



**GENERAL FISHERIES COMMISSION FOR  
THE MEDITERRANEAN**  
**COMMISSION GÉNÉRALE DES PÊCHES  
POUR LA MÉDITERRANÉE**



# **REPORT OF THE THIRTY-FIFTH SESSION**

**FAO Headquarters, Rome (Italy), 9-14 May 2011**

*(version before final editing)*

## **OPENING OF THE SESSION**

1. The General Fisheries Commission for the Mediterranean (GFCM) held its thirty-fifth session as well as the second session of the Committee on Administration and Finance (CAF) and the fifth session of the Compliance Committee (CoC) at the FAO Headquarters in Rome, Italy, from 9 to 14 May 2011. It was attended by delegates from 22 Members of the Commission, as well as observers from non GFCM Member Nations, the Russian Federation and Ukraine, as well as from intergovernmental organizations and non-governmental organizations: the Agreement on the Conservation of Cetaceans of the Black Sea, Mediterranean Sea and Contiguous Atlantic Area (ACCOBAMS), the International Confederation of Sport Fishing (CIPS), the International Commission for the Conservation of Atlantic Tunas (ICCAT), OCEANA, the Mediterranean Regional Advisory Council (RAC-MED), the Mediterranean Action Plan for the United Nations Environment Programme Regional Activity Centre for Specially Protected Areas (UNEP-MAP RAC/SPA). The list of delegates and observers is provided in Appendix A to this report.

2. The session was called to order by Mr Mohamed HadjAli Salem, Chairperson of the Commission, who welcomed the participants.

3. The Chairperson referred to the Statement of Competence and Voting Rights by the European Union (EU) and its Member States as provided in document GFCM:XXXV/2011/Inf.7.

4. Mr Jean François Pulvenis de Séligny, Director, FAO Fisheries and Aquaculture Policy and Economics Division, welcomed the participants on behalf of Mr Jacques Diouf, Director-General of FAO, and Mr Árni M. Mathiesen, Assistant Director-General, FAO Fisheries and Aquaculture Department. He stated that the good level of attendance at this session was a strong indicator for the recognition of the importance which GFCM Members and Partners gave to the work and role of the Commission. He then referred to the next important step in the history of the Commission, namely the relocation of the Secretariat to the new GFCM Headquarters at the Palazzo Blumensthal, and expressed on behalf of FAO gratitude to the Italian authorities for having made this historic building available. Mr Pulvenis continued by referring to the substantial work that had been undertaken by the

GFCM Scientific Advisory Committee and Committee on Aquaculture in the intersessional period. He also noted that several important matters would be addressed during this session and referred in particular to the elections of the bureau and of the future Executive Secretary as well as the GFCM Performance Review. He concluded by underlining the importance of the specific proposals, suggestions and advice, related to fisheries and aquaculture management as well as governance in the Mediterranean and the Black Sea that were submitted to the Commission for consideration during this session and by wishing the meeting every success.

5. Ms Monique Pariat, the EU delegate, made a statement in which she recalled that the work and achievements of the GFCM scientific and technical committees with regards to fisheries and aquaculture management are essential. She added that elaborating a common vision to address the problems and challenges faced by the Commission in the Mediterranean and the Black Sea has become more than urgent. She further stressed that, as in the past, the EU is proposing draft recommendations that will help the Commission in enriching its objectives. Considering also the need for improving the functioning of GFCM, including the establishment of clear and appropriate mechanisms for decision-making, she invited the Commission to consider the discussion on this issue as a matter of priority. The EU delegate, while acknowledging the establishment of an *ad hoc* Working Group dealing expressively with issues related to the Black Sea, called the GFCM for a more active and ambitious role in this region. Finally, she pointed out that GFCM is the appropriate framework to take binding decisions in the field of conservation of living marine resources and that, to this end, a spirit of cooperation and openness should be promoted. She then wished that the thirty-fifth session be the real opportunity to launch a thorough GFCM rebuilding.

## **ADOPTION OF THE AGENDA AND ARRANGEMENTS FOR THE SESSION**

6. The Agenda was adopted by the Commission with some changes and is attached as Appendix B.

7. The documents which were before the Commission are listed in Appendix C. The GFCM Secretariat ensured the task of Rapporteur.

