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I

(Legislative acts)

REGULATIONS

REGULATION (EU) 2021/1119 OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL**of 30 June 2021****establishing the framework for achieving climate neutrality and amending Regulations (EC) No 401/2009 and (EU) 2018/1999 ('European Climate Law')**

THE EUROPEAN PARLIAMENT AND THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union, and in particular Article 192(1) thereof,

Having regard to the proposal from the European Commission,

After transmission of the draft legislative act to the national parliaments,

Having regard to the opinions of the European Economic and Social Committee ⁽¹⁾,

Having regard to the opinion of the Committee of the Regions ⁽²⁾,

Acting in accordance with the ordinary legislative procedure ⁽³⁾,

Whereas:

- (1) The existential threat posed by climate change requires enhanced ambition and increased climate action by the Union and the Member States. The Union is committed to stepping up efforts to tackle climate change and to delivering on the implementation of the Paris Agreement adopted under the United Nations Framework Convention on Climate Change (the 'Paris Agreement') ⁽⁴⁾, guided by its principles and on the basis of the best available scientific knowledge, in the context of the long-term temperature goal of the Paris Agreement.
- (2) The Commission has, in its communication of 11 December 2019 entitled 'The European Green Deal' (the 'European Green Deal'), set out a new growth strategy that aims to transform the Union into a fair and prosperous society, with a modern, resource-efficient and competitive economy, where there are no net emissions of greenhouse gases in 2050 and where economic growth is decoupled from resource use. The European Green Deal also aims to protect, conserve and enhance the Union's natural capital, and protect the health and well-being of citizens from environment-related risks and impacts. At the same time, this transition must be just and inclusive, leaving no one behind.
- (3) The Intergovernmental Panel on Climate Change (IPCC) provides in its 2018 Special Report on the impacts of global warming of 1,5 °C above pre-industrial levels and related global greenhouse gas emission pathways, in the context of strengthening the global response to the threat of climate change, sustainable development, and efforts to eradicate poverty, a strong scientific basis for tackling climate change and illustrates the need to rapidly step up climate action

⁽¹⁾ OJ C 364, 28.10.2020, p. 143, and OJ C 10, 11.1.2021, p. 69.

⁽²⁾ OJ C 324, 1.10.2020, p. 58.

⁽³⁾ Position of the European Parliament of 24 June 2021 (not yet published in the Official Journal) and decision of the Council of 28 June 2021.

⁽⁴⁾ OJ L 282, 19.10.2016, p. 4.

and to continue the transition to a climate-neutral economy. That report confirms that greenhouse gas emissions need to be urgently reduced, and that climate change needs to be limited to 1,5 °C, in particular to reduce the likelihood of extreme weather events and of reaching tipping points. The Intergovernmental Science-Policy Platform on Biodiversity and Ecosystem Services (IPBES) has shown in its 2019 Global Assessment Report on Biodiversity and Ecosystem Services a worldwide erosion of biodiversity, with climate change as the third most important driver of biodiversity loss.

- (4) A fixed long-term objective is crucial to contribute to economic and societal transformation, high-quality jobs, sustainable growth, and the achievement of the United Nations Sustainable Development Goals, as well as to reach in a just, socially balanced, fair and cost-effective manner the long-term temperature goal of the Paris Agreement.
- (5) It is necessary to address the growing climate-related risks to health, including more frequent and intense heatwaves, wildfires and floods, food and water safety and security threats, and the emergence and spread of infectious diseases. As announced in its communication of 24 February 2021 entitled 'Forging a climate-resilient Europe – the new EU Strategy on Adaptation to Climate Change', the Commission has launched a European climate and health observatory under the European Climate Adaptation Platform Climate-ADAPT, to better understand, anticipate and minimise the health threats caused by climate change.
- (6) This Regulation respects the fundamental rights and observes the principles recognised by the Charter of Fundamental Rights of the European Union, in particular Article 37 thereof which seeks to promote the integration into the policies of the Union of a high level of environmental protection and the improvement of the quality of the environment in accordance with the principle of sustainable development.
- (7) Climate action should be an opportunity for all sectors of the economy in the Union to help secure industry leadership in global innovation. Driven by the Union's regulatory framework and efforts made by industry, it is possible to decouple economic growth from greenhouse gas emissions. For example, Union greenhouse gas emissions were reduced by 24 % between 1990 and 2019, while the economy grew by 60 % over the same period. Without prejudice to binding legislation and other initiatives adopted at Union level, all sectors of the economy – including energy, industry, transport, heating and cooling and buildings, agriculture, waste and land use, land-use change and forestry, irrespective of whether those sectors are covered by the system for greenhouse gas emission allowance trading within the Union ('EU ETS') – should play a role in contributing to the achievement of climate neutrality within the Union by 2050. In order to enhance involvement of all economic actors, the Commission should facilitate sector-specific climate dialogues and partnerships by bringing together key stakeholders in an inclusive and representative manner, so as to encourage sectors themselves to draw up indicative voluntary roadmaps and to plan their transition towards achieving the Union's climate-neutrality objective by 2050. Such roadmaps could make a valuable contribution in assisting sectors in planning the necessary investments towards the transition to a climate-neutral economy and could also serve to strengthen sectoral engagement in the pursuit of climate-neutral solutions. Such roadmaps could also complement existing initiatives, including the European Battery Alliance and the European Clean Hydrogen Alliance, which foster industrial collaboration in the transition to climate neutrality.
- (8) The Paris Agreement sets out a long-term temperature goal in point (a) of Article 2(1) thereof, and aims to strengthen the global response to the threat of climate change by increasing the ability to adapt to the adverse impacts of climate change as set out in point (b) of Article 2(1) thereof and by making finance flows consistent with a pathway towards low greenhouse gas emissions and climate-resilient development as set out in point (c) of Article 2(1) thereof. As the overall framework for the Union's contribution to the Paris Agreement, this Regulation should ensure that both the Union and the Member States contribute to the global response to climate change as referred to in the Paris Agreement.

- (9) The Union's and Member States' climate action aims to protect people and the planet, welfare, prosperity, the economy, health, food systems, the integrity of eco-systems and biodiversity against the threat of climate change, in the context of the United Nations 2030 agenda for sustainable development and in pursuit of the objectives of the Paris Agreement, and to maximise prosperity within the planetary boundaries and to increase resilience and reduce vulnerability of society to climate change. In light of this, the Union's and Member States' actions should be guided by the precautionary and 'polluter pays' principles established in the Treaty on the Functioning of the European Union, and should also take into account the 'energy efficiency first' principle of the Energy Union and the 'do no harm' principle of the European Green Deal.
- (10) Achieving climate neutrality should require a contribution from all economic sectors for which emissions or removals of greenhouse gases are regulated in Union law.
- (11) In light of the importance of energy production and consumption for the level of greenhouse gas emissions, it is essential to ensure a transition to a safe, sustainable, affordable and secure energy system relying on the deployment of renewables, a well-functioning internal energy market and the improvement of energy efficiency, while reducing energy poverty. Digital transformation, technological innovation, and research and development are also important drivers for achieving the climate-neutrality objective.
- (12) The Union has in place a regulatory framework to achieve the 2030 greenhouse gas emission reduction target agreed in 2014, before the entry into force of the Paris Agreement. The legislation implementing that target consists, inter alia, of Directive 2003/87/EC of the European Parliament and of the Council ⁽⁵⁾, which establishes the EU ETS, Regulation (EU) 2018/842 of the European Parliament and of the Council ⁽⁶⁾, which introduced national targets for reduction of greenhouse gas emissions by 2030, and Regulation (EU) 2018/841 of the European Parliament and of the Council ⁽⁷⁾, which requires Member States to balance greenhouse gas emissions and removals from land use, land use change and forestry.
- (13) The EU ETS is a cornerstone of the Union's climate policy and constitutes its key tool for reducing greenhouse gas emissions in a cost-effective way.
- (14) The Commission has, in its communication of 28 November 2018 entitled 'A Clean Planet for all – A European strategic long-term vision for a prosperous, modern, competitive and climate-neutral economy', presented a vision for achieving net-zero greenhouse gas emissions in the Union by 2050 through a socially-fair and cost-efficient transition.
- (15) Through the 'Clean Energy for All Europeans' package of 30 November 2016 the Union has been pursuing an ambitious decarbonisation agenda, in particular by constructing a robust Energy Union, which includes the 2030 goals for energy efficiency and deployment of renewable energy in Directives 2012/27/EU ⁽⁸⁾ and (EU) 2018/2001 ⁽⁹⁾ of the European Parliament and of the Council, and by reinforcing relevant legislation, including Directive 2010/31/EU of the European Parliament and of the Council ⁽¹⁰⁾.
- (16) The Union is a global leader in the transition towards climate neutrality, and it is determined to help raise global ambition and to strengthen the global response to climate change, using all tools at its disposal, including climate diplomacy.

⁽⁵⁾ Directive 2003/87/EC of the European Parliament and of the Council of 13 October 2003 establishing a system for greenhouse gas emission allowance trading within the Union and amending Council Directive 96/61/EC (OJ L 275, 25.10.2003, p. 32).

⁽⁶⁾ Regulation (EU) 2018/842 of the European Parliament and of the Council of 30 May 2018 on binding annual greenhouse gas emission reductions by Member States from 2021 to 2030 contributing to climate action to meet commitments under the Paris Agreement and amending Regulation (EU) No 525/2013 (OJ L 156, 19.6.2018, p. 26).

⁽⁷⁾ Regulation (EU) 2018/841 of the European Parliament and of the Council of 30 May 2018 on the inclusion of greenhouse gas emissions and removals from land use, land use change and forestry in the 2030 climate and energy framework, and amending Regulation (EU) No 525/2013 and Decision No 529/2013/EU (OJ L 156, 19.6.2018, p. 1).

⁽⁸⁾ Directive 2012/27/EU of the European Parliament and of the Council of 25 October 2012 on energy efficiency, amending Directives 2009/125/EC and 2010/30/EU and repealing Directives 2004/8/EC and 2006/32/EC (OJ L 315, 14.11.2012, p. 1).

⁽⁹⁾ Directive (EU) 2018/2001 of the European Parliament and of the Council of 11 December 2018 on the promotion of the use of energy from renewable sources (OJ L 328, 21.12.2018, p. 82).

⁽¹⁰⁾ Directive 2010/31/EU of the European Parliament and of the Council of 19 May 2010 on the energy performance of buildings (OJ L 153, 18.6.2010, p. 13).

- (17) The Union should continue its climate action and international climate leadership after 2050, in order to protect people and the planet against the threat of dangerous climate change, in pursuit of the long-term temperature goal set out in the Paris Agreement and following the scientific assessments of the IPCC, IPBES, and the European Scientific Advisory Board on Climate Change, as well as the assessments of other international bodies.
- (18) The risk of carbon leakage remains in respect of those international partners that do not share the same standards of climate protection as those of the Union. The Commission therefore intends to propose a carbon border adjustment mechanism for selected sectors, to reduce such risks in a way which is compatible with the rules of the World Trade Organization. Furthermore, it is important to maintain effective policy incentives in support of technological solutions and innovations which enable the transition to a competitive climate-neutral Union economy, while providing investment certainty.
- (19) The European Parliament called, in its resolution of 15 January 2020 on the European Green Deal, for the necessary transition to a climate-neutral society by 2050 at the latest and for this to be made into a European success story and has, in its resolution of 28 November 2019 on the climate and environment emergency, declared a climate and environment emergency. It has also repeatedly called on the Union to increase its 2030 climate target, and for that increased target to be part of this Regulation. The European Council, in its conclusions of 12 December 2019, has agreed on the objective of achieving a climate-neutral Union by 2050, in line with the objectives of the Paris Agreement, while also recognising that it is necessary to put in place an enabling framework that benefits all Member States and encompasses adequate instruments, incentives, support and investments to ensure a cost-efficient, just, as well as socially balanced and fair transition, taking into account different national circumstances in terms of starting points. It also noted that the transition will require significant public and private investment. On 6 March 2020, the Union submitted its long-term low greenhouse gas emission development strategy and, on 17 December 2020, its nationally determined contribution, to the United Nations Framework Convention on Climate Change (UNFCCC), following their approval by the Council.
- (20) The Union should aim to achieve a balance between anthropogenic economy-wide emissions by sources and removals by sinks of greenhouse gases domestically within the Union by 2050 and, as appropriate, achieve negative emissions thereafter. That objective should encompass Union-wide greenhouse gas emissions and removals regulated in Union law. It should be possible to address such emissions and removals in the context of the review of the relevant climate and energy legislation. Sinks include natural and technological solutions, as reported in the Union's greenhouse gas inventories to the UNFCCC. Solutions that are based on carbon capture and storage (CCS) and carbon capture and use (CCU) technologies can play a role in decarbonisation, especially for the mitigation of process emissions in industry, for the Member States that choose this technology. The Union-wide 2050 climate-neutrality objective should be pursued by all Member States collectively, and Member States, the European Parliament, the Council and the Commission should take the necessary measures to enable its achievement. Measures at Union level will constitute an important part of the measures needed to achieve the objective.
- (21) In its conclusions of 8 and 9 March 2007 and of 23 and 24 October 2014, the European Council endorsed the Union's greenhouse gas emission reduction target for 2020 and the 2030 climate and energy policy framework, respectively. The provisions of this Regulation on the determination of the Union's climate target for 2040 are without prejudice to the role of the European Council, as set out in the Treaties, in defining the Union's general political direction and priorities for the development of the Union's climate policy.
- (22) Carbon sinks play an essential role in the transition to climate neutrality in the Union, and in particular the agriculture, forestry and land use sectors make an important contribution in that context. As announced in its communication of 20 May 2020 entitled 'A Farm to Fork Strategy for a fair, healthy and environmentally-friendly food system', the Commission will promote a new green business model to reward land managers for greenhouse gas emission reductions and carbon removals in the upcoming carbon farming initiative. Furthermore, in its communication of 11 March 2020 entitled 'A new Circular Economy Action Plan for a cleaner and more competitive Europe', the Commission has committed itself to developing a regulatory framework for certification of

carbon removals based on robust and transparent carbon accounting to monitor and verify the authenticity of carbon removals, while ensuring that there are no negative impacts on the environment, in particular biodiversity, on public health or on social or economic objectives.

- (23) The restoration of ecosystems would assist in maintaining, managing and enhancing natural sinks and promote biodiversity while fighting climate change. Furthermore, the 'triple role' of forests, namely, as carbon sinks, storage and substitution, contributes to the reduction of greenhouse gases in the atmosphere, while ensuring that forests continue to grow and provide many other services.
- (24) Scientific expertise and the best available, up-to-date evidence, together with information on climate change that is both factual and transparent, are imperative and need to underpin the Union's climate action and efforts to reach climate neutrality by 2050. A European Scientific Advisory Board on Climate Change (the 'Advisory Board') should be established to serve as a point of reference on scientific knowledge relating to climate change by virtue of its independence and scientific and technical expertise. The Advisory Board should complement the work of the European Environment Agency (EEA) while acting independently in discharging its tasks. Its mission should avoid any overlap with the mission of the IPCC at international level. Regulation (EC) No 401/2009 of the European Parliament and of the Council ⁽¹¹⁾ should therefore be amended in order to establish the Advisory Board. National climate advisory bodies can play an important role in, inter alia, providing expert scientific advice on climate policy to the relevant national authorities as prescribed by the Member State concerned in those Member States where they exist. Therefore, Member States that have not already done so are invited to establish a national climate advisory body.
- (25) The transition to climate neutrality requires changes across the entire policy spectrum and a collective effort of all sectors of the economy and society, as highlighted in the European Green Deal. The European Council, in its conclusions of 12 December 2019, stated that all relevant Union legislation and policies need to be consistent with, and contribute to, the fulfilment of the climate-neutrality objective while respecting a level playing field, and invited the Commission to examine whether this requires an adjustment of the existing rules.
- (26) As announced in the European Green Deal, the Commission assessed the Union's 2030 target for greenhouse gas emission reduction, in its communication of 17 September 2020 entitled 'Stepping up Europe's 2030 climate ambition – Investing in a climate-neutral future for the benefit of our people'. The Commission did so on the basis of a comprehensive impact assessment and taking into account its analysis of the integrated national energy and climate plans submitted to it in accordance with Regulation (EU) 2018/1999 of the European Parliament and of the Council ⁽¹²⁾. In light of the 2050 climate-neutrality objective, by 2030 greenhouse gas emissions should be reduced and removals enhanced, so that net greenhouse gas emissions, that is emissions after the deduction of removals, are reduced economy-wide and domestically by at least 55 % by 2030 compared to 1990 levels. The European Council endorsed that target in its conclusions of 10 and 11 December 2020. It also provided initial guidance on its implementation. That new Union 2030 climate target is a subsequent target for the purposes of point (11) of Article 2 of Regulation (EU) 2018/1999, and therefore replaces the 2030 Union-wide target for greenhouse gas emissions set out in that point. In addition, the Commission should, by 30 June 2021, assess how the relevant Union legislation implementing the Union 2030 climate target would need to be amended in order to achieve such net emission reductions. In view of this, the Commission has announced a revision of the relevant climate and energy legislation which will be adopted in a package covering, inter alia, renewables, energy efficiency, land use, energy taxation, CO₂ emission performance standards for light-duty vehicles, effort sharing and the EU ETS.

⁽¹¹⁾ Regulation (EC) No 401/2009 of the European Parliament and of the Council of 23 April 2009 on the European Environment Agency and the European Environment Information and Observation Network (OJ L 126, 21.5.2009, p. 13).

⁽¹²⁾ Regulation (EU) 2018/1999 of the European Parliament and of the Council of 11 December 2018 on the Governance of the Energy Union and Climate Action, amending Regulations (EC) No 663/2009 and (EC) No 715/2009 of the European Parliament and of the Council, Directives 94/22/EC, 98/70/EC, 2009/31/EC, 2009/73/EC, 2010/31/EU, 2012/27/EU and 2013/30/EU of the European Parliament and of the Council, Council Directives 2009/119/EC and (EU) 2015/652 and repealing Regulation (EU) No 525/2013 of the European Parliament and of the Council (OJ L 328, 21.12.2018, p. 1).

