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2026/0069 (NLE)

Proposal for a

**COUNCIL REGULATION**

**amending Regulation (EU) 2026/249 fixing for 2026, 2027 and 2028 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**

Council Regulation (EU) 2026/249<sup>1</sup> fixes for 2026, 2027 and 2028 the fishing opportunities for certain fish stocks, applicable in EU waters and, for EU fishing vessels, in certain non-EU waters. The proposal amends those fishing opportunities to take account of the latest scientific advice and other developments.

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

The measures proposed are consistent with the objectives set out in Regulation (EU) No 1380/2013<sup>2</sup> of the European Parliament and of the Council on the Common Fisheries Policy (CFP) ('Basic Regulation'), that are to be applied among others when establishing fishing opportunities, i.e. catch and fishing effort limits. One of the objectives of the CFP is to restore stocks to levels that can deliver the maximum sustainable yield (MSY) and to maintain them at those levels. The aim is to ensure that EU fisheries are ecologically as well as economically and socially sustainable.

- **Consistency with other Union policies**

The proposed measures are consistent with other EU policies, in particular Directive 2008/56/EC of the European Parliament and of the Council<sup>3</sup> ('Marine Strategy Framework Directive') and aim to contribute to achieving good environmental status (GES) for descriptor 3 in particular, 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 the proposal is Article 43(3) of the Treaty on the Functioning of the European Union (TFEU).

- **Subsidiarity**

The proposal falls under the exclusive EU competence as referred to in Article 3(1)(d) TFEU. Therefore, the subsidiarity principle 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 as well as the outcome of multilateral or

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<sup>1</sup> Council Regulation (EU) 2026/249 of 26 January 2026 fixing for 2026, 2027 and 2028 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) 2025/202 (OJ L, 2026/249, 30.1.2026, ELI: <http://data.europa.eu/eli/reg/2026/249/oj>).

<sup>2</sup> 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>).

<sup>3</sup> 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>).

bilateral consultations with non-EU countries, including in the context of regional fisheries management organisations (RFMOs). As a result, 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 the instrument**

Given that the proposal amends an existing regulation, the most appropriate legal instrument is a regulation.

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

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

Not applicable.

- **Stakeholder consultations**

The Commission has consulted stakeholders, in particular through the advisory councils, on the basis of its annual communication entitled ‘*Sustainable fishing in the EU: state of play and orientations for 2026*’ (COM(2025) 296 final).

The responses to that annual communication set out their views on the Commission’s evaluation of the status of the resources and on the appropriate management response. The Commission considered those responses when formulating the proposal.

- **Collection and use of expertise**

International Council for the Exploration of the Sea (ICES) expert groups and decision-making bodies have developed a framework for ICES scientific advice. That framework is based on the best available science and peer reviewed by independent experts. ICES scientific advice is issued on the basis of that framework and with a view to allow the implementation of the objectives and rules of the Basic Regulation, as requested by the Commission.

- **Impact assessment**

The scope of the proposal is circumscribed by Article 43(3) of the 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 proposed measures will have no budgetary implications.

#### **5. OTHER ELEMENTS**

- **Detailed explanation of the specific provisions of the proposal**

The proposal seeks to amend Council Regulation (EU) 2026/249 as described below.

#### **Remedial measures agreed with the UK**

In 2025, the Union and the United Kingdom (UK) held bilateral consultations on the setting of a large number of total allowable catches (TACs) for 2026, including certain measures functionally linked to those TACs, for stocks listed in Annex 35 to 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<sup>4</sup> ('Trade and Cooperation Agreement'). The outcome of the consultations was documented in a written record<sup>5</sup> signed by the Heads of Delegation on 10 December 2025.

As documented in the written record, the Heads of Delegation agreed to recommend to their respective authorities that the remedial measures for cod, haddock and whiting in the Celtic Sea and Irish Sea and for sole and plaice in the Channel should start applying, in principle, no later than 1 June 2026, in both parties alike to ensure level playing field as the stocks in question are jointly managed. That would be subject to the Parties having notified the completion of their respective internal procedures required for the adoption of those remedial measures, considering that legislative procedures may be required in the UK side for the entry into force of some of the measures in question. The UK has informed the Commission services that the completion of its internal procedures for the adoption of some of those remedial measures in UK law is still pending.

