU, including deep-sea stocks;

– stocks that are: (i) jointly managed with the United Kingdom (UK) in the North Sea and the North-Western Waters, including deep-sea stocks in those areas; (ii) jointly managed with Norway and the UK in the North Sea; (iii) jointly managed with Norway in the Skagerrak-Kattegat; or (iv) subject to North-East Atlantic Fisheries Commission (NEAFC) coastal States consultations;

– stocks managed by regional fisheries management organisations (RFMOs); and

– stocks in waters of non-EU countries.

A number of fishing opportunities are marked 'pm' (*pro memoria*) in this proposal, because:

– the scientific advice for some autonomous EU stocks was not yet available when the proposal was adopted; or

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1 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).

2 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).

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) 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).

– certain catch limits and other measures from the relevant RFMOs are pending, because the annual meetings have not yet taken place; or

– pending the conclusion of multilateral or bilateral consultations with certain non-EU countries, figures are not yet available for: (i) stocks jointly managed with non-EU countries; and (ii) fishing opportunities exchanged with non-EU countries; and (iii) stocks in waters of non-EU countries.

Approach for setting fishing opportunities

Fishing opportunities are fixed in accordance with Article 16(4) of the Basic Regulation referring to the CFP objectives and the North Sea and Western Waters MAPs.

The Commission publishes annually a communication providing an overview of the state of the stocks based on scientific advice, and explaining its approach to proposing fishing opportunities. The most recent annual communication is entitled *'Sustainable fishing in the EU: state of play and orientations for 2025'* (COM(2024) 235 final).

The Commission proposes fishing opportunities that are based on scientific advice and in accordance with the approach outlined in the annual communication.

Between 31 May and 30 June 2024, in response to the Commission's request, the International Council for the Exploration of the Sea (ICES) provided its annual or multiannual scientific advice on a number of autonomous EU stocks covered by this proposal[4].

ICES scientific advice essentially depends on data:

– (i) for stocks for which comprehensive data sets are available, allowing full analytical, age-/length-structured, assessments, ICES produces estimates of the sizes of the stocks and forecasts on how various exploitation scenarios will affect these stock sizes ('catch scenarios tables'). On that basis, ICES estimates adjustments to the fishing opportunities that will bring the stock to a level that can produce the maximum sustainable yield (MSY);

– (ii) for stocks for which less data is available, ICES does not provide catch scenarios but identifies longer-term trends in recruitment, biomass and fishing mortality. On that basis, ICES estimates fishing opportunities in line with MSY, based on MSY proxies; and

– (iii) for other stocks for which limited data is available, when advising on the level of fishing opportunities, ICES relies on the precautionary approach to fisheries management and applies a certain methodology[5]. For such stocks for which more data is available, ICES identifies longer-term trends in recruitment, biomass and fishing mortality to assess the status of the stocks, but does not estimate MSY proxies. For such stocks for which the least data is available, ICES identifies trends in catches or landings to assess the status of stocks.

ICES assessments for stocks under points (i) and (ii) are referred to as 'analytical assessment' and the advice is referred to as 'MSY advice'. Assessments for stocks under point (iii) are

4 https://www.ices.dk/advice/Pages/Latest-Advice.aspx

5 See in particular the document *ICES approach to advice on fishing opportunities*; https://doi.org/10.17895/ices.advice.22240624.v2

referred to as ‘precautionary assessment’ and the advice is referred to as ‘precautionary advice’.

For stocks under point (i), ICES publishes advice annually. However, for stocks under points (ii) and (iii), ICES neither performs a stock assessment nor publishes advice on an annual basis. Rather, for such stocks under points (ii) and (iii), ICES assesses longer-term trends. As a result, ICES considers that the assessed status of those stock will not be subject to major changes during the advice period. For those stocks, the advice published by ICES is the best available scientific advice for the entire advice period. For the autonomous EU stocks for which ICES publishes advice that remains valid for several years, the Commission proposes to set annual total allowable catches (TACs) covering the entire advice period, i.e. a period of 2 years (‘multiannual TACs’).

Fishing opportunities available to the EU are allocated among Member States in accordance with Article 16(1) of the Basic Regulation on the principle of relative stability.

Fishing opportunities to be proposed later

Fishing opportunities for autonomous EU stocks for which scientific advice is not yet available are marked ‘pm’ in this proposal and will be proposed once that scientific advice becomes available, in accordance with the approach outlined in the annual communication. Once the scientific advice becomes available, this proposal will be updated accordingly by means of Commission services’ non-papers.

Equally, fishing opportunities for certain other stocks will be proposed in light of the outcome of consultations with non-EU countries that are ongoing and of the annual meetings of RFMOs that have not yet taken place. In relation to those consultations and annual meetings of RFMOs, the Commission proposes, and the Council adopts, EU positions, to be expressed on behalf of the EU, in accordance with the approach outlined in the annual communication. For bilateral consultations with the UK on shared stocks and in the case of annual meetings of RFMOs, the Commission proposes, and the Council adopts, specifications of the multiannual positions[6].

[6] 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).
Council Decision (EU) 2023/2900 of 11 December 2023 on the position to be taken on behalf of the European Union in the North-East Atlantic Fisheries Commission and repealing Decision (EU) 2019/865 (OJ L, 2023/2900, 29.12.2023, ELI: http://data.europa.eu/eli/dec/2023/2900/oj).
Council Decision (EU) 2023/2807 of 11 December 2023 on the position to be taken on behalf of the European Union in the International Commission for the Conservation of Atlantic Tunas and repealing Decision (EU) 2019/868 (OJ L, 2023/2807, 15.12.2023, ELI: http://data.europa.eu/eli/dec/2023/2807/oj).
Council Decision (EU) 2023/2812 of 11 December 2023 on the position to be taken on behalf of the European Union in the Commission for the Conservation of Antarctic Marine Living Resources and repealing Decision (EU) 2019/867 (OJ L, 2023/2812, 15.12.2023, ELI: http://data.europa.eu/eli/dec/2023/2812/oj).
Council Decision (EU) 2023/2901 of 11 December 2023 on the position to be taken on behalf of the European Union in the Indian Ocean Tuna Commission and repealing Decision (EU) 2019/860 (OJ L, 2023/2901, 29.12.2023, ELI: http://data.europa.eu/eli/dec/2023/2901/oj).
Council Decision (EU) 2023/2826 of 11 December 2023 on the position to be taken on behalf of the European Union in the South Pacific Regional Fisheries Management Organisation and repealing

While the consultations are ongoing, the annual meetings of certain RFMOs have not yet taken place or scientific advice is not yet available, the text of relevant recitals and provisions of Council Regulation (EU) 2024/257[7] is included in this proposal in square brackets and fishing opportunities are marked 'pm'.

Once the consultations with non-EU countries are concluded, the annual meeting of the relevant RFMO has taken place or the scientific advice becomes available, this proposal will be updated by means of Commission services' non-papers.

Landing obligation

Under Article 15 of the Basic Regulation, all stocks for which there are catch limits have been subject to the landing obligation since 1 January 2019, meaning that all catches should be brought and retained on board the fishing vessels, recorded, landed and counted against the quotas where applicable. However, the Basic Regulation provides for certain exemptions from the landing obligation. Based on joint recommendations by the Member States, the Commission has adopted delegated regulations specifying details of the implementation of the

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Decision (EU) 2019/859 (OJ L, 2023/2826, 29.12.2023, ELI: http://data.europa.eu/eli/dec/2023/2826/oj).

` Council Decision (EU) 2024/366 of 16 January 2024 on the position to be taken on behalf of the European Union in the Inter-American Tropical Tuna Commission and the meeting of the Parties to the Agreement on the International Dolphin Conservation Programme and repealing Decision (EU) 2019/812 (OJ L, 2024/366, 19.1.2024, ELI: http://data.europa.eu/eli/dec/2024/366/oj).

Council Decision (EU) 2023/2823 of 11 December 2023 on the position to be taken on behalf of the European Union in the South-East Atlantic Fisheries Organisation and repealing Decision (EU) 2019/861 (OJ L, 2023/2823, 15.12.2023, ELI: http://data.europa.eu/eli/dec/2023/2823/oj).

Council Decision (EU) 2023/2810 of 11 December 2023 on the position to be taken on behalf of the European Union in the Western and Central Pacific Fisheries Commission (WCPFC) and repealing Decision (EU) 2019/862 (OJ L, 2023/2810, 15.12.2023, ELI: http://data.europa.eu/eli/dec/2023/2810/oj).

Council Decision (EU) 2023/2828 of 11 December 2023 on the position to be taken on behalf of the European Union in the annual Conference of the Parties to the Convention on the Conservation and Management of Pollock Resources in the Central Bering Sea and repealing Decision (EU) 2019/866 (OJ L, 2023/2828, 15.12.2023, ELI: http://data.europa.eu/eli/dec/2023/2828/oj).

Council Decision (EU) 2023/2888 of 11 December 2023 on the position to be taken on behalf of the European Union in the Southern Indian Ocean Fisheries Agreement and repealing Decision (EU) 2019/858 (OJ L, 2023/2888, 21.12.2023, ELI: http://data.europa.eu/eli/dec/2023/2888/oj).

Council Decision (EU) 2023/2801 of 11 December 2023 on the position to be taken on behalf of the European Union in the Northwest Atlantic Fisheries Organization and repealing Decision (EU) 2019/863 (OJ L, 2023/2801, 19.12.2023, ELI: http://data.europa.eu/eli/dec/2023/2801/oj).

Council Decision (EU) 2024/395 of 16 January 2024 on the position to be taken on behalf of the European Union in the Extended Commission of the Convention for the Conservation of Southern Bluefin Tuna and repealing Decision (EU) 2019/824 (OJ L, 2024/395, 24.1.2024, ELI: http://data.europa.eu/eli/dec/2024/395/oj).

Council Decision (EU) 2023/2826 of 11 December 2023 on the position to be taken on behalf of the European Union in the South Pacific Regional Fisheries Management Organisation and repealing Decision (EU) 2019/859 (OJ L, 2023/2826, 29.12.2023, ELI: http://data.europa.eu/eli/dec/2023/2826/oj).

Council Decision (EU) 2022/392 of 3 March 2022 concerning the position to be taken on behalf of the European Union within the North Pacific Fisheries Commission (OJ L 79, 9.3.2022, p. 31, ELI: http://data.europa.eu/eli/dec/2022/392/oj).

[7] 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).

landing obligation for certain fisheries allowing for discards on the basis of *de minimis* or high survivability exemptions.

Since the introduction of the landing obligation, and in accordance with Article 16(2) of the Basic Regulation, the fishing opportunities have to reflect the change from amount landed to amount caught, given that discarding is in principle no longer allowed.

Taking into account the application of the landing obligation, the Commission proposes TACs on the basis of the ICES catch advice. The proposed EU quotas take account of discards based on established exemptions; these quantities will not be landed and counted against the quotas, and are therefore deducted from the EU quotas. Pending the calculation of those quantities, EU quotas are marked 'pm' in this proposal. Moreover, for stocks for which ICES provides only landings advice, the Commission proposes TACs on the basis of that advice.

Year-to-year flexibility

Account must also be taken of the links between the Basic Regulation and Council Regulation (EC) No 847/96[8]. Articles 3 and 4 of that latter Regulation provide for year-to-year flexibility for quotas for both stocks with analytical assessments and with precautionary assessments. Under Article 2 of Regulation (EC) No 847/96, when fixing TACs, the Council is to decide which stocks will not be subject to Articles 3 and 4 of that Regulation, in particular on the basis of the biological status of stocks. The Commission proposes to exclude year-to-year flexibility pursuant to Articles 3 and 4 of Regulation (EC) No 847/96 for stocks with analytical assessments with a biomass below B_{lim}[9] and for stocks with precautionary assessments for which ICES recommends either zero catches or suspending the targeted fishery.

Article 15(9) of the Basic Regulation provides for further year-to-year flexibility for quotas. However, to avoid excessive flexibility that would undermine the achievement of the CFP objectives, Articles 3 and 4 of Regulation (EC) No 847/96 and Article 15(9) of the Basic Regulation should not apply cumulatively.

Year-to-year flexibility for quotas under Article 15(9) of the Basic Regulation should also be excluded where it would undermine achievement of the CFP objectives, in particular for: (i) stocks with analytical assessments with a biomass below B_{lim} and for which only by-catch or scientific fisheries will be permitted; and (ii) stocks with precautionary assessments for which only such fisheries will be permitted. In addition, year-to-year flexibility should be excluded for stocks for which the EU and the relevant non-EU country or countries have not agreed on the application of year-to-year flexibility or have excluded the application of such flexibility on the basis of the biological status of stocks.

Recreational fisheries

Recreational fisheries can have a significant impact on stocks where recreational fisheries take a significant part of the total catches of those stocks. For such stocks, it is therefore appropriate to take into account all activities which may have an impact on the stock status, irrespective of whether or not those activities are commercial or recreational. In order to

[8] Council Regulation (EC) No 847/96 of 6 May 1996 introducing additional conditions for year-to-year management of TACs and quotas (OJ L 115, 9.5.1996, p. 3, ELI: http://data.europa.eu/eli/reg/1996/847/oj).

[9] 'B_{lim}' is the spawning stock biomass reference point below which there may be reduced reproductive capacity.

achieve the CFP objectives and, where relevant, pursuant to Article 10(4) of the North Sea MAP and Article 11 of the Western Waters MAP, the Commission proposes measures also for recreational fisheries, including from shore.

Proposed fishing opportunities and explanation

Autonomous EU stocks

TAC	TAC code	Proposed TAC for 2025 (tonnes)	Proposed TAC change from 2024	Explanation
Anglerfishes (*Lophiidae*) southern Bay of Biscay and Iberian waters 8c, 9 and 10; EU waters of CECAF 34.1.1	ANF/8C3411	5 432	+17%	ICES provides MSY advice[10] for two different species of anglerfish in this area: black-bellied anglerfish (*Lophius budegassa*) and white anglerfish (*Lophius piscatorius*). The Commission proposes to set the TAC in line with the MSY advice and F_{MSY} point value[11] for both species.
Hake (*Merluccius merluccius*) southern Bay of Biscay and Iberian waters 8c, 9 and 10; EU waters of CECAF 34.1.1	HKE/8C3411	17 445	rollover	ICES provides MSY advice[12] for this stock. The Commission proposes to roll over the TAC for 2024 and to set it in line with the MSY advice and between the F_{MSY} point value and the highest value within the range of F_{MSY} ('MSY F_{upper}'). That is in accordance with Article 4(5), point (a), of the Western Waters MAP and takes into account that hake is the most limiting species in the mixed fisheries[13]. In addition, in order to protect the stock in the long-term, for which TACs have been set in line with MSY F_{upper} since 2022, the Commission proposes to set the TAC for 2025 below MSY Fupper.

10 https://doi.org/10.17895/ices.advice.25019351.v1
https://doi.org/10.17895/ices.advice.25019162.v1

11 'F_{MSY} point value' as the value of the estimated fishing mortality that with a given fishing pattern and under current average environmental conditions gives the long-term MSY.

12 https://doi.org/10.17895/ices.advice.25019306.v1

13 https://doi.org/10.17895/ices.advice.24212058.v1

TAC	TAC code	Proposed TAC for 2025 (tonnes)	Proposed TAC change from 2024	Explanation
Megrims (*Lepidorhombus* spp.) southern Bay of Biscay and Iberian waters 8c, 9 and 10; EU waters of CECAF 34.1.1	LEZ/8C3411	4 448	+23%	ICES provides MSY advice[14] for two different species of megrim in this area: *Lepidorhombus whiffiagonis* and *Lepidorhombus Boscii*. The Commission proposes to set the TAC in line with the MSY advice and F_{MSY} point value for both species.
Norway lobster (*Nephrops norvegicus*) southern Bay of Biscay and Cantabrian Sea 8c, functional unit 31	NEP/8CU31	29	+134%	ICES provides MSY advice[15] for this stock. The Commission proposes to set the TAC in line with the MSY advice.
Plaice (*Pleuronectes platessa*) in the Kattegat	PLE/03AS.	2 349	rollover	ICES provides MSY advice[16] for this stock. This TAC represents a proportion (26%) of the ICES advice for plaice in the Kattegat, Belt Seas and the Sound. That figure is based on the catch distribution in 2024 set out in the ICES advice. The Commission proposes to set the TAC in line with the MSY advice and below the lowest value within the range of F_{MSY} ('MSY F_{lower}'). It proposes to set the TAC below MSY F_{lower}, as in the fisheries targeting Norway lobster, plaice and cod are by-catches and as there is a zero-catch advice for cod.
Common sole (*Solea solea*) Bay of Biscay 8a and 8b	SOL/8AB.	2 510	+0,8%	ICES provides MSY advice[17] for this stock. The Commission proposes to set the TAC in line with the MSY advice and the F_{MSY} point value, as reduced proportionally to take into account the decrease in the biomass (biomass is forecast to be at approximately 93% of MSY $B_{trigger}$[18] and as a result the advised total catch is reduced by 5%).

14 https://doi.org/10.17895/ices.advice.25019345.v1 https://doi.org/10.17895/ices.advice.25019318.v1

15 https://doi.org/10.17895/ices.advice.25019396.v1

16 https://doi.org/10.17895/ices.advice.25019435.v1

17 https://doi.org/10.17895/ices.advice.25019684.v1

18 MSY $B_{trigger}$ is the biomass level below which management action is to be taken to allow a stock to rebuild above the level capable of producing MSY in the long term.