The Commission intends to assess the impacts of the introduction of additional Union measures that could complement existing measures, such as market-based measures that include a strong solidarity mechanism.

- (27) According to Commission assessments, the existing commitments under Article 4 of Regulation (EU) 2018/841 result in a net carbon sink of 225 million tonnes of CO₂ equivalent in 2030. In order to ensure that sufficient mitigation efforts are deployed until 2030, it is appropriate to limit the contribution of net removals to the Union 2030 climate target to that level. This is without prejudice to the review of the relevant Union legislation in order to enable the achievement of the target.
- (28) Expenditure under the Union budget and the European Union Recovery Instrument established by Council Regulation (EU) 2020/2094 ⁽¹³⁾ contributes to climate objectives, by dedicating at least 30 % of the total amount of the expenditure to supporting climate objectives, on the basis of an effective methodology and in accordance with sectoral legislation.
- (29) In light of the objective of achieving climate neutrality by 2050 and in view of the international commitments under the Paris Agreement, continued efforts are necessary to ensure the phasing out of energy subsidies which are incompatible with that objective, in particular for fossil fuels, without impacting efforts to reduce energy poverty.
- (30) In order to provide predictability and confidence for all economic actors, including businesses, workers, investors and consumers, to ensure a gradual reduction of greenhouse gas emissions over time and that the transition towards climate neutrality is irreversible, the Commission should propose a Union intermediate climate target for 2040, as appropriate, at the latest within six months of the first global stocktake carried out under the Paris Agreement. The Commission can make proposals to revise the intermediate target, taking into account the findings of the assessments of Union progress and measures and of national measures as well as the outcomes of the global stocktake and of international developments, including on common time frames for nationally determined contributions. As a tool to increase the transparency and accountability of the Union's climate policies, the Commission should, when making its legislative proposal for the Union 2040 climate target, publish the projected indicative Union greenhouse gas budget for the 2030-2050 period, defined as the indicative total volume of net greenhouse gas emissions that are expected to be emitted in that period without putting at risk the Union's commitments under the Paris Agreement, as well as the methodology underlying that indicative budget.
- (31) Adaptation is a key component of the long-term global response to climate change. The adverse effects of climate change can potentially exceed the adaptive capacities of Member States. Therefore, Member States and the Union should enhance their adaptive capacity, strengthen resilience and reduce vulnerability to climate change, as provided for in Article 7 of the Paris Agreement, as well as maximise the co-benefits with other policies and legislation. The Commission should adopt a Union strategy on adaptation to climate change in line with the Paris Agreement. Member States should adopt comprehensive national adaptation strategies and plans based on robust climate change and vulnerability analyses, progress assessments and indicators, and guided by the best available and most recent scientific evidence. The Union should seek to create a favourable regulatory environment for national policies and measures put in place by Member States to adapt to climate change. Improving climate resilience and adaptive capacities to climate change requires shared efforts by all sectors of the economy and society, as well as policy coherence and consistency in all relevant legislation and policies.
- (32) Ecosystems, people and economies in all regions of the Union will face major impacts from climate change, such as extreme heat, floods, droughts, water scarcity, sea level rise, thawing glaciers, forest fires, windthrows and agricultural losses. Recent extreme events have already had substantial impacts on ecosystems, affecting carbon sequestration and storage capacities of forest and agricultural land. Enhancing adaptive capacities and resilience, taking into account the United Nations Sustainable Development Goals, help to minimise climate change impacts, to address unavoidable impacts in a socially balanced manner and to improve living conditions in impacted areas.

⁽¹³⁾ Council Regulation (EU) 2020/2094 of 14 December 2020 establishing a European Union Recovery Instrument to support the recovery in the aftermath of the COVID-19 crisis (OJ L 433 I, 22.12.2020, p. 23).

Preparing early for such impacts is cost-effective and can also bring considerable co-benefits for ecosystems, health and the economy. Nature-based solutions, in particular, can benefit climate change mitigation, adaptation and biodiversity protection.

- (33) The relevant programmes established under the Multiannual Financial Framework provide for the screening of projects to ensure that such projects are resilient to the potential adverse impacts of climate change through a climate vulnerability and risk assessment, including through relevant adaptation measures, and that they integrate the costs of greenhouse gas emissions and the positive effects of climate mitigation measures in the cost-benefit analysis. This contributes to the integration of climate change-related risks as well as climate change vulnerability and adaptation assessments into investment and planning decisions under the Union budget.
- (34) In taking the relevant measures at Union and national level to achieve the climate-neutrality objective, Member States and the European Parliament, the Council and the Commission should, inter alia, take into account: the contribution of the transition to climate neutrality to public health, the quality of the environment, the well-being of citizens, the prosperity of society, employment and the competitiveness of the economy; the energy transition, strengthened energy security and the tackling of energy poverty; food security and affordability; the development of sustainable and smart mobility and transport systems; fairness and solidarity across and within Member States, in light of their economic capability, national circumstances, such as the specificities of islands, and the need for convergence over time; the need to make the transition just and socially fair through appropriate education and training programmes; best available and most recent scientific evidence, in particular the findings reported by the IPCC; the need to integrate climate change related risks into investment and planning decisions; cost-effectiveness and technological neutrality in achieving greenhouse gas emission reductions and removals and increasing resilience; and progression over time in environmental integrity and level of ambition.
- (35) As indicated in the European Green Deal, the Commission adopted on 9 December 2020 a communication entitled 'Sustainable and Smart Mobility Strategy – putting European transport on track for the future'. The strategy sets out a roadmap for a sustainable and smart future for European transport, with an action plan towards an objective to deliver a 90 % reduction in emissions from the transport sector by 2050.
- (36) To ensure that the Union and the Member States remain on track to achieve the climate-neutrality objective and progress on adaptation, the Commission should regularly assess progress, building upon information as set out in this Regulation, including information submitted and reported under Regulation (EU) 2018/1999. In order to allow for a timely preparation for the global stocktake referred to in Article 14 of the Paris Agreement, the conclusions of this assessment should be published by 30 September every five years, starting in 2023. This implies that the reports under Article 29(5) and Article 35 of that Regulation and, in the applicable years, the related reports under Article 29(1) and Article 32 of that Regulation should be submitted to the European Parliament and to the Council at the same time as the conclusions of that assessment. In the event that the collective progress made by Member States towards the achievement of the climate-neutrality objective or on adaptation is insufficient or that Union measures are inconsistent with the climate-neutrality objective or inadequate to enhance adaptive capacity, strengthen resilience or reduce vulnerability, the Commission should take the necessary measures in accordance with the Treaties. The Commission should also regularly assess relevant national measures, and issue recommendations where it finds that a Member State's measures are inconsistent with the climate-neutrality objective or inadequate to enhance adaptive capacity, strengthen resilience and reduce vulnerability to climate change.
- (37) The Commission should ensure a robust and objective assessment based on the most up-to-date scientific, technical and socioeconomic findings, and representative of a broad range of independent expertise, and base its assessment on relevant information including information submitted and reported by Member States, reports of the EEA, of the Advisory Board and of the Commission's Joint Research Centre, the best available and most recent scientific evidence, including the latest reports of the IPCC, IPBES and other international bodies, as well as the Earth observation data provided by the European Earth Observation Programme Copernicus. The Commission should further base its assessments on an indicative, linear trajectory linking the Union's climate targets for 2030 and 2040, when adopted, with the Union's climate-neutrality objective and serving as an indicative tool to estimate

and evaluate collective progress towards the achievement of the Union's climate-neutrality objective. The indicative, linear trajectory is without prejudice to any decision to determine a Union climate target for 2040. Given that the Commission has committed itself to exploring how the EU taxonomy can be used in the context of the European Green Deal by the public sector, this should include information on environmentally sustainable investment, by the Union or by Member States, consistent with Regulation (EU) 2020/852 of the European Parliament and of the Council ⁽¹⁴⁾ when such information becomes available. The Commission should use European and global statistics and data where available and seek expert scrutiny. The EEA should assist the Commission, as appropriate and in accordance with its annual work programme.

- (38) As citizens and communities have a powerful role to play in driving the transformation towards climate neutrality forward, strong public and social engagement on climate action should be both encouraged and facilitated at all levels, including at national, regional and local level in an inclusive and accessible process. The Commission should therefore engage with all parts of society, including stakeholders representing different sectors of the economy, to enable and empower them to take action towards a climate-neutral and climate-resilient society, including through the European Climate Pact.
- (39) In line with the Commission's commitment to the principles on Better Law-Making, coherence of the Union instruments as regards greenhouse gas emission reductions should be sought. The system of measuring the progress towards the achievement of the climate-neutrality objective as well as the consistency of measures taken with that objective should build upon and be consistent with the governance framework laid down in Regulation (EU) 2018/1999, taking into account all five dimensions of the Energy Union. In particular, the system of reporting on a regular basis and the sequencing of the Commission's assessment and actions on the basis of the reporting should be aligned to the requirements to submit information and provide reports by Member States laid down in Regulation (EU) 2018/1999. Regulation (EU) 2018/1999 should therefore be amended in order to include the climate-neutrality objective in the relevant provisions.
- (40) Climate change is by definition a trans-boundary challenge and coordinated action at Union level is needed to effectively supplement and reinforce national policies. Since the objective of this Regulation, namely to achieve climate neutrality in the Union by 2050, cannot be sufficiently achieved by the Member States, but can rather, by reason of the scale and effects, be better achieved at Union level, the Union may adopt measures, in accordance with the principle of subsidiarity as set out in Article 5 of the Treaty on European Union. In accordance with the principle of proportionality, as set out in that Article, this Regulation does not go beyond what is necessary to achieve that objective,

HAVE ADOPTED THIS REGULATION:

Article 1

Subject matter and scope

This Regulation establishes a framework for the irreversible and gradual reduction of anthropogenic greenhouse gas emissions by sources and enhancement of removals by sinks regulated in Union law.

This Regulation sets out a binding objective of climate neutrality in the Union by 2050 in pursuit of the long-term temperature goal set out in point (a) of Article 2(1) of the Paris Agreement, and provides a framework for achieving progress in pursuit of the global adaptation goal established in Article 7 of the Paris Agreement. This Regulation also sets out a binding Union target of a net domestic reduction in greenhouse gas emissions for 2030.

⁽¹⁴⁾ Regulation (EU) 2020/852 of the European Parliament and of the Council of 18 June 2020 on the establishment of a framework to facilitate sustainable investment, and amending Regulation (EU) 2019/2088 (OJ L 198, 22.6.2020, p. 13).

This Regulation applies to anthropogenic emissions by sources and removals by sinks of the greenhouse gases listed in Part 2 of Annex V to Regulation (EU) 2018/1999.

Article 2

Climate-neutrality objective

1. Union-wide greenhouse gas emissions and removals regulated in Union law shall be balanced within the Union at the latest by 2050, thus reducing emissions to net zero by that date, and the Union shall aim to achieve negative emissions thereafter.
2. The relevant Union institutions and the Member States shall take the necessary measures at Union and national level, respectively, to enable the collective achievement of the climate-neutrality objective set out in paragraph 1, taking into account the importance of promoting both fairness and solidarity among Member States and cost-effectiveness in achieving this objective.

Article 3

Scientific advice on climate change

1. The European Scientific Advisory Board on Climate Change established under Article 10a of Regulation (EC) No 401/2009 (the 'Advisory Board') shall serve as a point of reference for the Union on scientific knowledge relating to climate change by virtue of its independence and scientific and technical expertise.
2. The tasks of the Advisory Board shall include:
 - (a) considering the latest scientific findings of the IPCC reports and scientific climate data, in particular with regard to information relevant to the Union;
 - (b) providing scientific advice and issuing reports on existing and proposed Union measures, climate targets and indicative greenhouse gas budgets, and their coherence with the objectives of this Regulation and the Union's international commitments under the Paris Agreement;
 - (c) contributing to the exchange of independent scientific knowledge in the field of modelling, monitoring, promising research and innovation which contribute to reducing emissions or increasing removals;
 - (d) identifying actions and opportunities needed to successfully achieve the Union climate targets;
 - (e) raising awareness on climate change and its impacts, as well as stimulating dialogue and cooperation between scientific bodies within the Union, complementing existing work and efforts.
3. The Advisory Board shall be guided in its work by the best available and most recent scientific evidence, including the latest reports of the IPCC, IPBES and other international bodies. It shall follow a fully transparent process and make its reports publicly available. It may take into account, where available, the work of the national climate advisory bodies referred to in paragraph 4.
4. In the context of enhancing the role of science in the field of climate policy, each Member State is invited to establish a national climate advisory body, responsible for providing expert scientific advice on climate policy to the relevant national authorities as prescribed by the Member State concerned. Where a Member State decides to establish such an advisory body, it shall inform the EEA thereof.

Article 4

Intermediate Union climate targets

1. In order to reach the climate-neutrality objective set out in Article 2(1), the binding Union 2030 climate target shall be a domestic reduction of net greenhouse gas emissions (emissions after deduction of removals) by at least 55 % compared to 1990 levels by 2030.

When implementing the target referred to in the first subparagraph, the relevant Union institutions and the Member States shall prioritise swift and predictable emission reductions and, at the same time, enhance removals by natural sinks.

In order to ensure that sufficient mitigation efforts are deployed up to 2030, for the purpose of this Regulation and without prejudice to the review of Union legislation referred to in paragraph 2, the contribution of net removals to the Union 2030 climate target shall be limited to 225 million tonnes of CO₂ equivalent. In order to enhance the Union's carbon sink in line with the objective of achieving climate neutrality by 2050, the Union shall aim to achieve a higher volume of its net carbon sink in 2030.

2. By 30 June 2021, the Commission shall review relevant Union legislation in order to enable the achievement of the target set out in paragraph 1 of this Article and the climate-neutrality objective set out in Article 2(1) and consider taking the necessary measures, including the adoption of legislative proposals, in accordance with the Treaties.

Within the framework of the review referred to in the first subparagraph and future reviews, the Commission shall assess in particular the availability under Union law of adequate instruments and incentives to mobilise the investments needed, and propose measures as necessary.

From the adoption of the legislative proposals by the Commission, it shall monitor the legislative procedures for the different proposals and may report to the European Parliament and to the Council on whether the foreseen outcome of those legislative procedures, considered together, would achieve the target set out in paragraph 1. If the foreseen outcome would not deliver a result in line with the target set out in paragraph 1, the Commission may take the necessary measures, including the adoption of legislative proposals, in accordance with the Treaties.

3. With a view to achieving the climate-neutrality objective set out in Article 2(1) of this Regulation, a Union-wide climate target for 2040 shall be set. To that end, at the latest within six months of the first global stocktake referred to in Article 14 of the Paris Agreement, the Commission shall make a legislative proposal, as appropriate, based on a detailed impact assessment, to amend this Regulation to include the Union 2040 climate target, taking into account the conclusions of the assessments referred to in Articles 6 and 7 of this Regulation and the outcomes of the global stocktake.

4. When making its legislative proposal for the Union 2040 climate target as referred to in paragraph 3, the Commission shall, at the same time, publish in a separate report the projected indicative Union greenhouse gas budget for the 2030-2050 period, defined as the indicative total volume of net greenhouse gas emissions (expressed as CO₂ equivalent and providing separate information on emissions and removals) that are expected to be emitted in that period without putting at risk the Union's commitments under the Paris Agreement. The projected indicative Union greenhouse gas budget shall be based on the best available science, take into account the advice of the Advisory Board as well as, where adopted, the relevant Union legislation implementing the Union 2030 climate target. The Commission shall also publish the methodology underlying the projected indicative Union greenhouse gas budget.

5. When proposing the Union 2040 climate target in accordance with paragraph 3, the Commission shall consider the following:

- (a) the best available and most recent scientific evidence, including the latest reports of the IPCC and the Advisory Board;
- (b) the social, economic and environmental impacts, including the costs of inaction;
- (c) the need to ensure a just and socially fair transition for all;
- (d) cost-effectiveness and economic efficiency;
- (e) competitiveness of the Union's economy, in particular small and medium-sized enterprises and sectors most exposed to carbon leakage;
- (f) best available cost-effective, safe and scalable technologies;
- (g) energy efficiency and the 'energy efficiency first' principle, energy affordability and security of supply;
- (h) fairness and solidarity between and within Member States;
- (i) the need to ensure environmental effectiveness and progression over time;

- (j) the need to maintain, manage and enhance natural sinks in the long term and protect and restore biodiversity;
 - (k) investment needs and opportunities;
 - (l) international developments and efforts undertaken to achieve the long-term objectives of the Paris Agreement and the ultimate objective of the UNFCCC;
 - (m) existing information on the projected indicative Union greenhouse gas budget for the 2030-2050 period referred to in paragraph 4.
6. Within six months of the second global stocktake referred to in Article 14 of the Paris Agreement, the Commission may propose to revise the Union 2040 climate target in accordance with Article 11 of this Regulation.
7. The provisions of this Article shall be kept under review in light of international developments and efforts undertaken to achieve the long-term objectives of the Paris Agreement, including with regard to the outcomes of international discussions on common time frames for nationally determined contributions.

Article 5

Adaptation to climate change

1. The relevant Union institutions and the Member States shall ensure continuous progress in enhancing adaptive capacity, strengthening resilience and reducing vulnerability to climate change in accordance with Article 7 of the Paris Agreement.
2. The Commission shall adopt a Union strategy on adaptation to climate change in line with the Paris Agreement and shall regularly review it in the context of the review provided for in point (b) of Article 6(2) of this Regulation.
3. The relevant Union institutions and the Member States shall also ensure that policies on adaptation in the Union and in Member States are coherent, mutually supportive, provide co-benefits for sectoral policies, and work towards better integration of adaptation to climate change in a consistent manner in all policy areas, including relevant socioeconomic and environmental policies and actions, where appropriate, as well as in the Union's external action. They shall focus, in particular, on the most vulnerable and impacted populations and sectors, and identify shortcomings in this regard in consultation with civil society.
4. Member States shall adopt and implement national adaptation strategies and plans, taking into consideration the Union strategy on adaptation to climate change referred to in paragraph 2 of this Article and based on robust climate change and vulnerability analyses, progress assessments and indicators, and guided by the best available and most recent scientific evidence. In their national adaptation strategies, Member States shall take into account the particular vulnerability of the relevant sectors, inter alia, agriculture, and of water and food systems, as well as food security, and promote nature-based solutions and ecosystem-based adaptation. Member States shall regularly update the strategies and include the related updated information in the reports to be submitted under Article 19(1) of Regulation (EU) 2018/1999.
5. By 30 July 2022, the Commission shall adopt guidelines setting out common principles and practices for the identification, classification and prudential management of material physical climate risks when planning, developing, executing and monitoring projects and programmes for projects.

