



2026/2085

21.9.2026

COMMISSION IMPLEMENTING REGULATION (EU) 2026/2085

of 18 September 2026

extending a derogation from Council Regulation (EC) No 1967/2006 as regards the minimum distance from the coast and the minimum sea depth for boat seines fishing for sand eel (*Gymnammodytes cicereus* and *G. semisquamatus*) and gobies (*Aphia minuta* and *Crystallogobius linearis*) in certain territorial waters of Spain (Catalonia)

THE EUROPEAN COMMISSION,

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

Having regard to Council Regulation (EC) No 1967/2006 of 21 December 2006 concerning management measures for the sustainable exploitation of fishery resources the Mediterranean Sea amending Regulation (EEC) No 2847/93 and repealing Regulation (EC) No 1626/94 ⁽¹⁾, and in particular Article 13(5) thereof,

Whereas:

- (1) On 6 May 2014, the Commission adopted Implementing Regulation (EU) No 464/2014 ⁽²⁾ establishing for the first time a derogation from Article 13(1), first subparagraph, of Regulation (EC) No 1967/2006 until 8 May 2017 as regards the minimum distance from the coast and the minimum sea depth for boat seines fishing for sand eel (*Gymnammodytes cicereus* and *G. semisquamatus*) and gobies (*Aphia minuta* and *Crystallogobius linearis*) in certain territorial waters of Spain (Catalonia). Several extensions of that derogation were granted, last by Commission Implementing Regulation (EU) 2024/2726 ⁽³⁾, which expired on 2 July 2026.
- (2) On 16 February 2026, the Commission received from Spain a request to extend that derogation. Spain provided up-to-date scientific and technical justifications for its request, including a new management plan adopted on 29 June 2026 ⁽⁴⁾, in accordance with Article 19(2) of Regulation (EC) No 1967/2006, and a report on the monitoring and implementation of the management plan, in accordance with Article 13(9), third subparagraph, of Regulation (EC) No 1967/2006 and Regulation (EU) 2019/1241 of the European Parliament and of the Council ⁽⁵⁾.
- (3) During its 81st plenary session held in March 2026, the Scientific, Technical and Economic Committee for Fisheries (STECF) assessed the request to further extend the derogation, and the implementation and monitoring report ⁽⁶⁾. STECF concluded that the revised draft management plan includes appropriate elements for monitoring and managing the activities of the 'Sonsera' fishery in Catalan waters and that the conditions for granting the derogation are met.

⁽¹⁾ OJ L 409, 30.12.2006, p. 11, ELI: <http://data.europa.eu/eli/reg/2006/1967/oj>.

⁽²⁾ Commission Implementing Regulation (EU) No 464/2014 of 6 May 2014 derogating from Council Regulation (EC) No 1967/2006 as regards the minimum distance from the coast and the minimum sea depth for boat seines fishing for sand eel (*Gymnammodytes cicereus* and *G. semisquamatus*) and gobies (*Aphia minuta* and *Crystallogobius linearis*) in certain territorial waters of Spain (Catalonia) (OJ L 134, 7.5.2014, p. 37, ELI: http://data.europa.eu/eli/reg_impl/2014/464/oj).

⁽³⁾ Commission Implementing Regulation (EU) 2024/2726 of 24 October 2024 extending a derogation from Council Regulation (EC) No 1967/2006 as regards the minimum distance from the coast and the minimum sea depth for boat seines fishing for sand eel (*Gymnammodytes cicereus* and *G. semisquamatus*) and gobies (*Aphia minuta* and *Crystallogobius linearis*) in certain territorial waters of Spain (Catalonia) (OJ L, 2024/2726, 25.10.2024, ELI: http://data.europa.eu/eli/reg_impl/2024/2726/oj).

⁽⁴⁾ Orden ARP/123/2026, de 29 de junio, por la que se aprueba el Plan de gestión de la modalidad de la sonsera en el litoral catalán (2026-2029). *Diari Oficial de la Generalitat de Catalunya*, Núm. 9697 - 1.7.2026.

⁽⁵⁾ Regulation (EU) 2019/1241 of the European Parliament and of the Council of 20 June 2019 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>).

⁽⁶⁾ https://stecf.jrc.ec.europa.eu/documents/d/stecf/stecf_plen_26-01.