The remedial measures agreed for cod, haddock and whiting in the Celtic Sea will enter into force on 1 June, as currently established in Article 62(2)(d) of Regulation 2026/249.

The remedial measures agreed for cod and whiting in the Irish Sea and for sole and plaice in the Channel will enter into force in EU and UK waters once the UK has notified the date of completion of its internal procedures for adoption of the relevant measures. Pending more

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<sup>4</sup> 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](http://data.europa.eu/eli/agree_internation/2021/689(1)/oj)).

<sup>5</sup> [https://oceans-and-fisheries.ec.europa.eu/fisheries/international-agreements/northern-agreements\\_en](https://oceans-and-fisheries.ec.europa.eu/fisheries/international-agreements/northern-agreements_en)

concrete information by the UK on the expected completion of its relevant internal procedures for adoption of the measures, the starting date of application for the remedial measures for cod and whiting in the Irish Sea and for sole and plaice in the Channel is marked ‘pm’ (*pro memoria*) in this proposal. As soon as that information is received from the UK, the Commission services will update the proposal by means of a non-paper proposing a starting date of application for those measures on or after 1 June 2026, which is the start date of application established by Regulation (EU) 2026/249.

### **Sandeel in the North Sea**

Regulation (EU) 2026/49 provisionally marked as ‘to be established’ the TAC for sandeel and associated by-catches (*Ammodytes* spp.) in EU and UK waters of International Council for the Exploration of the Sea (ICES) subarea 4, UK waters of ICES division 2a (North Sea) and EU waters of division 3a (Skagerrak and Kattegat) for 2026, pending publication by ICES of the scientific advice for the relevant stock for 2026.

ICES published its scientific advice for sandeel in ICES subarea 4 and division 3a for 2026 on 27 February 2026. Following the publication of that advice, the EU will hold bilateral consultations with the UK on the level of that TAC for 2026 in accordance with Articles 498(2), (4) and (6) of the Trade and Cooperation Agreement. Pending the outcome of those bilateral consultations, the text of the relevant recital of Council Regulation (EU) 2025/669<sup>6</sup> is included in square brackets and the TAC for sandeel and associated by-catches in ICES subarea 4 and divisions 2a and 3a for 2026 is marked ‘pm’ (*pro memoria*) in this proposal. As soon as the outcome of those bilateral consultations is known, the Commission services will update the proposal by means of a non-paper proposing that TAC for 2026 at the level agreed with the UK.

### **Mackerel in the north-east Atlantic**

Mackerel (*Scomber scombrus*) in the north-east Atlantic is subject to annual coastal States’ consultations on the management for that stock and is a stock that is also managed by the North-East Atlantic Fisheries Commission (NEAFC).

Given that, in December 2025, coastal States’ consultations between the EU, the Faroe Islands, Greenland, Iceland, Norway and the UK were still ongoing and NEAFC did not adopt a recommendation setting the TAC for mackerel at its annual meeting held on 11 and 14 November 2025, Regulation (EU) 2026/249 sets provisional EU quotas for mackerel for the first half of 2026. Given the seasonality of the mackerel fishery, the provisional EU quotas are set at 90% of the level advised by ICES<sup>7</sup> and in line with the approach applied since 2021<sup>8</sup>.

Taking into account bilateral and multilateral consultations on the management of the mackerel stock and before the expiry of the provisional EU quotas on 30 June 2026, the Council should set EU quotas for mackerel for 2026, while respecting the provisions of the

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<sup>6</sup> Council Regulation (EU) 2025/669 of 31 March 2025 amending Regulation (EU) 2025/202 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 (OJ L, 2025/669, 1.4.2025, ELI: <http://data.europa.eu/eli/reg/2025/669/oj>).