Article 6

Assessment of Union progress and measures

1. By 30 September 2023, and every five years thereafter, the Commission shall assess, together with the assessment provided for under Article 29(5) of Regulation (EU) 2018/1999:
 - (a) the collective progress made by all Member States towards the achievement of the climate-neutrality objective set out in Article 2(1) of this Regulation;

- (b) the collective progress made by all Member States on adaptation as referred to in Article 5 of this Regulation.

The Commission shall submit the conclusions of that assessment, together with the State of the Energy Union report prepared in the respective calendar year in accordance with Article 35 of Regulation (EU) 2018/1999, to the European Parliament and to the Council.

2. By 30 September 2023, and every five years thereafter, the Commission shall review:

- (a) the consistency of Union measures with the climate-neutrality objective set out in Article 2(1);
(b) the consistency of Union measures with ensuring progress on adaptation as referred to in Article 5.

3. Where, based on the assessments referred to in paragraphs 1 and 2 of this Article, the Commission finds that Union measures are inconsistent with the climate-neutrality objective set out in Article 2(1) or inconsistent with ensuring progress on adaptation as referred to in Article 5, or that the progress towards that climate-neutrality objective or on adaptation as referred to in Article 5 is insufficient, it shall take the necessary measures in accordance with the Treaties.

4. The Commission shall assess the consistency of any draft measure or legislative proposal, including budgetary proposals, with the climate-neutrality objective set out in Article 2(1) and the Union 2030 and 2040 climate targets before adoption, and include that assessment in any impact assessment accompanying these measures or proposals, and make the result of that assessment publicly available at the time of adoption. The Commission shall also assess whether those draft measures or legislative proposals, including budgetary proposals, are consistent with ensuring progress on adaptation as referred to in Article 5. When making its draft measures and legislative proposals, the Commission shall endeavour to align them with the objectives of this Regulation. In any case of non-alignment, the Commission shall provide the reasons as part of the consistency assessment referred to in this paragraph.

Article 7

Assessment of national measures

1. By 30 September 2023, and every five years thereafter, the Commission shall assess:

- (a) the consistency of national measures identified, on the basis of the integrated national energy and climate plans, national long-term strategies and the biennial progress reports submitted in accordance with Regulation (EU) 2018/1999, as relevant for the achievement of the climate-neutrality objective set out in Article 2(1) of this Regulation with that objective;
(b) the consistency of relevant national measures with ensuring progress on adaptation as referred to in Article 5, taking into account the national adaptation strategies referred to in Article 5(4).

The Commission shall submit the conclusions of that assessment, together with the State of the Energy Union report prepared in the respective calendar year in accordance with Article 35 of Regulation (EU) 2018/1999, to the European Parliament and to the Council.

2. Where the Commission finds, after due consideration of the collective progress assessed in accordance with Article 6(1), that a Member State's measures are inconsistent with the climate-neutrality objective set out in Article 2(1) or inconsistent with ensuring progress on adaptation as referred to in Article 5, it may issue recommendations to that Member State. The Commission shall make such recommendations publicly available.

3. Where recommendations are issued in accordance with paragraph 2, the following principles shall apply:

- (a) the Member State concerned shall, within six months of receipt of the recommendations, notify the Commission on how it intends to take due account of the recommendations in a spirit of solidarity between Member States and the Union and between Member States;

- (b) after the submission of the notification referred to in point (a) of this paragraph, the Member State concerned shall set out, in its following integrated national energy and climate progress report submitted in accordance with Article 17 of Regulation (EU) 2018/1999, in the year following the year in which the recommendations were issued, how it has taken due account of the recommendations; if the Member State concerned decides not to address the recommendations or a substantial part thereof, that Member State shall provide the Commission its reasoning;
- (c) the recommendations shall be complementary to the latest country-specific recommendations issued in the context of the European Semester.

Article 8

Common provisions on Commission assessment

1. The Commission shall base its first and second assessments referred to in Articles 6 and 7 on an indicative, linear trajectory which sets out the pathway for the reduction of net emissions at Union level and which links the Union 2030 climate target referred to in Article 4(1), the Union 2040 climate target, when adopted, and the climate-neutrality objective set out in Article 2(1).
2. Following the first and second assessments referred to in paragraph 1, the Commission shall base any subsequent assessment on an indicative, linear trajectory linking the Union 2040 climate target, when adopted, and the climate-neutrality objective set out in Article 2(1).
3. In addition to the national measures referred to in point (a) of Article 7(1), the Commission shall base its assessments referred to in Articles 6 and 7 on at least the following:
 - (a) information submitted and reported under Regulation (EU) 2018/1999;
 - (b) reports of the EEA, the Advisory Board and the Commission's Joint Research Centre;
 - (c) European and global statistics and data, including statistics and data from the European Earth Observation Programme Copernicus, data on reported and projected losses from adverse climate impacts and estimates on the costs of inaction or delayed action, where available;
 - (d) the best available and most recent scientific evidence, including the latest reports of the IPCC, IPBES and other international bodies; and
 - (e) any supplementary information on environmentally sustainable investment by the Union or by Member States, including, when available, investment consistent with Regulation (EU) 2020/852.
4. The EEA shall assist the Commission in the preparation of the assessments referred to in Articles 6 and 7, in accordance with its annual work programme.

Article 9

Public participation

1. The Commission shall engage with all parts of society to enable and empower them to take action towards a just and socially fair transition to a climate-neutral and climate-resilient society. The Commission shall facilitate an inclusive and accessible process at all levels, including at national, regional and local level and with social partners, academia, the business community, citizens and civil society, for the exchange of best practice and to identify actions to contribute to the achievement of the objectives of this Regulation. The Commission may also draw on the public consultations and on the multilevel climate and energy dialogues as set up by Member States in accordance with Articles 10 and 11 of Regulation (EU) 2018/1999.
2. The Commission shall use all appropriate instruments, including the European Climate Pact, to engage citizens, social partners and stakeholders, and foster dialogue and the diffusion of science-based information about climate change and its social and gender equality aspects.

*Article 10***Sectoral roadmaps**

The Commission shall engage with sectors of the economy within the Union that choose to prepare indicative voluntary roadmaps towards achieving the climate-neutrality objective set out in Article 2(1). The Commission shall monitor the development of such roadmaps. Its engagement shall involve the facilitation of dialogue at Union level, and the sharing of best practice among relevant stakeholders.

*Article 11***Review**

Within six months of each global stocktake referred to in Article 14 of the Paris Agreement, the Commission shall submit a report to the European Parliament and to the Council, together with the conclusions of the assessments referred to in Articles 6 and 7 of this Regulation, on the operation of this Regulation, taking into account:

- (a) the best available and most recent scientific evidence, including the latest reports of the IPCC and the Advisory Board;
- (b) international developments and efforts undertaken to achieve the long-term objectives of the Paris Agreement.

The Commission's report may be accompanied, where appropriate, by legislative proposals to amend this Regulation.

*Article 12***Amendments to Regulation (EC) No 401/2009**

Regulation (EC) No 401/2009 is amended as follows:

- (1) the following article is inserted:

'Article 10a

1. A European Scientific Advisory Board on Climate Change (the "Advisory Board") is hereby established.
2. The Advisory Board shall be composed of 15 senior scientific experts covering a broad range of relevant disciplines. Members of the Advisory Board shall meet the criteria set out in paragraph 3. No more than two members of the Advisory Board shall hold the nationality of the same Member State. The independence of the members of the Advisory Board shall be beyond doubt.
3. The Management Board shall designate the members of the Advisory Board for a term of four years, which shall be renewable once, following an open, fair and transparent selection procedure. In its selection of the members of the Advisory Board, the Management Board shall seek to ensure a varied disciplinary and sectoral expertise, as well as gender and geographical balance. The selection shall be based on the following criteria:
 - (a) scientific excellence;
 - (b) experience in carrying out scientific assessments and providing scientific advice in the fields of expertise;
 - (c) broad expertise in the field of climate and environment sciences or other scientific fields relevant for the achievement of the Union's climate objectives;
 - (d) professional experience in an inter-disciplinary environment in an international context.
4. The members of the Advisory Board shall be appointed in a personal capacity and shall give their positions completely independently of the Member States and the Union institutions. The Advisory Board shall elect its chairperson from among its members for a period of four years and it shall adopt its rules of procedure.

5. The Advisory Board shall complement the work of the Agency while acting independently in discharging its tasks. The Advisory Board shall establish its annual work programme independently, and when doing so it shall consult the Management Board. The chairperson of the Advisory Board shall inform the Management Board and the Executive Director of that programme and its implementation.’;

(2) in Article 11, the following paragraph is added:

‘5. The Agency’s budget shall also include the expenditure relating to the Advisory Board.’.

Article 13

Amendments to Regulation (EU) 2018/1999

Regulation (EU) 2018/1999 is amended as follows:

(1) in Article 1(1), point (a) is replaced by the following:

‘(a) implement strategies and measures designed to meet the objectives and targets of the Energy Union and the long-term Union greenhouse gas emissions commitments consistent with the Paris Agreement, in particular the Union’s climate-neutrality objective set out in Article 2(1) of Regulation (EU) 2021/1119 of the European Parliament and of the Council (*), and, for the first ten-year period, from 2021 to 2030, in particular the Union’s 2030 targets for energy and climate;

(*) Regulation (EU) 2021/1119 of the European Parliament and of the Council of 30 June 2021 establishing the framework for achieving climate neutrality and amending Regulations (EC) No 401/2009 and (EU) 2018/1999 (“European Climate Law”) (OJ L 243, 9.7.2021, p. 1).’;

(2) in Article 2, point (7) is replaced by the following:

‘(7) “projections” means forecasts of anthropogenic greenhouse gas emissions by sources and removals by sinks or developments of the energy system, including at least quantitative estimates for a sequence of six future years ending with 0 or 5, immediately following the reporting year.’;

(3) in Article 3(2), point (f) is replaced by the following:

‘(f) an assessment of the impacts of the planned policies and measures to meet the objectives referred to in point (b) of this paragraph, including their consistency with the Union’s climate-neutrality objective set out in Article 2(1) of Regulation (EU) 2021/1119, the long-term greenhouse gas emission reduction objectives under the Paris Agreement and the long-term strategies as referred to in Article 15 of this Regulation.’;

(4) in Article 8(2), the following point is added:

‘(e) the manner in which existing policies and measures and planned policies and measures contribute to the achievement of the Union’s climate-neutrality objective set out in Article 2(1) of Regulation (EU) 2021/1119.’;

(5) Article 11 is replaced by the following:

‘Article 11

Multilevel climate and energy dialogue

Each Member State shall establish a multilevel climate and energy dialogue pursuant to national rules, in which local authorities, civil society organisations, business community, investors and other relevant stakeholders and the general public are able actively to engage and discuss the achievement of the Union’s climate-neutrality objective set out in Article 2(1) of Regulation (EU) 2021/1119 and the different scenarios envisaged for energy and climate policies, including for the long term, and review progress, unless it already has a structure which serves the same purpose. Integrated national energy and climate plans may be discussed within the framework of such a dialogue.’;

(6) Article 15 is amended as follows:

(a) paragraph 1 is replaced by the following:

‘1. By 1 January 2020, and subsequently by 1 January 2029 and every 10 years thereafter, each Member State shall prepare and submit to the Commission its long-term strategy with a 30-year perspective and consistent with the Union’s climate-neutrality objective set out in Article 2(1) of Regulation (EU) 2021/1119. Member States should, where necessary, update those strategies every five years.’;

(b) in paragraph 3, point (c) is replaced by the following:

‘(c) achieving long-term greenhouse gas emission reductions and enhancements of removals by sinks in all sectors in accordance with the Union’s climate-neutrality objective set out in Article 2(1) of Regulation (EU) 2021/1119, in the context of necessary greenhouse gas emission reductions and enhancements of removals by sinks according to the Intergovernmental Panel on Climate Change (IPCC) to reduce the Union’s greenhouse gas emissions in a cost-effective manner and enhance removals by sinks in pursuit of the long-term temperature goal in the Paris Agreement so as to achieve a balance between anthropogenic emissions by sources and removals by sinks of greenhouse gases within the Union and, as appropriate, achieve negative emissions thereafter.’;

(7) Article 17 is amended as follows:

(a) in paragraph 2, point (a) is replaced by the following:

‘(a) information on the progress accomplished towards reaching the objectives, including progress towards the Union’s climate-neutrality objective set out in Article 2(1) of Regulation (EU) 2021/1119, targets and contributions set out in the integrated national energy and climate plan, and towards financing and implementing the policies and measures necessary to meet them, including a review of actual investment against initial investment assumptions.’;

(b) in paragraph 4, the first subparagraph is replaced by the following:

‘The Commission, assisted by the Energy Union Committee referred to in point (b) of Article 44(1), shall adopt implementing acts to set out the structure, format, technical details and process for the information referred to in paragraphs 1 and 2 of this Article, including a methodology for the reporting on the phasing out of energy subsidies, in particular for fossil fuels, pursuant to point (d) of Article 25.’;

(8) in Article 29(1), point (b) is replaced by the following:

‘(b) the progress made by each Member State towards meeting its objectives, including progress towards the Union’s climate-neutrality objective set out in Article 2(1) of Regulation (EU) 2021/1119, targets and contributions and implementing the policies and measures set out in its integrated national energy and climate plan.’;

(9) Article 45 is replaced by the following:

‘Article 45

Review

The Commission shall report to the European Parliament and to the Council within six months of each global stocktake agreed under Article 14 of the Paris Agreement on the operation of this Regulation, its contribution to governance of the Energy Union, its contribution to the long-term goals of the Paris Agreement, progress towards the achievement of the 2030 climate and energy targets and the Union’s climate-neutrality objective set out in Article 2(1) of Regulation (EU) 2021/1119, additional Energy Union objectives and the conformity of the planning, reporting and monitoring provisions laid down in this Regulation with other Union law or decisions relating to the UNFCCC and the Paris Agreement. The Commission reports may be accompanied by legislative proposals where appropriate.’;

(10) Part 1 of Annex I is amended as follows:

(a) in point 3.1.1 of Section A, point (i) is replaced by the following:

i. Policies and measures to achieve the target set under Regulation (EU) 2018/842 as referred to in point 2.1.1 of this Section and policies and measures to comply with Regulation (EU) 2018/841, covering all key emitting sectors and sectors for the enhancement of removals, with an outlook to the Union's climate-neutrality objective set out in Article 2(1) of Regulation (EU) 2021/1119;

(b) in Section B, the following point is added:

'5.5. The contribution of planned policies and measures to the achievement of the Union's climate-neutrality objective set out in Article 2(1) of Regulation (EU) 2021/1119';

(11) in point (c) of Annex VI, point (viii) is replaced by the following:

'(viii) an assessment of the contribution of the policy or measure to the achievement of the Union's climate-neutrality objective set out in Article 2(1) of Regulation (EU) 2021/1119 and to the achievement of the long-term strategy referred to in Article 15 of this Regulation;';

Article 14

Entry into force

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

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

Done at Brussels, 30 June 2021.

For the European Parliament

The President

D. M. SASSOLI

For the Council

The President

J. P. MATOS FERNANDES

II

(Non-legislative acts)

REGULATIONS

COMMISSION IMPLEMENTING REGULATION (EU) 2021/1120

of 8 July 2021

amending Regulation (EU) No 468/2010 establishing the EU list of vessels engaged in illegal, unreported and unregulated fishing

THE EUROPEAN COMMISSION,

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

Having regard to Council Regulation (EC) No 1005/2008 of 29 September 2008 establishing a Community system to prevent, deter and eliminate illegal, unreported and unregulated fishing, amending Regulations (EEC) No 2847/93, (EC) No 1936/2001 and (EC) No 601/2004 and repealing Regulations (EC) No 1093/94 and (EC) No 1447/1999 ⁽¹⁾, and in particular Article 30 thereof,

Whereas:

- (1) Chapter V of Regulation (EC) No 1005/2008 lays down procedures for the identification of fishing vessels engaged in illegal, unreported and unregulated ('IUU') fishing as well as procedures for establishing a Union list of such vessels ('the Union list'). Article 37 of that Regulation provides for actions to be taken against fishing vessels included in that list.
- (2) The Union list was established by Commission Regulation (EU) No 468/2010 ⁽²⁾ and subsequently amended by Implementing Regulations (EU) No 724/2011 ⁽³⁾, (EU) No 1234/2012 ⁽⁴⁾, (EU) No 672/2013 ⁽⁵⁾, (EU) No 137/2014 ⁽⁶⁾, (EU) 2015/1296 ⁽⁷⁾, (EU) 2016/1852 ⁽⁸⁾, (EU) 2017/2178 ⁽⁹⁾, (EU) 2018/1883 ⁽¹⁰⁾ and (EU) 2020/269 ⁽¹¹⁾.

⁽¹⁾ OJ L 286, 29.10.2008, p. 1.

⁽²⁾ Commission Regulation (EU) No 468/2010 of 28 May 2010 establishing the EU list of vessels engaged in illegal, unreported and unregulated fishing (OJ L 131, 29.5.2010, p. 22).

⁽³⁾ Commission Implementing Regulation (EU) No 724/2011 of 25 July 2011 amending Regulation (EU) No 468/2010 establishing the EU list of vessels engaged in illegal, unreported and unregulated fishing (OJ L 194, 26.7.2011, p. 14).

⁽⁴⁾ Commission Implementing Regulation (EU) No 1234/2012 of 19 December 2012 amending Regulation (EU) No 468/2010 establishing the EU list of vessels engaged in illegal, unreported and unregulated fishing (OJ L 350, 20.12.2012, p. 38).