TAC	TAC code	Proposed TAC for 2025 (tonnes)	Proposed TAC change from 2024	Explanation
Common sole (*Solea solea*) Skagerrak-Kattegat and western Baltic Sea 3a; EU waters of subdivisions 22-24	SOL/3ABC24	200	-39%	ICES provides MSY advice[19] for this stock. ICES forecasts that, with catches of above 15 tonnes in 2025, the probability of the stock falling below B_{lim} in 2026 is more than 5%. Pursuant to Articles 4(6) and 7(1) of the North Sea MAP, the Commission therefore proposes to suspend the targeted fishery for sole. However, if the TAC for sole were set at a level ensuring that the probability of the stock falling below B_{lim} is less than 5%, the obligation to land all catches, including by-catches from that stock in mixed fisheries, would give rise to the phenomenon of 'choke species'[20] in the fisheries targeting Norway lobster. The Commission therefore proposes to establish a by-catch TAC for sole for the fisheries targeting Norway lobster, at the level of 200 tonnes. That level approximately corresponds to the level of catches of sole in 2023 and, according to ICES, is forecast to keep the biomass of the stock stable.
Horse mackerel (*Trachurus* spp.) Iberian waters 9	JAX/09.	173 873	+5%	ICES provides MSY advice[21] for this stock. The Commission proposes to set the TAC in line with the MSY advice.

19 https://doi.org/10.17895/ices.advice.25019666.v1

20 'Choke species' are species with a lack of quota that can cause one or more fishing vessels to stop fishing even if they still have quota for other species.

21 https://doi.org/10.17895/ices.advice.25019312.v1

TAC	TAC code	Proposed TAC for 2025 (tonnes)	Proposed TAC change from 2024	Explanation
Seabass (*Dicentrarchus labrax*) Bay of Biscay 8a and 8b	Not applicable	Not applicable	Not applicable	ICES provides MSY advice[22] for this stock. ICES forecasts that in 2024, the biomass of the stock decreases further while remaining below MSY $B_{trigger}$ but above B_{lim}. The Commission proposes that, when jointly determining their quotas for commercial fisheries, France and Spain should ensure that the sum of commercial landings, commercial discards, recreational landings and recreational discards do not exceed the F_{MSY} point value for total removals, as reduced proportionally to take into account the decrease in the biomass (biomass is forecast to be at approximately 92% of MSY $B_{trigger}$ and as a result the advised total catch is reduced by 7%). In addition, the Commission proposes to maintain the 1 fish / fisher and day - bag limit for recreational fisheries. Moreover, in order to allow the Commission to monitor the correct application of the objectives and rules set out in the Basic Regulation and in the Western Waters MAPs, the Commission proposes that Member States are to submit to it information regarding those quotas.

Autonomous EU deep-sea stocks

TAC	TAC code	Proposed EU quota for 2025 and 2026 (tonnes)	Proposed EU quota change from 2024	Explanation

[22] https://doi.org/10.17895/ices.advice.25019186.v1

TAC	TAC code	Proposed EU quota for 2025 and 2026 (tonnes)	Proposed EU quota change from 2024	Explanation
Roundnose grenadier (*Coryphaenoides rupestris*) Skagerrak-Kattegat EU waters of 3	RNG/03-	0,9	-5%	ICES provides precautionary advice for this stock and advises zero catches in 2025 and 2026. Pursuant to Article 5(3) of the North Sea MAP and Article 16(4) of the Basic Regulation, in conjunction with Article 2(1) and (5), points (c) and (f), of that Regulation, the Commission proposes to establish a TAC for unavoidable by-catches of roundnose grenadier in the fisheries targeting Northern prawn (*Pandalus borealis*), at the level of 0,9 tonnes. That level approximately corresponds to the level of landings in 2023.

Stocks listed in Annex 36, table F, of the Trade and Cooperation Agreement

In addition, the Commission proposes fishing opportunities for certain stocks listed in Annex 36, table F, 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[23] ('Trade and Cooperation Agreement'). That Annex lists stocks that are only present in one Party's waters.

TAC	TAC code	Proposed TAC for 2025 (tonnes)	Proposed TAC change from 2024	Explanation
Red seabream (*Pagellus bogaraveo*) Azores waters 10	SBR/10-	399	-35%	ICES provides MSY advice[24] for this stock. The Commission proposes to set the TAC in line with the MSY advice.

Eel

[23] 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 (OJ L 149, 30.4.2021, p. 10, ELI: http://data.europa.eu/eli/agree_internation/2021/689(1)/oj).

[24] https://doi.org/10.17895/ices.advice.21828435.v1

ICES provides advice for the entire natural range of European eel (*Anguilla anguilla*), which includes the north-east Atlantic and the Mediterranean. Given the critical state of European eel, ICES has:

– (i) for the past two decades, consistently advised to keep the anthropogenic mortality of European eel as close to zero as possible throughout its natural range;

– (ii) in November 2023, advised[25] that, when the precautionary approach is applied, there should be zero catches of eel in all habitats for 2024. This concerns both recreational and commercial catches and includes catches of glass eels for restocking and aquaculture;

– (iii) on 30 May 2022, advised[26] that, despite Member States' efforts, no overall progress had been made in achieving the 40% silver eel biomass escapement objective across the entire EU pursuant to Article 2(4) of Council Regulation (EC) No 1100/2007[27]. In addition, ICES advised that conservation efforts should be focused on those measures that, by definition, have a high probability of reducing mortality and increasing escapement.

ICES advice for 2025 will be published on 1 November 2024.

A consecutive 3-month closure period for eel fishing was laid down in the annual fishing opportunities regulations for the EU marine and brackish waters of the north-east Atlantic (from 2018 to 2022). Council Regulation (EU) 2023/194[28] extended the closure period to 6 months for any eel fishing activity in EU marine and brackish waters of the north-east Atlantic. Furthermore, Regulation (EU) 2023/194 prohibited all recreational eel fisheries in those waters. Council Regulation (EU) 2024/257[29] maintained those measures and, in order to ensure the effective protection of silver eel migrating from the Baltic Sea into the North Sea, required that the coastal Member States of ICES subarea 3, that is Denmark, Germany, Estonia, Latvia, Lithuania, Poland, Finland and Sweden, should agree on effective closure periods for silver eel. Moreover, Regulation (EU) 2024/257 clarifed the conditions for the application of the derogation for continued limited eel fisheries during the eel migration period.

Given the continued critical state of the European eel, the Commission proposes for 2025 to maintain the measures for eel set out in Regulation (EU) 2024/257. This proposal will be updated after publication by ICES of its scientific advice for European eel in the north-east Atlantic and the Mediterranean for 2025.

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25 https://doi.org/10.17895/ices.advice.21907860.v1

26 https://doi.org/10.17895/ices.advice.19902958

27 Council Regulation (EC) No 1100/2007 of 18 September 2007 establishing measures for the recovery of the stock of European eel (OJ L 248, 22.9.2007, p. 17, ELI: https://eur-lex.europa.eu/eli/reg/2007/1100/oj).

28 Council Regulation (EU) 2023/194 of 30 January 2023 fixing for 2023 the fishing opportunities for certain fish stocks, applicable in Union waters and, for Union fishing vessels, in certain non-Union waters, as well as fixing for 2023 and 2024 such fishing opportunities for certain deep-sea fish stocks (OJ L 28, 31.1.2023, p. 1, ELI: http://data.europa.eu/eli/reg/2023/194/oj).

29 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).

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

The proposed measures are consistent with the objectives and rules set out in the Basic Regulation and the North Sea and Western Waters MAPs.

- **Consistency with other EU policies**

The proposed measures are consistent with other EU policies, in particular Directive 2008/56/EC of the European Parliament and of the Council[30] ('Marine Strategy Framework Directive'), and aim to contribute to achieving good environmental status, in particular as regards descriptor 3, which requires all commercially exploited fish and shellfish to be within safe biological limits.

2. LEGAL BASIS, SUBSIDIARITY AND PROPORTIONALITY

- **Legal basis**

The legal basis of this proposal is Article 43(3) of the Treaty on the Functioning of the European Union (TFEU).

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

The proposal falls under the exclusive competence of the EU as referred to in Article 3(1)(d) TFEU. The subsidiarity principle therefore does not apply.

- **Proportionality**

The proposal allocates fishing opportunities to Member States in accordance with the objectives and rules set out in the Basic Regulation and the North Sea and Western Waters MAPs as well as the outcomes of certain annual meetings of RFMOs that have already taken place. Consequently, the fishing opportunities should be fixed on the basis of the best available scientific advice, taking into account biological and socio-economic considerations, in mixed fisheries where possible.

Pursuant to Article 16(6) and (7) and Article 17 of the Basic Regulation, Member States are to decide how the fishing opportunities available to them may be allocated to vessels flying their flag in accordance with certain criteria set out in those Articles. Therefore, Member States have the necessary margin of discretion when distributing the allocated quotas, in line with their preferred social/economic model for using the fishing opportunities available to them.

- **Choice of instrument**

A regulation is considered the most appropriate instrument as it makes it possible to set requirements that apply directly to Member States and relevant economic operators. This will help ensure that the requirements are implemented in a timely and harmonised way, leading to greater legal certainty.

[30] Directive 2008/56/EC of the European Parliament and of the Council of 17 June 2008 establishing a framework for community action in the field of marine environmental policy (Marine Strategy Framework Directive) (OJ L 164, 25.6.2008, p. 19, ELI: http://data.europa.eu/eli/dir/2008/56/oj).

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

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

Not applicable.

- **Stakeholder consultations**

(a) Consultation methods, main sectors targeted and general profile of respondents

The Commission has consulted stakeholders, in particular through the advisory councils, on the basis of its annual communication *'Sustainable fishing in the EU: state of play and orientations for 2025'*.

(b) Summary of responses and how they were taken into account

Stakeholders' responses to the above annual communication set out their views on the Commission's evaluation of the state of the resources and on the appropriate management response. The Commission considered those responses when formulating this proposal.

- **Collection and use of expertise**

ICES expert groups and decision-making bodies have developed a framework for its scientific advice. ICES scientific advice is issued on the basis of that framework and in line with the objectives and rules of the Basic Regulation and the North Sea and Western Waters MAPs, as requested by the Commission.

One of the objectives of the CFP is to restore stocks to levels that can deliver MSY and to maintain them at those levels. This objective is incorporated expressly in Article 2(2) of the Basic Regulation, which provides that this *'shall be achieved […] by 2020 for all stocks'*.

Fishing opportunities for target stocks in the North Sea and Western Waters[31] and for which there is MSY advice are to be set on the basis of the relevant MAPs, which define a range of fishing mortality values resulting in MSY ('range of F_{MSY}') and therefore offer a degree of flexibility under specific conditions. The Commission has asked ICES to provide scientific advice that can be used to implement the flexibility, including to assess whether the conditions for using that flexibility are met. The upper range of F_{MSY} values may be used for fixing TACs, if the biomass of the stock in question is above MSY $B_{trigger}$, and only if, based on scientific advice or evidence, that is necessary to:

– achieve the objectives set out in the relevant MAP in the case of mixed fisheries; or

– avoid serious harm to a stock caused by intra- or inter-species stock dynamics; or

– limit high year-to-year fluctuations.

Where the stock's biomass is below MSY $B_{trigger}$, the fishing opportunities should be fixed at a level corresponding to the fishing mortality that is reduced proportionally to take into account the decrease in the biomass.

This proposal therefore makes use of the MSY advice, where available. In line with the CFP objectives, where TACs are proposed on the basis of MSY advice, they correspond to the level that, according to that advice, would ensure delivery of MSY. This approach is in line

[31] Stocks listed in Articles 1(1) of the North Sea and the Western Waters MAP.

with the principles set out in the annual communication '*Sustainable fishing in the EU: state of play and orientations for 2025'*.

Pursuant to Article 4(6) of the North Sea MAP and Article 4(7) of the Western Waters MAP, fishing opportunities for target stocks should be fixed to ensure that there is less than a 5% probability of the biomass falling below B_{lim}. Where MSY advice is available, ICES may indicate such probabilities, in the short-term, in its advice. To ensure that the probability is achieved, the fishing mortality of the target stock may have to be reduced accordingly or the targeted fishery may have to be suspended.

For data-limited target stocks, ICES scientific advice provides quantitative guidance on catches and this has been used to establish the level of the proposed TACs.

Fishing opportunities for by-catch stocks in the North Sea and Western Waters should also be fixed on the basis of the relevant MAPs. TACs for by-catch stocks are proposed on the basis of the MSY advice, where available. When fixing fishing opportunities for by-catch stocks, mixed fisheries considerations should also be taken into account pursuant to Article 5(3) of the North Sea and Western Waters MAPs and Article 16(4) of of the Basic Regulation, in conjunction with Article 2(1) and (5), points (c) and (f), of that Regulation.

For data-limited by-catch stocks, TACs are proposed on the basis of the quantitative guidance on catches provided in the ICES scientific advice.

- **Impact assessment**

The scope of the fishing opportunities regulation is circumscribed by Article 43(3) TFEU.

This proposal seeks to avoid short-term approaches in favour of long-term sustainability. It takes account of initiatives by stakeholders and advisory councils if they have been positively reviewed by ICES. The Commission's CFP reform proposal was based on an impact assessment (SEC(2011) 891) that considered that while achieving the MSY objective was a necessary condition for environmental, economic and social sustainability, those three objectives cannot be achieved in isolation.

As regards fishing opportunities for RFMOs stocks and for stocks jointly managed with non-EU countries, this proposal essentially implements internationally agreed measures. Any aspects that are relevant to assessing possible impacts of the fishing opportunities are dealt with in the preparation and conduct of international negotiations in which the EU's fishing opportunities are agreed with non-EU countries.

- **Regulatory fitness and simplification**

Not applicable.

- **Fundamental rights**

The proposal complies with fundamental rights and in particular those recognised by the Charter of Fundamental Rights of the European Union.

4. BUDGETARY IMPLICATIONS

The proposal has no budgetary implications.

5. OTHER ELEMENTS

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

Monitoring and compliance will be ensured in accordance with Council Regulation (EC) No 1224/2009[32].

[32] Council Regulation (EC) No 1224/2009 of 20 November 2009 establishing a Community 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 (OJ L 343, 22.12.2009, p. 1, ELI: http://data.europa.eu/eli/reg/2009/1224/oj).

2024/0285 (NLE)

Proposal for a

COUNCIL REGULATION

fixing for 2025 and 2026 the fishing opportunities for certain fish stocks, applicable in Union waters and, for Union fishing vessels, in certain non-Union waters

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union, and in particular Article 43(3) thereof,

Having regard to the proposal from the European Commission,

Whereas:

(1) The Council is to adopt measures on the fixing and allocation of fishing opportunities, including certain conditions functionally linked to those fishing opportunities, as appropriate. Under Article 16(4) of Regulation (EU) No 1380/2013 of the European Parliament and of the Council ('Basic Regulation')[33], fishing opportunities are to be fixed in accordance with the objectives of the common fisheries policy (CFP) as set out in Article 2(2) of that Regulation. In accordance with Article 16(1) of the Basic Regulation, fishing opportunities are to be allocated among the Member States to ensure the relative stability of fishing activities of each Member State for each fish stock or fishery.

(2) The total allowable catches (TACs) should therefore be established, in accordance with Article 3 of the Basic Regulation, on the basis of available scientific advice, taking into account biological and socio-economic aspects, while ensuring fair treatment between fishing sectors, and in the light of opinions expressed during the consultation of stakeholders.

(3) Under Article 15 of the Basic Regulation, all stocks for which there are catch limits have been subject to the landing obligation since 1 January 2019, although certain exemptions apply. On the basis of joint recommendations by the Member States and pursuant to Article 15 of the Basic Regulation, the Commission has adopted delegated acts laying down details for the implementation of the landing obligation for certain fisheries.

(4) Fishing opportunities for stocks covered by the landing obligation should take account of the fact that discarding is in principle no longer allowed. Therefore, they should be based on the advice figure for total catches as provided by the International Council for the Exploration of the Sea (ICES). The quantities that, by way of exemption from the landing obligation, may continue to be discarded should be deducted from that

[33] 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).

advice figure for total catches. Moreover, fishing opportunities for stocks for which ICES provides only landings advice, should be set on the basis of that advice.

(5) Regulation (EU) 2018/973 of the European Parliament and of the Council[34] established a multiannual plan ('MAP') for the North Sea ('the North Sea MAP') and Regulation (EU) 2019/472 of the European Parliament and of the Council[35] established a MAP for the Western Waters ('the Western Waters MAP'). The North Sea and Western Waters MAPs set out targets and measures for the long-term management of stocks covered by those MAPs. Fishing opportunities for stocks listed in Article 1(1) of those Regulations ('target stocks') should be fixed in accordance with the range of fishing mortality values resulting in maximum sustainable yield (MSY) ('ranges of F_{MSY}'), or at a lower level, and in accordance with the safeguards provided for in those Regulations. The ranges of F_{MSY} are set out in the relevant ICES advice. Where no adequate scientific information is available, fishing opportunities for target stocks or stocks referred to in Article 1(4) of those Regulations ('by-catch stocks') should be fixed in accordance with the precautionary approach, as set out in those Regulations.

(6) Pursuant to Article 4(6) of the North Sea MAP and Article 4(7) of the Western Waters MAP, fishing opportunities for target stocks should be fixed to ensure that there is less than 5% probability of the biomass falling below the limit biomass reference point (B_{lim})[36].