## **REPORT ON THE 2010 INTERSESSIONAL ACTIVITIES**

### **Activities of the Scientific Advisory Committee (SAC)**

8. Mr Henri Farrugio, Chairperson of the Scientific Advisory Committee (SAC) presented the activities of the Committee and its subsidiary bodies on the basis of document GFCM:XXXV/2011/2. He referred to the 18 meetings held during the intersessional period, including the thirteenth session of SAC, attended by 21 Members and 9 Partners, and the two meetings of the Coordinating Meeting of the Sub-Committees (CMSC). He summarized the main results of the work undertaken by the SAC technical meetings as follows:

- The Transversal Workshop on red coral discussed the current status of populations of this species and levels of their exploitation and drew up a list of proposals related to management measures and scientific monitoring programmes.
- The Expert Meeting on the status of elasmobranchs in the Mediterranean and the Black Sea reviewed the available information on these species, discussed stock assessment methods and agreed upon recommendations dealing mainly with by-catch mitigation, conservation and management strategies and data collection.
- The Transversal Workshop on European Eel reviewed the available information on the biology of this species and the current management schemes in place and proposed options for the establishment of a regional management plan for the species.

- The Transversal Workshop on Fishing Capacity addressed the current status of the monitoring of fishing capacity in the GFCM Area and future development trends. The workshop produced a draft outline for a Regional Plan of Action for the Management of Fishing Capacity in the GFCM Competence Area.
- The Workshop on data collection methods in relation to the Task 1 framework assessed the current situation of the data collection and data submission processes and discussed issues related to data collection methods and practices, data quality, data compilation and data submission protocols.
- The Workshop on algal and jelly fish blooms reviewed the knowledge on this phenomenon in the Mediterranean and Black Sea, including induced human health-related problems and effects on fisheries. The workshop drew up recommendations for management measures and further research.
- The Workshop on monitoring recreational fisheries analyzed the status of this sector in the GFCM Competence Area, together with the associated socio-economic aspects. It proposed definitions for various recreational fisheries sub-sectors and identified key elements for a harmonized monitoring and data collection framework.
- The Transversal Workshop on selectivity focused on the effect of the trawl 40 mm square mesh and 50 mm diamond mesh in reducing by-catches and discards and in improving selectivity, as well as the associated socio-economic impact. The workshop proposed a number of management measures, research activities and other initiatives.
- The Workshop on alien species discussed the impact of these species on fisheries throughout the Mediterranean, especially in the Eastern Mediterranean where alien species are significantly changing the biodiversity.
- The Sub-Committee on Statistics and Information (SCSI) mainly reviewed aspects related to data collection and submission issues within the framework of Task 1, data

confidentiality and data access policies, the implementation of the GSA compatible STATLANT 37A reporting scheme, as well as catch weight thresholds in logbook reporting.

- The Sub-Committee on Economics and Social Sciences (SCESS) discussed issues related to the monitoring and management of recreational fisheries and reviewed the results of case studies related to the economic impacts of the implementation of the 40 mm square mesh codend.
  
- The Sub-Committee on the Marine Environment and Ecosystems (SCMEE) reviewed the outcomes of all five of its technical workshops held during the intersessional period, analyzed the proposal for a new Fisheries Restricted Area, dealt with the Ecosystem Approach to Fisheries (EAF) and addressed the protection of sensitive habitats for the sustainability of coastal pelagic resources.
  
- The Sub-Committee on Stock Assessment (SCSA) reviewed the outcomes of its Working Groups on stock assessment of demersal and small pelagic species. It validated a total of 34 assessments and discussed the use of reference points in the assessment of demersal and pelagic species.

9. The Chairperson of SAC also reported on the work of the Coordinating Meeting of the Sub-Committees (CMSC) which reviewed the main conclusions and recommendations drawn up by the Sub-Committees and provided consolidated advice to the Scientific Advisory Committee. He also informed the Commission that the CMSC discussed and agreed upon a strategy for the implementation of the preliminary 2011 workplan and addressed aspects related to the functioning of the SAC Sub-Committees and Working Groups.

10. The Commission thanked Mr Farrugio for his presentation and commended the extensive work carried out by SAC, its Sub-Committees and its subsidiary bodies, along with the support and work undertaken by the Secretariat.

11. On the occurrence of alien species in the Eastern Mediterranean, the Egyptian delegation suggested that an investigation should be carried out also on the positive impacts, apart from the negative impacts, which alien species may have on fisheries in this area. In this regard, the Commission agreed that it would welcome any information on this aspect which may be obtained by the SAC during the next intersessional period.