⁽⁵⁾ Commission Implementing Regulation (EU) No 672/2013 of 15 July 2013 amending Regulation (EU) No 468/2010 establishing the EU list of vessels engaged in illegal, unreported and unregulated fishing (OJ L 193, 16.7.2013, p. 6).

⁽⁶⁾ Commission Implementing Regulation (EU) No 137/2014 of 12 February 2014 amending Regulation (EU) No 468/2010 establishing the EU list of vessels engaged in illegal, unreported and unregulated fishing (OJ L 43, 13.2.2014, p. 47).

⁽⁷⁾ Commission Implementing Regulation (EU) 2015/1296 of 28 July 2015 amending Regulation (EU) No 468/2010 establishing the EU list of vessels engaged in illegal, unreported and unregulated fishing (OJ L 199, 29.7.2015, p. 12).

⁽⁸⁾ Commission Implementing Regulation (EU) 2016/1852 of 19 October 2016 amending Regulation (EU) No 468/2010 establishing the EU list of vessels engaged in illegal, unreported and unregulated fishing (OJ L 284, 20.10.2016, p. 5).

⁽⁹⁾ Commission Implementing Regulation (EU) 2017/2178 of 22 November 2017 amending Regulation (EU) No 468/2010 establishing the EU list of vessels engaged in illegal, unreported and unregulated fishing (OJ L 307, 23.11.2017, p. 14).

⁽¹⁰⁾ Commission Implementing Regulation (EU) 2018/1883 of 3 December 2018 amending Regulation (EU) No 468/2010 establishing the EU list of vessels engaged in illegal, unreported and unregulated fishing (OJ L 308, 4.12.2018, p. 30).

⁽¹¹⁾ Commission Implementing Regulation (EU) 2020/269 of 26 February 2020 amending Regulation (EU) No 468/2010 establishing the EU list of vessels engaged in illegal, unreported and unregulated fishing (OJ L 56, 27.2.2020, p. 7).

- (3) According to Article 30(1) of Regulation (EC) No 1005/2008, vessels included in the IUU vessel lists adopted by regional fisheries management organisations are to be included in the Union list.
- (4) All regional fishery management organisations provide for the establishment and regular up-date of IUU vessel lists in accordance with their respective rules ⁽¹²⁾.
- (5) According to Article 30 of Regulation (EC) No 1005/2008, upon the receipt from regional fisheries management organisations of the lists of fishing vessels presumed or confirmed to be involved in IUU fishing, the Commission is to update the Union list. Since the Commission has received new lists from the regional fisheries management organisations, the Union list should now be updated.
- (6) Considering that the same vessel might be listed under different names and/or flags depending on the time of its inclusion on the regional fisheries management organisations lists, the updated Union list should include the different names and/or flags as established by the relevant regional fisheries management organisations.
- (7) The vessel 'Bellator' ⁽¹³⁾ which is currently included in the Union list, has been removed from the list established by the South Pacific Regional Fisheries Management Organisation ('SPRFMO'), in line with Conservation and Management Measure (CMM) 04-2020 of that regional fisheries management organisation. As the decision was taken by the relevant regional fisheries management organisation under the terms of Article 30(1) of Regulation (EC) No 1005/2008, this vessel should accordingly be removed from the Union list, despite the fact that it has not yet been deleted from the list established by the Southern Indian Ocean Fisheries Agreement ('SIOFA'), the Indian Ocean Tuna Commission ('IOTC') and the North-East Atlantic Fisheries Commission ('NEAFC').
- (8) The vessel 'Uthaiwan/Wisdom Sea reefer' ⁽¹⁴⁾ which is currently included in the Union list, has been removed from the list established by the Indian Ocean Tuna Commission ('IOTC') in line with Resolution 18/03 of that regional fisheries management organisation. As the decision was taken by the relevant regional fisheries management organisation under the terms of Article 30(1) of Regulation (EC) No 1005/2008, this vessel should accordingly be removed from the Union list, despite the fact that it has not yet been deleted from the list established by the Southern Indian Ocean Fisheries Agreement ('SIOFA').
- (9) The vessel 'Nefelin' ⁽¹⁵⁾ has been removed from the list established by the General Fisheries Commission for the Mediterranean ('GFCM'), in line with Recommendation GFCM/33/209/8 of that regional fisheries management organisation. This vessel should thus not be included in the Union list despite the fact that it has not yet been deleted from the list established by the International Commission for the Conservation of Atlantic Tunas ('ICCAT') and the Indian Ocean Tuna Commission ('IOTC').
- (10) The vessel referred to in recital 9 was not included in the Union list amended by Implementing Regulation (EU) 2018/1883 as the list of fishing vessels presumed or confirmed to be involved in IUU fishing adopted by the relevant regional fisheries management organisation was received by the Commission after adoption of that Regulation.
- (11) Regulation (EU) No 468/2010 should therefore be amended accordingly.
- (12) The measures provided for in this Regulation are in accordance with the opinion of the Committee for Fisheries and Aquaculture,

⁽¹²⁾ Last updates: CCAMLR: NCP-IUU Vessel List and CP-IUU Vessel List adopted at the 39th annual meeting, 27-30 October 2020; CCSBT: CCSBT IUU vessel list adopted at the 27th Annual Meeting of the Commission, 12-16 October 2020, list updated on 25 March 2021; GFCM: IUU list adopted at the 43rd session of GFCM, 4-8 November 2019; IATTC: IATTC IUU Vessel List adopted at the 95th meeting of IATTC, 4 December 2020; ICCAT: 2020 IUU list adopted during 2020 discussions in lieu of the 22nd special meeting of ICCAT; IOTC: IOTC IUU Vessels List, adopted at the 24th session of the IOTC, 2-6 November 2020, updated on 26 February 2021; NAFO: NAFO IUU List adopted at the 42nd annual meeting of NAFO, 21-25 September 2020; NEAFC: IUU B list adopted at 39th annual meeting of NEAFC, 10 November-13 November 2020, updated in March 2021; NPFC: NPFC IUU List adopted at the 5th Commission meeting, 16-18 July 2019; SEAFO: SEAFO IUU Vessel List 2020 adopted at the 16th annual Commission meeting, 25-28 November 2019; SIOFA: SIOFA IUU Vessel List adopted at the 7th Meeting of the Parties, 17-20 November 2020; SPRFMO: 2021 IUU Vessel List adopted at the 9th Commission meeting, 26 January-05 February 2021; WCPFC: WCPFC IUU Vessel List for 2020 adopted at the 17th regular session of the Commission, 7-15 December 2020.

⁽¹³⁾ IMO ship identification number: 9179359.

⁽¹⁴⁾ IMO ship identification number: 7637527.

⁽¹⁵⁾ IMO ship identification number: 7645237.

HAS ADOPTED THIS REGULATION:

Article 1

Part B of the Annex to Regulation (EU) No 468/2010 is replaced by the text in the Annex to this Regulation.

Article 2

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

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

Done at Brussels, 8 July 2021.

For the Commission
The President
Ursula VON DER LEYEN

ANNEX

IMO ⁽¹⁾ ship identification number/RFMO Reference	Vessel's name ⁽²⁾	Flag State or Flag Territory ⁽²⁾	Listed in RFMO ⁽²⁾
417000878	ABISHAK PUTHA 3	Unknown	CCSBT, SIOFA
20150046 [ICCAT]/1 [IOTC]	ABUNDANT 1 (previous name according to ICCAT: YI HONG 6; previous name according to CCSBT, IOTC: YI HONG 06)	Unknown	CCSBT, ICCAT, IOTC, NEAFC
20150042 [ICCAT]/2 [IOTC]	ABUNDANT 12 (previous name according to CCSBT, ICCAT, IOTC: YI HONG 106)	Unknown	CCSBT, ICCAT, IOTC, NEAFC
20150044 [ICCAT]/3 [IOTC]	ABUNDANT 3 (previous name according to CCSBT, ICCAT, IOTC: YI HONG 16)	Unknown	CCSBT, ICCAT, IOTC, NEAFC
20170013 [ICCAT]/4[IOTC]	ABUNDANT 6 (previous name according to CCSBT, ICCAT, IOTC: YI HONG 86)	Unknown	CCSBT, ICCAT, IOTC, NEAFC
20150043 [ICCAT]/5 [IOTC]	ABUNDANT 9 (previous name according to CCSBT, ICCAT, IOTC : YI HONG 116)	Unknown	CCSBT, ICCAT, IOTC, NEAFC
20060010 [ICCAT]/6[IOTC]	ACROS No. 2	Unknown (latest known flag: Honduras)	CCSBT, GFCM, ICCAT, IOTC, NEAFC, SIOFA
20060009 [ICCAT]/7[IOTC]	ACROS No. 3	Unknown (latest known flag: Honduras)	CCSBT, GFCM, ICCAT, IOTC, NEAFC, SIOFA
20180003 [ICCAT]/108 [IOTC]/ K22/IS/2019 [CCSBT]	AL WESAM 5 [according to ICCAT, NEAFC, SIOFA], PROGRESO [according to CCSBT, IOTC] (previous names according to CCSBT, IOTC: AL WESAM 5, CHAINAVEE 54; previous name according to ICCAT, NEAFC, SIOFA : CHAINAVEE 54)	Cameroon [according to CCSBT, IOTC], Unknown [according to ICCAT, NEAFC, SIOFA] (latest known flags according to CCSBT, ICCAT, IOTC, SIOFA: Djibouti, Thailand)	CCSBT , ICCAT, IOTC, NEAFC, SIOFA
8[IOTC]	AL'AMIR MUHAMMAD	Egypt	GFCM, IOTC, NEAFC, SIOFA

IMO (¹) ship identification number/RFMO Reference	Vessel's name (²)	Flag State or Flag Territory (²)	Listed in RFMO (²)
7306570/9[IOTC]/20200001[ICCAT]	ALBORAN II (previous name according to GFCM, ICCAT, IOTC, NAFO, NEAFC, SEAFO: WHITE ENTERPRISE)	Unknown [according to GFCM, ICCAT, IOTC, NAFO, NEAFC, SEAFO, SIOFA] (latest known flags according to GFCM, IOTC, NAFO, NEAFC, SEAFO, SIOFA: Panama, Saint Kitts and Nevis; latest known flag according to ICCAT: Panama)	GFCM, ICCAT, IOTC, NEAFC, NAFO, SEAFO, SIOFA
7036345/20190003 [ICCAT]/10[IOTC]	AMORINN (previous names: ICEBERG II, LOME, NOEMI)	Unknown (latest known flags according to CCAMLR, IOTC, SEAFO, SIOFA: Togo, Belize)	CCAMLR, CCSBT, GFCM, ICCAT, IOTC, NEAFC, SEAFO, SIOFA
20150001 [ICCAT]/11[IOTC]	ANEKA 228	Unknown	CCSBT, ICCAT, IOTC, NEAFC, SIOFA
20150002 [ICCAT]/12[IOTC]	ANEKA 228; KM.	Unknown	CCSBT, ICCAT, IOTC, NEAFC, SIOFA
7236634/20190004 [ICCAT]/13[IOTC]	ANTONY (previous names: URGORA, ATLANTIC OJI MARU No. 33, OJI MARU No. 33)	Unknown (latest known flags according to CCAMLR: Indonesia, Belize, Panama, Honduras, Venezuela; latest known flags according to IOTC, NEAFC, SEAFO, SIOFA: Venezuela, Honduras, Panama, Belize, Indonesia)	CCAMLR, CCSBT, ICCAT, IOTC, NEAFC, SEAFO, SIOFA
7322897/20150024 [ICCAT]/14 [IOTC]	ASIAN WARRIOR (previous names according to CCAMLR, CCSBT, GFCM, ICCAT, NEAFC, SEAFO, SIOFA: KUNLUN, TAISHAN, CHANG BAI, HONGSHUI, HUANG HE 22, SIMA QIAN BARU 22, CORVUS, GALAXY, INA MAKA, BLACK MOON, RED MOON, EOLO, THULE, MAGNUS, DORITA; previous name according to IOTC: DORITA)	Saint Vincent and the Grenadines [according to CCAMLR, GFCM, NEAFC, SEAFO, SIOFA], Equatorial Guinea [according to CCSBT, ICCAT, IOTC] (latest known flags according to CCAMLR: Indonesia, Tanzania, North Korea (DPRK), Panama, Sierra Leone, North Korea (DPRK), Equatorial Guinea, Saint Vincent and the Grenadines, Uruguay; latest known flag according to ICCAT: Saint Vincent and the Grenadines; latest known flags according to SEAFO, SIOFA: Indonesia, Tanzania, North Korea (DPRK), Panama, Sierra Leone, Equatorial Guinea, Uruguay)	CCAMLR, CCSBT, GFCM, ICCAT, IOTC, NEAFC, SEAFO, SIOFA
9042001/20150047 [ICCAT]/15 [IOTC]	ATLANTIC WIND (previous names according to CCAMLR, CCSBT, GFCM, ICCAT, NEAFC, SEAFO, SIOFA: ZEMOUR 2, LUAMPA, YONGDING, JIANGFENG, CHENGDU, SHAANXI HENAN 33, XIONG NU BARU 33, DRACO I, LIBERTY, CHILBO SAN 33, HAMMER, SEO YANG No. 88, CARRAN; previous name according to IOTC: CARRAN)	Unknown (latest known flags according to CCAMLR: Tanzania, Equatorial Guinea, Indonesia, Tanzania, Cambodia, Panama, Sierra Leone, North Korea (DPRK), Togo, Republic of Korea, Uruguay; latest known flag according to IOTC: Equatorial Guinea; latest known flags according to SEAFO, SIOFA: Tanzania, Equatorial Guinea, Indonesia, Cambodia, Panama, Sierra Leone, North Korea (DPRK), Togo, Uruguay)	CCAMLR, CCSBT, GFCM, ICCAT, IOTC, NEAFC, SEAFO, SIOFA

IMO ⁽¹⁾ ship identification number/RFMO Reference	Vessel's name ⁽²⁾	Flag State or Flag Territory ⁽²⁾	Listed in RFMO ⁽²⁾
9037537/20190005 [ICCAT]/16[IOTC]	BAROON (previous names according to CCAMLR, CCSBT, ICCAT, NEAFC, SEAFO: LANA, ZEUS, TRITON I; previous names according to IOTC: LANA, ZEUS, TRITON-1)	Tanzania (latest known flags according to CCAMLR, IOTC, NEAFC, SEAFO, SIOFA: Nigeria, Mongolia, Togo, Sierra Leone; latest known flags according to ICCAT: Mongolia, Nigeria, Sierra Leone, Togo)	CCSBT, CCAMLR, GFCM, ICCAT, IOTC, NEAFC, SEAFO, SIOFA
12290 [IATTC]/20110011 [ICCAT]/18[IOTC]	BHASKARA No. 10	Unknown (latest known flag according to CCSBT, GFCM, IATTC, ICCAT, IOTC, NEAFC: Indonesia)	CCSBT, GFCM, IATTC, ICCAT, IOTC, NEAFC, SIOFA
12291 [IATTC]/20110012 [ICCAT]/19[IOTC]	BHASKARA No. 9	Unknown (latest known flag according to CCSBT, GFCM, IATTC, ICCAT, IOTC, NEAFC: Indonesia)	CCSBT, GFCM, IATTC, ICCAT, IOTC, NEAFC, SIOFA
20060001 [ICCAT]/20[IOTC]	BIGEYE	Unknown	CCSBT, GFCM, ICCAT, IOTC, NEAFC, SIOFA
20040005 [ICCAT]/21[IOTC]	BRAVO	Unknown	CCSBT, GFCM, ICCAT, IOTC, NEAFC, SIOFA
9407 [IATTC]/20110013 [ICCAT]/22[IOTC]	CAMELOT	Unknown (latest known flag according to CCSBT, GFCM, IATTC, ICCAT, IOTC, NEAFC: Belize)	CCSBT, GFCM, IATTC, ICCAT, IOTC, NEAFC, SIOFA
6622642/20190006 [ICCAT]/23[IOTC]	CHALLENGE (previous names according to CCAMLR, CCSBT, ICCAT, NEAFC, SEAFO: PERSEVERANCE, MILA; previous names according to IOTC: MILA, ISLA, MONTANA CLARA, PERSEVERANCE)	Unknown (latest known flags according to CCAMLR: Equatorial Guinea, United Kingdom; latest known flags according to IOTC, SEAFO, SIOFA: Panama, Equatorial Guinea, United Kingdom)	CCAMLR, CCSBT, GFCM, ICCAT, IOTC, NEAFC, SEAFO, SIOFA
20150003 [ICCAT]/20 [IOTC]/24[IOTC]	CHI TONG	Unknown	CCSBT, ICCAT, IOTC, NEAFC, SIOFA
7825215/125 [IATTC]/20110014 [ICCAT]/25[IOTC]/280020064[CCSBT/IATTC]	CHIA HAONo. 66 [according to IATTC, IOTC, GFCM, NEAFC, SIOFA], SAGE [according to ICCAT] (previous name according to IOTC: CHI FUW No. 6, previous names according to ICCAT: CHIA HAONo. 66, CHI FUW No.6)	Unknown [according to CCSBT, GFCM, IATTC, IOTC, NEAFC, SIOFA], Gambia [according to ICCAT] (latest known flag according to CCSBT, IATTC, NEAFC: Belize; latest known flag according to IOTC: Equatorial Guinea; latest known flags according to ICCAT: Seychelles, Belize)	CCSBT, GFCM, IATTC, ICCAT, IOTC, NEAFC, SIOFA