<sup>7</sup> <https://doi.org/10.17895/ices.advice.27202689.v2>

<sup>8</sup> Approach based on an EU-UK joint share of 49,29% of the TAC for mackerel, after applying the quota transfers resulting from implementing respectively tables B and F of Annex 36 of the Trade and Cooperation Agreement.

Trade and Cooperation Agreement. The quotas are marked ‘pm’ in this proposal, but the Commission services will soon update this proposal by means of a non-paper proposing those EU quotas for 2026.

### **Access for Atlanto-Scandian herring and blue whiting**

As the bilateral consultations between the EU and Norway regarding access to their respective waters for fishing for herring (*Clupea harengus*) (‘Atlanto-Scandian herring’) and blue whiting (*Micromesistius poutassou*) in the north-east Atlantic had not been concluded at the time of adoption of Regulation (EU) 2026/249, the corresponding access levels for 2026 were marked ‘to be established’ in that Regulation.

Pending the outcome of those bilateral consultations, the access levels are marked ‘pm’ in this proposal. Once the outcome of the consultations is known, the Commission services will update the proposal by means of a non-paper proposing those access levels for 2026 at the level agreed with Norway.

### **Cod in the north-east Arctic**

Regulation (EU) 2026/249 sets a provisional EU quota for cod (*Gadus morhua*) in Svalbard waters and international waters of ICES subarea 1 and division 2b (north-east Arctic) for the period from 1 January to 30 June 2026, pending the setting of a reference TAC for cod in the north-east Arctic for 2026.

Following the setting of that reference TAC for 2026, the definitive EU quota for cod in Svalbard waters and international water of ICES subarea 1 and division 2b for 2026 should be set. It is therefore proposed to set that definitive EU quota for 2026 based on the reference TAC for 2026 and on the EU’s historical share of north-east Arctic cod.

### **ICCAT**

Fishing effort limits for EU vessels fishing for bluefin tuna (*Thunnus thynnus*) in part of the International Commission for the Conservation of Atlantic Tunas (ICCAT) Convention area, east of 45°W, including the Mediterranean, and maximum input and capacity for EU farms of bluefin tuna in that area, are based on information provided in the annual plans referred to in Articles 11, 13 and 15 of Regulation (EU) 2023/2053 of the European Parliament and of the Council<sup>9</sup>. Member States are to transmit those plans to the Commission by 31 January each year, pursuant to Article 16(1) of Regulation (EU) 2023/2053. Those plans are then compiled by the Commission and form the basis for the establishment of an EU annual plan, which is transmitted to the ICCAT Secretariat for discussion and approval by ICCAT, as required by Article 16(2) of Regulation (EU) 2023/2053. Pending the submission and approval by ICCAT of the EU annual plan, the text of the relevant recital of Regulation (EU) 2025/669 is included in square brackets and the EU fishing effort limits and the EU maximum farming input and capacity for 2026 are marked ‘pm’ in this proposal. As soon as the EU annual plan is

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<sup>9</sup> Regulation (EU) 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>).

approved by ICCAT, the Commission services will update the proposal by means of a non-paper proposing those fishing effort limits and maximum farming input and capacity for 2026.

In addition, pursuant to Article 8 of Regulation (EU) 2023/2053, Member States may request to transfer a maximum 5% of their annual quota of bluefin tuna in the ICCAT Convention area, east of 45°W from the preceding year to a given year. Where Member States make such a request, they are required to submit to the Commission a revised annual fishing plan. Based on such revised annual fishing plans, the Commission will submit a revised EU annual plan to the ICCAT Secretariat for discussion and approval by ICCAT, pursuant to Article 11(5) of Regulation (EU) 2023/2053. Pending: (i) the possible inclusion by the Commission of a request for carry-over of the EU quota from 2025 to 2026 in the EU annual plan and the approval by ICCAT of such revisions to the EU annual plan; and (ii) the availability of data on quota use by Member States for that stock in the preceding year, the text of the relevant recital of Regulation (EU) 2025/669 is included in square brackets and the TAC for bluefin tuna in the Atlantic Ocean, east of 45°W for 2026 is marked ‘pm’ in this proposal. As soon as the EU annual plan is approved by ICCAT and data on quota use by Member States becomes available, the Commission services will update the proposal by means of a non-paper proposing to amend the quotas of those Member States for that stock for 2026 accordingly. When calculating the amended quotas of Member States, both underfishing and overfishing by Member States in the preceding year will be taken into account. In cases of overfishing, quota deductions are to be applied in accordance with the procedures laid down in Article 105 and Article 107a of Council Regulation (EC) No 1224/2009<sup>10</sup>.