(7) In accordance with Article 7 of the North Sea MAP and Article 8 of the Western Waters MAP, where scientific advice indicates that the spawning stock biomass of any of the target stocks is: (i) below MSY $B_{trigger}$[37], remedial measures are to be taken, in particular the fishing opportunities should be fixed at a level corresponding to the fishing mortality that is reduced proportionally to take into account the decrease in the biomass; and (ii) below B_{lim}, further remedial measures are to be taken to ensure the rapid return of the stock to levels above those capable of producing MSY. In particular, those remedial measures can include suspending the targeted fishery for the stock in question and the adequate reduction of fishing opportunities for those or other stocks in the fisheries.

(8) There are certain stocks for which ICES advises zero catches or low catches, or ICES forecasts that a less than 5% probability of the biomass falling below below B_{lim} could: (i) only be achieved with low catches; (ii) only be achieved with zero catches; or (iii) not be achieved with zero catches. However, if TACs for those stocks were established at the levels advised by ICES, the obligation to land all catches, including bycatches,

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34 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).

35 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) 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).

36 B_{lim} is the biomass below which there may be reduced reproductive capacity.

37 MSY $B_{trigger}$ is the biomass level below which management action is to be taken to allow a stock to rebuild above the level capable of producing MSY in the long term.

from those stocks in mixed fisheries, would give rise to the phenomenon of 'choke species'. 'Choke species' are species with a lack of quota that can cause one or more fishing vessels to stop fishing even if they still have quota for other species. Pursuant to Article 5(3) of the North Sea and Western Waters MAPs and Article 16(4) of the Basic Regulation, in conjunction with Article 2(1) and (5), points (c) and (f), of that Regulation and in order to strike a balance between maintaining fisheries, in view of the potentially severe socio-economic implications of failing to do so, and the need to achieve a good biological status for those stocks, taking account of the difficulty of fishing all stocks in a mixed fishery at MSY, it is appropriate to establish specific TACs for by-catches for those stocks. Those by-catch TACs should be set at levels that ensure that the mortality for those stocks is decreased and/or that their biomass remains stable and that provide incentives to improve selectivity and avoid by-catches of those stocks. In order to reduce catches of the stocks for which by-catch TACs are set, fishing opportunities for the fisheries in which fish from those stocks are caught should be set at levels that help the biomass of vulnerable stocks to recover to sustainable levels.

(9) In order to guarantee, to the extent possible, the use of fishing opportunities in mixed fisheries in accordance with Article 16(2) of the Basic Regulation, it is appropriate to establish a pool for quota exchanges for Member States that have no quota to cover their unavoidable by-catches.

(10) In accordance with Articles 2(2) and 16(4) of the Basic Regulation, for stocks that are not covered by the North Sea MAP or the Western Waters MAP, where adequate scientific information is available, fishing opportunities should be fixed in line with the MSY fishing mortality and, where such information is not available, fishing opportunities should be fixed in line with the precautionary approach to fisheries management, as defined in Article 4(1), point (8), of the Basic Regulation.

(11) For certain stocks, ICES advice remains valid for several years and that advice remains the best available scientific advice for the entire advice period. In those cases, annual TACs covering the entire advice period should be set ('multiannual TAC'). However, if new ICES advice becomes available during that period, it should be ensured that the multiannual TAC remains consistent with the new advice. Moreover, it should be ensured that the annual deductions from the advice figure for total catches to take account of exemptions from the landing obligation remain consistent with the available data.

(12) According to the ICES advice for 2025, the biomass of European seabass (*Dicentrarchus labrax*) in ICES divisions 8a and 8b is forecast to decrease further in 2024 and to remain below MSY $B_{trigger}$ but above B_{lim}. Therefore, in accordance with Article 8(1) of the Western Waters MAP, France and Spain are jointly to ensure that, when determining their quotas for commercial fisheries for that stock, the sum of commercial landings, commercial discards, recreational landings and recreational discards is below the F_{MSY} point value[38] for total removals, as reduced proportionally to take into account the decrease in the biomass. In order to allow the Commission to monitor the correct application of the objectives and rules set out in the Basic Regulation and in the the Western Waters MAP, Member States should submit to the Commission information regarding those quotas.

[38] 'F_{MSY} point value' as the value of the estimated fishing mortality that with a given fishing pattern and under current average environmental conditions gives the long-term MSY.

(13) Additional measures for recreational fisheries for European seabass in ICES divisions 8a and 8b should be maintained, in view of the significant impact of recreational fisheries on the biomass of that stock and taking into account the decreased biomass.

(14) There are certain stocks for which ICES advises catches above a low level. However, if TACs for those stocks were established at those levels, the obligation to land all catches, including by catches from those stocks in mixed fisheries, would give rise to the phenomenon of 'choke species' and the premature closure of certain fisheries. Pursuant to Article 5(3) of the North Sea and Western Waters MAPs and Article 16(4) of the Basic Regulation, in conjunction with Article 2(1) and (5), points (c) and (f), of that Regulation and in order to strike a balance between maintaining fisheries, in view of the potentially severe socio-economic implications of failing to do so, and the need to achieve a good status for those stocks, taking account of the difficulty of fishing all stocks in a mixed fishery at MSY, it is appropriate to establish specific TACs for by-catches for those stocks. Those by-catch TACs should be fixed based on evidence demonstrating that setting the TACs at the level advised by ICES would both lead to the premature closure of one or more fisheries and have a potentially severe socio-economic impact. In addition, those by-catch TACs should be set at levels that: (i) reduce the phenomenon of 'choke species' and the premature closure of certain fisheries; (ii) reduce the associated socio-economic impacts; and (iii) reduce the fishing mortality for those stocks and / or ensure that their biomass remains stable; and (iv) provide incentives to improve selectivity and avoid by-catches of those stocks.

(15) [According to scientific advice, recreational catches of pollack in ICES subareas 8, 9, 10 and Union waters of CECAF 34.1.1 are non-negligible. It is therefore appropriate to maintain limits to its recreational fishery in those areas. In order to protect the spawning grounds and limit juvenile catches, no specimen of pollack may be caught and retained from 1 January to 30 April in recreational fisheries, while the maximum of two specimens could be allowed for the remaining part of the year.]

(16) *[The recital and the relevant provisions will be updated after publication by ICES of its scientific advice for European eel for 2025.]* [In May 2022, ICES noted that despite Member States' efforts for the recovery of European eel (*Anguilla anguilla*), no overall progress had been made in achieving the 40 % silver eel biomass escapement objective across the entire Union, as required by Article 2(4) of Council Regulation (EC) No 1100/2007[39], and that no clear patterns for mortality were observed. In November 2023, ICES advised once again that, when the precautionary approach is applied, there should be zero catches of European eel in all habitats and at all life stages, throughout its natural range, which includes the north-east Atlantic and the Mediterranean. This concerns both recreational and commercial catches and includes catches of glass eels for restocking and aquaculture.]

(17) *[The recital and the relevant provisions will be updated after publication by ICES of its scientific advice for European eel for 2025.]* [Council Regulation (EU) 2023/194[40] extended to six months the closure period for any commercial eel fishing activity in

[39] Council Regulation (EC) No 1100/2007 of 18 September 2007 establishing measures for the recovery of the stock of European eel (OJ L 248, 22.9.2007, p. 17, ELI: http://data.europa.eu/eli/reg/2007/1100/oj).

[40] Council Regulation (EU) 2023/194 of 30 January 2023 fixing for 2023 the fishing opportunities for certain fish stocks, applicable in Union waters and, for Union fishing vessels, in certain non-Union waters, as well as fixing for 2023 and 2024 such fishing opportunities for certain deep-sea fish stocks (OJ L 28, 31.1.2023, p. 1, ELI: http://data.europa.eu/eli/reg/2023/194/oj).

Union marine and brackish waters of the north-east Atlantic. It also prohibited all recreational eel fisheries in those waters. It was considered that a six-month closure period would better protect the stock than the Union and national measures implemented until 2022. It was also considered that the extended closure period would further the achievement of the escapement objective of at least 40 % of silver eels set out in Article 2(4) of Regulation (EC) No 1100/2007. Council Regulation (EU) 2024/257[41] maintained those measures while clarifying the criteria for setting the closure period and the possible derogation for continued limited eel fisheries during the eel migration period. Given the continued critical state of the European eel, it is appropriate to maintain those measures in 2024.]

(18) *[The recital and the relevant provisions will be updated after publication by ICES of its scientific advice for European eel for 2025.]* [Pursuant to Regulation (EC) No 1100/2007, restocking of glass eel is a conservation measure chosen by certain Member States in their eel management plans. In order to enable those Member States to continue implementing that measure, glass eel catches in Union marine and brackish waters of the north-east Atlantic at the appropriate time of the year and possibly during their main migration period or periods may be required. Therefore, Member States may allow continued glass eel fishing exclusively for restocking for an additional 50 days during the main migration period or periods of glass eel.]

(19) In its advice for certain stocks of elasmobranchs (skates, sharks, rays), ICES recommends zero catches, due to their poor conservation status or where even limited fishing activity could give rise to a serious conservation risk. In addition, such elasmobranchs have high survival rates when discarded. Consequently, catches of those stocks should be discarded rather than landed, as discarding is not considered to raise significantly their fishing mortality and would even support the conservation of those stocks. Therefore, fishing of such species should be prohibited because, pursuant to Article 15(4), point (a), of the Basic Regulation, the landing obligation does not apply to species for which fishing is prohibited. When accidentally caught, those species should not be harmed and should be promptly released.

(20) In order to maximise the use of fishing opportunities, it is appropriate to allow for the implementation of a flexible arrangement between certain TAC areas where the same biological stock is concerned.

(21) Articles 3 and 4 of Council Regulation (EC) No 847/96[42] provide for year-to-year flexibility for quotas for stocks subject to both precautionary and analytical TACs. Under Article 2 of that Regulation, when fixing TACs, the Council is to decide to which stocks Articles 3 and 4 of that Regulation are not to apply, in particular on the basis of their biological status. Moreover, Article 15(9) of the Basic Regulation provides for further year-to-year flexibility for all stocks that are subject to the landing obligation. In order to avoid excessive flexibility that would undermine the achievement of the objectives of the CFP, year-to-year flexibility for quotas pursuant to Articles 3 and 4 of Regulation (EC) No 847/96 and Article 15(9) of the Basic

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41 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).

42 Council Regulation (EC) No 847/96 of 6 May 1996 introducing additional conditions for year-to-year management of TACs and quotas (OJ L 115, 9.5.1996, p. 3, ELI: http://data.europa.eu/eli/reg/1996/847/oj).

Regulation should not apply cumulatively. Finally, year-to-year flexibility under Article 15(9) of Regulation (EU) No 1380/2013 should, where relevant, be excluded on the basis of the biological status of stocks.

(22) Where a TAC is allocated to one Member State only, it is appropriate to empower that Member State to fix that TAC, in accordance with Article 2(1) of the Treaty on the Functioning of the European Union (TFEU). Such empowerment is appropriate, provided that, when determining the TAC level, the Member State complies with the objectives and rules set out in the Basic Regulation and in the the North Sea and Western Waters MAPs. In order to allow the Commission to monitor the correct application of the objectives and rules set out in the Basic Regulation and in the the North Sea and Western Waters MAPs, Member States should submit to the Commission information regarding those TACs. In addition, the Commission may request the Scientific, Technical and Economic Committee for Fisheries (STECF) to assess those TACs, and in the event that the STECF assesses those TACs not to comply with objectives and rules set out in the Basic Regulation and in the North Sea and Western Waters MAPs, Member States should revise the TACs in line with the STECF advice.

(23) It is necessary to establish the fishing effort limitations for sole in the Western Channel (ICES division 7e) in accordance with Article 12 of the Western Waters MAP.

(24) It is necessary to establish the fishing effort ceilings for 2025 in accordance with Articles 6, 11, 13 and 16 of Regulation (EU) 2023/2053 of the European Parliament and of the Council[43].

(25) The use of fishing opportunities available to Union fishing vessels set out in this Regulation is subject to Council Regulation (EC) No 1224/2009[44], and in particular to Articles 33 and 34 of that Regulation, concerning the recording of catches and fishing effort, and the notification of data on the exhaustion of fishing opportunities. It is therefore necessary to specify the codes to be used by Member States when sending the Commission data on landings of stocks subject to this Regulation.

(26) *[The recital and the relevant provisions will be updated after the NEAFC annual meeting.]* [At its 2023 annual meeting, the North-East Atlantic Fisheries Commission (NEAFC) confirmed for 2024 the conservation measures for the two redfish (*Sebastes mentella*) stocks (shallow pelagic and deep pelagic) in the Irminger Sea and adjacent waters, prohibiting directed fisheries of those stocks and prohibiting refuelling and any support activities. In addition, in order to minimise by-catches, the NEAFC prohibited fishing activities in the area where redfish aggregates. Those measures should be implemented in Union law.]

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[43] 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).

[44] 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 (OJ L 343, 22.12.2009, p. 1, ELI: http://data.europa.eu/eli/reg/2009/1224/oj).

(27) *[The recital and the relevant provisions will be updated after the NEAFC annual meeting.]* [Mackerel (*Scomber scombrus*), blue whiting (*Micromesistius poutassou*) and Atlanto-Scandian herring (*Clupea harengus*) in the north-east Atlantic are subject to coastal States consultations on the fisheries management for those stocks, and are stocks that are also managed by the NEAFC. The Union participated in those consultations on the basis of the positions endorsed by the Council on 5 October 2023. The outcome of those consultations was documented in Agreed Records for Atlanto-Scandian herring in the north-east Atlantic for 2024 signed on 13 October 2023, for blue whiting in the north-east Atlantic for 2024 signed on 18 October 2023, and for mackerel in the north-east Atlantic for 2024 also signed on 18 October 2023. At its 42nd annual meeting in 2023, the NEAFC adopted recommendations on conservation and management measures for Atlanto-Scandian herring and mackerel for 2024. The NEAFC did not adopt a recommendation on conservation and management measures for blue whiting for 2024. It is therefore appropriate to set the TACs for Atlanto-Scandian herring and mackerel in the north-east Atlantic at the level of fishing opportunities agreed in the respective coastal States Agreed Records and NEAFC recommendations. It is also appropriate to set the TAC for blue whiting in the north-east Atlantic at the level of the fishing opportunities set out in the coastal States Agreed Record for blue whiting and in line with the Union position expressed in the NEAFC.]

(28) *[The recital and the relevant provisions will be updated after the ICCAT annual meeting.]* [At its 2023 annual meeting, the International Commission for the Conservation of Atlantic Tunas (ICCAT) agreed to maintain for 2024 the TACs set for 2023 for Eastern Atlantic bluefin tuna (*Thunnus thynnus*), Mediterranean albacore and South albacore (*Thunnus alalunga*), Mediterranean, and North and South Atlantic swordfish (*Xiphias gladius*), blue marlin (*Makaira nigricans*), white marlin (*Tetrapturus albidus*), yellowfin tuna (*Thunnus albacares*), bigeye tuna (*Thunnus obesus*), as well as the retention allowance for South Atlantic shortfin mako (*Isurus oxyrinchus*). The ICCAT also set for 2024 TACs for North Atlantic albacore of 47 251 tonnes, for North and South Atlantic blue shark (*Prionace glauca*) of 30 000 and 27 711 tonnes, respectively. Those measures should be implemented in Union law.]

(29) *[The recital and the relevant provisions will be updated after the CCAMLR annual meeting.]* [At its 2023 annual meeting, the Commission for the Conservation of Antarctic Marine Living Resources (CCAMLR) adopted catch limits for target and by-catch species for the period from 1 December 2023 to 30 November 2024. Those measures should be implemented in Union law.]

(30) At its 2024 annual meeting, the Indian Ocean Tuna Commission (IOTC) maintained measures adopted for yellowfin tuna and bigeye tuna in the IOTC Area of Competence for 2025: (i) the catch limit; (ii) the limitation of fishing capacity; and (iii) the limitation of fish aggregating devices (FADs) and of supply vessels. Those measures should be implemented in Union law.

(31) The annual meeting of the South Pacific Regional Fisheries Management Organisation (SPRFMO) is scheduled for 17 to 21 February 2025. Consequently, the current measures in the SPRFMO Convention area that are functionally linked to the TACs should be temporarily maintained until the annual meeting takes place and the 2025 TACs are established.

(32) *[The recital and the relevant provisions will be updated after the IATTC annual meeting.]* [At its 2023 annual meeting, the Inter-American Tropical Tuna Commission (IATTC) decided to maintain the current measures applicable in the IATTC Convention area. Those measures should be implemented in Union law.]

(33) *[The recital and the relevant provisions will be updated after the CCSBT annual meeting.]* [At its 2023 annual meeting, the Commission for the Conservation of Southern Bluefin Tuna (CCSBT) adopted the TAC for Southern bluefin tuna (*Thunnus maccoyii*) for a three-year period from 2024 to 2026. That measure should be implemented in Union law.]

(34) *[The recital and the relevant provisions will be updated after the SEAFO annual meeting.]* [At its 2023 annual meeting, the South East Atlantic Fisheries Organisation (SEAFO) decided to maintain for 2024 the TACs in the SEAFO Convention area set for 2023.]