### **Activities of the Committee on Aquaculture (CAQ)**

12. Mr Spyros Klaoudatos, Chairperson of the Committee on Aquaculture (CAQ), reported on the activities of the Committee and of its subsidiary bodies on the basis of document GFCM:XXXV/2011/7 and GFCM:XXXV/2011/Inf.6 and summarized the main achievements of the working groups and projects as follows:

- WGMA – The meeting on “Marketing data scheme and data collection for sustainable aquaculture” remarked the role of Producer Organizations (PO) in the data collection process, and prepared a market data and information scheme to be incorporated into the SIPAM Information System. It proposed the preparation of two new projects: one dealing with promotion of responsible aquaculture practices, the other focusing on an assessment of PO in aquaculture.
- WGSC-SHoCMed – The Workshop on Allocated Zones for Aquaculture (AZA) highlighted the importance of the implementation of AZA for aquaculture development and made a first review on AZA within the Mediterranean was made. Preliminary indications on AZA, including on their definition, were provided.
- WGSC-SHoCMed – The meeting on Environmental Quality Standards (EQS) for marine fish farms reviewed the Mediterranean EQS applied to the monitoring aquaculture.. The WGSC highlighted the scarce availability of EQS within the countries.
- WGSA-InDAM – The expert meeting on the “Definition of a regional minimum set of indicators for sustainable aquaculture” selected the minimum set of indicators to be considered for the whole Mediterranean and discussed on the follow up of the pilot

actions carried out during the first phase. The second step for the pilot actions in selected areas was defined to assess the performance of the proposed indicators.

- The twelfth session of the Information System for the Promotion of Aquaculture in the Mediterranean (SIPAM) reviewed the intersessional activities, the improvement of the newly established sections on “Marketing”, “Site selection and carrying capacity” “Indicators for sustainable aquaculture” and related databases; the first release of the newly established e-mail alert to inform the SIPAM National Coordinators.
- The project LaMed-2 “Mediterranean Coastal Lagoons Management: Interactions between Aquaculture and Capture Fisheries” started in September 2010. A standardized format (template) for the preparation of national reports on Mediterranean coastal lagoons was defined and a literature review on environmental parameters (biotic and abiotic) for the monitoring of the finfish marine aquaculture carried out in lagoons in selected GFCM countries.

13. The Commission took note of the election of the new CAQ bureau and of the proposal for a new structure of the CAQ subsidiary bodies on the basis of the document GFCM:XXXV/2011/Inf.14. It decided that the proposal made should be taken into consideration together with the suggestions made by the GFCM Performance Review.

14. The Commission thanked Mr Klaoudatos for the presentation and congratulated the CAQ as well as the Secretariat for the work carried out during the intersessional period. It expressed its satisfaction for the work done and considered that many of the achievements and outputs of the CAQ are important for their Members, in particular for the aspects related to the Allocated Zones for Aquaculture (AZA), species diversification and the marketing of aquaculture products.

### **Activities of the FAO Regional Projects**

15. The report on the activities of the FAO Regional Projects was introduced by Mr Barros, Fisheries Resources Officer, FAO, and presented by the Coordinators of the ongoing FAO Regional Projects AdriaMed, MedSudMed, CopeMed II/ArtFiMed and EastMed, on the

basis of document GFCM:XXXV/2011/Inf.9. All presentations underlined the decision-making process of the projects, centered on the Coordination Committee of each project, where the country representatives are the main drivers. The approach of having all projects work as an FAO integrated team, allowing the transfer of the successes achieved by each project for the benefit of all countries in the GFCM Competence Area, and pooling resources was underlined.

16. The representatives from the supported countries manifested the importance of the projects for the development of national capacity, and made special mention to the strong improvement already observed. The interventions underlined especially the role of the coordinated FAO Regional Projects in reinforcing and facilitating cooperation and in addressing the correction of the imbalances in the capacity among the countries. The delegates of Morocco, Tunisia, Algeria, Croatia, Montenegro, Albania, Lebanon, Egypt and Cyprus particularly thanked the projects for the support provided to their countries. The delegates from Morocco, Tunisia and Algeria strongly manifested their interest in ensuring the continuation of CopeMed II, incorporating the activities on small-scale fisheries, as an essential element of fisheries in the western Mediterranean region.