Moreover, pursuant to Articles 8a, 17b and 18b of Regulation (EU) 2017/2107 of the European Parliament and of the Council<sup>11</sup> a Member State’s annual quota for: (i) bigeye tuna (*Thunnus obesus*) in the ICCAT Convention area; (ii) albacore (*Thunnus alalunga*) in the ICCAT Convention area, both north of 5°N and south of 5°N; and (iii) swordfish (*Xiphias gladius*) in the ICCAT Convention area, both north of 5°N and south of 5°N, may be transferred from the penultimate year to a given year in accordance with the relevant ICCAT recommendations. It is therefore proposed to amend the quotas of those Member States for those stocks for 2026 accordingly. When calculating the amended quotas of Member States, both underfishing and overfishing by Member States in the penultimate year will be taken into account. In cases of overfishing, quota deductions are to be applied in accordance with the procedures laid down in Article 105 and Article 107a of Regulation (EC) No 1224/2009.

## **SPRFMO**

In Regulation (EU) 2026/249, the TACs in the South Pacific Regional Fisheries Management Organisation (SPRFMO) Convention area are provisionally set at zero and measures

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<sup>10</sup> 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>).

<sup>11</sup> 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, ELI: <http://data.europa.eu/eli/reg/2017/2107/oj>).

functionally linked to the TACs are temporarily maintained, pending the outcome of the 2026 annual meeting of the SPRFMO held from 2 to 6 March 2026.

Pending the outcome of that annual meeting, the text of the relevant recital of Regulation (EU) 2025/669 is included in square brackets and the TACs in SPRFMO Convention area are marked 'pm' in this proposal. As soon as the outcome of that annual meeting is known, the Commission services will update the proposal by means of a non-paper proposing those TACs for 2026 at the level agreed in the SPRFMO.

## **NPFC**

Pending the outcome of the 10<sup>th</sup> session of the North Pacific Fisheries Commission (NPFC), to be held from 14 to 17 April 2026, Regulation (EU) 2026/249 provisionally set at zero the fishing opportunities for Chub mackerel (*Scomber japonicus*) in the NPFC Convention area for the period from 1 June 2026 to 31 May 2027.

Those fishing opportunities should be marked 'to be established'. That is to allow the fishery for Chub mackerel to start from 1 June 2026, following the conclusion of the NPFC session, for EU fishing vessels issued a fishing authorisation in accordance with Articles 20 to 22 of Regulation (EU) 2017/2403 of the European Parliament and of the Council<sup>12</sup>.

## **IATTC**

Regulation (EU) 2026/249 established two groups of closure periods for EU purse seine fishing vessels in the Inter-American Tropical Tuna Commission (IATTC) Convention area for 2026, during which those vessels are prohibited from fishing for yellowfin tuna (*Thunnus albacares*), bigeye tuna or skipjack tuna (*Katsuwonus pelamis*). That Regulation also established extensions to those closure periods for vessels whose annual catches of bigeye tuna in the IATTC Convention area during the previous year exceeded certain levels.

In line with the measures adopted by the IATTC at its 2021, 2024 and 2025 annual meetings, those provisions should be amended so that the first group of closure periods applies throughout the entire IATTC Convention area whilst the second group of closure periods continues to apply in a specific area only. In addition, those provisions should be amended so that the extensions of the closure periods for EU purse seine fishing vessels, based on their catches of bigeye tuna in the IATTC Convention area during the previous year, only apply to the first group of closure periods and thus no longer apply to the second group of closure periods.