(35) *[The recital and the relevant provisions will be updated after the WCPFC annual meeting.]* [The 2023 annual meeting of the Western and Central Pacific Fisheries Commission (WCPFC) was held from 4 to 8 December 2023. Pending availability of the outcome of that meeting, current measures in the WCPFC Convention area that are functionally linked to the TACs and the maximum numbers of fishing vessels should be provisionally maintained until those measures for 2024 become available.]

(36) *[The recital and the relevant provisions will be updated after the NAFO annual meeting.]* [At its 45th annual meeting in 2023, the Northwest Atlantic Fisheries Organisation (NAFO) adopted fishing opportunities for certain stocks in the NAFO Convention area for 2024. It also adopted certain measures for 2024 that are functionally linked to the fishing opportunities of shortfin squid (*Illex illecebrosus*) in NAFO subareas 3 and 4 and yellowtail flounder (*Limanda ferruginea*) in NAFO divisions 3LNO, aiming at minimising the levels of by-catches of non-target species and without which the fishing opportunities for those stocks would have to be reduced to protect the non-target species. Those measures should be implemented in Union law.]

(37) At its 2024 annual meeting, the Southern Indian Ocean Fisheries Agreement (SIOFA) revised the fishing opportunities for toothfishes (*Dissostichus* spp.) in the Del Cano area. Although SIOFA did not adopt the Scientific Committee's recommendation to establish a new management area for toothfishes in the South Indian Ridge area and a catch limit, the Union should apply those measures in line with that recommendation and its position expressed in SIOFA. SIOFA also updated the list of deep-water sharks for which directed fishing in the SIOFA Agreement Area is prohibited. Those measures should also be implemented in Union law.

(38) Under Article 498(2) 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[45] (the 'Trade and Cooperation Agreement'), the Union and the United Kingdom are to hold annual consultations to agree, by 10 December of each year, the TACs for the following year for the stocks listed in Annex 35 to the Trade and Cooperation Agreement. If such TACs are not agreed on by 10 December, the Parties are to

[45] OJ L 149, 30.4.2021, p. 10, ELI: http://data.europa.eu/eli/agree_internation/2021/689(1)/oj.

immediately resume consultations with the continued aim of agreeing on the TACs, as required by Article 499(1) of the Trade and Cooperation Agreement.

(39) *[The recital and the relevant provisions will be updated after the conclusion of consultations between the Union and the United Kingdom.]* [In 2023, the Union and the United Kingdom held bilateral consultations on the setting of a large number of TACs for 2024 for stocks listed in Annex 35 to the Trade and Cooperation Agreement. Those consultations were conducted pursuant to Article 498(2), (4) and (6) of the Trade and Cooperation Agreement. The Union participated in those consultations on the basis of specifications to the Union position endorsed by the Council on 12 October 2023 and subsequent supplementary non-papers, pursuant to Article 2 of Council Decision (EU) 2021/1875[46]. The outcome of those consultations was documented in a Written Record signed on 6 December 2023 and supplemented by an addendum on 8 December 2023. The relevant fishing opportunities should therefore be fixed at the level set out in that Written Record. The other measures functionally linked to the fishing opportunities also set out in that Written Record should be implemented in Union law.]

(40) *[The recital and the relevant provisions will be updated after the conclusion of consultations between the Union, the United Kingdom and Norway.]* [In 2023, the Union, the United Kingdom and Norway held trilateral consultations on six shared and jointly managed stocks occurring within the areas under the jurisdiction of the three parties, with the aim to agree on the management of those stocks including the fishing opportunities for 2024. Those consultations were conducted between 3 November and 8 December 2023, on the basis of the Union position endorsed by the Council on 12 October 2023 and subsequent supplementary non-papers. The outcome of the consultations was documented in an Agreed Record, signed by the Head of Delegations on 8 December 2023. The relevant fishing opportunities should be set at the level agreed with the United Kingdom and Norway, together with the other provisions of that Agreed Record.]

(41) *[The recital and the relevant provisions will be updated after the conclusion of consultations between the Union and Norway.]* [The Union held bilateral consultations with Norway on one shared and jointly managed stock in the Skagerrak area (whiting), with the aim to agree on the management of this stock and fishing opportunities for 2024, as well as exchange of quotas and access arrangements. Those consultations were conducted between 30 October and 8 December 2023, on the basis of the Union position endorsed by the Council on 12 October 2023. The outcome of the consultations was documented in Agreed Records. The relevant fishing opportunities should be set at the level agreed with Norway, together with the other provisions of that Agreed Records.]

(42) *[The recital and the relevant provisions will be updated after the conclusion of consultations between the Union, and the Government of Greenland and the Government of Denmark.]* [In accordance with the procedure provided for in the Sustainable Fisheries Partnership Agreement between the European Union, of the one part, and the Government of Greenland and the Government of Denmark, of the other

[46] 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).

part, and the Protocol implementing that Agreement[47], the Joint Committee established the level of fishing opportunities available for the Union in Greenland waters in 2024. The level of fishing opportunities available for the Union in Greenland waters in 2024 was documented in the minutes of the Joint Committee meeting held from 21 to 23 November 2023 in Brussels. The relevant fishing opportunities should therefore be fixed at the level set out in those minutes, and taking into account the transfers to Norway under the annual exchange of fishing opportunities. The level of the fishing opportunities established for shrimp (*Pandalus borealis*) in Greenland waters of ICES subareas 5 and 14 does not include a reserve of 150 tonnes to be considered as set out in the Agreed Record of the fisheries consultations between the Union and Norway for 2024.]

(43) The Treaty of 9 February 1920 relating to Spitsbergen (Svalbard) (1920 Treaty of Paris) grants equal and non-discriminatory access to resources around Svalbard for all parties to that Treaty, including with respect to fishing. The Union's position concerning that access has been outlined in several *notes verbales* to Norway, with the most recent being dated 26 February 2021, 28 June 2021 and 1 August 2022. As regards the fishing opportunities for snow crab (*Chionoecetes* spp.) around Svalbard, it is appropriate to limit the number of fishing vessels that are authorised to conduct such fishing activities, ensuring that the exploitation of snow crab around Svalbard is consistent with non-discriminatory management rules set by Norway, which holds sovereignty and jurisdiction in the area in accordance with the relevant provisions of the United Nations Convention on the Law of the Sea and the 1920 Treaty of Paris. The allocation of such fishing opportunities among Member States is limited to 2025. In the Union, the primary responsibility for ensuring compliance with applicable law lies with flag Member States.

(44) *[The recital and the relevant provisions on stocks in the north-east Arctic will be updated once the relevant information becomes available.]* [As regards the fishing opportunities for cod in the north-east Arctic, it is appropriate to set the Union quota for cod in Svalbard waters and international waters of ICES subarea 1 and division 2b based on the reference TAC for that stock and the Union's historic fishing rights. That Union quota should be allocated to the Member States in accordance with Council Decision 87/277/EEC[48], subject to the adaptations necessary due to the withdrawal of the United Kingdom from the Union as set out in Annex 36, table E, to the Trade and Cooperation Agreement.]

(45) *[The recital and the relevant provisions on fishing opportunities in Union waters to fishing vessels flying the flag of Venezuela to be updated once the relevant information becomes available.]* [In accordance with the Union's Declaration addressed to the Bolivarian Republic of Venezuela on the granting of fishing opportunities in Union waters to fishing vessels flying the flag of Venezuela in the exclusive economic zone off the coast of French Guiana, approved on behalf of the Union by Council Decision (EU) 2015/1565[49], it is necessary to fix the maximum number of fishing authorisations for snapper available to Venezuela in Union waters.]

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47 OJ L 175, 18.5.2021, p. 3, ELI: http://data.europa.eu/eli/agree_internation/2021/793/oj.

48 Council Decision 87/277/EEC of 18 May 1987 on the allocation of the catch possibilities for cod in the Spitsbergen and Bear Island area and in Division 3M as defined in the NAFO Convention (OJ L 135, 23.5.1987, p. 29, ELI: http://data.europa.eu/eli/dec/1987/277/oj).

49 Council Decision (EU) 2015/1565 of 14 September 2015 on the approval, on behalf of the European Union, of the Declaration on the granting of fishing opportunities in EU waters to fishing vessels flying

(46) In order to ensure uniform conditions for the implementation of this Regulation, implementing powers should be conferred on the Commission to authorise individual Member States to manage fishing effort allocations in accordance with a kilowatt per day system, to grant additional days at sea for the permanent cessation of fishing activities and for enhanced scientific observer coverage and to establish spreadsheet formats for the collection and transmission of information on transfers of days at sea between fishing vessels flying the flag of a Member State. The Commission should exercise those powers in accordance with Regulation (EU) No 182/2011 of the European Parliament and of the Council[50].

(47) To ensure continuous application and prevent legal uncertainty during the period between the end of the year and the date of entry into force of the Regulation fixing the fishing opportunities for the subsequent year, the provisions of this Regulation concerning prohibitions and closed seasons should continue to apply at the beginning of 2026 until the entry into force of the Regulation fixing the fishing opportunities for 2026. For the same reasons, provisions applying from 1 January 2025 to 31 December 2026 should continue to apply at the beginning of 2027 until the entry into force of the Regulation fixing the fishing opportunities for 2027.

(48) To avoid the interruption of fishing activities and safeguard the livelihood of fishers, this Regulation should apply from 1 January 2025. However, provisions on fishing effort limits should apply from 1 February 2025. For reasons of urgency and to provide legal certainty as soon as possible, this Regulation should enter into force on the day of its publication.

(49) Certain international measures that create or restrict fishing opportunities for the Union were adopted by the relevant regional fisheries management organisations (RFMOs) at the end of 2024 and became applicable before the entry into force of this Regulation. The provisions of this Regulation that implement such measures in Union law should therefore apply retroactively. In particular, as the fishing season in the CCAMLR Convention area runs from 1 December to 30 November, and as certain fishing opportunities or prohibitions in the CCAMLR Convention area are laid down for a period starting from 1 December 2024, the relevant provisions of this Regulation should apply from that date. In addition, the fishing season for toothfishes in the SIOFA Agreement Area runs from 1 December to 30 November, and as the TACs for that group of species are established for a period starting from 1 December 2024, the TACs should apply from that date. Such retroactive application does not prejudice the principle of legitimate expectation as it is forbidden for fishing vessels flying the flag of the Contracting Party to fish in the CCAMLR Convention area and the SIOFA Agreement Area without authorisation.

(50) In accordance with ICCAT rules, Member States should ensure that their fishing vessels do not deploy FADs during the 15 days before the start of the closure period, that is, from 17 December 2024 onwards. The provision of this Regulation that implements that measure in Union law should therefore apply retroactively,

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the flag of the Bolivarian Republic of Venezuela in the exclusive economic zone off the coast of French Guiana (OJ L 244, 19.9.2015, p. 55, ELI: http://data.europa.eu/eli/dec/2015/1565/oj).

[50] Regulation (EU) No 182/2011 of the European Parliament and of the Council of 16 February 2011 laying down the rules and general principles concerning mechanisms for control by Member States of the Commission's exercise of implementing powers (OJ L 55, 28.2.2011, p. 13, ELI: http://data.europa.eu/eli/reg/2011/182/oj).

HAS ADOPTED THIS REGULATION:

TITLE I
GENERAL PROVISIONS

Article 1
Subject matter

1. This Regulation fixes fishing opportunities for certain fish stocks, applicable in Union waters and, for Union fishing vessels, in certain non-Union waters.

2. The fishing opportunities referred to in paragraph 1 include:

   (a) catch limits for the year 2025 and, where specified in this Regulation, also for 2026;

   (b) fishing effort limits for the year 2025, except the fishing effort limits set out in Annex II, which are to apply from 1 February 2025 to 31 January 2026;

   (c) fishing opportunities for the period from 1 December 2024 to 30 November 2025 for certain stocks in the CCAMLR Convention area and for certain stocks in the SIOFA Agreement Area;

   (d) fishing opportunities for the period from 1 June 2025 to 31 May 2026 in the North Pacific Fisheries Commission (NPFC) Convention area.

Article 2
Scope

1. This Regulation applies to the following fishing vessels:

   (a) Union fishing vessels; and

   (b) third country fishing vessels in Union waters.

2. This Regulation also applies to:

   (a) certain recreational fisheries expressly referred to in the relevant provisions of this Regulation; and

   (b) commercial fisheries from shore.

Article 3
Definitions

For the purposes of this Regulation, the definitions in Article 4 of Regulation (EU) No 1380/2013 shall apply. In addition, the following definitions shall apply:

(a) ‘third country fishing vessel’ means a fishing vessel flying the flag of, and registered in, a third country;

(b) ‘recreational fisheries’ means non-commercial fishing activities exploiting marine biological resources in the context of recreation, tourism or sport;

(c) ‘international waters’ means waters outside the sovereignty or jurisdiction of any State;

(d) ‘total allowable catch’ (TAC) means:

(i) in fisheries subject to the exemption from the landing obligation referred to in Article 15(4) to (7) of Regulation (EU) No 1380/2013, the quantity of fish that may be landed from each stock each year;

(ii) in all other fisheries, the quantity of fish that may be caught from each stock each year;

(e) 'quota' means a proportion of a TAC that is allocated to the Union, a Member State or a third country;

(f) 'analytical assessment' means a quantitative evaluation of trends in a given stock, based on data about the stock's biology and exploitation, including based on proxies, which scientific review has indicated to be of sufficient quality to provide scientific advice;

(g) 'analytical TAC' means a TAC for which an analytical assessment is available;

(h) 'precautionary TAC' means a TAC for which an analytical assessment is not available but rather an assessment based on the precautionary approach is available or no assessment is available;

(i) 'mesh size' means the mesh size of fishing nets as defined in Article 6, point (34), of Regulation (EU) 2019/1241[51];

(j) 'Union fishing fleet register' means the register set up by the Commission pursuant to Article 24(3) of Regulation (EU) No 1380/2013;

(k) 'fishing logbook' means the logbook referred to in Article 14 of Regulation (EC) No 1224/2009;

(l) 'instrumented buoy' means a buoy clearly marked with a unique reference number allowing identification of its owner and equipped with a satellite tracking system to monitor its position;

(m) 'operational buoy' means any instrumented buoy, previously activated, switched on and deployed at sea on a drifting fish aggregating device (FAD) or log, which transmits positions and other available information such as echo-sounder estimates.

Article 4
Fishing zones

For the purposes of this Regulation, the following fishing zone definitions apply:

(a) 'ICES (International Council for the Exploration of the Sea) zones' means the geographical areas specified in Annex III to Regulation (EC) No 218/2009 of the European Parliament and of the Council[52];

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51 Regulation (EU) 2019/1241 of the European Parliament and of the Council of 20 June 109 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, ELI: http://data.europa.eu/eli/reg/2019/1241/oj).

52 Regulation (EC) No 218/2009 of the European Parliament and of the Council of 11 March 2009 on the submission of nominal catch statistics by Member States fishing in the north-east Atlantic (OJ L 87, 31.3.2009, p. 70, ELI: http://data.europa.eu/eli/reg/2009/218/oj).

(b) ‘Skagerrak’ means the geographical area bounded on the west by a line drawn from the Hanstholm lighthouse to the Lindesnes lighthouse and on the south by a line drawn from the Skagen lighthouse to the Tistlarna lighthouse and from that point to the nearest point on the Swedish coast;

(c) ‘Kattegat’ means the geographical area bounded on the north by a line drawn from the Skagen lighthouse to the Tistlarna lighthouse and from that point to the nearest point on the Swedish coast and on the south by a line drawn from Hasenøre to Gnibens Spids, from Korshage to Spodsbjerg and from Gilbjerg Hoved to Kullen;

(d) ‘functional unit 16 of ICES subarea 7’ means the geographical area bounded by rhumb lines sequentially joining the following positions:

– 53°30'N 15°00'W,

– 53°30'N 11°00'W,

– 51°30'N 11°00'W,

– 51°30'N 13°00'W,

– 51°00'N 13°00'W,

– 51°00'N 15°00'W;

(e) ‘functional unit 25 of ICES division 8c’ means the geographical sea area bounded by rhumb lines sequentially joining the following positions:

– 43°00'N 9°00'W,

– 43°00'N 10°00'W,

– 43°30'N 10°00'W,

– 43°30'N 9°00'W,

– 44°00'N 9°00'W,

– 44°00'N 8°00'W,

– 43°30'N 8°00'W;

(f) ‘functional unit 26 of ICES division 9a’ means the geographical area bounded by rhumb lines sequentially joining the following positions:

– 43°00'N 8°00'W,

– 43°00'N 10°00'W,

– 42°00'N 10°00'W,

– 42 00'N 8°00'W;

(g) ‘functional unit 27 of ICES division 9a’ means the geographical area bounded by rhumb lines sequentially joining the following positions:

– 42°00'N 8°00'W,

– 42°00'N 10°00'W,

– 38°30'N 10°00'W,

– 38°30'N 9°00'W,

– 40°00'N 9°00'W,

– 40°00'N 8°00'W;

(h) ‘functional unit 30 of ICES division 9a’ means the geographical area under the jurisdiction of Spain in the Gulf of Cádiz and in the adjacent waters of ICES division 9a;

(i) ‘functional unit 31 of ICES division 8c’ means the geographical sea area bounded by rhumb lines sequentially joining the following positions:

– 43°30'N 6°00'W,

– 44°00'N 6°00'W,

– 44°00'N 2°00'W,

– 43°30'N 2°00'W;

(j) ‘Gulf of Cádiz’ means the geographical area of ICES division 9a east of longitude 7° 23' 48″ W;

(k) ‘CCAMLR (Commission for the Conservation of Antarctic Marine Living Resources) Convention area’ means the geographical area defined in the Convention on the conservation of Antarctic marine living resources[53];

(l) ‘CECAF (Committee for Eastern Central Atlantic Fisheries) areas’ means the geographical areas specified in Annex II to Regulation (EC) No 216/2009 of the European Parliament and of the Council[54];

(m) ‘IATTC (Inter-American Tropical Tuna Commission) Convention area’ means the geographical area defined in the Convention for the Strengthening of the Inter-American Tropical Tuna Commission established by the 1949 Convention between the United States of America and the Republic of Costa Rica (Antigua Convention) [55];

(n) ‘ICCAT (International Commission for the Conservation of Atlantic Tunas) Convention area’ means the geographical area defined in the International Convention for the Conservation of Atlantic Tunas[56];

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53 OJ L 252, 5.9.1981, p. 27, ELI: http://data.europa.eu/eli/convention/1981/691/oj. The Union approved the CCAMLR Convention by Council Decision 81/691/EEC of 4 September 1981 on the conclusion of the Convention on the conservation of Antarctic marine living resources (OJ L 252, 5.9.1981, p. 26, ELI: http://data.europa.eu/eli/dec/1981/691/oj).