- (4) The derogation requested by Spain complies with the conditions set out in Article 13(5) and (9) of Regulation (EC) No 1967/2006. The extension of the derogation requested by Spain concerns a limited number of vessels and there are specific geographical constraints, given both the limited size of the continental shelf and the spatial distribution of the target species which limit the fishing grounds.
- (5) The management plan guarantees no future increase in the fishing effort, as fishing authorisations will only be issued to a maximum of 26 fishing vessels of less than 10 metres in length overall and with engine power of less than 75 kW.
- (6) Moreover, the request concerns fishing activities already authorised by Spain, for vessels that are registered in the maritime census managed by the Autonomous Community of Catalonia and have a track record in the fishery of more than 5 years. Those vessels are included on a list communicated to the Commission.
- (7) The fishery cannot be undertaken with other gears since only boat seines have the technical characteristics necessary to carry out this type of fishery.
- (8) The fishing activities concerned do not interfere with gears other than trawls, seines or similar towed nets.
- (9) Moreover, the fishery has no significant impact on the marine environment, since boat seines are very selective gears and do not touch the seabed.
- (10) Furthermore, boat seines do not target cephalopods.
- (11) The fishing activities concerned fulfil the requirements of Article 4(1), first subparagraph, of Regulation (EC) No 1967/2006, since the fishery does not operate above seagrass beds, in particular of *Posidonia oceanica* or other marine phanerogams.
- (12) The requirements of Article 8(1), point (h), of Regulation (EC) No 1967/2006, as taken over by Article 8(1) and Annex IX, Part B, section 1 to Regulation (EU) 2019/1241, are not applicable since they relate to trawlers. Spain authorized a derogation from the minimum mesh size laid down in Article 9 of Regulation (EC) No 1967/2006 on the basis of the fulfilment of the requirements of Article 9(7) of that Regulation, given the highly selective nature of the fisheries concerned, its negligible effect on the marine environment and that it is not affected by the provisions in Article 4(5) of Regulation (EC) No 1967/2006.
- (13) Although Article 9 of Regulation (EC) No 1967/2006 was deleted by Regulation (EU) 2019/1241, Annex IX, Part B, point 4 to that Regulation allows derogations from minimum mesh sizes to continue to apply, on the basis of conditions referred to in Article 15(5) of that Regulation. Such derogations were to be in force on 14 August 2019, not lead to a deterioration of selectivity standards, in particular in terms of an increase in catches of juveniles, and aim at achieving the objectives and targets set out in Articles 3 and 4 of that Regulation. The requested extension complies with the referred conditions.
- (14) The activity of boat seines is regulated in the management plan to ensure that catches of species mentioned in Annex IX to Regulation (EU) 2019/1241, with the exception of mollusc bivalves, are minimal.
- (15) The fishing activities concerned fulfil the recording requirements laid down in Article 14 of Council Regulation (EC) No 1224/2009 ⁽⁷⁾.
- (16) The fishery concerned takes place at a very short distance from the coast and therefore does not interfere with the fishing activities of other vessels.

⁽⁷⁾ 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>).

- (17) The Spanish management plan includes measures for the monitoring of fishing activities, as provided for in Article 13(9), third subparagraph, of Regulation (EC) No 1967/2006.
- (18) The requested extension of the derogation should therefore be granted.
- (19) A limitation in the duration of the derogation should be introduced, to allow prompt corrective management measures in case the monitoring of the management plan shows a poor conservation status of the exploited stock, while providing scope to enhance the scientific basis for an improved management plan.
- (20) Since the derogation granted by Implementing Regulation (EU) 2024/2726 applied until 2 July 2026, this Regulation should apply from 3 July 2026, in order to ensure legal continuity.
- (21) For reasons of legal certainty, this Regulation should enter into force as a matter of urgency.
- (22) This Regulation is without prejudice to the Commission's position regarding compliance of the activity covered by this derogation with other Union legislation, in particular Council Directive 92/43/EEC ⁽⁸⁾.
- (23) The measures provided for in this Regulation are in accordance with the opinion of the Committee for Fisheries and Aquaculture,

HAS ADOPTED THIS REGULATION:

Article 1

Derogation

Article 13(1) of Regulation (EC) No 1967/2006 shall not apply in the waters up to 3 nautical miles from baselines under the sovereignty or jurisdiction of Spain adjacent to the coast of the Catalan region to boat seines fishing for sand eel (*Gymnammodytes cicerelus* and *G. semisquamatus*) and gobies (*Aphia minuta* and *Crystallogobius linearis*) provided those vessels:

- (a) are registered in the maritime census managed by the Autonomous Community of Catalonia;
- (b) have a track record in the fishery of more than 5 years and do not involve any further increase in the fishing effort deployed; and
- (c) hold a fishing authorisation and operate under the management plan adopted by Spain in accordance with Article 19(2) of Regulation (EC) No 1967/2006.

Article 2

Monitoring plan and reporting

Spain shall communicate to the Commission a report drawn up in accordance with the monitoring plan established in the management plan referred to in Article 1(c), for the first time by 2 July 2027 and, thereafter, every 12 months.

⁽⁸⁾ Council Directive 92/43/EEC of 21 May 1992 on the conservation of natural habitats and of wild fauna and flora (OJ L 206, 22.7.1992, p. 7, ELI: <http://data.europa.eu/eli/dir/1992/43/oj>).

*Article 3***Entry into force and period of application**

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

It shall apply from 3 July 2026 to 2 July 2029.

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

Done at Brussels, 18 September 2026.

For the Commission
The President
Ursula VON DER LEYEN