On 20 January 2021, the European Parliament and the Council adopted Regulation (EU) 2021/56<sup>13</sup> implementing into EU law certain management, conservation and control measures applicable in the IATTC Convention area. Article 8 of that Regulation establishes measures for oceanic whitetip sharks (*Carcharhinus longimanus*). Article 40 of Regulation (EU) 2026/249 overlaps with Regulation (EU) 2021/56 on that subject matter and

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<sup>12</sup> 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>).

<sup>13</sup> Regulation (EU) 2021/56 of the European Parliament and of the Council of 20 January 2021 laying down management, conservation and control measures applicable in the Inter-American Tropical Tuna Convention area and amending Council Regulation (EC) No 520/2007 (OJ L 24, 26.1.2021, p. 1, ELI: <http://data.europa.eu/eli/reg/2021/56/oj>).

imposes requirements that are already addressed under Union law. It is therefore appropriate to delete Article 40 of Regulation (EU) 2026/249.

### **Sole in Iberian waters**

Regulation (EU) 2026/249 sets a TAC for sole in ICES divisions 8c, 8d and 8e (southern Bay of Biscay), subareas 9 and 10, and EU waters of Fishery Committee for the Eastern Central Atlantic (CECAF) 34.1.1 (Iberian waters) for 2026 and for 2027. According to ICES, there are three main species of sole caught in that area: common sole (*Solea solea*), Senegalese sole (*Solea senegalensis*) and sand sole (*Pegusa lascaris*). The scientific name referred to in the TAC is “*Solea* spp.”, which does not cover sand sole as that does not belong to the genus *Solea*. However, sand sole was previously referred to by scientists as *Solea lascaris* and as a result was previously considered to belong to the genus *Solea*.

The Commission proposed the level of the TAC for 2026 and 2027 in line with the advice for common sole and taking into account the catch shares of the three species of sole (49% common sole and 51% both Senegalese and sand sole). In addition, landings of sand sole have been notified under the TAC by one of the two Member States concerned. Although the other Member State concerned has not notified landings of sand sole under the TAC.

To provide legal certainty, the scientific name referred to in the TAC for sole in ICES divisions 8c, 8d and 8e should therefore be amended. Taking into account the above, it is proposed to replace the scientific name “*Solea* spp.” by “*Solea* spp. and *Pegusa lascaris*” to also cover sand sole.

### **Herring in the Skagerrak-Kattegat and North Sea**

Regulation (EU) 2026/249 sets the TACs for herring in EU, UK and Norwegian waters of ICES subarea 4 north of 53°30'N (North Sea) and ICES division 3a (Skagerrak-Kattegat). It also establishes a quantity of 250 tonnes that may be fished by Norway in Norwegian and EU waters of the Skagerrak-Kattegat under the Norwegian quota for herring in the Skagerrak-Kattegat, in line with the outcome of the bilateral consultations between the EU and Norway.

However, Norway does not establish a separate quota for herring in the Skagerrak-Kattegat, but rather a single quota for herring in both the North Sea and the Skagerrak-Kattegat. Accordingly, the quantity that may be fished by Norway in Norwegian and EU waters of the Skagerrak-Kattegat should be established under the Norwegian quota for herring in the North Sea.