54 Regulation (EC) No 216/2009 of the European Parliament and of the Council of 11 March 2009 on the submission of nominal catch statistics by Member States fishing in certain areas other than those of the North Atlantic (OJ L 87, 31.3.2009, p. 1, ELI: http://data.europa.eu/eli/reg/2009/216/oj).

55 OJ L 224, 16.8.2006, p. 24, ELI: http://data.europa.eu/eli/convention/2005/26/oj. The Union approved the Convention for the Strengthening of IATTC by Council Decision 2006/539/EC of 22 May 2006 on the conclusion, on behalf of the European Community of the Convention for the Strengthening of the Inter American Tropical Tuna Commission established by the 1949 Convention between the United States of America and the Republic of Costa Rica (OJ L 224, 16.8.2006, p. 22, ELI: http://data.europa.eu/eli/dec/2006/539/oj).

56 OJ L 162, 18.6.1986, p. 34, ELI: http://data.europa.eu/eli/convention/1986/238(1)/oj. The Union acceded to the ICCAT by 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).

(o) ‘IOTC (Indian Ocean Tuna Commission) Area of Competence’ means the geographical area defined in the Agreement for the establishment of the Indian Ocean Tuna Commission[57];

(p) ‘NAFO (Northwest Atlantic Fisheries Organisation) areas’ means the geographical areas specified in Annex III to Regulation (EC) No 217/2009 of the European Parliament and of the Council[58];

(q) ‘NAFO Convention Area’ means the geographical areas defined in the Convention on future Multilateral Cooperation in the North-West Atlantic Fisheries[59];

(r) ‘NAFO Regulatory Area’ means the part of the NAFO Convention Area which is beyond national jurisdiction;

(s) ‘NPFC Convention area’ means the geographical area defined in the Convention on the Conservation and Management of High Seas Fisheries Resources in the North Pacific Ocean[60];

(t) ‘SEAFO (South East Atlantic Fisheries Organisation) Convention area’ means the geographical area defined in the Convention on the Conservation and Management of Fishery Resources in the South-East Atlantic Ocean[61];

(u) ‘SIOFA (Southern Indian Ocean Fisheries Agreement) Agreement Area’ means the geographical area defined in the Southern Indian Ocean Fisheries Agreement[62];

(v) ‘SPRFMO (South Pacific Regional Fisheries Management Organisation) Convention area’ means the geographical area defined in the Convention on the Conservation and Management of High Seas Fishery Resources in the South Pacific Ocean[63];

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57 OJ L 236, 5.10.1995, p. 25, ELI: http://data.europa.eu/eli/agree_internation/1995/399/oj. The Union acceded to the IOTC by Council Decision 95/399/EC of 18 September 1995 on the accession of the Community to the Agreement for the establishment of the Indian Ocean Tuna Commission (OJ L 236, 5.10.1995, p. 24, ELI: http://data.europa.eu/eli/dec/1995/399/oj).

58 Regulation (EC) No 217/2009 of the European Parliament and of the Council of 11 March 2009 on the submission of catch and activity statistics by Member States fishing in the north-west Atlantic (OJ L 87, 31.3.2009, p. 42, ELI: http://data.europa.eu/eli/reg/2009/217/oj).

59 OJ L 378, 30.12.1978, p. 2, ELI: http://data.europa.eu/eli/convention/1978/3179/oj. The Union acceded the NAFO Convention by Council Regulation (EEC) No 3179/78 of 28 December 1978 concerning the conclusion by the European Economic Community of the Convention on Future Multilateral Cooperation in the Northwest Atlantic Fisheries (OJ L 378, 30.12.1978, p. 1, ELI: http://data.europa.eu/eli/reg/1978/3179/oj).

60 OJ L 55, 28.2.2022, p. 14. The Union acceded to the Convention on the Conservation and Management of High Seas Fisheries Resources in the North Pacific Ocean by Council Decision (EU) 2022/314 of 15 February 2022 on the accession of the European Union to the Convention on the Conservation and Management of High Seas Fisheries Resources in the North Pacific Ocean (OJ L 55, 28.2.2022, p. 12, ELI: http://data.europa.eu/eli/dec/2022/314/oj).

61 OJ L 234, 31.8.2002, p. 40, ELI: http://data.europa.eu/eli/convention/2001/319/oj. The Union approved the SEAFO Convention by Council Decision 2002/738/EC of 22 July 2002 on the conclusion by the European Community of the Convention on the Conservation and Management of Fishery Resources in the South-East Atlantic Ocean (OJ L 234, 31.8.2002, p. 39, ELI: http://data.europa.eu/eli/dec/2002/738/oj).

62 OJ L 196, 18.7.2006, p. 15, ELI: http://data.europa.eu/eli/agree_internation/2006/496/oj.The Union approved the SIOFA by Council Decision 2008/780/EC of 29 September 2008 on the conclusion, on behalf of the European Community, of the Southern Indian Ocean Fisheries Agreement (OJ L 268, 9.10.2008, p. 27, ELI: http://data.europa.eu/eli/dec/2008/780/oj).

63 OJ L 67, 6.3.2012, p. 3, ELI: http://data.europa.eu/eli/convention/2012/130/oj. The Union approved the SPRFMO Convention by Council Decision 2012/130/EU of 3 October 2011 on the approval, on behalf of the European Union, of the Convention on the Conservation and Management of High Seas Fishery

(w) ‘WCPFC (Western and Central Pacific Fisheries Commission) Convention area’ means the geographical area defined in the Convention on the Conservation and Management of Highly Migratory Fish Stocks in the Western and Central Pacific Ocean[64];

(x) ‘high seas of the Bering Sea’ means the geographical area of the high seas of the Bering Sea beyond 200 nautical miles from the baselines from which the breadth of the territorial seas of the coastal States of the Bering Sea is measured;

(y) ‘overlap area between IATTC and WCPFC Convention areas’ means the geographical area defined by the following limits:

– longitude 150° W,

– longitude 130° W,

– latitude 4° S,

– latitude 50° S;

TITLE II
FISHING OPPORTUNITIES FOR UNION FISHING VESSELS

Chapter I
General provisions

Article 5
TACs and allocations

1. The TACs for Union fishing vessels in Union waters and certain non-Union waters, their allocation among Member States and, where appropriate, the conditions functionally linked thereto are set out in Annex I.

2. Union fishing vessels may be authorised by the coastal State concerned to fish in waters under the fisheries jurisdiction of the Faroe Islands, Greenland, Norway and in the fishing zone around Jan Mayen subject to the TACs set out in Annex I to this Regulation and subject to the conditions provided for in Article 22 of this Regulation, Part A of Annex V to this Regulation and in Regulation (EU) 2017/2403 of the European Parliament and of the Council[65] and delegated acts adopted by the Commission on the basis of that Regulation.

3. Union fishing vessels may be authorised by the United Kingdom to fish in waters under its fisheries jurisdiction subject to the TACs in Annex I to this Regulation, the

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Resources in the South Pacific Ocean (OJ L 67, 6.3.2012, p. 1, ELI: http://data.europa.eu/eli/dec/2012/130(1)/oj).

64 OJ L 32, 4.2.2005, p. 3, ELI: http://data.europa.eu/eli/convention/2005/75/oj. The Union acceded to the WCPFC by Council Decision 2005/75/EC of 26 April 2004 on the accession of the Community to the Convention on the Conservation and Management of Highly Migratory Fish Stocks in the Western and Central Pacific Ocean (OJ L 32, 4.2.2005, p. 1, ELI: http://data.europa.eu/eli/dec/2005/75(1)/oj).

65 Regulation (EU) 2017/2403 of the European Parliament and of the Council of 12 December 2017 on the sustainable management of external fishing fleets, and repealing Council Regulation (EC) No 1006/2008 (OJ L 347, 28.12.2017, p. 81, ELI: http://data.europa.eu/eli/reg/2017/2403/oj).

conditions provided for in Article 22 of this Regulation and in Regulation (EU) 2017/2403 and delegated acts adopted by the Commission on the basis of that Regulation.

Article 6
TACs to be determined by Member States

1. The TACs set out in Annex I to this Regulation shall, where specified in that Annex, be determined by the Member State concerned.

2. The TACs to be determined by a Member State referred to in paragraph 1 shall:

   (a) be consistent with the objectives and rules set out in Regulation (EU) No 1380/2013 and in Regulations (EU) 2018/973 and 2019/472, in particular the objective of sustainable exploitation of the stock; and

   (b) result in an exploitation of the stock that is:

      (i) if an analytical assessment is available, in line with MSY, with as high a probability as possible; or

      (ii) if an analytical assessment is unavailable or incomplete, consistent with the precautionary approach to fisheries management.

3. By 1 February 2025 each Member State concerned shall submit the following information to the Commission:

   (a) the TACs that it has determined;

   (b) the data that it has collected, assessed and used as a basis for the determination of the TACs;

   (c) details as to how the determined TACs comply with paragraph 2.

4. For the TAC for black scabbardfish (*Aphanopus carbo*) in CECAF area 34.1.2, Portugal shall submit the information referred to in paragraph 3 for that TAC for 2025 by 1 February 2025 and for that TAC for 2026 by 1 February 2026.

5. Where appropriate, the Commission may request STECF:

   (a) to assess the information referred to in paragraph 3, points (b) and (c); and

   (b) to assess whether the TACs determined by Member States comply with paragraph 2.

6. If, according to the advice of STECF, that information is deemed insufficient, the Member States concerned shall submit to the Commission new information in line with the STECF advice, together with supporting information justifying that new information in relation to the STECF advice, no later than one month after the publication of the STECF advice.

7. If, according to the advice of STECF, the TACs determined by Member States do not comply with the conditions laid down in paragraph 2, the Member States concerned shall revise, in line with the STECF advice, the TACs they have determined and submit to the Commission these revised TACs, together with supporting information justifying the revised TACs in relation to the STECF advice, no later than one month after the publication of that advice, where relevant, together with the new data referred to in paragraph 6.

Article 7

Conditions for landing catches and by-catches

1. Catches that are not subject to the landing obligation under Article 15 of Regulation (EU) No 1380/2013 shall be retained on board or landed only if they:

   (a) have been taken by fishing vessels flying the flag of a Member State that has a quota and that quota has not been exhausted; or

   (b) make up a share of a Union quota that has not been allocated among Member States and that has not been exhausted.

2. For the purposes of the derogation from the obligation to count catches against the relevant quotas, as provided for in Article 15(8) of Regulation (EU) No 1380/2013, the stocks of non-target species within safe biological limits referred to in that Article are identified in Annex I to this Regulation.

Article 8

Quota exchange mechanism for TACs for unavoidable by-catches

1. In order to take account of the landing obligation and to make quotas for certain by-catches available to Member States without a quota, the quota exchange mechanism set out in paragraphs 2 to 5 shall apply to the TACs identified in Annex IA.

2. 6 % of each quota from the TACs for cod (*Gadus morhua*) in the Celtic Sea (COD/7XAD34), cod in the West of Scotland (COD/5BE6A), whiting in the Irish Sea (WHG/07A.) and plaice in ICES divisions 7h, 7j and 7k (PLE/7HJK.), and 3 % of each quota from the TAC for whiting in the West of Scotland (WHG/56-14), allocated to each Member State, shall be made available for a pool for quota exchanges ('the pool'), which shall open on 1 January 2025. Member States without a quota shall have exclusive access to the pool until 31 March 2025.

3. The quantities drawn from the pool may not be exchanged or transferred to the following year. After 31 March 2025, any unused quantities shall be returned to the Member States that initially contributed to the pool.

4. Member States without a quota shall provide in return quotas for stocks listed in Annex IA, Part C, unless the Member State without a quota and the Member State contributing to the pool agree otherwise.

5. The quotas referred to in paragraph 4 shall be of equivalent commercial value, determined on the basis of a market exchange rate or other mutually acceptable exchange rates. In the absence of alternatives, the equivalent commercial value shall be determined on the basis of average Union prices from the previous year, as provided by the European Market Observatory for Fisheries and Aquaculture Products.

6. Where the quota exchange mechanism set out in paragraphs 2 to 5 does not allow Member States to cover their unavoidable by-catches to a similar extent, Member States shall endeavour to agree on quota exchanges pursuant to Article 16(8) of Regulation (EU) No 1380/2013, ensuring that quotas exchanged are of equivalent commercial value.

Article 9
Fishing effort limits in ICES division 7e

1. For the period referred to in Article 1(2), point (b), of this Regulation fishing effort limitations for sole in ICES division 7e are set out in Annex II.

2. At the request of a Member State in accordance with point 7.4 of Annex II, the Commission may adopt an implementing act by which it allocates to that Member State a number of days at sea in addition to those referred to in point 5 of Annex II, on which it may authorise a fishing vessel under its flag to be present in ICES division 7e when carrying on board any regulated gear. The Commission shall adopt that implementing act in accordance with the examination procedure referred to in Article 58(2) of this Regulation.

3. At the request of a Member State, the Commission may adopt an implementing act by which it allocates to that Member State a maximum of three days between 1 February 2025 and 31 January 2026, in addition to those referred to in point 5 of Annex II, on which a fishing vessel may be present in ICES division 7e on the basis of an enhanced programme of scientific observer coverage, as referred to in point 8.1 of Annex II. It shall make such an allocation on the basis of the description submitted by that Member State in accordance with point 8.3 of Annex II and following consultation with the STECF. That implementing act shall be adopted in accordance with the examination procedure referred to in Article 58(2) of this Regulation.

[Articles 10, 15 to 18 of this Regulation will be updated after the conclusion of the consultations between the Union and the United Kingdom.]

[*Article 10*
Measures on European seabass fisheries in ICES divisions 4b, 4c and 6a and ICES subarea 7

1. It shall be prohibited for Union fishing vessels, as well as for any commercial fisheries from shore, to fish for European seabass (*Dicentrarchus labrax*) in ICES divisions 4b and 4c and in ICES subarea 7 or to retain on board, tranship, relocate or land European seabass caught in that area.

2. The prohibition set out in paragraph 1 shall not apply to by-catches of seabass in shore-based commercial netting activities. This exemption applies to historic numbers of beach nets set at pre-2017 levels. Shore-based commercial netting activities shall not target seabass and only unavoidable by-catches of seabass may be landed.

3. By way of derogation from paragraph 1, in January 2025 and from 1 April to 31 December 2025, Union fishing vessels in ICES divisions 4b, 4c, 7d, 7e, 7f and 7h may fish for, retain on board, tranship, relocate or land European seabass caught in that area with the following gear and within the following limits:

   (a) using demersal trawls[66], for unavoidable by-catches not exceeding 3,8 tonnes per fishing vessel and per year and 5 % of the weight of the total catches of

[66] All types of demersal trawls (OTB, OTT, PTB, TBB, TBN, TBS and TB).

marine organisms on board caught by the fishing vessel concerned per fishing trip;

(b) using seines[67], for unavoidable by-catches not exceeding 3,8 tonnes per fishing vessel and per year and 5 % of the weight of the total catches of marine organisms on board caught by the fishing vessel concerned per fishing trip;

(c) using hooks and lines[68], not exceeding 6,2 tonnes per fishing vessel;

(d) using fixed gillnets[69], for unavoidable by-catches not exceeding 1,6 tonnes per fishing vessel.

The derogations set out in the first subparagraph, point (c), shall apply to Union fishing vessels that have recorded catches of European seabass using hooks and lines over the period from 1 July 2015 to 30 September 2016.

The derogations set out in the first subparagraph, point (d), shall apply to Union fishing vessels that have recorded catches of European seabass using fixed gillnets over the period from 1 July 2015 to 30 September 2016.

In the case of a replacement of a Union fishing vessel, Member States may allow the derogations to apply to another Union fishing vessel provided that the number of Union fishing vessels subject to each of the derogations and their overall fishing capacity do not increase.

4. The catch limits set out in paragraph 3 shall not be transferable between fishing vessels.

5. In recreational fisheries, including from shore, in ICES divisions 4b, 4c, 6a and 7a to 7k:

(a) from 1 February to 31 March 2025:

(i) only catch-and-release fishing with a rod or a handline for European seabass shall be allowed;

(ii) it shall be prohibited to retain, relocate, tranship or land European seabass caught in that area;

(b) in January and from 1 April to 31 December 2025:

(i) not more than two specimens of European seabass may be caught and retained per fisher per day;

(ii) the minimum size of European seabass retained shall be 42 cm;

(iii) fixed nets shall not be used to catch or retain European seabass.