IMO ⁽¹⁾ ship identification number/RFMO Reference	Vessel's name ⁽²⁾	Flag State or Flag Territory ⁽²⁾	Listed in RFMO ⁽²⁾
20190001 [ICCAT]/65 [IOTC]/26[IOTC]	CHOTCHAINAVEE 35 (previous name according to SIOFA : CARRAN)	Unknown (latest known flag according to CCSBT, ICCAT, IOTC, SIOFA: Djibouti)	CCSBT, ICCAT, IOTC, NEAFC, SIOFA
7330399/20190002 [ICCAT]/28[IOTC]	COBIJA (previous names according to IOTC, NEAFC, SEAFO: CAPE FLOWER; CAPE WRATH II; previous names according to CCSBT, ICCAT: CAPE FLOWER, CAPE WRATH; previous names according to SIOFA: CAPE WRATH II, Cape Flower)	Illegally Bolivia/Unknown [according to CCSBT], Illegally Bolivia [according to SEAFO], Unknown [according to ICCAT, IOTC, NEAFC, SIOFA] (latest known flags according to CCSBT, IOTC, SEAFO: Bolivia, Sao Tome and Principe, Unknown, South Africa, Canada; latest known flag according to NEAFC, SIOFA: Bolivia; latest known flags according to ICCAT: Bolivia, Sao Tome and Principe)	CCSBT, ICCAT, IOTC, NEAFC, SEAFO, SIOFA
20080001 [ICCAT]/ 29[IOTC]	DANIAA (previous name according to CCSBT, GFCM, ICCAT, IOTC, SIOFA: CARLOS)	Unknown (latest known flag according to CCSBT, GFCM, ICCAT, IOTC: Guinea)	CCSBT, GFCM, ICCAT, IOTC, NEAFC, SIOFA
6163 [IATTC]/ 20130005 [ICCAT]/ 30[IOTC]/7742-PP [CCSBT/IATTC]	DRAGON III	Unknown (latest known flag according to CCSBT, GFCM, IATTC, ICCAT, IOTC, NEAFC: Cambodia)	CCSBT, GFCM, IATTC, ICCAT, IOTC, NEAFC, SIOFA
8604668/20200002 [ICCAT]31[IOTC]	EROS DOS (previous name: FURABOLOS)	Unknown (latest known flags: Panama, Seychelles)	GFCM, ICCAT, IOTC, NAFO, NEAFC, SEAFO, SIOFA
20150004 [ICCAT]/33 [IOTC]	FU HSIANG FA 18	Unknown	CCSBT, ICCAT, IOTC, NEAFC, SIOFA
20150005 [ICCAT]/34 [IOTC]	FU HSIANG FA No. 01	Unknown	CCSBT, ICCAT, IOTC, NEAFC, SIOFA
20150006 [ICCAT]/35 [IOTC]	FU HSIANG FA No. 02	Unknown	CCSBT, ICCAT, IOTC, NEAFC, SIOFA
20150007 [ICCAT]/ 36[IOTC]	FU HSIANG FA No. 06	Unknown	CCSBT, ICCAT, IOTC, NEAFC, SIOFA
20150008 [ICCAT]/37 [IOTC]	FU HSIANG FA No. 08	Unknown	CCSBT, ICCAT, IOTC, NEAFC, SIOFA
20150009 [ICCAT]/38 [IOTC]	FU HSIANG FA No. 09	Unknown	CCSBT, ICCAT, IOTC, NEAFC, SIOFA
20150010 [ICCAT]/ 39[IOTC]	FU HSIANG FA No. 11	Unknown	CCSBT, ICCAT, IOTC, NEAFC, SIOFA

IMO ⁽¹⁾ ship identification number/RFMO Reference	Vessel's name ⁽²⁾	Flag State or Flag Territory ⁽²⁾	Listed in RFMO ⁽²⁾
20150011 [ICCAT]/40[IOTC]	FU HSIANG FA No. 13	Unknown	CCSBT, ICCAT, IOTC, NEAFC, SIOFA
20150012 [ICCAT]/41 [IOTC]	FU HSIANG FA No. 17	Unknown	CCSBT, ICCAT, IOTC, NEAFC, SIOFA
20150013 [ICCAT]/42 [IOTC]	FU HSIANG FA No. 20	Unknown	CCSBT, ICCAT, IOTC, NEAFC, SIOFA
20150014 [ICCAT]/43 [IOTC]	FU HSIANG FA No. 21 [according to CCSBT, ICCAT, IOTC], FU HSIANG FA No. 21a [according to SIOFA]	Unknown	CCSBT, ICCAT, IOTC, SIOFA
20130003 [ICCAT]/32-44 [IOTC]	FU HSIANG FA No. 21 [according to CCSBT, ICCAT, IOTC, NEAFC], FU HSIANG FA [according to GFCM, IOTC, NEAFC, SIOFA], FU HSIANG FA No. 21b [according to SIOFA] ⁽³⁾	Unknown	CCSBT, GFCM, ICCAT, IOTC, NEAFC, SIOFA
20150015 [ICCAT]/45 [IOTC]	FU HSIANG FA No. 23	Unknown	CCSBT, ICCAT, IOTC, NEAFC, SIOFA
20150016 [ICCAT]/46[IOTC]	FU HSIANG FA No. 26	Unknown	CCSBT, ICCAT, IOTC, NEAFC, SIOFA
20150017 [ICCAT]/47[IOTC]	FU HSIANG FA No. 30	Unknown	CCSBT, ICCAT, IOTC, NEAFC, SIOFA
7355662/20130001 [ICCAT]/M-01432 [WCPFC,CCSBT]/48 [IOTC]	FU LIEN No. 1	Unknown [according to CCSBT, GFCM, ICCAT, NEAFC, SIOFA, WCPFC], Georgia [according to IOTC] (latest known flag according to CCSBT, GFCM, NEAFC, WCPFC: Georgia)	CCSBT, GFCM, ICCAT, IOTC, NEAFC, SIOFA, WCPFC
20130004 [ICCAT]/49[IOTC]	FULL RICH	Unknown (latest known flag according to CCSBT, ICCAT, IOTC, SIOFA: Belize)	CCSBT, GFCM, ICCAT, IOTC, NEAFC, SIOFA
20080005 [ICCAT]/50[IOTC]	GALA I (previous names: MANARA II, ROAGAN)	Unknown (latest known flags according to CCSBT, ICCAT: Libya, Isle of Man; latest known flag according to IOTC, NEAFC: Libya)	CCSBT, GFCM, ICCAT, IOTC, NEAFC, SIOFA
6591 [IATTC]/20130006 [ICCAT]/51[IOTC]	GOIDAU RUEY No. 1 (previous name according to CCSBT, IATTC, ICCAT, IOTC, NEAFC: GOIDAU RUEY 1)	Unknown (latest known flag: Panama)	CCSBT, GFCM, IATTC, ICCAT, IOTC, NEAFC, SIOFA
7020126/20190007 [ICCAT]/52[IOTC]	GOOD HOPE (previous name according to CCAMLR, CCSBT, GFCM, NEAFC, SEAFO: TOTO; previous names according to ICCAT, IOTC, SIOFA: TOTO, SEA RANGER V)	Nigeria	CCSBT, CCAMLR, GFCM, ICCAT, IOTC, NEAFC, SEAFO, SIOFA

IMO ⁽¹⁾ ship identification number/RFMO Reference	Vessel's name ⁽²⁾	Flag State or Flag Territory ⁽²⁾	Listed in RFMO ⁽²⁾
6719419 [GFCM/NEAFC, SEAFO, SIOFA]/6714919 [NAFO]/53[IOTC]/ 20200003[ICCAT]	GORILERO (previous name: GRAN SOL)	Unknown (latest known flags: Sierra Leone, Panama)	GFCM, ICCAT, IOTC, NAFO, NEAFC, SEAFO, SIOFA
2009003 [ICCAT]/ 54[IOTC]	GUNUAR MELYAN 21	Unknown	CCSBT, GFCM, ICCAT, IOTC, NEAFC, SIOFA
13 [NPFC]/55[IOTC]	HAI DA 705	Unknown	IOTC, NEAFC NPFC, SIOFA
4000354/20200012 [ICCAT]	HALELUYA	Unknown (latest known flag according to ICCAT: Tanzania)	CCSBT, ICCAT
7322926/20190009 [ICCAT]/57[IOTC]	HEAVY SEA (previous names: DUERO, JULIUS, KETA, SHERPA UNO)	Unknown (latest known flags according to CCAMLR, IOTC, SEAFO, SIOFA: Panama, Saint Kitts and Nevis, Belize)	CCAMLR, CCSBT, GFCM, ICCAT, IOTC, NEAFC, SEAFO, SIOFA
20150018 [ICCAT]/58 [IOTC]	HOOM XIANG 101	Unknown (latest known flag according to CCSBT, ICCAT, IOTC, SIOFA: Malaysia)	CCSBT, ICCAT, IOTC, NEAFC, SIOFA
20150019 [ICCAT]/ 59[IOTC]	HOOM XIANG 103	Unknown (latest known flag according to CCSBT, ICCAT, IOTC, SIOFA: Malaysia)	CCSBT, ICCAT, IOTC, NEAFC, SIOFA
20150020 [ICCAT]/ 60[IOTC]	HOOM XIANG 105	Unknown (latest known flag according to CCSBT, ICCAT, IOTC, SIOFA: Malaysia)	CCSBT, ICCAT, IOTC, NEAFC, SIOFA
20100004 [ICCAT]/61 [IOTC]	HOOM XIANG II [according to CCSBT, IOTC, SIOFA], HOOM XIANG 11 [according to GFCM, ICCAT, NEAFC]	Unknown (latest known flag: Malaysia)	CCSBT, GFCM, ICCAT, IOTC, NEAFC, SIOFA
7332218/62[IOTC]/ 20200004[ICCAT]	IANNIS 1 [according to NEAFC], IANNIS I [according to GFCM, ICCAT, IOTC, NAFO, SEAFO, SIOFA] (previous names according to GFCM, SIOFA: MOANA MAR, CANOS DE MECA)	Unknown (latest known flag: Panama)	GFCM, ICCAT, IOTC, NAFO, NEAFC, SEAFO, SIOFA

IMO ⁽¹⁾ ship identification number/RFMO Reference	Vessel's name ⁽²⁾	Flag State or Flag Territory ⁽²⁾	Listed in RFMO ⁽²⁾
6607666/20190008 [ICCAT]/56[IOTC]	JINZHANG [according to CCAMLR, CCSBT, ICCAT], HAI LUNG [according to GFCM, IOTC, NEAFC, SEAFO, SIOFA] (previous names according to CCAMLR, CCSBT, ICCAT: HAI LUNG, YELE, RAY, KILY, CONSTANT, TROPIC, ISLA GRACIOSA; previous names according to GFCM, IOTC, SEAFO: YELE, RAY, KILY, CONSTANT, TROPIC, ISLA GRACIOSA; previous names according to NEAFC: RAY, KILLY, TROPIC, ISLA GRACIOSA, CONSTANT; previous names according to SIOFA: YELE, RAY, KILY, CONSTANT, TROPIC, ISLA GRACIOSA, CONSTANT) ⁽³⁾	Unknown [according to CCAMLR, GFCM, ICCAT, IOTC, SEAFO, SIOFA], Unknown/Belize [according to NEAFC] (latest known flags according to CCAMLR: Sierra Leone, Belize, Equatorial Guinea, South Africa; latest known flag according to NEAFC: South Africa; latest known flag according to SEAFO: Belize; latest known flags according to IOTC: Belize, Mongolia, Equatorial Guinea, South Africa, Belize)	CCAMLR, CCSBT, GFCM, ICCAT, IOTC, NEAFC, SEAFO, SIOFA
9505 [IATTC]/20130007 [ICCAT]/63[IOTC]	JYI LIH 88	Unknown	CCSBT, GFCM, IATTC, ICCAT, IOTC, NEAFC, SIOFA
20150021 [ICCAT]/64 [IOTC]	KIM SENG DENG 3	Unknown	CCSBT, ICCAT, IOTC, NEAFC, SIOFA
7905443/20190010 [ICCAT]/65[IOTC]	KOOSHA 4 (previous name according to ICCAT, IOTC, SIOFA: EGUZKIA)	Iran	CCAMLR, CCSBT, GFCM, ICCAT, IOTC, NEAFC, SEAFO, SIOFA
20150022 [ICCAT]/66[IOTC]	KUANG HSING 127	Unknown	CCSBT, ICCAT, IOTC, NEAFC, SIOFA
20150023 [ICCAT]/67 [IOTC]	KUANG HSING 196	Unknown	CCSBT, ICCAT, IOTC, NEAFC, SIOFA
7325746/27-68 [IOTC]/20200005 [ICCAT]	LABIKO [according to GFCM, ICCAT, IOTC, NAFO, NEAFC, SIOFA], CLAUDE MOINIER [according to IOTC], MAINE [according to SEAFO] (previous name according to GFCM, NAFO, NEAFC: MAINE;	Unknown [according to GFCM, ICCAT, IOTC, NAFO, NEAFC, SIOFA], Guinea [according to IOTC, SEAFO] (latest known flag according to GFCM, ICCAT, NAFO, NEAFC, SIOFA: Guinea; latest known flags	GFCM, ICCAT, IOTC, NAFO, NEAFC, SEAFO, SIOFA

IMO ⁽¹⁾ ship identification number/RFMO Reference	Vessel's name ⁽²⁾	Flag State or Flag Territory ⁽²⁾	Listed in RFMO ⁽²⁾
	previous name according to IOTC: LABIKO; previous names according to IOTC: MAINE, CLAUDE MONIER, CHEVALIER D'ASSAS; previous names according to SEAFO: CLAUDE MOINIER, LABIKO; previous names according to ICCAT: CLAUDE MOUNIER, MAINE) ⁽³⁾	according to IOTC: Tanzania, Equatorial Guinea, Indonesia, Cambodia, Panama, Sierra Leone, North Korea (DPRK), Togo, Uruguay)	
1 [NPFC]/69[IOTC]	LIAO YUAN YU 071	Unknown	IOTC, NEAFC, NPFC, SIOFA
2 [NPFC]/70[IOTC]	LIAO YUAN YU 072	Unknown	IOTC, NEAFC, NPFC, SIOFA
3 [NPFC]/71[IOTC]	LIAO YUAN YU 9	Unknown	IOTC, NEAFC, NPFC, SIOFA
20060007 [ICCAT]/72[IOTC]	LILA No. 10	Unknown (latest known flag according to CCSBT, GFCM, ICCAT, IOTC, SIOFA: Panama)	CCSBT, GFCM, ICCAT, IOTC, NEAFC, SIOFA
7388267/20190011 [ICCAT]/73[IOTC]	LIMPOPO (previous names according to CCAMLR, CCSBT, NEAFC, SEAFO: ROSS, ALOS, LENA, CAP GEORGE; previous names according to IOTC: ROSS, ALOS, LENA, CAP GEORGE, CONBAROYA, TERCERO, LENA, ALOS, ROSS; previous names according to ICCAT: ROSS, ALOS, LENA, CAP GEORGE, CONBAROYA, TERCERO)	Unknown (latest known flags according to CCAMLR, IOTC, SEAFO, SIOFA: Togo, Ghana, Seychelles, France; latest known flags according to GFCM: Togo, Ghana, Seychelles)	CCAMLR, CCSBT, GFCM, ICCAT, IOTC, NEAFC, SEAFO, SIOFA
28 [NPFC]	LU RONG SHUI 158	Unknown	NEAFC, NPFC, SIOFA
14 [NPFC]/74[IOTC]	LU RONG YU 1189	Unknown	IOTC, NEAFC, NPFC, SIOFA
24 [NPFC]/75[IOTC]	LU RONG YU 612	Unknown	IOTC, NEAFC, NPFC, SIOFA
17 [NPFC]/76[IOTC]	LU RONG YUAN YU 101	Unknown	IOTC, NEAFC, NPFC, SIOFA

IMO ⁽¹⁾ ship identification number/RFMO Reference	Vessel's name ⁽²⁾	Flag State or Flag Territory ⁽²⁾	Listed in RFMO ⁽²⁾
18 [NPFC]/77[IOTC]	LU RONG YUAN YU 102	Unknown	IOTC, NEAFC, NPFC, SIOFA
19 [NPFC]/78[IOTC]	LU RONG YUAN YU 103	Unknown	IOTC, NEAFC, NPFC, SIOFA
20 [NPFC]/79[IOTC]	LU RONG YUAN YU 105	Unknown	IOTC, NEAFC, NPFC, SIOFA
21 [NPFC]/80[IOTC]	LU RONG YUAN YU 106	Unknown	IOTC, NEAFC, NPFC, SIOFA
22 [NPFC]/81[IOTC]	LU RONG YUAN YU 108	Unknown	IOTC, NEAFC, NPFC, SIOFA
23 [NPFC]/82[IOTC]	LU RONG YUAN YU 109	Unknown	IOTC, NEAFC, NPFC, SIOFA
25 [NPFC]/83[IOTC]	LU RONG YUAN YU 787	Unknown	IOTC, NEAFC, NPFC, SIOFA
27 [NPFC]/84[IOTC]	LU RONG YUAN YU 797	Unknown	IOTC, NEAFC, NPFC, SIOFA
26 [NPFC]/85[IOTC]	LU RONG YUAN YU YUN 958	Unknown	IOTC, NEAFC, NPFC, SIOFA
20150025 [ICCAT]/86[IOTC]	MAAN YIH HSING	Unknown	CCSBT, ICCAT, IOTC, NEAFC, SIOFA
20040007 [ICCAT]/87[IOTC]	MADURA 2	Unknown	CCSBT, IOTC, GFCM, ICCAT, NEAFC, SIOFA
20040008 [ICCAT]/88[IOTC]	MADURA 3	Unknown	CCSBT, IOTC, GFCM, ICCAT, NEAFC, SIOFA
20060002 [ICCAT]/89[IOTC]	MARIA	Unknown	CCSBT, IOTC, GFCM, ICCAT, NEAFC, SIOFA
8529533/20200011 [ICCAT]	MARIO 11	Senegal	CCSBT, ICCAT
20180002 [ICCAT]/90 [IOTC]/HSN5721[CCSBT]	MARWAN 1 (previous names according to CCSBT, ICCAT, IOTC, SIOFA: AL WESAM 4, CHAICHANACHOKE 8)	Somalia [according to CCSBT, IOTC, NEAFC, SIOFA]; Unknown [according to ICCAT] (latest known flags according to CCSBT, ICCAT, IOTC, SIOFA: Djibouti, Thailand)	CCSBT, ICCAT, IOTC, NEAFC, SIOFA