Proposal for a

## COUNCIL REGULATION

### **amending Regulation (EU) 2026/249 fixing for 2026, 2027 and 2028 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) Council Regulation (EU) 2026/249<sup>14</sup> fixes for 2026, 2027 and 2028 the fishing opportunities for certain fish stocks, applicable in Union waters and, for Union fishing vessels, in certain non-Union waters. Those fishing opportunities, including certain measures functionally linked thereto, should be amended to take into account the publication of scientific advice, as well as the outcomes of consultations with third countries and regional fisheries management organisations (RFMOs) meetings.
- (2) *[The recital and the relevant provisions will be updated after more concrete information is received from the UK on completion of its relevant internal procedures.]* [In 2025, the Union and the United Kingdom held bilateral consultations on the setting of a large number of total allowable catches (TACs) for 2026, including certain measures functionally linked to those TACs, for stocks listed in Annex 35 to 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<sup>15</sup> ('Trade and Cooperation Agreement'). The outcome of those consultations was documented in a written record signed by the Heads of Delegation on 10 December 2025. As documented in the written record, the Heads of Delegation agreed to recommend to their respective authorities that the remedial measures for cod, haddock and whiting in the Celtic Sea and Irish Sea and for sole and plaice in the Channel should start applying, in principle, no later than 1 June 2026, in both parties alike to ensure level playing field as the stocks in question are jointly managed. That would be subject to the Parties having notified the completion of their respective internal procedures required for the adoption of those remedial measures. The starting date of application for remedial measures agreed for

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<sup>14</sup> Council Regulation (EU) 2026/249 of 26 January 2026 fixing for 2026, 2027 and 2028 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) 2025/202 (OJ L, 2026/249, 30.1.2026, ELI: <http://data.europa.eu/eli/reg/2026/249/oj>).

<sup>15</sup> 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](http://data.europa.eu/eli/agree_internation/2021/689(1)/oj)).

cod and whiting in the Irish Sea and for sole and plaice in the Channel should be amended following receipt of information from the United Kingdom on the expected completion of its relevant internal procedures for adoption of the measures.]

- (3) *[The recital and the relevant provisions will be updated after the conclusion of consultations between the Union and the United Kingdom.]* [On 6 March 2025, the Union and the United Kingdom conducted bilateral consultations pursuant to Article 498(2), (4) and (6) of the Trade and Cooperation Agreement on the level of the TAC for sandeel and associated by-catches (*Ammodytes* spp.) in United Kingdom and Union waters of International Council for the Exploration of the Sea (ICES) subarea 4, United Kingdom waters of ICES division 2a, and Union waters of division 3a. The Union participated in those consultations on the basis of the Union position endorsed by the Council on 4 March 2025. The outcome of those consultations was documented in a Written Record signed on 12 March 2025. That TAC should therefore be set at the level agreed with the United Kingdom.]
- (4) *[The recital and the relevant provisions will be updated.]* [Regulation (EU) 2026/249 sets provisional Union quotas for mackerel in the north-east Atlantic for the first half of 2026. The Union quotas for mackerel for 2026 should be set before the expiry of the provisional Union quotas on 30 June 2026, while respecting the provisions of the Trade and Cooperation Agreement.]
- (5) *[The recital and the relevant provisions will be updated after the conclusion of consultations between the Union and Norway.]* [The Union and Norway are holding consultations regarding the access to their respective waters for fishing for herring (*Clupea harengus*) ('Atlanto-Scandian herring') and blue whiting (*Micromesistius poutassou*) in the north-east Atlantic for 2026. Those access levels should be set in line with the outcome of those bilateral consultations.]
- (6) Following the setting of a reference TAC for cod in the north-east Arctic for 2026, the definitive Union quota for cod in Svalbard waters and international waters of ICES subarea 1 and division 2b for 2026 should be set based on that reference TAC for 2026 and on the Union's historical share for cod in the north-east Arctic. That Union quota should be allocated to the Member States in accordance with Council Decision 87/277/EEC<sup>16</sup>, 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.
- (7) *[The recital and the relevant provisions will be updated after the approval by ICCAT of the Union annual plan.]* [Fishing effort limits for Union fishing vessels fishing for bluefin tuna (*Thunnus thynnus*) in International Commission for the Conservation of Atlantic Tunas (ICCAT) Convention area, east of 45°W and maximum input and capacity for Union farms of bluefin tuna in that area are based on information provided in the annual plans referred to in Articles 11, 13 and 15 of Regulation (EU) 2023/2053 of the European Parliament and of the Council<sup>17</sup>. Member States are to

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<sup>16</sup> 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>).