6. Paragraph 5 shall apply without prejudice to more stringent national measures on recreational fisheries.]

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67 All types of seines (SSC, SDN, SPR, SV, SB and SX).

68 All long lines or pole and line or rod and line fisheries (LHP, LHM, LLD, LL, LTL, LX and LLS).

69 All fixed gillnets and traps (GTR, GNS, GNC, FYK, FPN and FIX).

Article 11

Measures for European seabass fisheries in ICES divisions 8a and 8b

1. When determining their quotas for commercial fisheries, France and Spain shall jointly ensure that the sum of commercial landings, commercial discards, recreational landings and recreational discards for European seabass in ICES divisions 8a and 8b do not exceed 2 631 tonnes. Those quotas shall be considered as quotas for the purpose of Council Regulation (EC) No 1224/2009.

2. By 1 February 2025, Spain and France shall submit the following information to the Commission:

   (a) the quotas determined;

   (b) the data collected, assessed and used as a basis for the determination of the quotas; and

   (c) details as to how those quotas comply with paragraph 1.

3. Catches in commercial fisheries under those quotas shall be reported by Spain (BSS/8ABSPA) and by France (BSS/8ABFRA).

4. In recreational fisheries, including from shore, in ICES divisions 8a and 8b:

   (a) a maximum of one specimen of European seabass may be caught and retained per fisher per day;

   (b) fixed nets shall not be used to catch or retain European seabass.

5. Paragraph 4 shall apply without prejudice to more stringent national measures on recreational fisheries.

[*Article 12*

Measures for pollack

in ICES subareas 8, 9, 10 and Union waters of CECAF 34.1.1

1. A minimum conservation reference size of 42 cm shall apply for catches of pollack in ICES subareas 8, 9, 10 and Union waters of CECAF 34.1.1.

2. In recreational fisheries, including from shore, in ICES subareas 8, 9, 10 and Union waters of CECAF 34.1.1:

   (a) a maximum of two specimens of pollack (*Pollachius pollachius*) may be caught and retained per fisher per day. Once that ceiling has been reached, ‘catch and release’ fishing may be carried out;

   (b) no specimens of pollack are permitted to be caught and retained from 1 January to 30 April. ‘Catch and release’ fishing may nevertheless be carried out during that period.

2. Paragraph 1 applies without prejudice to stricter national measures on recreational fishing.]

[Article 13 will be updated after publication by ICES of its scientific advice for European eel for 2025.]

[Article 13
Measures on European eel fisheries in Union waters of ICES subareas 3, 4, 6, 7, 8 and 9

1. This Article applies to Union marine and brackish waters of ICES subareas 3, 4, 6, 7, 8 and 9, and to adjacent Union brackish waters. Brackish waters include estuaries, coastal lagoons and transitional waters.

2. This Article does not apply to commercial fishing operations conducted for the exclusive purpose of scientific investigations, provided that those investigations are carried out in compliance with the conditions set out in Article 25 of Regulation (EU) 2019/1241 and that the STECF has confirmed to the Commission and the Member States concerned that such scientific investigations are justified on scientific grounds. The same conditions shall apply by analogy to commercial fishing operations conducted for the exclusive purpose of scientific investigations without a fishing vessel.

3. It shall be prohibited to engage in commercial fishing activities for European eel (*Anguilla anguilla*) at all life stages for a period of at least six months between 1 April 2025 and 31 March 2026. In addition, Members States and fishers shall undertake all reasonable efforts to minimise and where possible eliminate incidental by-catch of European eel. When accidentally caught, specimens of eel shall not be harmed and shall be promptly released. To that effect, the Member State concerned, either individually or jointly, shall determine one or more closure periods subject to the following:

   (a) where appropriate, the closure period or periods may differ between Member States or within one Member State from one fishing area to another in order to take account of the geographical and temporal migration pattern of eel at its different life stages;

   (b) the closure period or periods shall last for a consecutive or non-consecutive time span of at least six months, which shall apply to all fishers concerned in the relevant fishing area;

   (c) the closure period or periods shall be consistent with the conservation objectives set out in Regulation (EC) No 1100/2007, and with national management plans established pursuant to Article 2 of that Regulation; and

   (d) the closure period or periods shall cover the main migration period or periods, including the respective peak, of European eel at the respective life stage in the Member State concerned.

4. By way of derogation from paragraph 3, point (d), for European eel of an overall length of 12 cm or more, the Member States concerned may allow fishing activities for up to a total of 30 consecutive or non-consecutive days, which shall apply to all fishers concerned in the relevant fishing area, during the main migration period. In that case, the Member States concerned shall determine an additional closure of an equivalent period of time during the main migration period or, subsidiarily, just before or after it. In case a Member State allows fishing for non-consecutive days, the fishing gear shall be taken out of the water between any period of non-consecutive days.

5. For European eel of an overall length of 12 cm or more in ICES subarea 3, the closure period or periods referred to in paragraph 3 and the derogation thereof referred to in paragraph 4 shall be agreed by all the Member States concerned so as to ensure an effective protection of eel on its migration from the Baltic Sea into the North Sea. In the absence of such an agreement by 1 March 2025, the closure period shall be 15 September 2025 to 15 March 2026 in Denmark, Germany, Estonia, Latvia, Lithuania, Poland, Finland and Sweden, and without the possibility of the derogation referred to in paragraph 4.

6. By way of further derogation from paragraph 3, point (d), for European eel of an overall length of less than 12 cm, the Member States concerned may allow fishing activities for up to a total of 30 consecutive or non-consecutive days, which shall apply to all fishers concerned in the relevant fishing area, during the main migration period. In addition, the Member States concerned may allow fishing exclusively for restocking for up to an additional 50 days during the main migration period. In both cases, the Member States concerned shall determine an additional closure of an equivalent period of time during the main migration period or, subsidiarily, just before or after it. In case a Member State allows fishing for non-consecutive days, the fishing gear shall be taken out of the water between any period of non-consecutive days.

7. Recreational fisheries of European eel at all life stages shall be prohibited.

8. The Member State concerned, either individually or jointly, shall inform the Commission:

   (a) by 1 March 2025, about the closure period or periods that it has determined in accordance with paragraphs 3 to 6 together with the supporting information justifying the chosen period or periods;

   (b) within 2 weeks after their adoption, of national measures relating to the closure period or periods that it has determined in accordance with paragraph 3 to 6.]

Article 14
Special provisions on allocations of fishing opportunities

1. The allocation of fishing opportunities among Member States set out in this Regulation shall be without prejudice to:

   (a) exchanges pursuant to Article 16(8) of Regulation (EU) No 1380/2013;

   (b) deductions and reallocations pursuant to Article 37 of Regulation (EC) No 1224/2009;

   (c) reallocations pursuant to Articles 12 and 47 of Regulation (EU) 2017/2403;

   (d) additional landings allowed under Article 3 of Regulation (EC) No 847/96 and Article 15(9) of Regulation (EU) No 1380/2013;

   (e) quantities withheld in accordance with Article 4 of Regulation (EC) No 847/96 and Article 15(9) of Regulation (EU) No 1380/2013;

   (f) deductions pursuant to Articles 105, 106 and 107 of Regulation (EC) No 1224/2009;

   (g) quota transfers and exchanges pursuant to Articles 23 and 53 of this Regulation.

2. Stocks subject to precautionary or analytical TACs for the purposes of the year-to-year management of TACs and quotas provided for in Regulation (EC) No 847/96 are identified in Annex I to this Regulation.

3. Except where otherwise specified in Annex I to this Regulation, Article 3 of Regulation (EC) No 847/96 shall apply to stocks subject to a precautionary TAC, and Article 3(2) and (3) and Article 4 of that Regulation shall apply to stocks subject to an analytical TAC.

4. Articles 3 and 4 of Regulation (EC) No 847/96 shall not apply where a Member State uses the year-to-year flexibility provided for in Article 15(9) of Regulation (EU) No 1380/2013.

[*Article 15*
Closed fishing seasons for sandeels

Commercial fishing for sandeels (*Ammodytes* spp.) with demersal trawl, seine or similar towed gears with a mesh size of less than 16 mm shall be prohibited in ICES divisions 2a and 3a and in ICES subarea 4 from 1 January to 31 March 2025 and from 1 August to 31 December 2025.]

[*Article 16*
Remedial measures for cod in the North Sea

1. The areas closed to fishing, except with pelagic gear (purse seines and trawls), and the periods during which the closures apply are set out in Annex IV.

2. Fishing vessels fishing with bottom trawls and seines with minimum mesh size of at least 70 mm in ICES divisions 4a and 4b or at least 90 mm in ICES division 3a, and longlines[70] shall be prohibited from fishing in Union waters of ICES division 4a, north of latitude 58°30′00″N and south of latitude 61°30′00″N, and in Union waters of ICES divisions 3a.20 (Skagerrak), 4a and 4b, north of latitude 57°00′00″N and east of longitude 5°00′00″E.

3. By way of derogation from paragraph 2, fishing vessels referred to in that paragraph may fish in the areas referred to in that paragraph provided that they fulfil at least one of the following criteria:

   (a) their cod catches do not account for more than 5 % of their total catches per fishing trip; fishing vessels whose cod catches did not exceed 5 % of their total catches in 2017–2019 are presumed to comply with this criterion provided that they continue to use the same gear that they used in that period; this presumption may be rebutted;

   (b) a regulated and highly selective bottom trawl or seine is used, resulting, according to a scientific study, in at least a 30 % reduction in cod catches compared to vessels fishing with the baseline mesh size for towed gears, as specified in Part B, point 1.1, of Annex V to Regulation (EU) 2019/1241; such studies may be evaluated by the STECF and in the case of a negative evaluation, the gears in question shall no longer be considered valid for use in the areas referred to in paragraph 2 of this Article;

[70] Gear codes: OTB, OTT, OT, TBN, TBS, TB, TX, PTB, SDN, SSC, SX, LL, LLS.

(c) for fishing vessels fishing with bottom trawls and seines with mesh sizes equal to or larger than 100 mm (TR1), the following highly selective gears are used:

(i) belly trawls with a minimum belly mesh size of 600 mm;

(ii) raised fishing line (0,6 m);

(iii) horizontal separating panel with large mesh escape panel;

(d) for fishing vessels fishing with bottom trawls and seines with mesh sizes equal to or larger than 70 mm in ICES division 4a and 90 mm in ICES division 3a, and less than 100 mm (TR2), the following highly selective gears are used:

(i) horizontal sorting grid with maximum 50 mm bar spacing separating flatfish and roundfish, with an unblocked fish outlet for roundfish;

(ii) seltra panel with 300 mm square-mesh size;

(iii) sorting grid with maximum 35 mm bar spacing, with an unblocked fish outlet;

(e) fishing vessels are subject to a national cod avoidance plan to sustain cod catches in line with the fishing mortality corresponding to the fishing opportunities fixed, based on scientific advice levels, through spatial or technical measures, or a combination thereof; such plans shall be assessed no later than two months following their implementation, by the STECF in the case of Member States or by the relevant national scientific body in the case of third countries, and, where deemed necessary, further revised if such assessments find that the objective of the national cod avoidance plan will not be met.

4. Member States shall enhance the monitoring, control and surveillance of fishing vessels referred to in paragraph 2 in order to ensure compliance with the conditions laid down in paragraph 3.

5. This Article shall not apply to fishing operations conducted for the exclusive purpose of scientific investigations, provided that those investigations are carried out in compliance with Article 25 of Regulation (EU) 2019/1241.]

[*Article 17*

Technical measures for the Celtic Sea, the Irish Sea and the West of Scotland

1. The following shall apply to fishing vessels fishing with bottom trawls and seines in ICES divisions 7f, 7g, the part of 7h North of latitude 49° 30′ North and the part of 7j North of latitude 49° 30′ North and East of longitude 11° West:

(a) fishing vessels fishing with bottom trawls or seines shall use gear with one of the following mesh sizes:

(i) 110 mm cod-end with 120 mm square-mesh panel;

(ii) 100 mm T90 cod-end;

(iii) 120 mm cod-end;

(iv) 100 mm with 160 mm square-mesh panel;

(b) in addition, fishing vessels fishing with bottom trawls whose catches weighed before any discards consist of at least 20 % of haddock shall use a fishing gear

that is constructed with a minimum of one meter spacing between the fishing line and ground gear.

Member States may exempt from the application of this point fishing vessels fishing with bottom trawls whose catches, weighed before any discards, consist of less than 1,5 % of cod, provided those vessels are subject to a progressive increase of observer coverage at sea up to at least 20 % of all their fishing trips;

(c) fishing vessels fishing with bottom trawls or seines with catches comprising more than 30 % of Norway lobster shall use one of the following gears:

(i) 300 mm squared mesh panel; vessels below 12 meters in length over all may use a 200 mm square mesh panel;

(ii) seltra panel;

(iii) sorting grid with a 35 mm bar spacing or a similar Net grid selectivity device;

(iv) 100 mm cod-end with a 100 mm square mesh panel;

(v) dual cod-end with the uppermost cod-end constructed with T90 mesh of at least 100 mm and fitted with a separation panel with a maximum mesh size of 300 mm;

(d) fishing vessels fishing with bottom trawls or seines with catches comprising more than 55 % of whiting or 55 % of anglerfish, hake or megrim combined, shall use one of the following gears:

(i) 100 mm cod-end with a 100 mm squared mesh panel;

(ii) 100 mm T90 cod-end and extension.

2. The following shall apply to fishing vessels fishing with bottom trawls or seines in ICES divisions 6a and 5b, within Union waters, East of 12°W (West of Scotland) in Norway lobster (*Nephrops norvegicus*) fisheries:

(a) fishing vessels shall use a square mesh panel (positioning retained) of at least 300 mm for vessels deploying a cod-end mesh size less than 100 mm; for vessels below 12 m in length over all and/or with engine power of 200 kW or less, the panel overall length may be 2 m and the panel 200 mm;

(b) fishing vessels with catches comprising more than 30 % of Norway lobster shall use a square mesh panel (positioning retained) of at least 160 mm for vessels deploying a cod-end mesh size of 100-119 mm.

3. The following shall apply to fishing vessels fishing with bottom trawls or seines in ICES division 7a (Irish Sea):

(a) fishing vessels fishing with bottom trawls or seines with a cod-end mesh size equal to or larger than 70 mm and smaller than 100 mm and with catches comprising more than 30 % of Norway lobster shall use one of the following gears:

(i) 300 mm square mesh panel; fishing vessels below 12 meters in length over all may use a 200 mm squared mesh panel;

(ii) seltra panel;

(iii) sorting grid with 35 mm bar spacing;

(iv) CEFAS Net grid;

(v) flip-flap trawl;

(b) fishing vessels equal to or greater than 12 meters in length overall operating with bottom trawls or seines with catches comprising more than 10 % of haddock, cod and skates and rays combined, shall use 120 mm cod-end.

4. The catch percentages in paragraphs 1 and 2 of this Article shall be calculated as the proportion by live weight of all marine biological resources landed after each fishing trip, in accordance with Article 15 of Regulation (EU) No 1380/2013 and Article 27(2) of Regulation (EU) 2019/1241.

5. It shall be prohibited for fishing vessels to fish with bottom trawls and seines in the following zones:

(a) ICES divisions from 7f to 7k,

(b) in the area West of 5° W longitude in ICES division 7e and

(c) in ICES divisions 7b and 7c.

This prohibition shall not apply to fishing vessels in case:

(i) they use a cod-end mesh size of at least 100 mm, or

(ii) their by-catches of cod do not exceed 1,5 %, as assessed by the STECF, when fishing outside the areas mentioned in paragraph 1.]

[*Article 18*
Technical measures for red seabream in ICES subareas 6 to 8

1. A minimum conservation reference size of 36 cm shall apply for the catches of red seabream (*Pagellus bogaraveo*) in ICES subareas 6 to 8.

2. A minimum conservation reference size of 40 cm shall apply for the recreational catches of red seabream in ICES sub-areas 6 and 7.

3. From 1 January to 30 June 2025, all fishing for red seabream in ICES sub-areas 6, 7 and 8 shall be prohibited to fishing vessels flying the French flag.

4. From 1 February to 30 September 2025, fishing with bottom set longlines (LLS) and bottom trawls (OTB) shall be prohibited in the western area of the Cantabrian Sea, opposite to Asturias and Galicia.

5. Recreational fisheries for red seabream shall be prohibited within the following geographical areas: Area RF 1 (Cariño/Celeiro), Area RF 2 (Ribadeo), Area RF 3 (Navia), Area RF 4 (Ensenada Canero), Area RF 5 (Ensenada de Cabrera/Ría San Martín de la Arena), Area RF 6 (Ría de Treto), Area RF 7 (Bilbao/Plentzia), Area RF 8 (Bermeo/Mundaka).]

[*Article 19*
Remedial measures for cod in the Kattegat

1. Union fishing vessels fishing in the Kattegat with bottom trawls[71] with minimum mesh size of 70 mm shall use one of the following selective gears:

[71] Gear codes: OTB, OTT, OT, TBN, TBS, TB, TX, PTB.