17. The EU delegate congratulated the FAO Regional Projects underlining their importance as a support also for the work and objectives of the GFCM. He informed the Commission about the ongoing reflection on the way forward including, in particular, how to ensure that projects achievements are capitalized on a permanent basis in participating countries. He also reiterated the EU willingness to continue supporting the projects' activities.

18. Several delegations, noting the successes achieved by the FAO Regional Projects in promoting cooperation in the field of fisheries management and research, mentioned their interest on the development of a similar project covering aquaculture activities in the GFCM Competence Area.

## **SECOND SESSION OF THE COMMITTEE ON ADMINISTRATION AND FINANCE**

19. The CAF Chairperson, Mr Mohamed Fathy Osman, opened the second session of the Committee and gave the floor to the Executive Secretary who made a presentation on administrative and financial issues such as the outcome of the Performance Review, the new GFCM Headquarters, the staff and the need for its enhancement. It touched on the collaboration with partners and establishment of new linkages. The presentation also addressed the GFCM financial situation in relation with the contributions and expenditures. Finally, the Executive Secretary presented an outline on the extra budgetary projects status.

20. Several delegates expressed concern about the financial repercussions that the recruitment of the new staff within GFCM Secretariat would entail, bearing in mind the difficult period affecting the Mediterranean region. At the same time the need to enhance the existing human resources in the Secretariat was recognized.

21. The Executive Secretary raised the issue of the outstanding amount of 18,000 US Dollars to be set with the FAO Financial Division and also informed the Commission about the request received from the same Division for increasing FAO servicing costs to GFCM future projects. The decision of the Commission on these two issues was sought.

22. The delegate from Monaco expressed his concern about the increase of the contributions foreseen for 2011 and requested to amend GFCM financial rules with the aim to review the scale of calculation of contributions. The FAO legal officer pointed out that the request was put forward timely, but any decision on this issue should take into consideration the implications for all the Members.

### **GFCM PERFORMANCE REVIEW**

23. Ms Judith Swan, Coordinator of the Performance Review, presented the report of the Review Panel on the basis of document GFCM:XXXV/2011/Inf.8. She provided summary analyses and recommendations in relation to the Basic Texts and the criteria upon which the Review was based: conservation and management; aquaculture; compliance and

enforcement; decision-making and dispute settlement; international cooperation; and financial and administrative issues.

24. In discussion, many delegations thanked the Review Panel for its considerable efforts. The EU delegate referred to the comprehensive, clear and honest nature of the report and proposed that an intersessional Task Force be established to review and prioritize the recommendations for consideration at the next GFCM Annual Session.

25. Several delegations underlined the need for a legal review and updating of the Commission's Agreement. They addressed the need for including reference to Cooperating non-contracting Parties in efforts to improve fisheries management in the GFCM Competence Area including the Black Sea, the importance of data collection and provision by all Members and the difficulties arising with non-compliance with relevant GFCM decisions.

26. With regards to the FAO Regional Projects, the Commission noted that the work of these projects should be essentially aimed at supporting GFCM activities in addition to the assistance provided to the concerned countries. It also stressed that analysis of some topics in the report, including conservation and management measures, capacity and compatibility, had to be more developed.

27. The ICCAT representative stated that strengthened cooperation in scientific activities in relation to tuna resources would be welcome.

28. Following the above discussion, the Commission agreed to establish the proposed Task Force according to the terms of reference provided in Appendix P.

## **ELECTION OF GFCM EXECUTIVE SECRETARY**

29. The Commission considered documents GFCM/XXXV/2011/Inf.3 "Agreement for the establishment of the General Fisheries Commission for the Mediterranean, Rules of procedure and financial regulation and Selection of the Executive Secretary" and Appendix H/Annex 1 of the Report of the thirty-fourth session of the GFCM "Procedure for the selection and appointment of the Executive Secretary".

30. The Commission noted that the Executive Secretary was to be selected under the terms of Article XI, paragraph 1 of the GFCM Agreement, as amended following the entry into force of the set of amendments approved by the FAO Council at its hundred and thirteenth session, Rome, 4-6 November 1997. These amendments had come into force on 29 April 2004 with respect to each Member having accepted them. The Commission noted also that, at its thirty-fourth session, it had approved a procedure for the selection of the Executive Secretary. The Commission further noted that the implementation of this procedure had led to the short-listing of five candidates. The Commission conducted the interview process of four of the five the short-listed candidates as one of them withdrew his application.