<sup>17</sup> 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>).

submit those plans to the Commission by 31 January of each year, pursuant to Article 16(1) of Regulation (EU) 2023/2053. Those plans are then compiled by the Commission and form the basis for the establishment of a Union annual plan, which is transmitted to the ICCAT Secretariat for discussion and approval by ICCAT, as required by Article 16(2) of Regulation (EU) 2023/2053. On 5 March 2025, the Union annual plan for 2025 was approved by ICCAT. The Union fishing effort limits and Union maximum farming input and capacity for 2025 should therefore be amended in line with that annual plan.]

- (8) *[The recital and the relevant provisions will be updated after the approval by ICCAT of the Union annual plan and the availability of data on Member States' quota use in the preceding year.]* [In accordance with Article 8 of Regulation (EU) 2023/2053, certain Member States included in their annual fishing plans submitted to the Commission requests to carry-over 5 % of their annual quota of bluefin tuna in the ICCAT Convention area, east of 45°W from 2024 to 2025. On the basis of those requests, the Commission included a request for carry-over of the EU quota for that stock from 2024 to 2025 in the Union annual plan for 2025. Following the approval of the Union annual plan, the quotas of those Member States for bluefin tuna in the ICCAT Convention area, east of 45°W for 2025 should therefore be amended accordingly.]
- (9) In accordance with Articles 8a, 17b and 18b of Regulation (EU) 2017/2107 of the European Parliament and of the Council<sup>18</sup>, annual quotas for certain Member States for bigeye tuna (*Thunnus obesus*) in the ICCAT Convention area, albacore (*Thunnus alalunga*) in the ICCAT Convention area, both north of 5°N and south of 5°N, and swordfish (*Xiphias gladius*) in the ICCAT Convention area, both north of 5°N and south of 5°N, were transferred from 2024 to 2026 in accordance with the relevant ICCAT recommendations. The quotas of those Member States for those stocks for 2026 should therefore be amended accordingly.
- (10) *[The recital and the relevant provisions will be updated after the SPRFMO annual meeting.]* [At its 13th annual meeting in 2025, the South Pacific Regional Fisheries Management Organisation (SPRFMO) adopted catch limits for jack mackerel (*Trachurus murphyi*) and maintained exploratory fisheries for toothfishes (*Dissostichus* spp.). In addition, the SPRFMO maintained and amended functionally linked measures. Those outcomes of the SPRFMO meeting should therefore be implemented in Union law.]
- (11) Pending the outcome of the 10<sup>th</sup> session of the North Pacific Fisheries Commission (NPFC), the fishing opportunities for Chub mackerel (*Scomber japonicus*) in the NPFC Convention area for the period from 1 June 2026 to 31 May 2027 should be marked 'to be established', in order to allow the fishery for Chub mackerel to start from 1 June 2026, for Union fishing vessels issued a fishing authorisation in

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<sup>18</sup> 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, ELI: <http://data.europa.eu/eli/reg/2017/2107/oj>).

accordance with Articles 20 to 22 of Regulation (EU) 2017/2403 of the European Parliament and of the Council<sup>19</sup>.