(a) sorting grid with maximum 35 mm bar spacing, with an unblocked fish outlet;

(b) sorting grid with maximum 50 mm bar spacing separating flatfish and roundfish, with an unblocked fish outlet for roundfish;

(c) seltra panel with 300 mm square-mesh size;

(d) regulated highly selective gear, the technical attributes of which shall result, according to a scientific study assessed by the STECF, for fishing vessels exclusively carrying on board such a gear, in less than 1,5 % of catches of cod.

2. Union fishing vessels participating in a project run by a Member State and having functioning equipment for fully documented fisheries may use a gear in accordance with Part B of Annex V to Regulation (EU) 2019/1241. By 31 March 2025, the Member State in question shall communicate a list of such vessels to the Commission.

3. This Article shall not apply to fishing operations conducted for the exclusive purpose of scientific investigations, provided that those investigations are carried out in compliance with Article 25 of Regulation (EU) 2019/1241.]

Article 20
Prohibited species

1. Union fishing vessels shall not fish for, retain on board, tranship or land the following species:

(a) starry ray (*Amblyraja radiata*) in United Kingdom and Union waters of ICES subarea 4 and division 7d; United Kingdom waters of division 2a; and Union waters of division 3a;

(b) splendid alfonsino (*Beryx splendens*) in NAFO subarea 6;

(c) sand tiger shark (*Carcharias taurus*) in all waters other than the Mediterranean;

(d) common skate (*Dipturus batis*) complex (*Dipturus* cf. *flossada* and *Dipturus* cf. *intermedia*) in United Kingdom and Union waters of ICES subareas 4 and 6 to 8; United Kingdom waters of division 2a and subarea 5; and Union waters of subareas 3, 9 and 10;

(e) great lanternshark (*Etmopterus princeps*) in United Kingdom and Union waters of ICES subarea 4; United Kingdom waters of division 2a; and international waters of ICES subareas 1 and 14;

(f) tope shark (*Galeorhinus galeus*) when taken with longlines in United Kingdom and Union waters of ICES subareas 4; United Kingdom waters of division 2a; United Kingdom and international waters of subarea 5; United Kingdom, Union and international waters of subareas 6 to 8; and international waters of subareas 12 and 14;

(g) porbeagle (*Lamna nasus*) in all waters;

(h) thornback ray (*Raja clavata*) in Union waters of ICES division 3a;

(i) undulate ray (*Raja undulata*) in United Kingdom and Union waters of ICES subarea 6; and Union waters of ICES subarea 10;

(j) whale shark (*Rhincodon typus*) in all waters;

(k) common guitarfish (*Rhinobatos rhinobatos*) in the Mediterranean; and

(l) deep-sea species listed in Annex IA, Part D, in Union, United Kingdom and international waters of ICES zones: 1; 2, except UK waters of division 2a; 5 to 10; 12 and 14, and CECAF areas 34.1.1, 34.1.2 and 34.2. In addition, in Union and United Kingdom waters of ICES division 2a and subarea 4, where specified in that Annex.

2. When accidentally caught, specimens of the species referred to in paragraph 1 shall not be harmed and shall be promptly released.

Article 21
Data transmission

When Member States submit to the Commission data relating to landings and fishing effort pursuant to Articles 33 and 34 of Regulation (EC) No 1224/2009, they shall use the stock codes set out in Annex I to this Regulation.

Chapter II
Fishing authorisations in third country waters

Article 22
Fishing authorisations

1. The maximum numbers of fishing authorisations for Union fishing vessels in third country waters, where applicable, are set out in Part A of Annex V.

2. Where, in accordance with Article 16(8) of Regulation (EU) No 1380/2013, a Member State, after notifying the Commission, transfers quota to another Member State in the fishing areas set out in Part A of Annex V to this Regulation, the transfer shall be accompanied, where relevant, by an appropriate transfer of fishing authorisations. The total number of authorisations for each fishing area, as set out in Part A of Annex V to this Regulation, shall not be exceeded. That transfer of fishing authorisations shall be notified by the transferring Member State to the Commission at the time of the notification to the Commission of the quota transfer.

Chapter III
Fishing opportunities managed by regional fisheries management organisations

SECTION 1
GENERAL PROVISIONS

Article 23
Quota transfers and exchanges

1. Where the rules of a regional fisheries management organisation (RFMO) permit quota transfers or exchanges between the Contracting Parties to that RFMO, a Member State (‘the Member State concerned’) may discuss with a Contracting Party to that RFMO and establish a possible outline of an intended quota transfer or exchange, as appropriate. The Member State concerned shall notify the Commission of the outline.

2. On being notified in accordance with paragraph 1, the Commission may endorse the outline of the intended quota transfer or exchange. If the Commission endorses the outline, it shall express, without undue delay, the consent to be bound by the intended quota transfer or exchange. It shall notify the secretariat of the RFMO of the transfer or exchange in accordance with the rules of that RFMO.

3. The Commission shall inform the Member States of any agreed quota transfer or exchange.

4. The fishing opportunities received or transferred by the Member State concerned under the quota transfer or exchange shall be deemed to be quotas added to, or deducted from, its allocation as of the moment when the transfer or exchange takes effect under the terms of the agreement with the relevant Contracting Party to the RFMO or in accordance with the rules of the relevant RFMO, as appropriate. Such transfers and exchanges shall not affect the distribution key for allocating fishing opportunities among Member States in accordance with the principle of relative stability of fishing activities.

[Sections 2 to 4, and 8 to 9 of this Regulation will be updated after the annual meetings of the RFMOs.]

[SECTION 2
NEAFC CONVENTION AREA

Article 24
Redfish in the Irminger Sea

1. All fishing activities shall be prohibited in the area bounded by the following coordinates measured according to the WGS84 system:

Latitude	Longitude
63°00'N	30°00'W
61°30'N	27°35'W
60°45'N	28°45'W
62°00'N	31°35'W
63°00'N	30°00'W

2. Fishing vessels shall be prohibited from fishing, retaining on board, transhipping or landing in Union ports and Union fishing vessels also in third country ports shallow pelagic and deep pelagic beaked redfish (*Sebastes mentella*) from the Irminger Sea and adjacent waters (ICES subareas 5, 12 and 14, and NAFO subareas 1 and 2).

3. Union fishing vessels shall be prohibited from participating in transhipment operations involving the stocks referred to in paragraph 2.

4. Union vessels shall be prohibited from refuelling or providing support services to fishing vessels with catches of the stocks referred to in paragraph 2.]

[SECTION 3
ICCAT CONVENTION AREA

Article 25
Fishing, farming and fattening capacity limitations

1. The number of Union bait boats and trolling boats authorised to fish actively for bluefin tuna (*Thunnus thynnus*) between 8 kg/75 cm and 30 kg/115 cm in the eastern Atlantic shall be limited as set out in point 1 of Annex VI.

2. The number of Union coastal artisanal fishing vessels authorised to fish actively for bluefin tuna between 8 kg/75 cm and 30 kg/115 cm in the Mediterranean shall be limited as set out in point 2 of Annex VI.

3. The number of Union fishing vessels fishing for bluefin tuna in the Adriatic Sea for farming purposes authorised to fish actively for bluefin tuna between 8 kg/75 cm and 30 kg/115 cm shall be limited as set out in point 3 of Annex VI.

4. The number of Union fishing vessels authorised to fish for, retain on board, tranship, transport or land bluefin tuna in the eastern Atlantic and Mediterranean shall be limited as set out in point 4 of Annex VI.

5. The number of traps engaged in bluefin tuna fishery in the eastern Atlantic and Mediterranean shall be limited as set out in point 5 of Annex VI.

6. The maximum number of Union fishing vessels authorised to fish for northern albacore (Thunnus alalunga) as a target species in accordance with Article 17 of Regulation (EU) 2017/2107[72] shall be limited as set out in point 7 of Annex VI to this Regulation.

7. The maximum number of Union fishing vessels of at least 20 m length fishing for bigeye tuna (*Thunnus obesus*) in the ICCAT Convention area shall be limited as set out in point 8 of Annex VI.

Article 26
Recreational fisheries

Where appropriate, Member States shall allocate a specific share from their allocated quotas to recreational fisheries, as set out in Annex ID.

Article 27
Sharks

In addition to the prohibitions established in Articles 32 to 36 of Regulation (EU) 2017/2107, it shall also be prohibited to engage in directed fishery for species of thresher sharks of the *Alopias* genus.

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[72] Regulation (EU) 2017/2107 of the European Parliament and of the Council of 15 November 2017 laying down management, conservation and control measures applicable in the Convention area of the International Commission for the Conservation of Atlantic Tunas (ICCAT), and amending Council Regulations (EC) No 1936/2001, (EC) No 1984/2003 and (EC) No 520/2007 (OJ L 315, 30.11.2017, p. 1).

Article 28
FADs for tropical tunas

1. It shall be prohibited to use FADs in the ICCAT Convention area from 1 January 2025 to 12 March 2025.

2. From 17 December 2024 to 31 December 2024, Member States shall ensure that their fishing vessels do not deploy FADs.]

[SECTION 4
CCAMLR CONVENTION AREA

Article 29
Exploratory fisheries notifications for toothfish for the 2025-2026 fishing season

1. Member States may participate in, or authorise their fishing vessels to participate in, longline exploratory fisheries for toothfish (*Dissostichus* spp.) in FAO subareas 48.6, 88.1 and 88.2 and FAO divisions 58.4.1, 58.4.2 and 58.4.3a outside areas of national jurisdiction for fishing in the period from 1 December 2025 to 30 November 2026, in accordance with Article 7(2) to (7) of Council Regulation (EC) No 601/2004[73].

2. By way of derogation from the deadlines set out in Article 7(5) and (6) of Regulation (EC) No 601/2004, those Member States intending to do so shall notify the CCAMLR Secretariat no later than 1 June 2025.

Article 30
Toothfish fishery during the 2024-2025 fishing season

1. In addition to the special requirements for exploratory fisheries set out in Article 7a of Regulation (EC) No 601/2004, fishing for toothfish in the period from 1 December 2024 to 30 November 2025 shall be limited to the Member States, subareas and number of fishing vessels set out in Table A in Annex VII, and the TACs and by-catch limits set out in Table B in that Annex shall apply.

2. Direct fishing of shark species for purposes other than scientific research shall be prohibited. Any by-catch of shark, especially juveniles and gravid females, taken accidentally in the toothfish fishery shall be released alive.

3. Where applicable, fishing for toothfish in any small-scale research unit (SSRU) shall cease when the reported catch reaches the specified TAC, and the SSRU shall be closed to fishing for the remainder of the fishing season.

4. Fishing shall take place over a geographical and bathymetric range as large as possible, so as to obtain the information necessary to determine fishery potential and avoid an overconcentration of catch and fishing effort. However, fishing in FAO subareas 48.6, 88.1 and 88.2 shall be prohibited in depths of less than 550 m.

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73 Council Regulation (EC) No 601/2004 of 22 March 2004 laying down certain control measures applicable to fishing activities in the area covered by the Convention on the conservation of Antarctic marine living resources and repealing Regulations (EEC) No 3943/90, (EC) No 66/98 and (EC) No 1721/1999 (OJ L 97, 1.4.2004, p. 16).

Article 31
Krill fishery during the 2025–2026 fishing season

1. For the purpose of Article 5a of Regulation (EC) No 601/2004, Member States intending to fish for krill (*Euphausia superba*) in the CCAMLR Convention area during the period from 1 December 2025 to 30 November 2026 shall notify the Commission thereof no later than 1 May 2025, using the form in Part B of the Appendix to Annex VII.

2. By way of derogation from the deadlines set out in Article 7(5) and (6) of Regulation (EC) No 601/2004, and on the basis of the information provided by Member States, the Commission shall submit the notifications to the CCAMLR Secretariat no later than 30 May 2025.

3. The notification referred to in paragraph 1 of this Article shall include the information provided for in Article 3(2) and (3) of Regulation (EC) No 601/2004 for each fishing vessel to be authorised to participate in the krill fishery.

4. A Member State intending to fish for krill in the CCAMLR Convention area shall notify its intention to do so only in respect of authorised fishing vessels that, at the time of the notification:

   (a) are flying its flag; or

   (b) are flying the flag of another CCAMLR member and are expected to be flying the flag of that Member State at the time the fishery takes place.

5. Where an authorised fishing vessel notified to the CCAMLR Secretariat in accordance with paragraphs 1, 2 and 3 is prevented from participating in a krill fishery due to legitimate operational reasons or force majeure, the Member State concerned may authorise its replacement by another fishing vessel. In such a case, the Member State concerned shall immediately inform the CCAMLR Secretariat with the Commission in copy, providing:

   (a) full details of the intended replacement fishing vessel(s), including the information provided for in Article 3(2) and (3) of Regulation (EC) No 601/2004; and

   (b) a comprehensive account of the reasons justifying the replacement and any relevant supporting evidence or references.]

SECTION 5
IOTC AREA OF COMPETENCE

Article 32
Limitation of fishing capacity
of vessels fishing in the IOTC Area of Competence

1. The maximum number of Union fishing vessels fishing for tropical tunas in the IOTC Area of Competence and the corresponding capacity in gross tonnage shall be as set out in point 1 of Annex VIII.

2. The maximum number of Union fishing vessels fishing for swordfish (*Xiphias gladius*) and albacore (*Thunnus alalunga*) in the IOTC Area of Competence and the corresponding capacity in gross tonnage shall be as set out in point 2 of Annex VIII.

3. Member States may reallocate fishing vessels assigned to one of the fisheries referred to in paragraphs 1 and 2 to the other fishery, provided that they can demonstrate to the Commission that such change does not lead to an increase of fishing effort in respect of the fish stocks in question.

4. Where a transfer of capacity to the fleet of a Member State is proposed, that Member State shall ensure that fishing vessels to be transferred are on the IOTC record of authorised vessels or on the record of vessels of other RFMOs managing tuna fisheries. Fishing vessels that appear on any RFMO's list of vessels that have engaged in illegal, unregulated and unreported (IUU) fishing activities may not be transferred.

5. Member States may increase their fishing capacity beyond the ceilings referred to in paragraphs 1 and 2 only within the limits set out in the development plans submitted to the IOTC.

Article 33
Drifting FADs and supply vessels

1. Drifting FADs shall be equipped with instrumented buoys. The use of any other buoys, such as radio buoys, shall be prohibited.

2. A purse seine vessel shall follow no more than 300 operational buoys at any time.

3. No more than 500 instrumented buoys shall be acquired annually for each purse seine vessel. No purse seine vessel shall have more than 500 instrumented buoys, both in stock and operational, at any time.

4. No more than three supply vessels shall operate in support of not less than ten purse seine vessels, all flying the flag of a Member State. This paragraph shall not apply to Member States using only one supply vessel.

5. A single purse seine vessel shall not be supported by more than one supply vessel flying the flag of a Member State at any time.

6. The Union shall not register new or additional supply vessels in the IOTC record of authorised vessels.

SECTION 6
SPRFMO CONVENTION AREA

Article 34
Pelagic fisheries

1. Only those Member States that have actively exercised pelagic fisheries activities in the SPRFMO Convention area in 2007, 2008 or 2009 may fish for pelagic stocks in that area in accordance with the TACs set out in Annex IH.

2. The Member States referred to in paragraph 1 may use the fishing opportunities set out in Annex IH only if they send the following information to the Commission by the fifteenth day of the following month, so that the Commission can communicate it to the SPRFMO Secretariat:

   (a) a list of vessels actively fishing or engaged in transhipment in the SPRFMO Convention area;

   (b) monthly catch reports.

[SECTION 7
IATTC CONVENTION AREA

Article 35
Purse seine fisheries

1. Purse seine vessels shall not fish for yellowfin tuna (*Thunnus albacares*), bigeye tuna (*Thunnus obesus*) or skipjack tuna (*Katsuwonus pelamis*):

   (a) either from 00.00 hours on 29 July 2025 to 24.00 hours on 8 October 2025 or from 00.00 hours on 9 November 2025 to 24.00 hours on 19 January 2026 in the area defined by the following limits:

   – the Pacific coastlines of the Americas,

   – longitude 150° W,

   – latitude 40° N,

   – latitude 40° S;

   (b) from 00.00 hours on 9 October 2025 to 24.00 hours on 8 November 2025 in the area defined by the following limits:

   – longitude 96° W,

   – longitude 110° W,

   – latitude 4° N,

   – latitude 3° S.

2. For each of the fishing vessels referred to in paragraph 1 and flying the flag of a Member State, that flag Member State shall inform the Commission before 1 April 2025 which of the closure periods referred to in paragraph 1, point (a), the fishing vessel has selected.

3. Purse seine vessels fishing for tuna in the IATTC Convention area shall retain on board and then tranship or land all yellowfin, bigeye and skipjack tuna that they catch.

4. Paragraph 3 shall not apply:

   (a) where the fish is considered unfit for human consumption for reasons other than size;

   (b) during the final set of a trip, when there may be insufficient well space remaining to accommodate all the tuna caught in that set.

Article 36
Drifting FADs

1. A purse seine vessel shall have no more than 400 FADs active at any time in the IATTC Convention area. A FAD shall be considered active when it is deployed at sea, starts transmitting its location and is being tracked by the vessel, its owner or operator. A FAD shall be activated only on board a purse seine vessel.

2. During the 15 days before the start of the closure period selected in accordance with Article 35(1), point (a), of this Regulation a purse seine vessel shall, in the IATTC Convention area:

(a) refrain from deploying FADs;

(b) recover the same number of FADs as initially deployed.