31. The Commission then proceeded to implement the provisions of paragraph 6 of the procedure set out in Appendix H/Annex 1 of the report of the thirty-fourth session, as follows:

*“At the end of the interview process, a first round of voting shall be held and the two candidates receiving the least number of votes shall be eliminated from the selection process. A second round of voting shall then be held between the remaining three candidates and the candidate receiving the least number of votes shall be eliminated. Should two of the candidates have an equal number of points, a separate vote shall be held between them to eliminate one candidate. A vote shall then take place between the final two candidates and he or she receiving the most votes shall be selected. Notwithstanding the above paragraphs, if one of the candidates obtains the required majority, he is selected without the need for further ballots. The required majority is more than half of the votes cast”.*

32. After the interviews, the Commission, following FAO rules, held a first secret ballot, at which twenty Members participated. The outcome of this ballot resulted in the election, by a large majority, of Mr Abdellah Srour (Morocco). Consequently, the Commission requested the Chairman of the GFCM to propose to the Director-General of FAO that Mr Abdellah Srour be appointed as Executive Secretary of the Commission as of 1<sup>st</sup> June 2011, for a mandate of five years, renewable once for the same period.

**FIFTH SESSION OF THE COMPLIANCE COMMITTEE (COC)**

33. The Compliance Committee addressed the status of implementation of GFCM decisions by Members, the status of data and information submissions by Members and management of GFCM databases by the Secretariat, identification of the non-compliance with GFCM decisions in reference to Recommendation GFCM/34/2010/3 and the follow up on the Compendium of GFCM decisions.

34. The Compliance Committee acknowledged the letter received from Lebanon concerning the Recommendations GFCM/34/2010/1 and GFCM/34/2010/2, and took note of the reservation expressed by its delegate.

35. The Committee also noted the request inviting the GFCM Executive Secretary to coordinate efforts, including with the FAO Regional Projects, to assist Lebanon in capacity building in the short term and thus enable its compliance and enforcement of GFCM Recommendations.

36. The Committee noted the need to optimize the effort of Members in submitting various data on their fleet and agreed to adopt a single-fleet data submission that would combine four of the fishing vessel-related data submissions. In this respect, it reviewed and endorsed a proposal prepared by the Secretariat for a combined data transmission protocol without amendment to existing relevant Recommendations.

37. The Committee addressed the data access rules and confidentiality for the Task 1 database and agreed on procedures in this regard. It suggested that Resolution GFCM/31/2006/1 on data confidentiality could be amended to take such procedures into account.

38. Identification of non-compliance with GFCM decisions was deferred until the sixth session of CoC, in order to allow the Contracting Parties to improve compliance and seek assistance through cooperation projects. The importance of implementing GFCM Recommendations in national law was addressed, noting the challenges of a difficult and long

legal process and the fact that non-implementation did not necessarily result in non-compliance.

39. The updated Compendium of GFCM decisions, together with the related CD ROM, were considered useful in implementing GFCM Recommendations.

## **MANAGEMENT OF MEDITERRANEAN FISHERIES AND AQUACULTURE**

### **Advice from the Scientific Advisory Committee (SAC)**

40. Mr Henri Farrugio, Chairperson of the SAC, presented the main conclusions and advice emanating from the SAC on the basis of documents GFCM:XXXV/2011/4 and GFCM:XXXV/2011/Inf.5.

41. He noted that, according to the SCSA, most of the stocks (91%) of demersals and (18%) of small pelagic that have been assessed were considered to be fully exploited or overexploited and catches are mostly based on juveniles.

42. Concerning the proposals of the Sub-Committee on Marine Environment and Ecosystems (SCMEE), he recalled management proposals set up by SAC on red coral, European Eel as well as on the reduction and reporting of by-catch on elasmobranchs, sea turtles, monk seals and seabirds. The recommendation to continue with the algal and jellyfish research studies was also highlighted.

43. The Chairman of SAC also noted that the Resolution GFCM/33/2009/1 to reduce general fishing effort to protect demersal stocks in the Mediterranean should be converted into a binding Recommendation under Article V of the GFCM Agreement.

44. The Chairperson of the SAC also presented four selected decisions from the International Commission for the Conservation of Atlantic Tunas (ICCAT) (Document GFCM:XXXV/2011/10) and invited the Commission to consider them for possible

endorsement. He suggested as mentioned in previous sessions to try to not adopt those measures without prior scientific review within the Committee.