- (12) The two groups of closure periods for Union purse seine fishing vessels in the Inter-American Tropical Tuna Commission (IATTC) Convention area established by Regulation (EU) 2026/249, during which such vessels are prohibited from fishing for yellowfin tuna (*Thunnus albacares*), bigeye tuna or skipjack tuna (*Katsuwonus pelamis*), should be amended in line with measures adopted by the IATTC. The first group of closure periods should be amended to apply throughout the entire IATTC Convention area whilst the second group of closure periods should continue to apply in a specific area only. In addition, the extensions of closure periods for Union purse seine fishing vessels, based on their catches of bigeye tuna in the IATTC Convention area during the previous year, should only apply to the first group of closure periods and thus no longer apply to the second group of closure periods.
- (13) On 20 January 2021, the European Parliament and the Council adopted Regulation (EU) 2021/56<sup>20</sup> implementing into Union law certain management, conservation and control measures applicable in the IATTC Convention area. Article 8 of that Regulation establishes measures for oceanic whitetip sharks (*Carcharhinus longimanus*). Article 40 of Regulation (EU) 2026/249 overlaps with Regulation (EU) 2021/56 on that subject matter and imposes requirements that are already addressed under Union law. It is therefore appropriate to delete Article 40 of Regulation (EU) 2026/249.
- (14) Regulation (EU) 2026/249 set a TAC for sole in ICES divisions 8c, 8d and 8e, subareas 9 and 10, and EU waters of Fishery Committee for the Eastern Central Atlantic (CECAF) 34.1.1 for 2026 and for 2027. According to ICES, there are three main species of sole caught in that area: common sole (*Solea solea*), Senegalese sole (*Solea senegalensis*) and sand sole (*Pegusa lascaris*). The scientific name referred to in the TAC is “*Solea* spp.”, which does not cover sand sole. However, sand sole was previously considered to belong to the genus *Solea*. To provide legal certainty, the scientific name referred to in the TAC should be replaced by “*Solea* spp. and *Pegusa lascaris*” to also cover sand sole.
- (15) Regulation (EU) 2026/249 should therefore be amended accordingly.
- (16) In order to maintain the reporting periods for the TACs amended by this Regulation, which apply from 1 January 2026, the amended TACs should apply retroactively from that date. Such retroactive application does not affect the principles of legal certainty and protection of legitimate expectations, as the TACs concerned are maintained or increased.
- (17) Given the urgency of avoiding interruptions to fishing activities, this Regulation should enter into force on the day of its publication in the *Official Journal of the European Union*,

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<sup>19</sup> 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>).

<sup>20</sup> Regulation (EU) 2021/56 of the European Parliament and of the Council of 20 January 2021 laying down management, conservation and control measures applicable in the Inter-American Tropical Tuna Convention area and amending Council Regulation (EC) No 520/2007 (OJ L 24, 26.1.2021, p. 1, ELI: <http://data.europa.eu/eli/reg/2021/56/oj>).

HAS ADOPTED THIS REGULATION:

*Article 1*  
**Amendment of Regulation (EU) 2026/249**

Regulation (EU) 2026/249 is amended as follows:

1. Article 37 is amended as follows:
  - (a) in paragraph 1, point (a) is replaced by the following:

‘(a) either from 00:00 hours on 6 August 2026 to 24:00 hours on 8 October 2026 or from 00:00 hours on 9 November 2026 to 24:00 hours on 11 January 2027 in the IATTC Convention area; and’
  - (b) in paragraph 6, the introductory sentence is replaced by the following:

‘The closure periods referred to in paragraph 1, point (a) shall be extended for Union purse seine fishing vessels, on the basis of their catches of bigeye tuna in the IATTC Convention area during the previous year, as follows:’
  - (c) paragraph 7 is replaced by the following:

‘(7) The extensions of the closure periods referred to in paragraph 6 apply as follows:
    - (a) for the closure period starting on 00:00 hours on 6 August 2026, the additional days are added before the start of that closure period; and
    - (b) for the closure period starting on 00:00 hours on 9 November 2026, the additional days are added after the end of that closure period.’
2. Article 40 is deleted.
3. Article 62 is amended as follows:
  - (a) in paragraph 2, point (d) is replaced the following:

‘(d) Article 19(1) to (2) and (4) to (6) shall apply from 1 June 2026 to 31 December 2026;’;
  - (b) in paragraph 2, the following points (da) and (db) are inserted:

‘(da) Article 19(3) shall apply from pm 2026 to 31 December 2026  
(db) Article 20 shall apply from pm 2026 to 31 December 2026;’;
  - (c) in paragraph 2, point (k) is deleted; and
  - (d) in paragraph 3, ‘40’ is deleted.
4. Annex IA, Parts A and B, and Annexes IB, ID, IH, IM and VI are amended in accordance with the Annex to this Regulation.

*Article 2*  
**Entry into force and application**

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

It shall apply from 1 January 2026.

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

Done at Brussels,

*For the Council  
The President*