IMO ⁽¹⁾ ship identification number/RFMO Reference	Vessel's name ⁽²⁾	Flag State or Flag Territory ⁽²⁾	Listed in RFMO ⁽²⁾
20060005 [ICCAT]/91[IOTC]	MELILLA No. 101 ⁽³⁾	Unknown (latest known flag: Panama)	CCSBT, GFCM, IOTC, ICCAT, NEAFC, SIOFA
20060004 [ICCAT]/92[IOTC]	MELILLA No. 103 ⁽³⁾	Unknown (latest known flag: Panama)	CCSBT, GFCM, ICCAT, IOTC, NEAFC, SIOFA
7385174/93[IOTC]/20200006[ICCAT]	MURTOSA	Unknown (latest known flag according to GFCM, ICCAT, IOTC, NAFO, NEAFC, SEAFO, SIOFA: Togo)	GFCM, ICCAT, IOTC, NAFO, NEAFC, SEAFO, SIOFA
14613 [IATTC]/M-00545, 20110003 [ICCAT]/M-00545 [WCPFC, CCSBT]/95 [IOTC]/C-00545 (IATTC/IOTC)	NEPTUNE	Unknown [according to CCSBT, GFCM, ICCAT, SIOFA, WCPFC], Georgia [according to IATTC, IOTC, NEAFC] (latest known flag according to CCSBT, GFCM, ICCAT, SIOFA, WCPFC: Georgia)	CCSBT, GFCM, IATTC, ICCAT, IOTC, NEAFC, SIOFA, WCPFC
20160001 [ICCAT]/96[IOTC]	NEW BAI I No. 168 (previous name according to SIOFA: TAI YUAN No. 227; previous name according to ICCAT: SAMUDERA)	Unknown [according to CCSBT, GFCM, ICCAT, IOTC, NEAFC], Liberia [according to SIOFA] (latest known flags according to ICCAT: Liberia, Indonesia)	CCSBT, GFCM, ICCAT, IOTC, NEAFC, SIOFA
8808654/50628PEXT[CCSBT]	NIKA	Panama	CCAMLR, CCSBT, SIOFA
20060008 [ICCAT]/98[IOTC]	No. 2 CHOYU	Unknown (latest known flag according to CCSBT, GFCM, ICCAT, IOTC, SIOFA: Honduras)	CCSBT, GFCM, ICCAT, IOTC, NEAFC, SIOFA
20060011 [ICCAT]/99[IOTC]	No. 3 CHOYU	Unknown (latest known flag according to CCSBT, GFCM, ICCAT, IOTC, SIOFA: Honduras)	CCSBT, GFCM, ICCAT, IOTC, NEAFC, SIOFA
8808903/20190012 [ICCAT]/100[IOTC]	NORTHERN WARRIOR (previous names MILLENNIUM, SIP 3)	Angola (last known flags according to CCAMLR, IOTC, SEAFO, SIOFA: Curacao, Netherlands Antilles, South Africa, Belize, Morocco)	CCAMLR, CCSBT, ICCAT, IOTC, NEAFC, SEAFO, SIOFA
20040006 [ICCAT]/101[IOTC]	OCEAN DIAMOND	Unknown	CCSBT, GFCM, ICCAT, IOTC, NEAFC, SIOFA

IMO ⁽¹⁾ ship identification number/RFMO Reference	Vessel's name ⁽²⁾	Flag State or Flag Territory ⁽²⁾	Listed in RFMO ⁽²⁾
7826233/20090001 [ICCAT]/102-139 [IOTC]	OCEAN LION [according to IOTC, GFCM, NEAFC, SIOFA]; XING HAI FEN [according to ICCAT, NEAFC]; XING HAI FENG [according to CCSBT, IOTC, SIOFA]; (previous name according to CCSBT, ICCAT, IOTC, SIOFA: OCEAN LION) ⁽³⁾	Unknown [according to GFCM, IOTC, NEAFC, SIOFA], Panama [according to CCSBT, ICCAT, IOTC, SIOFA] (latest known flag: Equatorial Guinea)	CCSBT, GFCM, ICCAT, IOTC, NEAFC, SIOFA
8665193/20200010 [ICCAT]	OCEAN STAR No. 2 (previous name according to ICCAT: WANG FA)	Unknown (latest known flags according to ICCAT: Vanuatu, Bolivia)	CCSBT, ICCAT
11369 [IATTC]/20130008 [ICCAT]/104[IOTC]	ORCA	Unknown (latest known flag: Belize)	CCSBT, GFCM, IATTC, ICCAT, IOTC, NEAFC, SIOFA
20060012 [ICCAT]/105[IOTC]	ORIENTE No. 7	Unknown (latest known flag according to CCSBT, GFCM, ICCAT, IOTC, SIOFA: Honduras)	CCSBT, GFCM, ICCAT, IOTC, NEAFC, SIOFA
5062479/20190013 [ICCAT]/106[IOTC]	PERLON (previous names according to CCAMLR, CCSBT, ICCAT, NEAFC, SEAFO: CHERNE, BIGARO, HOKING, SARGO, LUGALPESCA; previous names according to IOTC: CHERNE, SARGO, HOKING, BIGARO, UGALPESCAA; previous names according to GFCM, SIOFA: CHERNE, SARGO, HOKING, BIGARO, LUGALPESCA)	Unknown (latest known flags according to CCAMLR, IOTC, SEAFO, SIOFA: Mongolia, Togo, Uruguay; latest known flags according to GFCM: Uruguay, Mongolia, Togo)	CCAMLR, CCSBT, GFCM, ICCAT, IOTC, NEAFC, SEAFO, SIOFA
9319856/20150033 [ICCAT]/107 [IOTC]	PESCACISNE 1/PESCACISNE 2 (previous names according to CCAMLR, CCSBT, GFCM, ICCAT, NEAFC, SEAFO, SIOFA: ZEMOUR 1, KADEI, SONGHUA, YUNNAN, NIHEWAN, HUIQUAN, WUTAISHAN ANHUI 44, YANGZI HUA 44, TROSKY, PALOMA V; previous name according to IOTC: PALOMA V)	Unknown [according to CCAMLR, GFCM, NEAFC, SEAFO, SIOFA], Mauritania [according to ICCAT, IOTC] (latest known flags according to CCAMLR, SEAFO, SIOFA: Mauritania, Equatorial Guinea, Indonesia, Tanzania, Mongolia, Cambodia, Namibia, Uruguay; latest known flag according to ICCAT, IOTC: Equatorial Guinea)	CCAMLR, CCSBT, GFCM, ICCAT, IOTC, NEAFC, SEAFO, SIOFA
95 [IATTC]/20130009 [ICCAT]/109[IOTC]	REYMAR 6	Unknown (latest known flag: Belize)	CCSBT, GFCM, IATTC, ICCAT, IOTC, NEAFC, SIOFA

IMO ⁽¹⁾ ship identification number/RFMO Reference	Vessel's name ⁽²⁾	Flag State or Flag Territory ⁽²⁾	Listed in RFMO ⁽²⁾
20130013 [ICCAT]/110 [IOTC]	SAMUDERA PASIFIK No. 18 (previous names according to CCSBT, GFCM, ICCAT, IOTC: KAWIL No. 03, LADY VI-T-III)	Indonesia	CCSBT, GFCM, ICCAT, IOTC, NEAFC, SIOFA
20150026 [ICCAT]/111 [IOTC]	SAMUDERA PERKASA 11	Unknown	CCSBT, ICCAT, IOTC, NEAFC, SIOFA
20150027 [ICCAT]/41 [IOTC]/112 [IOTC]	SAMUDERA PERKASA 12 [according to ICCAT], SAMUDRA PERKASA 12 [according to CCSBT, IOTC, SIOFA]	Unknown	CCSBT, ICCAT, IOTC, NEAFC, SIOFA
7424891/20190014 [ICCAT]/113 [IOTC]	SEA URCHIN (previous names ALDABRA, OMOA I)	Gambia/Stateless [according to CCAMLR, CCSBT], Gambia [according to GFCM, ICCAT, IOTC, NEAFC, SEAFO, SIOFA] (latest known flags according to CCAMLR, IOTC, SEAFO, SIOFA: Tanzania, Honduras)	CCAMLR, CCSBT, GFCM, ICCAT, IOTC, NEAFC, SEAFO, SIOFA
8692342/20180004 [ICCAT]/114 [IOTC] HSB3852 [IOTC/CCSBT]	SEA VIEW [according to ICCAT, IOTC, NEAFC, SIOFA], SEAVIEW [according to CCSBT] (previous names according to CCSBT, ICCAT, IOTC, SIOFA: AL WESAM 2, CHAINAVEE 55)	Cameroon (latest known flags according to CCSBT, ICCAT, IOTC, SIOFA: Djibouti, Thailand)	CCSBT, ICCAT, IOTC, NEAFC, SIOFA
8692354/20180005 [ICCAT]/115 [IOTC] HSN5282 [IOTC/CCSBT]	SEA WIND (previous names according to CCSBT, ICCAT, IOTC, SIOFA: AL WESAM 1, SUPPHERMNAVEE 21)	Cameroon (latest known flags according to CCSBT, ICCAT, IOTC, SIOFA: Djibouti, Thailand)	CCSBT, ICCAT, IOTC, NEAFC, SIOFA
20080004 [ICCAT]/116 [IOTC]	SHARON 1 (previous names according to GFCM, SIOFA: MANARA I, POSEIDON; previous names according to CCSBT, ICCAT, IOTC: MANARA 1, POSEIDON)	Unknown (latest known flag according to GFCM, IOTC, SIOFA: Libya; latest known flags according to CCSBT, ICCAT: Libya, United Kingdom)	CCSBT, GFCM, ICCAT, IOTC, NEAFC, SIOFA
20170014 [ICCAT]/117 [IOTC]	SHENG JI QUN 3	Unknown	CCSBT, ICCAT, IOTC, NEAFC, SIOFA
20150028 [ICCAT]/118 [IOTC]	SHUEN SIANG	Unknown	CCSBT, ICCAT, IOTC, NEAFC, SIOFA
20170015 [ICCAT]/119 [IOTC]	SHUN LAI (previous name according to CCSBT, ICCAT, IOTC, SIOFA: HSIN JYI WANG No. 6)	Unknown	CCSBT, ICCAT, IOTC, NEAFC, SIOFA

IMO (*) ship identification number/RFMO Reference	Vessel's name (*)	Flag State or Flag Territory (*)	Listed in RFMO (*)
20150029 [ICCAT]/120[IOTC]	SIN SHUN FA 6	Unknown	CCSBT, ICCAT, IOTC, NEAFC, SIOFA
20150030 [ICCAT]/121[IOTC]	SIN SHUN FA 67	Unknown	CCSBT, ICCAT, IOTC, NEAFC, SIOFA
20150031 [ICCAT]/122 [IOTC]	SIN SHUN FA 8	Unknown	CCSBT, ICCAT, IOTC, NEAFC, SIOFA
20150032 [ICCAT]/123 [IOTC]	SIN SHUN FA 9	Unknown	CCSBT, ICCAT, IOTC, NEAFC, SIOFA
20050001 [ICCAT]/124[IOTC]	SOUTHERN STAR 136 (previous name according to CCSBT, GFCM, ICCAT, IOTC, SIOFA: HSIANG CHANG)	Unknown (latest known flag according to CCSBT, GFCM, ICCAT, IOTC, SIOFA: Saint Vincent and the Grenadines)	CCSBT, GFCM, ICCAT, IOTC, NEAFC, SIOFA
20150034 [ICCAT]/125 [IOTC]	SRI FU FA 168	Unknown	CCSBT, ICCAT, IOTC, NEAFC, SIOFA
20150035 [ICCAT]/126 [IOTC]	SRI FU FA 18	Unknown	CCSBT, ICCAT, IOTC, NEAFC, SIOFA
20150036 [ICCAT]/127 [IOTC]	SRI FU FA 188	Unknown	CCSBT, ICCAT, IOTC, NEAFC, SIOFA
20150037 [ICCAT]/128[IOTC]	SRI FU FA 189	Unknown	CCSBT, ICCAT, IOTC, NEAFC, SIOFA
20150038 [ICCAT]/129 [IOTC]	SRI FU FA 286	Unknown	CCSBT, ICCAT, IOTC, NEAFC, SIOFA
20150039 [ICCAT]/130[IOTC]	SRI FU FA 67	Unknown	CCSBT, ICCAT, IOTC, NEAFC, SIOFA
20150040 [ICCAT]/131 [IOTC]	SRI FU FA 888	Unknown	CCSBT, ICCAT, IOTC, NEAFC, SIOFA
8514772/20190015 [ICCAT]/132[IOTC]	STS-50 (previous names according to CCAMLR, CCSBT, ICCAT, NEAFC, SEAFO: AYDA, SEA BREEZE, ANDREY DOLGOV, STD No. 2, SUN TAI No. 2, SHINSEI MARU No. 2; previous names according to IOTC, SIOFA: AYDA, SEA BREEZ 1, ANDREY DOLGOV,	Togo [according to CCAMLR, CCSBT, ICCAT, IOTC, NEAFC, SEAFO, SIOFA], Unknown [according to GFCM] (latest known flags according to CCAMLR, SEAFO: Cambodia, Republic of Korea, Philippines, Japan, Namibia, Japan; latest	CCAMLR, CCSBT, GFCM, ICCAT, IOTC, NEAFC, SEAFO, SIOFA

IMO ⁽¹⁾ ship identification number/RFMO Reference	Vessel's name ⁽²⁾	Flag State or Flag Territory ⁽²⁾	Listed in RFMO ⁽²⁾
	STD No. 2, SUNTAI No.2, SUN TAI No. 2, SHINSEI MARU No. 2; previous names according to GFCM: AYDA, SEA BREEZE, ANDREY DOLGOV, STD No. 2, SUNTAI No. 2, SUN TAI No. 2, SHINSEI MARU No. 2)	known flags according to IOTC: Cambodia, Republic of Korea, Philippines, Japan, Namibia, Togo)	
7816472/103 [IOTC]/20200008 [ICCAT]	SUMMER REFER [according to GFCM, NEAFC, SIOFA], OKAPI MARTA [according to ICCAT, IOTC, NEAFC] ⁽³⁾	Unknown [according to GFCM, NEAFC, SIOFA], Belize [according to ICCAT, IOTC, NEAFC]	GFCM, ICCAT, IOTC, NEAFC, SIOFA
9259070[NEAFC]/9405 [IATTC]/20130010 [ICCAT]/133[IOTC]	TA FU 1	Unknown (latest known flag according to CCSBT, GFCM, IATTC, ICCAT, IOTC, NEAFC: Belize)	CCSBT, GFCM, IATTC, ICCAT, IOTC, NEAFC, SIOFA
13568 [IATTC]/20130011 [ICCAT]/134[IOTC]/490810002[CCSBT/IATTC]	TCHING YE No. 6 (previous name according to GFCM, ICCAT, IOTC, SIOFA: EL DIRIA I)	Unknown (latest known flag according to CCSBT, GFCM, IATTC, IOTC, NEAFC, SIOFA: Belize; latest known flags according to ICCAT: Belize, Costa Rica)	CCSBT, GFCM, IATTC, ICCAT, IOTC, NEAFC, SIOFA
20150041 [ICCAT]/135 [IOTC]	TIAN LUNG No.12	Unknown	CCSBT, ICCAT, IOTC, NEAFC, SIOFA
7321374/136 [IOTC]/20200009 [ICCAT]	TRINITY (previous names according to NAFO: YUCUTAN BASIN, ENXEMBRE, FONTE NOVA, JAWHARA; previous names according to ICCAT, IOTC, NEAFC, SEAFO: ENXEMBRE, YUCUTAN BASIN, FONTENOVA, JAWHARA)	Unknown (latest known flag according to GFCM: Ghana; latest known flags according to NAFO: Ghana, Panama; latest known flags according to IOTC, NEAFC, SEAFO, SIOFA: Ghana, Panama, Morocco; latest known flags according to ICCAT: Turkey, Panama, Morocco)	GFCM, ICCAT, IOTC, NAFO, NEAFC, SEAFO, SIOFA
8994295/129 [IATTC]/20130012 [ICCAT]/137[IOTC]/280110095[CCSBT/IATTC]	WEN TENG No. 688/MAHKOIA ABADI No. 196 [according to GFCM, IATTC, SIOFA], WEN TENG No. 688 [according to CCSBT, ICCAT, IOTC, NEAFC] (previous name according to ICCAT, IOTC: MAHKOIA ABADI No. 196)	Unknown (latest known flag: Belize)	CCSBT, GFCM, IATTC, ICCAT, IOTC, NEAFC, SIOFA
138 [IOTC]	XIN SHI JI 16 (previous name according to IOTC, SIOFA: HSINLONG No. 5)	Fiji	IOTC, NEAFC, SIOFA

IMO ⁽¹⁾ ship identification number/RFMO Reference	Vessel's name ⁽²⁾	Flag State or Flag Territory ⁽²⁾	Listed in RFMO ⁽²⁾
20150045 [ICCAT]/140 [IOTC]	YI HONG 3	Unknown	CCSBT, ICCAT, IOTC, NEAFC, SIOFA
20130002 [ICCAT]	YU FONG 168	Unknown [according to CCSBT, GFCM, ICCAT, NEAFC, SIOFA, WCPFC] (latest known flag according to CCSBT, GFCM, ICCAT, SIOFA, WCPFC: Taiwan)	CCSBT, GFCM, ICCAT, NEAFC, SIOFA, WCPFC
20150048 [ICCAT]/141 [IOTC]	YU FONG 168	Unknown	CCSBT, ICCAT, IOTC
2009002 [ICCAT]/142 [IOTC]	YU MAAN WON	Unknown (latest known flag according to CCSBT, GFCM, ICCAT, IOTC, SIOFA: Georgia)	CCSBT, GFCM, ICCAT, IOTC, NEAFC, SIOFA
412356488[SIOFA]/31 [NPFC]	YUANDA 6	Unknown	NEAFC, NPFC, SIOFA
412365486[SIOFA]/32 [NPFC]	YUANDA 8	Unknown	NEAFC, NPFC, SIOFA
20170016 [ICCAT]/143 [IOTC]	YUTUNA 3 (previous name according to CCSBT, ICCAT, IOTC, SIOFA: HUNG SHENG No. 166)	Unknown	CCSBT, ICCAT, IOTC, NEAFC, SIOFA
20170017 [ICCAT]/144 [IOTC]	YUTUNA No.1	Unknown	CCSBT, ICCAT, IOTC, NEAFC, SIOFA
15 [NPFC]/145 [IOTC]	ZHE LING YU LENG 90055	Unknown	IOTC, NEAFC, NPFC, SIOFA
16 [NPFC]/146 [IOTC]	ZHE LING YU LENG 905	Unknown	IOTC, NEAFC, NPFC, SIOFA
412123526[SIOFA]/33 [NPFC]	ZHEXIANG YU 23029	Unknown	NEAFC, NPFC, SIOFA
7302548/2006003 [ICCAT]/97[IOTC]	ZHIMING [according to CCSBT, ICCAT, NEAFC], No. 101 GLORIA [according to GFCM, IOTC, NEAFC, SIOFA] (previous names according to CCSBT, ICCAT: GOLDEN LAKE, NO. 101 GLORIA; previous name according to GFCM, IOTC, NEAFC, SIOFA : GOLDEN LAKE) ⁽³⁾	Mongolia [according to CCSBT, ICCAT, NEAFC], Unknown [according to GFCM, IOTC, NEAFC, SIOFA] (latest known flag: Panama)	CCSBT, GFCM, ICCAT, IOTC, NEAFC, SIOFA
4 [NPFC]/147[IOTC]	ZHOU YU 651	Unknown	IOTC, NEAFC, NPFC, SIOFA