45. Ms Marie-Christine Grillo Compulsione, the Executive Secretary of ACCOBAMS, reminded that the working group on by-catch organized jointly with the GFCM in 2008 had already recommended that the data on incidental catches of cetaceans be collected on a regular basis. She also underlined the importance to include a training component for the fishing crews in using the circular hooks and proposed to include cetaceans among the group of species for which by-catch is requested to be reported. She furthermore expressed the willingness of the Organization to continue the collaboration with the GFCM, especially for the organization of the next meeting on by-catch.

#### **Advice from the Committee of Aquaculture (CAQ)**

46. The main conclusions and recommendations on Mediterranean aquaculture management, as reported in document GFCM/XXXV/2011/7, focused on the following:

- The need for implementation of specific regulations for aquaculture and the simplification of licensing procedures including the creation of “single windows or one-step-shop”;
- The implementation of Allocated Zones for Aquaculture (AZA) for the development and management of aquaculture activities should be considered as priority for the countries;
- Environmental Quality Standards (EQSs) should be established to improve the environmental impact (EIA) and risk assessment processes; EQS should be considered in national monitoring programmes;
- The elaboration of a code of responsible aquaculture husbandry practices for the Mediterranean, taking in consideration the FAO Code of Conduct for Responsible Fisheries;
- The preparation of an R&D vision document (Science Vision) for Mediterranean aquaculture;

- The National Coordinators should complete, validate and revise the Production Statistics data (for all the time series available) before the GFCM annual session;

47. Referring to the documentation produced on Allocated Zones for Aquaculture (AZA), the Turkish delegate pointed out the importance of the AZA within the Integrated Coastal Zone Management (ICZM) and stressed that, in his country, AZA had been determined and implemented with consensus of all related institutions and stakeholders in 2008 and inshore marine farms were moved to new allocated offshore zones in 2009. He further emphasized that AZA is a guarantee for sustainable aquaculture and is a key component for the future of Mediterranean mariculture. He added that Turkey fully supports CAQ's work on AZA and consequently the presentation of a proposal for the drafting of management advice for the implementation of AZA, according to the criteria already identified and suggested by CAQ.

48. On this issue, the delegate from Croatia suggested that it may be necessary for the GFCM Members to become Parties to the ICZM Protocol that was signed in Madrid on 21 January 2008. He stressed that fourteen countries which are also Parties to both the Barcelona Convention and the GFCM have signed the Protocol which enables them to manage and protect their coastal zones more effectively.

49. The delegates from Montenegro and Albania, supported by the Algerian delegate, thanked Turkey for the proposition made and reiterated the importance of the AZA as tool at disposal of countries. They stated that AZA application can facilitate the development of aquaculture activities and improve the coastal zone management by ensuring licensing and leasing procedures and norms. The delegate from Albania also informed that, as a follow up of the outcomes of the CAQ, the AZA is now reflected in their new national legislation on aquaculture.

50. The Commission thanked the Turkish delegation for the proposal made and considered the adoption of the AZA as concept for the sustainable development of the aquaculture in the Mediterranean coastal areas together with inviting Turkey to present a specific management recommendation to the next annual session of the GFCM.

## **Decisions on fisheries and aquaculture management**

51. The EU delegation presented draft proposals of four recommendations submitted to the Commission on the exploitation of red coral and on by-catch mitigation for seabirds, sea turtles and monk seals in fisheries managed by the GFCM. It suggested to endorse Recommendation 07/07 of ICCAT on reducing incidental by-catch of seabirds in longline fisheries.

52. The Tunisian delegation presented a proposal of resolution on the procedure to submit new proposals of decisions to the annual sessions of the GFCM, regarding fisheries management and aquaculture.

53. After the presentation of the recommendation on red coral, several delegations noted that regulations already exist at national level and that, after having carried out studies on their populations, they are now in the position of developing national management plans.

54. While welcoming in principle the substance of the proposal, some delegations expressed concern about the derogations regarding the use of the ROV and insisted on the fact that these technologies should be used for scientific purposes only.

55. The recommendations on sea turtles, on seabirds and on monk seals basically stated that incidental catches of these species be monitored, recorded and kept to the lowest level and invited the SAC to put the mechanisms for monitoring and recording data.