Article 37
Catch limits for bigeye tuna in longline fisheries

The total annual catches of bigeye tuna in the IATTC Convention area by each Member State's longline vessels are set out in Annex IL.

Article 38
Prohibition of fishing for oceanic whitetip sharks

1. It shall be prohibited to fish for oceanic whitetip sharks (*Carcharhinus longimanus*) in the IATTC Convention area and to retain on board, tranship, land, store, offer for sale or sell any part or whole carcass of oceanic whitetip sharks caught in that area.

2. When accidentally caught, specimens of oceanic whitetip sharks shall not be harmed and shall be promptly released by fishing vessel operators.

3. Fishing vessel operators shall record the number of releases with indication of status (dead or alive) and report that information to the Member State of which they are nationals. Member States shall transmit that information collected during 2023 to the Commission by 31 January 2024.]

[SECTION 8
SEAFO CONVENTION AREA

Article 39
Prohibition of fishing for deep-water sharks

Directed fishing for the following deep-water sharks in the SEAFO Convention area shall be prohibited:

(a) ghost catshark (*Apristurus manis*);

(b) blurred smooth lanternshark (*Etmopterus bigelowi*);

(c) shorttail lanternshark (*Etmopterus brachyurus*);

(d) great lanternshark (*Etmopterus princeps*);

(e) smooth lanternshark (*Etmopterus pusillus*);

(f) skates (Rajidae);

(g) velvet dogfish (*Scymnodon squamulosus*);

(h) sharks of the Selachimorpha super-order;

(i) picked dogfish (*Squalus acanthias*).]

[SECTION 9
WCPFC CONVENTION AREA

Article 40
Conditions for bigeye tuna, yellowfin tuna, skipjack tuna and South Pacific albacore fisheries

1. Member States shall ensure that no more than 403 fishing days are allocated to purse seine vessels fishing for bigeye tuna (*Thunnus obesus*), yellowfin tuna (*Thunnus albacares*) and skipjack tuna (*Katsuwonus pelamis*) in the high seas areas between 20° N and 20° S of the WCPFC Convention area.

2. Union fishing vessels shall not target South Pacific albacore (*Thunnus alalunga*) in the WCPFC Convention area south of 20° S.

3. The maximum number of Union purse seine vessels authorised to fish for tropical tuna in the high seas areas between 20° N and 20° S of the WCPFC Convention area shall not exceed the limits set out in Annex IX, Table 2.

Article 41
Management of fishing with FADs

1. In the part of the WCPFC Convention area located between 20° N and 20° S, purse seine vessels, tender vessels, and any other vessels operating in support of purse seine vessels, shall not deploy, service or set nets on FADs between 00.00 hours on 1 July 2025 and 24.00 hours on 15 August 2025.

2. In addition to the prohibition in paragraph 1, it shall be prohibited to set nets on FADs on the high seas of the WCPFC Convention area located between 20° N and 20° S for one additional month, from 00.00 hours on 1 April 2025 to 24.00 hours on 30 April 2025, or from 00.00 hours on 1 May 2025 to 24.00 hours on 31 May 2025, or from 00.00 hours on 1 November 2025 to 24.00 hours on 30 November 2025, or from 00.00 hours on 1 December 2025 to 24.00 hours on 31 December 2025.

3. The Member States concerned shall jointly determine which of the closure periods referred to in paragraph 2 shall apply to purse seine vessels flying their flag. The Member States shall jointly inform the Commission by 15 February 2025 of the closure period selected. The Commission shall notify the secretariat of the WCPFC of the joint closure period selected by Member States concerned before 1 March 2025.

4. Each Member State shall ensure that none of its purse seine vessels deploy at sea, at any time, more than 350 FADs with activated instrumented buoys. Buoys shall be activated exclusively on board a purse seine vessel.

Article 42
Maximum number of Union fishing vessels authorised to fish for swordfish

The maximum number of Union fishing vessels authorised to fish for swordfish (*Xiphias gladius*) in areas of the WCPFC Convention area south of 20° S shall be as set out in Annex IX.

Article 43
Catch limits for swordfish in longline fisheries south of 20° S

Member States shall ensure that catches of swordfish (*Xiphias gladius*) south of 20° S by longliners in 2025 do not exceed the limit set out in table 2 of Annex IG. They shall also ensure that this does not result in a shift of the fishing effort for swordfish to the area north of 20° S.]

SECTION 10
BERING SEA

Article 44
Prohibition on fishing for pollock in the high seas of the Bering Sea

It shall be prohibited to fish for pollock (*Gadus chalcogrammus*) in the high seas of the Bering Sea.

SECTION 11
SIOFA AGREEMENT AREA

Article 45
Limits to bottom fishing

Member States shall ensure that fishing vessels flying their flag that fish in the SIOFA Agreement Area:

(a) limit their annual bottom fishing effort to the level set out in Annex X;

(b) do not bottom fish except using demersal longlines; and

(c) do not fish in the interim protected areas of Atlantis Bank, Coral, Fools Flat, Middle of What and Walter's Shoal, as defined in Annex IK, except with demersal longlines and on condition of having a scientific observer on board at all times while fishing in those areas.

Article 46
Toothfish fishery measures

Member States shall ensure that fishing vessels flying their flag that fish for toothfish (*Dissostichus* spp.) in the SIOFA Agreement Area:

(a) do not fish in depths shallower than 500 metres;

(b) have at least one scientific observer on board at all times who shall have a target of observing 25 % of hooks hauled per line over the duration of the fishing deployment; and

(c) tag and release toothfish specimens at a rate of at least five fish per tonne of green weight caught. Once 30 or more toothfish have been caught a minimum overlap statistic of at least 60 % shall apply for tag release.

Article 47
Prohibition of targeting deep-water sharks

Directed fishing for the following deep-water sharks in the SIOFA Agreement Area shall be prohibited:

(a) Portuguese dogfish (*Centroscymnus coelolepis*), except in the context of the by-catch allowance as set out in Annex IK;

(b) birdbeak dogfish (*Deania calceus*);

(c) gulper shark (*Centrophorus granulosus*);

(d) kitefin shark (*Dalatias licha*);

(e) Bach's catshark (*Bythaelurus bachi*);

(f) dark-mouth chimaera (*Chimaera buccanigella*);

(g) the Falkor chimaera (*Chimaera didierae*);

(h) seafarer's ghostshark (*Chimaera willwatchi*);

(i) longnose velvet dogfish (*Centroselachus crepidater*);

(j) largespine velvet dogfish (*Scymnodon macracanthus*);

(k) velvet dogfish (*Zameus squamulosus*);

(l) whitecheek lanternshark (*Etmopterus alphus*);

(m) smallbelly catshark (*Apristurus indicus*);

(n) Pacific longnose chimaera (*Harriotta raleighana*);

(o) narrowhead catshark (*Bythaelurus tenuicephalus*);

(p) frilled shark (*Chlamydoselachus anguineus*);

(q) bigeyed six-gill shark (*Hexanchus nakamurai*);

(r) smooth lanternshark (*Etmopterus pusillus*);

(s) southern sleeper shark (*Somniosus antarcticus*);

(t) goblin shark (*Mitsukurina owstoni*);

(u) blue-eye lanternshark (*Etmopterus viator*);

(v) blurred smooth lanternshark (*Etmopterus bigelowi*);

(w) leafscale gulper shark (*Centrophorus squamosus*);

(x) little gulper shark (*Centrophorus uyato*);

(y) shortspine spurdog (*Squalus mitsukurii*);

(z) longsnout dogfish (*Deania quadrispinosa*);

(za) arrowhead dogfish (*Deania profundorum*);

(zb) Cristina's skate (*Bathyraja tunae*);

(zc) paddlenose chimaera (*Rhinochimaera africana*).

SECTION 12
NPFC CONVENTION AREA

Article 48
Chub mackerel fishery

1. For Union fishing vessels fishing in the NPFC Convention area, flag Member States shall transmit the following aggregated data to the Commission by the following dates:

   (a) monthly catches under the catch limits for chub mackerel (Scomber japonicus) for all NPFC Contracting Parties for trawlers and purse seiners respectively, as set out in Annex IM when utilisation of those catch limits is below 60 %, by the seventh day of the following month; and

   (b) weekly catches of chub mackerel under those catch limits when utilisation of those catch limits is above 60 % and below 95 %, by Tuesday of the following week.

   The Commission shall compile and promptly transmit that information to the NPFC Executive Secretary.

2. Within two days from the issue date of notifications of the NPFC Executive Secretary that the utilisation of those catch limits has reached 95 %, the Commission shall close the fisheries under those catch limits.

3. The Commission shall compile and transmit annual catches of chub mackerel in the NPFC Convention area to the NPFC Executive Secretary by the end of February of the following year.

4. This Article shall apply in addition to the reporting obligations on fishing opportunities set out in Article 33 of Council Regulation (EC) No 1224/2009.

Article 49
Protection of sharks in the NPFC Convention area

1. Union fishing vessels fishing in the NPFC Convention area shall not fish for, retain on board, tranship or land sharks in the NPFC Convention area.

2. When accidentally caught, specimens of the species referred to in paragraph 1 shall not be harmed and shall be promptly released.

Article 50
Protection of anadromous fish in the NPFC Convention area

1. Union fishing vessels fishing in the NPFC Convention area shall not fish for, retain on board, tranship or land Chum salmon (*Oncorhynchus keta*), Coho salmon (*Oncorhynchus kisutch*), Pink salmon (*Oncorhynchus gorbuscha*), Sockeye salmon (*Oncorhynchus nerka*), Chinook salmon (*Oncorhynchus tshawytscha*), Cherry salmon (Oncorhynchus masou) and Steelhead trout (*Oncorhynchus mykiss*).

2. When accidentally caught, specimens of the species referred to in paragraph 1 shall not be harmed and shall be promptly released.

TITLE III
FISHING OPPORTUNITIES FOR THIRD COUNTRY FISHING VESSELS IN UNION WATERS

Article 51
Fishing vessels flying the flag of Norway or of the Faroe Islands

Fishing vessels flying the flag of Norway or of the Faroe Islands may be authorised by the Commission to fish in Union waters subject to the TACs set out in Annex I, and subject to the conditions provided for in this Regulation, in Title III of Regulation (EU) 2017/2403 and in delegated acts adopted by the Commission on the basis of that Regulation.

Article 52
Fishing vessels flying the flag of the United Kingdom, registered in the United Kingdom , the Bailiwick of Guernsey, the Bailiwick of Jersey or the Isle of Man, and licensed by a United Kingdom fisheries administration

Fishing vessels flying the flag of the United Kingdom, registered in the United Kingdom, the Bailiwick of Guernsey, the Bailiwick of Jersey or the Isle of Man, and licensed by a fisheries administration of the United Kingdom may be authorised by the Commission to fish in Union waters subject to the TACs set out in Annex I, and subject to the conditions provided for in this Regulation, in Regulation (EU) 2017/2403 and in delegated acts adopted by the Commission on the basis of that Regulation.

Article 53
Quota transfers and exchanges with the United Kingdom

1. Any quota transfer or exchange between the Union and the United Kingdom shall take place in accordance with this Article.

2. A Member State intending to transfer or exchange quotas with the United Kingdom may discuss with the United Kingdom an outline of the quota transfer or exchange. The Member State concerned shall notify the Commission of the outline.

3. If the Commission endorses an outline of the quota transfer or exchange referred to in paragraph 2 notified by the Member State concerned, it shall express, without undue delay, the consent to be bound by such quota transfer or exchange. The Commission shall notify the Member States and the United Kingdom of the agreed quota transfer or exchange.

4. The fishing opportunities received from or transferred to the United Kingdom under the agreed quota transfer or exchange shall be deemed to be quotas added to, or deducted from, the allocation of the Member State concerned as of the moment when the quota transfer or exchange has been notified in accordance with paragraph 3. Such transfers and exchanges shall not affect the distribution key for allocating fishing opportunities among Member States in accordance with the principle of relative stability of fishing activities.

Article 54
Fishing vessels flying the flag of Venezuela

Fishing vessels flying the flag of Venezuela shall be subject to the conditions provided for in this Regulation, in Title III of Regulation (EU) 2017/2403 and in delegated acts adopted by the Commission on the basis of that Regulation.

Article 55
Fishing authorisations

The maximum number of fishing authorisations for third country fishing vessels operating in Union waters shall be as set out in Part B of Annex V.

Article 56
Conditions for landing catches and by-catches

The conditions laid down in Article 7 of this Regulation shall apply to the catches and by-catches of third country fishing vessels fishing under the fishing authorisations referred to in Article 55 of this Regulation.

[Article 57 of this Regulation will be updated after consultations between the Union and third countries.]

Article 57
Prohibited species

1. Third country fishing vessels shall not fish for, retain on board, tranship or land the following species where they are found in Union waters:

   (a) sand tiger shark (*Carcharias taurus*) in all Union waters;

   (b) starry ray (*Amblyraja radiata*) in Union waters of ICES divisions 3a and 7d; and Union waters of ICES subarea 4;

   (c) common skate (*Dipturus batis*) complex (*Dipturus* cf. *flossada* and *Dipturus* cf. *intermedia*) in Union waters of ICES subareas 3, 4 and 6 to 10;

   (d) tope shark (*Galeorhinus galeus*) when taken with longlines in Union waters of ICES subareas 4 and 6 to 8;

   (f) porbeagle (*Lamna nasus*) in all Union waters;

   (g) thornback ray (*Raja clavata*) in Union waters of ICES division 3a;

   (h) undulate ray (*Raja undulata*) in Union waters of ICES subareas 6 and 10;

   (i) common guitarfish (*Rhinobatos rhinobatos*) in Union waters of the Mediterranean;

   (j) whale shark (*Rhincodon typus*) in all Union waters; and

   (k) deep-sea species listed in Annex IA, Part D, in Union waters of ICES subareas 6 to 10 and CECAF areas 34.1.1, 34.1.2 and 34.2. In addition, in Union waters of ICES subarea 4, where specified in that Annex.

2. When accidentally caught, specimens of the species referred to in paragraph 1 shall not be harmed and shall be promptly released.

TITLE IV
FINAL PROVISIONS

Article 58
Committee procedure

1. The Commission shall be assisted by the Committee for Fisheries and Aquaculture established by Regulation (EU) No 1380/2013. That committee shall be a committee within the meaning of Regulation (EU) No 182/2011.

2. Where reference is made to this paragraph, Article 5 of Regulation (EU) No 182/2011 shall apply.

Article 59
Transitional provisions

Articles 9 to 13, 15 to 20, 24, 27, 38, 39, 44, 47, 48 and 57 of this Regulation shall continue to apply, *mutatis mutandis*, in 2026 until the entry into force of the Regulation fixing the fishing opportunities for 2026.

Article 60
Entry into force and application

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

It shall apply from 1 January 2025 to 31 December 2025.

However:

(a) Article 12(1) shall apply from 1 January 2025 to 31 December 2025 or until the date on which a delegated act adopted in accordance with Article 15(2) of Regulation (EU) 2019/1241 and amending Annex VII, Part A, of that Regulation regarding the minimum conservation reference size for pollack in ICES subareas 8, 9, 10 and Union waters of CECAF 34.1.1 becomes applicable, whichever is earlier;

(b) Article 13(1) to (7) shall apply from 1 April 2025 to 31 March 2026;

(c) Articles 17 and 18 shall apply from 1 January 2025 to 31 December 2025 or until the date on which delegated acts adopted in accordance with Article 15(2) of Regulation (EU) 2019/1241 and amending Annexes VI and VII of that Regulation regarding technical measures for the Celtic Sea, the Irish Sea and the West of Scotland and technical measures for red seabream in ICES subareas 6 to 8 become applicable, whichever is earlier;

(d) Article 23 shall apply from 1 January 2025 to 31 January 2026;

(e) Article 28(2) shall apply from 17 December 2024 to 31 December 2024;

(f) Articles 30 and Annex VII shall apply from 1 December 2024 to 30 November 2025;

(g) Article 35(1), point (a), shall apply from 1 January 2025 to 19 January 2026;

(h) Section 12 shall cease to apply on the date on which a Regulation of the European Parliament and of the Council laying down corresponding measures becomes applicable;

(i) Annexes IA to IJ, and IL shall also apply in 2026, where specified in those Annexes;

(j) Annex IA, Part B, Tables 116 to 118, footnotes 1, shall apply from 1 January 2025 to 31 December 2025 or until the date on which a delegated act adopted in accordance with Article 15(2) of Regulation (EU) No 1380/2013 regarding a derogation from the landing obligation for picked dogfish becomes applicable, whichever is earlier;

(l) Annex IK shall apply from 1 December 2024 to 30 November 2025, where specified in that Annex;

(m) Annexes IM and XI shall apply from 1 June 2025 to 31 May 2026;

(n) Annex II shall apply from 1 February 2025 to 31 January 2026;

(o) catch and effort limits fixed by this Regulation for the year 2025 and, where specified in this Regulation, also in 2026, shall continue to apply in 2026, and where relevant in 2027, exclusively for the purposes of:

  (i) exchanges pursuant to Article 16(8) of Regulation (EU) No 1380/2013;

  (ii) deductions and reallocations pursuant to Article 37 of Regulation (EC) No 1224/2009;

  (iii) quantities withheld in accordance with Article 4 of Regulation (EC) No 847/96 and Article 15(9) of Regulation (EU) No 1380/2013; and

  (iv) deductions pursuant to Articles 105, 106 and 107 of Regulation (EC) No 1224/2009.

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

Done at Brussels,

For the Council
The President