IMO ⁽¹⁾ ship identification number/RFMO Reference	Vessel's name ⁽²⁾	Flag State or Flag Territory ⁽²⁾	Listed in RFMO ⁽²⁾
5 [NPFC]/148[IOTC]	ZHOU YU 652	Unknown	IOTC, NEAFC, NPFC, SIOFA
6 [NPFC]/149[IOTC]	ZHOU YU 653	Unknown	IOTC, NEAFC, NPFC, SIOFA
7 [NPFC]/150[IOTC]	ZHOU YU 656	Unknown	IOTC, NEAFC, NPFC, SIOFA
8 [NPFC]/151[IOTC]	ZHOU YU 657	Unknown	IOTC, NEAFC, NPFC, SIOFA
9 [NPFC]/152[IOTC]	ZHOU YU 658	Unknown	IOTC, NEAFC, NPFC, SIOFA
10 [NPFC]/153 [IOTC]	ZHOU YU 659	Unknown	IOTC, NEAFC, NPFC, SIOFA
11 [NPFC]/154 [IOTC]	ZHOU YU 660	Unknown	IOTC, NEAFC, NPFC, SIOFA
12 [NPFC]/155 [IOTC]	ZHOU YU 661	Unknown	IOTC, NEAFC, NPFC, SIOFA
29 [NPFC]	ZHOU YU 808/Unknown	Unknown	NEAFC ⁽⁴⁾ , NPFC, SIOFA
30 [NPFC]	ZHOU YU 809/Unknown	Unknown	NEAFC ⁽⁴⁾ , NPFC, SIOFA

⁽¹⁾ International Maritime Organization.

⁽²⁾ For any additional information, consult the websites of the regional fisheries management organisations (RFMOs).

⁽³⁾ This vessel has been listed several times by certain RFMOs; therefore all information have been copied in the same row. For any additional information, consult the websites of the regional fisheries management organisations (RFMOs).

⁽⁴⁾ NEAFC inserted one vessel named 'UNKNOWN' in its IUU vessel list, following cross-listing with NPFC list; however it is impossible to identify to which one they refer to. Therefore, a reference to NEAFC is made for both 'UNKNOWN' vessels.

COMMISSION IMPLEMENTING REGULATION (EU) 2021/1121**of 8 July 2021****specifying the details of the statistical data to be submitted by the Member States as regards controls on products entering the Union market with regard to product safety and compliance****(Text with EEA relevance)**

THE EUROPEAN COMMISSION,

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

Having regard to Regulation (EU) 2019/1020 of the European Parliament and of the Council of 20 June 2019 on market surveillance and compliance of products and amending Directive 2004/42/EC and Regulations (EC) No 765/2008 and (EU) No 305/2011 ⁽¹⁾, and in particular Article 25(9) thereof,

Whereas:

- (1) Article 25(6) of Regulation (EU) 2019/1020 requires Member States to submit to the Commission detailed statistical data covering controls performed by the authorities they designated pursuant to Article 25(1) of that Regulation with respect to products subject to Union law entering the Union market. In particular, Regulation (EU) 2019/1020 requires the statistical data to cover the number of interventions in the field of controls on such products with regard to product safety and compliance.
- (2) It is necessary to specify the details of such statistical data.
- (3) Where an intervention by the authorities designated under Article 25(1) of Regulation (EU) 2019/1020 has resulted in a requirement by market surveillance authorities not to release a product for free circulation pursuant to Article 28(1) and (2) of that Regulation, the statistical data on the number of interventions should be complemented with more detailed information about the product concerned in order to better understand issues and trends in product safety and compliance. The statistical data submitted may also contribute to enhancing risk management.
- (4) While the statistical data submitted to the Commission on interventions in the field of controls should cover all controls on products entering the Union market, it should nonetheless cover only those controls where an intervention by the designated authorities has actually taken place. Therefore, the statistical data should not include data on controls carried out exclusively by electronic data-processing techniques.
- (5) The measures provided for in this Regulation are in accordance with the opinion of the Committee established by Article 43 of Regulation (EU) 2019/1020,

HAS ADOPTED THIS REGULATION:

Article 1

1. The statistical data to be submitted under Article 25(6) of Regulation (EU) 2019/1020 shall include the following details of interventions in the field of controls on products subject to Union law with regard to product safety and compliance:

- (a) the total number of interventions;
- (b) the total number of interventions having resulted in a suspension of release for free circulation pursuant to Article 26(1) of Regulation (EU) 2019/1020;
- (c) for each intervention having resulted either in a requirement by the relevant authorities for specific actions to be completed by the economic operators concerned or in a requirement by a market surveillance authority not to release a product for free circulation pursuant to Article 28(1) and (2) of Regulation (EU) 2019/1020:
 - (i) the date when the customs declaration was accepted by the customs authorities;

⁽¹⁾ OJ L 169, 25.6.2019, p. 1.

- (ii) an indicator of the type of customs declaration in the case of a customs declaration with a reduced dataset pursuant to Articles 143a and 144 of Commission Delegated Regulation (EU) 2015/2446 ⁽²⁾;
- (iii) the country of origin (data element 16 08 000 000) or, if not available, the country of exporter (data sub-element 13 01 018 020);
- (iv) the Harmonized System sub-heading code (data sub-element 18 09 056 000);
- (v) where available, the Combined Nomenclature code (data sub-element 18 09 057 000);
- (vi) the supplementary units (data element 18 02 000 000) or, if not available, the net mass (data element 18 01 000 000);
- (vii) the mode of transport at the border (data element 19 03 000 000);
- (viii) the main category of products concerned;
- (ix) the main Union legislation infringed as established by the market surveillance authorities;
- (x) an indicator of whether the product could be released for free circulation if the economic operators concerned complete specific actions as required by the relevant authorities.

2. The data referred to in paragraph 1 shall include the data on all controls, excluding controls carried out exclusively by electronic data processing techniques.

3. For the purposes of paragraph 1, where a customs declaration covers products falling under two or more items in that customs declaration, the intervention on each of the items shall be considered as a separate intervention.

4. For the purposes of paragraph 1, point (c), points (iii) to (vii), of this Article, the data to be submitted shall be the information available in the customs declaration under the corresponding data element of Annex B to Delegated Regulation (EU) 2015/2446. However, where Member States, in accordance with Articles 2, 143a and 144 of Delegated Regulation (EU) 2015/2446 or any other transitional rules set out in that Regulation, apply different data requirements to the customs declaration, the data to be submitted shall be the equivalent information available in the customs declaration subject to those data requirements.

Article 2

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

It shall apply from 16 July 2021.

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

Done at Brussels, 8 July 2021.

For the Commission
The President
Ursula VON DER LEYEN

⁽²⁾ Commission Delegated Regulation (EU) 2015/2446 of 28 July 2015 supplementing Regulation (EU) No 952/2013 of the European Parliament and of the Council as regards detailed rules concerning certain provisions of the Union Customs Code (OJ L 343, 29.12.2015, p. 1).

COMMISSION IMPLEMENTING REGULATION (EU) 2021/1122**of 8 July 2021****amending Implementing Regulation (EU) 2016/1368 adding the Norwegian Interbank Offered Rate to and removing the London Interbank Offered Rate from the list of critical benchmarks used in financial markets established pursuant to Regulation (EU) 2016/1011 of the European Parliament and of the Council****(Text with EEA relevance)**

THE EUROPEAN COMMISSION,

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

Having regard to Regulation (EU) 2016/1011 of the European Parliament and of the Council of 8 June 2016 on indices used as benchmarks in financial instruments and financial contracts or to measure the performance of investment funds and amending Directives 2008/48/EC and 2014/17/EU and Regulation (EU) No 596/2014 ⁽¹⁾, and in particular Article 20(1) thereof,

Whereas:

- (1) Benchmarks can be recognised as critical in accordance with Article 20(1), point (a), point (b) or point (c) of Regulation (EU) 2016/1011. Article 20(1), point (b) requires that benchmarks, for such benchmarks to be recognised as critical benchmarks, are based on input data submitted by contributors the majority of which are located in one Member State and are recognised as being critical in that Member State. On 11 August 2016, the Commission adopted Commission Implementing Regulation (EU) 2016/1368 ⁽²⁾, which established a list of critical benchmarks.
- (2) Regulation (EU) 2016/1011 is applicable in the European Economic Area (EEA) and was implemented in Norwegian legislation on 6 December 2019.
- (3) On 3 December 2020, the Norwegian competent authority, the Finanstilsynet, notified the European Securities and Markets Authority ('ESMA') of its proposal to recognise the Norwegian Interbank Offered Rate ('NIBOR') as a critical benchmark under Article 20(1), point (b), of Regulation (EU) 2016/1011, because the NIBOR is critical in Norway and is based on submissions of contributors, all of which are located in Norway.
- (4) NIBOR is a reference rate based on an average of the interest rates at which banks operating in the Norwegian money market are willing to lend unsecured funds to each other at different maturities. NIBOR is determined on a daily basis for five different maturities: one week and one, two, three, and six months. As of 3 December 2020, six banks participate in the NIBOR panel, all of which are located in Norway.
- (5) In its assessment submitted to ESMA, the Finanstilsynet concluded that the cessation of NIBOR, or its provision on the basis of input data that are, or of a panel of contributors that is, no longer representative of the underlying market or economic reality, could have a significant adverse impact on the functioning of financial markets in Norway.
- (6) The assessment by the Finanstilsynet illustrates that NIBOR is used as a reference in loans to households and non-financial institutions amounting to approximately EUR 418 billion, which corresponds to 94 % of the total of loans granted in Norway to households and non-financial institutions, and to 136 % of Norway's gross domestic product (GDP). In addition, NIBOR serves as a reference for the coupon payments for around 60 % of the total nominal value of variable rate bonds in Norway, for a total amount of around EUR 130 billion. The Finanstilsynet, based on data from a single central counterparty, also evidenced that NIBOR is used as a reference in over-the-counter (OTC)

⁽¹⁾ OJ L 171, 29.6.2016, p. 1.

⁽²⁾ Commission Implementing Regulation (EU) 2016/1368 of 11 August 2016 establishing a list of critical benchmarks used in financial markets pursuant to Regulation (EU) 2016/1011 of the European Parliament and of the Council (OJ L 217, 12.8.2016, p. 1).

interest rate derivatives for an outstanding notional amount of at least EUR 1988 billion as of October 2020. Finally, Finanstilsynet indicated that NIBOR is currently referenced in investment funds with a total net asset value of EUR 0,3 billion. The total value of financial instruments and financial contracts referencing NIBOR is therefore at least eight times higher than the gross national product of Norway.

- (7) The assessment by the Finanstilsynet concluded that NIBOR is of vital importance for financial stability and market integrity in Norway, and that NIBOR's discontinuity or unreliability could have a significant adverse impact on the functioning of financial markets in Norway and on companies and consumers as it is used in loans, consumer credit products, OTC interest rate derivatives and investment funds.
- (8) On 28 January 2021, ESMA transmitted to the Commission its opinion setting out that the assessment by the Finanstilsynet complies with the requirements of Article 20(3) of Regulation (EU) 2016/1011 and that the Finanstilsynet had provided quantitative data to support the case for the recognition of NIBOR as a critical benchmark, as well as analytical reasoning highlighting the crucial role of NIBOR in the Norwegian economy.
- (9) According to Article 20(1) of Regulation (EU) 2016/1011, the Commission is required to review the list of critical benchmarks at least every two years, and those benchmarks are to be provided by administrators located in the Union. On 31 January 2020, the United Kingdom left the Union. Benchmarks provided by an administrator located in the United Kingdom can therefore no longer qualify as critical benchmarks and should be removed from the list of critical benchmarks in the Annex to Implementing Regulation (EU) 2016/1368. The London Interbank Offered Rate (LIBOR) was qualified as a critical benchmark on 19 December 2017, LIBOR should therefore be removed from the list of critical benchmarks in the Annex to Implementing Regulation (EU) 2016/1368.
- (10) Regulation (EU) 2016/1011 was amended by Regulation (EU) 2019/2175 of the European Parliament and of the Council ⁽⁹⁾, inter alia to appoint ESMA as the competent authority for administrators of critical benchmarks as referred to in Article 20(1), points (a) and (c), of Regulation (EU) 2016/1011 as of 1 January 2022. However, the competence for administrators of critical benchmarks as referred to in Article 20(1), point (b), of Regulation (EU) 2016/1011 will remain with the relevant national competent authority. It is therefore appropriate that the list of critical benchmarks established by the Commission distinguishes between critical benchmarks referred to in Article 20(1), points (a) and (c), of Regulation (EU) 2016/1011 and those referred to in Article 20(1), point (b), of that Regulation.
- (11) Implementing Regulation (EU) 2016/1368 should therefore be amended accordingly.
- (12) In light of the crucial importance of NIBOR, its widespread use and its role in the allocation of capital in Norway, this Regulation should enter into force as a matter of urgency.
- (13) The measures provided for in this Regulation are in accordance with the opinion of the European Securities Committee,

HAS ADOPTED THIS REGULATION:

Article 1

The Annex to Implementing Regulation (EU) 2016/1368 is replaced by the text in the Annex to this Regulation.

⁽⁹⁾ Regulation (EU) 2019/2175 of the European Parliament and of the Council of 18 December 2019 amending Regulation (EU) No 1093/2010 establishing a European Supervisory Authority (European Banking Authority), Regulation (EU) No 1094/2010 establishing a European Supervisory Authority (European Insurance and Occupational Pensions Authority), Regulation (EU) No 1095/2010 establishing a European Supervisory Authority (European Securities and Markets Authority), Regulation (EU) No 600/2014 on markets in financial instruments, Regulation (EU) 2016/1011 on indices used as benchmarks in financial instruments and financial contracts or to measure the performance of investment funds, and Regulation (EU) 2015/847 on information accompanying transfers of funds (OJ L 334, 27.12.2019, p. 1).

Article 2

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

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

Done at Brussels, 8 July 2021.

For the Commission
The President
Ursula VON DER LEYEN

ANNEX

ANNEX

List of critical benchmarks pursuant to Article 20(1), points (a) and (c), of Regulation (EU) 2016/1011

No	Benchmark	Administrator	Location
1	Euro Interbank Offered Rate (EURIBOR®)	European Money Markets Institute (EMMI)	Brussels, Belgium
2	Euro Overnight Index Average (EONIA®)	European Money Markets Institute (EMMI)	Brussels, Belgium

List of critical benchmarks pursuant to Article 20(1), point (b), of Regulation (EU) 2016/1011

No	Benchmark	Administrator	Location
1	Stockholm Interbank Offered Rate (STIBOR)	Swedish Bankers' Association (Svenska Bankföreningen)	Stockholm, Sweden
2	Warsaw Interbank Offered Rate (WIBOR)	GPW Benchmarks S.A.	Warsaw, Poland
5	Norwegian Interbank Offered Rate (NIBOR)	Norske Finansielle Referanser (NoRe)	Oslo, Norway'

COMMISSION IMPLEMENTING REGULATION (EU) 2021/1123**of 8 July 2021****suspending commercial policy measures concerning certain products from the United States of America imposed by Implementing Regulation (EU) 2020/1646 following the adjudication of a trade dispute under the Dispute Settlement Understanding of the World Trade Organization**

THE EUROPEAN COMMISSION,

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

Having regard to Regulation (EU) No 654/2014 of the European Parliament and of the Council of 15 May 2014 concerning the exercise of the Union's rights for the application and enforcement of international trade rules and amending Council Regulation (EC) No 3286/94 laying down Community procedures in the field of common commercial policy in order to ensure the exercise of the Community's rights under international trade rules, in particular those established under the auspices of the World Trade Organization ⁽¹⁾, and in particular paragraph 3 of Article 7 thereof,

Whereas:

- (1) On 7 November 2020, the Commission adopted Implementing Regulation (EU) 2020/1646 ⁽²⁾ on commercial policy measures concerning certain products from the United States of America (the United States) following the adjudication of a trade dispute under the Dispute Settlement Understanding of the World Trade Organization (WTO) that provides for the application of additional customs duties on imports into the Union of a number of products originating in the United States.
- (2) Recital 9 of Implementing Regulation (EU) 2020/1646 provides that the Commission intends to suspend the application of the Regulation in case of suspension by the United States of the countermeasures against imports of certain products from the European Union, in relation to the WTO disputes on large civil aircraft.
- (3) On 9 March 2021, following an understanding reached with the United States to mutually suspend all measures for a period of four months, the Commission adopted Implementing Regulation (EU) 2021/425 ⁽³⁾ suspending commercial policy measures concerning certain products from the United States of America imposed by Implementing Regulation (EU) 2020/1646 following the adjudication of a trade dispute under the Dispute Settlement Understanding of the World Trade Organization which suspended the application of Implementing Regulation (EU) 2020/1646 until 10 July 2021.
- (4) On 15 June 2021, Executive Vice President Valdis Dombrovskis and U.S. Trade Representative Katherine Tai reached an understanding on a cooperative framework for large civil aircraft, whereby 'each side intends to suspend application of its countermeasures for a period of 5 year'.
- (5) In accordance with Article 7(3) of Regulation (EU) No 654/2014, 'where it is necessary to make adjustments to commercial policy measures adopted under the Regulation, subject to Article 4(2) and (3), the Commission may introduce any appropriate amendments in accordance with the examination procedure referred to in Article 8(2)'.

⁽¹⁾ OJ L 189, 27.6.2014, p. 50; amended by Regulation (EU) 2015/1843 (OJ L 272, 16.10.2015, p. 1) and by Regulation (EU) 2021/167 (OJ L 49, 12.2.2021, p. 1).

⁽²⁾ Commission Implementing Regulation (EU) 2020/1646 of 7 November 2020 on commercial policy measures concerning certain products from the United States of America following the adjudication of a trade dispute under the Dispute Settlement Understanding of the World Trade Organization (OJ L 373, 9.11.2020, p. 1).

⁽³⁾ Commission Implementing Regulation (EU) 2021/425 of 9 March 2021 suspending commercial policy measures concerning certain products from the United States of America imposed by Implementing Regulation (EU) 2020/1646 following the adjudication of a trade dispute under the Dispute Settlement Understanding of the World Trade Organization (OJ L 84, 9.3.2021, p. 16).

- (6) The measures provided for in this Regulation are in accordance with the opinion of the Trade Barriers Committee, established by Regulation (EU) 2015/1843 of the European Parliament and of the Council ⁽⁴⁾,

HAS ADOPTED THIS REGULATION:

Article 1

The application of Implementing Regulation (EU) 2020/1646 is hereby suspended for a period of five years from 11 July 2021. Accordingly, without prejudice to any further suspension or modification, including earlier reinstatement, the duties provided for in Implementing Regulation (EU) 2020/1646 shall again apply with effect from and including 11 July 2026.

Article 2

This Regulation shall enter into force on 11 July 2021.

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

Done at Brussels, 8 July 2021.

For the Commission
The President
Ursula VON DER LEYEN

⁽⁴⁾ Regulation (EU) 2015/1843 of the European Parliament and of the Council of 6 October 2015 laying down Union procedures in the field of the common commercial policy in order to ensure the exercise of the Union's rights under international trade rules, in particular those established under the auspices of the World Trade Organization (codification) (OJ L 272, 16.10.2015, p. 1).

DECISIONS

DECISION (EU) 2021/1124 OF THE REPRESENTATIVES OF THE GOVERNMENTS OF THE MEMBER STATES

of 7 July 2021

appointing two Judges and two Advocates-General to the Court of Justice

THE REPRESENTATIVES OF THE GOVERNMENTS OF THE MEMBER STATES OF THE EUROPEAN UNION,

Having regard to the Treaty on European Union, and in particular Article 19 thereof,

Having regard to the Treaty on the Functioning of the European Union, and in particular Articles 253 and 255 thereof,

Whereas:

- (1) The terms of office of 14 Judges and six Advocates-General of the Court of Justice will expire on 6 October 2021.
- (2) Appointments to these posts should therefore be made for the term of office starting on 7 October 2021 and expiring on 6 October 2027.
- (3) It has been proposed that the term of office of Ms Küllike JÜRIMÄE as Judge of the Court of Justice be renewed.
- (4) It has been proposed that the term of office of Mr Manuel CAMPOS SÁNCHEZ-BORDONA as Advocate-General of the Court of Justice be renewed.
- (5) Ms Maria Lourdes ARASTEY SAHÚN has been nominated for a first term of office as Judge of the Court of Justice.
- (6) Ms Tamara CÁPETA has been nominated for the post of Advocate-General of the Court of Justice.
- (7) The panel set up under Article 255 of the Treaty on the Functioning of the European Union has given a favourable opinion on the suitability of those candidates to perform the duties of Judge or Advocate-General of the Court of Justice,

HAVE ADOPTED THIS DECISION:

Article 1

The following are hereby appointed Judges of the Court of Justice for the period from 7 October 2021 to 6 October 2027:

- Ms Küllike JÜRIMÄE,
- Ms Maria Lourdes ARASTEY SAHÚN.

Article 2

The following are hereby appointed Advocates-General of the Court of Justice for the period from 7 October 2021 to 6 October 2027:

- Mr Manuel CAMPOS SÁNCHEZ-BORDONA,
- Ms Tamara CÁPETA.

Article 3

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

Done at Brussels, 7 July 2021.

The President

I. JARC

COMMISSION DECISION (EU) 2021/1125

of 8 July 2021

refusing to include the medicinal product subject to prescription Zinc-D-gluconate in the list of medicinal products that shall not bear the safety features referred to in Article 54, point (o), of Directive 2001/83/EC of the European Parliament and of the Council

(Text with EEA relevance)

THE EUROPEAN COMMISSION,

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

Having regard to Directive 2001/83/EC of the European Parliament and of the Council of 6 November 2001 on the Community code relating to medicinal products for human use ⁽¹⁾, and in particular Article 54a(4) thereof,Having regard to Commission Delegated Regulation (EU) 2016/161 of 2 October 2015 supplementing Directive 2001/83/EC of the European Parliament and of the Council by laying down detailed rules for the safety features appearing on the packaging of medicinal products for human use ⁽²⁾,

Whereas:

- (1) Article 54a(1) of Directive 2001/83/EC provides that medical products subject to prescription are to bear safety features referred to in Article 54, point (o), of that Directive, unless they have been listed in accordance with the procedure pursuant to Article 54a(2), point b, of that Directive. Annex I to Delegated Regulation (EU) 2016/161 sets out a list of medicinal products or product categories subject to prescription that shall not bear the safety features, based on the risk of and the risk arising from falsification relating to medicinal products or categories of medicinal products. The medicinal product subject to prescription Zinc-D-gluconate is not included in that list.
- (2) On 15 February 2019, the German competent authority, in accordance with Article 54a(4) of Directive 2001/83/EC and Article 46(2) of Delegated Regulation (EU) 2016/161, informed the Commission by email that they do not deem the medicinal product subject to prescription Zinc-D-gluconate to be at risk of falsification according to the criteria set out in Article 54a(2), point b, of Directive 2001/83/EC. The German competent authority considered that Zinc-D-gluconate should therefore be exempted from the requirement to bear the safety features referred to in Article 54, point (o), of Directive 2001/83/EC.
- (3) The Commission assessed the risk of and the risk arising from falsification relating to the medicinal product concerned, taking into account the criteria listed in Article 54a(2), point (b), of Directive 2001/83/EC. As the medicinal product is authorised for the treatment of severe conditions such as Wilson's disease and Acrodermatitis enteropathica disorder, the Commission assessed, in particular, the severity of the conditions intended to be treated, referred to in Article 54a(2), point (b), subpoint (iv), of that Directive and found that the risks from falsification were not negligible. Therefore, the criteria were not considered to be met.
- (4) It is, therefore, not appropriate to include the medicinal product Zinc-D-gluconate in Annex I to Delegated Regulation (EU) 2016/161 and it should not be exempted from the requirement to bear the safety features referred to in Article 54, point (o), of Directive 2001/83/EC.
- (5) The measures provided for in this Decision are in accordance with the assessment of the European Commission Expert Group 'Delegated act on safety features for medicinal products for human use',

⁽¹⁾ OJ L 311, 28.11.2001, p. 67.

⁽²⁾ OJ L 32, 9.2.2016, p. 1.

HAS ADOPTED THIS DECISION:

Article 1

The medicinal product subject to prescription Zinc-D-gluconate shall not be included in Annex I to Delegated Regulation (EU) 2016/161 and shall not be exempted from the requirement to bear the safety features referred to in Article 54, point (o), of Directive 2001/83/EC.

Article 2

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

Done at Brussels, 8 July 2021.

For the Commission
The President
Ursula VON DER LEYEN

COMMISSION IMPLEMENTING DECISION (EU) 2021/1126**of 8 July 2021****establishing the equivalence of COVID-19 certificates issued by Switzerland to the certificates issued in accordance with Regulation (EU) 2021/953 of the European Parliament and of the Council****(Text with EEA relevance)**

THE EUROPEAN COMMISSION,

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

Having regard to Regulation (EU) 2021/953 of the European Parliament and of the Council of 14 June 2021 on a framework for the issuance, verification and acceptance of interoperable COVID-19 vaccination, test and recovery certificates (EU Digital COVID Certificate) to facilitate free movement during the COVID-19 pandemic ⁽¹⁾, and in particular Article 3(10) thereof,

Whereas:

- (1) Regulation (EU) 2021/953 lays down a framework for the issuance, verification and acceptance of interoperable COVID-19 vaccination, test and recovery certificates ('EU Digital COVID Certificate') for the purpose of facilitating the holders' exercise of their right to free movement during the COVID-19 pandemic. It is also to contribute to facilitating the gradual lifting of restrictions to free movement put in place by Member States, in accordance with Union law, to limit the spread of SARS-CoV-2, in a coordinated manner.
- (2) Union citizens and Swiss nationals enjoy reciprocal rights of entry and residence based on the Agreement between the European Community and its Member States, of the one part, and the Swiss Confederation, of the other, on the free movement of persons ⁽²⁾ (the 'FMOPA'). While the FMOPA does provide, in Article 5(1) of its Annex I, for the possibility to restrict free movement for public health reasons, it does not contain a mechanism of incorporation of Union acts. Switzerland is thus covered by the empowerment in Article 3(10) of Regulation (EU) 2021/953.
- (3) On 4 June 2021, Switzerland adopted an order on COVID-19 certificates ⁽³⁾ ('the Swiss COVID-19 Certificate Order'), which provides the legal basis for the issuance of COVID-19 vaccination, test and recovery certificates.
- (4) On 23 June 2021, Switzerland informed the Commission that it issues interoperable vaccination certificates only for COVID-19 vaccines authorised in Switzerland. These currently include COVID-19 vaccines Comirnaty, Moderna and Janssen, which correspond to COVID-19 vaccines covered by Article 5(5), first subparagraph, of Regulation (EU) 2021/953. Switzerland further informed the Commission that it issues COVID-19 vaccination certificates after the administration of each dose and clearly indicates whether or not the vaccination course has been completed.

⁽¹⁾ OJ L 211, 15.6.2021, p. 1.

⁽²⁾ OJ L 114, 30.4.2002, p. 6.

⁽³⁾ *Verordnung vom 4. Juni 2021 über Zertifikate zum Nachweis einer Covid-19-Impfung, einer Covid-19-Genesung oder eines Covid-19-Testergebnisses (Covid-19-Verordnung Zertifikate)*, AS 2021 325/ *Ordonnance du 4 juin 2021 sur les certificats attestant la vaccination contre le COVID-19, la guérison du COVID-19 ou la réalisation d'un test de dépistage du COVID-19 (Ordonnance COVID-19 certificats)*, RO 2021 325/*Ordinanza del 4 giugno 2021 concernente i certificati attestanti l'avenuta vaccinazione anti-COVID-19, la guarigione dalla COVID-19 o il risultato di un test COVID-19 (Ordinanza sui certificati COVID-19)*, RU 2021 325.

- (5) Switzerland also informed the Commission that it will issue interoperable test certificates only for nucleic acid amplification tests or for rapid antigen tests listed in the common and updated list of COVID-19 rapid antigen tests agreed by the Health Security Committee, established by Article 17 of Decision No 1082/2013/EU of the European Parliament and of the Council ⁽⁴⁾, on the basis of the Council Recommendation of 21 January 2021 ⁽⁵⁾.
- (6) Furthermore, Switzerland informed the Commission that it issues interoperable certificates of recovery at the earliest 11 days after a positive test, which are valid for up to 180 days.
- (7) Switzerland also informed the Commission that its system for the issuance of COVID-19 certificates in accordance with the Swiss COVID-19 Certificate Order complies with the technical specifications laid down in Commission Implementing Decision (EU) 2021/1073 ⁽⁶⁾.
- (8) On 9 June 2021, the Commission had carried out technical tests that demonstrated that COVID-19 certificates issued by Switzerland in accordance with the Swiss COVID-19 Certificate Order are technically capable of being verified by Member States using the trust framework established on the basis of Regulation (EU) 2021/953.
- (9) On 23 June 2021, Switzerland also provided formal assurances that it will accept certificates issued by the Member States in accordance with Regulation (EU) 2021/953.
- (10) In particular, Switzerland informed the Commission that where it accepts proof of vaccination in order to waive restrictions to free movement put in place, in accordance with the FMOPA, to limit the spread of SARS-CoV-2, it will also accept, under the same conditions, vaccination certificates issued by Member States of the Union in accordance with Regulation (EU) 2021/953 for a COVID-19 vaccine that has been granted a marketing authorisation pursuant to Regulation (EC) No 726/2004 of the European Parliament and of the Council ⁽⁷⁾. Switzerland may also accept, for the same purpose, vaccination certificates issued by Member States in accordance with Regulation (EU) 2021/953 for a COVID-19 vaccine that has been granted a marketing authorisation by the competent authority of a Member State pursuant to Directive 2001/83/EC of the European Parliament and of the Council ⁽⁸⁾, a COVID-19 vaccine the distribution of which has been temporarily authorised pursuant to Article 5(2) of that Directive, or a COVID-19 vaccine that has completed the WHO emergency use listing procedure. Where Switzerland accepts vaccination certificates for such a COVID-19 vaccine, it will also accept, under the same conditions, vaccination certificates issued by Member States in accordance with Regulation (EU) 2021/953 for the same COVID-19 vaccine.
- (11) Switzerland further informed the Commission that where Switzerland requires proof of a test for SARS-CoV-2 infection in order to waive the restrictions to free movement put in place, in accordance with the FMOPA, and taking into account the specific situation of cross-border communities, to limit the spread of SARS-CoV-2, it will also accept, under the same conditions, test certificates indicating a negative result issued by Member States in accordance with Regulation (EU) 2021/953.
- (12) Switzerland also informed the Commission that where Switzerland accepts proof of recovery from SARS-CoV-2 infection in order to waive restrictions to free movement put in place, in accordance with the FMOPA, to limit the spread of SARS-CoV-2, it will accept, under the same conditions, certificates of recovery issued by Member States in accordance with Regulation (EU) 2021/953.

⁽⁴⁾ Decision No 1082/2013/EU of the European Parliament and of the Council of 22 October 2013 on serious cross-border threats to health and repealing Decision No 2119/98/EC (OJ L 293, 5.11.2013, p. 1).

⁽⁵⁾ Council Recommendation of 21 January 2021 on a common framework for the use and validation of rapid antigen tests and the mutual recognition of COVID-19 test results in the EU (OJ C 24, 22.1.2021, p. 1).

⁽⁶⁾ Commission Implementing Decision (EU) 2021/1073 of 28 June 2021 laying down technical specifications and rules for the implementation of the trust framework for the EU Digital COVID Certificate established by Regulation (EU) 2021/953 of the European Parliament and of the Council (OJ L 230, 30.6.2021, p. 32).

⁽⁷⁾ Regulation (EC) No 726/2004 of the European Parliament and of the Council of 31 March 2004 laying down Union procedures for the authorisation and supervision of medicinal products for human and veterinary use and establishing a European Medicines Agency (OJ L 136, 30.4.2004, p. 1).

⁽⁸⁾ Directive 2001/83/EC of the European Parliament and of the Council of 6 November 2001 on the Community code relating to medicinal products for human use (OJ L 311, 28.11.2001, p. 67).

- (13) At the same time, on 9 June 2021, a technical test had demonstrated that EU Digital COVID Certificates issued by Member States are technically capable of being verified by Switzerland using the trust framework established on the basis of Regulation (EU) 2021/953.
- (14) The necessary elements for establishing that COVID-19 certificates issued by Switzerland in accordance with the Swiss COVID-19 Certificate Order are to be treated as equivalent to those issued in accordance with Regulation (EU) 2021/953 are thus present.
- (15) Therefore, COVID-19 certificates issued by Switzerland in accordance with the Swiss COVID-19 Certificate Order should be accepted under the conditions referred to in Article 5(5), Article 6(5) and Article 7(8) of Regulation (EU) 2021/953. Accordingly, where Member States accept proof of vaccination, of recovery from SARS-CoV-2 infection or of a test for SARS-CoV-2 infection in order to waive restrictions to free movement put in place to limit the spread of SARS-CoV-2, they are also to accept, under the same conditions, vaccination certificates for a COVID-19 vaccine having been granted marketing authorisation pursuant to Regulation (EC) No 726/2004, certificates of recovery, or test certificates indicating a negative result, issued by Switzerland in accordance with the Swiss COVID-19 Certificate Order. Member States could also accept, for the same purpose, vaccination certificates issued by Switzerland in accordance with the Swiss COVID-19 Certificate Order for a COVID-19 vaccine having been granted marketing authorisation by the competent Swiss authority but not having been granted marketing authorisation pursuant to Regulation (EC) No 726/2004.
- (16) In order to protect the Union's interests, in particular in the area of public health, the Commission may use its powers to suspend or terminate this Decision if the conditions of Article 3(10) of Regulation (EU) 2021/953 are no longer met.
- (17) In order for this Decision to be operational, Switzerland should be connected to the EU Digital COVID Certificate trust framework established by Regulation (EU) 2021/953.
- (18) In the light of the need to connect Switzerland to the EU Digital COVID Certificate trust framework established by Regulation (EU) 2021/953 as rapidly as possible, this Decision should enter into force on the day of its publication in the *Official Journal of the European Union*.
- (19) The measures provided for in this Decision are in accordance with the opinion of the Committee established by Article 14 of Regulation (EU) 2021/953,

HAS ADOPTED THIS DECISION:

Article 1

COVID-19 vaccination, test and recovery certificates issued by Switzerland in accordance with the Swiss COVID-19 Certificate Order shall be treated as equivalent to those issued in accordance with Regulation (EU) 2021/953.

Article 2

Switzerland shall be connected to the EU Digital COVID Certificate trust framework established by Regulation (EU) 2021/953.

Article 3

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

Done at Brussels, 8 July 2021.

For the Commission
The President
Ursula VON DER LEYEN

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