56. With regards to aquaculture, the CAQ Chairperson presented a draft Recommendation GFCM/33/2009/4 on reporting of aquaculture data and information. The amended recommendation should include the collection of parameters related to capture-based products, CWP Statistical Areas, Production Centres and market data, according to the scheme developed by the WGMA.

57. In the light of the discussions held on these subjects, the Commission agreed to adopt the following decisions:

- Resolution GFCM/35/2011/1 on the submission of combined data on fishing vessels (Appendix D)
- Resolution GFCM/35/2011/2 on data confidentiality policy and procedures, amending Resolution GFCM/30/2006/1 (Appendix E)
- Resolution GFCM/35/2011/3 concerning the procedure to submit new proposals for decisions to the annual sessions of the GFCM (Appendix F)
- Recommendation GFCM/35/2011/1 concerning the establishment of a GFCM Logbook, amending Recommendation GFCM/34/2010/1 (Appendix G)
- Recommendation GFCM/35/2011/2 on the exploitation of red coral in the GFCM Competence Area (Appendix H)
- Recommendation GFCM/35/2011/3 on reducing incidental by-catch of seabirds in fisheries in the GFCM Competence Area (Appendix I)
- Recommendation GFCM/35/2011/4 on the incidental by-catch of sea turtles in fisheries in the GFCM Competence Area (Appendix J)
- Recommendation GFCM/35/2011/5 on fisheries measures for the conservation of the Mediterranean monk seal (*Monachus monachus*) in the GFCM Competence Area (Appendix K)
- Recommendation GFCM/35/2011/6 on reporting of aquaculture data and information, amending Recommendation GFCM/33/2009/4 (Appendix L)

**Draft Recommendation on the management of protected areas including Specially Protected Areas of Mediterranean Importance (SPAMIs) in the GFCM Convention Area**

58. The GFCM Secretariat presented a draft Recommendation on the management of protected areas including Specially Protected Areas of Mediterranean Importance (SPAMIs) in the light of recent discussions and developments on the establishment of SPAMIs in the Region and the participation of the GFCM Secretariat in meetings on the subject.

59. The Commission welcomed the proposal and commended the Secretariat for following the developments on the establishment of SPAMIs which is being promoted by the UNEP-Mediterranean Action Plan (MAP).

60. The Commission considered that the adoption of such a recommendation would represent an important step forward for the GFCM in further taking up its responsibility to

implement the Ecosystem Approach to Fisheries. However, some delegations felt that since the competence of the protection and conservation of the marine environment lays with their respective environment ministries, further consultation was required at national level.

61. The Commission was informed on the content of a letter received by the Secretariat from the UNEP-MAP / Barcelona Convention inviting the GFCM for more collaboration on the issues of establishing SPAMIs in the Mediterranean.

62. Upon a suggestion by the GFCM Executive Secretary, the Commission agreed to postpone its possible adoption to the next session in order to give more time to Members to reflect on the matter and for the Secretariat to continue to hold further discussions in collaboration with the relevant partner organizations.

63. The proposal, as amended, is reproduced as a pending Recommendation in Appendix Q for possible adoption at the next session.

**Recommendations from the International Commission for the Conservation of Atlantic Tunas (ICCAT) of relevance for the Mediterranean.**

64. The Chairperson of SAC presented the four Recommendations included in document GFCM:XXXV/2011/10 together with the Recommendation ICCAT [07-07] on the by-catch of seabirds, proposed upon suggestion of the Commission.

65. The Algerian delegation informed that Algeria lodged a formal objection to the ICCAT Recommendation [10-04] amending the Recommendation by ICCAT to establish a Multi-annual recovery for Bluefin Tuna in the Eastern Atlantic and Mediterranean.

66. The Commission endorsed the five ICCAT Recommendations, as reported in Appendix M, taking note of the statement made by Algeria in paragraph 65.

67. The Commission agreed that, in the future, the adoption of the ICCAT recommendations of relevance for the Mediterranean should be examined in depth by SAC,

taking into account the data and methods that have been used to elaborate these recommendations.

68. To do so, the Commission favoured the strengthening of collaboration among experts involved in Scientific Committees of GFCM and ICCAT (SAC and SCRS).

## **PROGRAMME OF WORK FOR THE INTERSESSIONAL PERIOD 2011**

### **Programme of work of the Scientific Advisory Committee**

69. With reference to documents GFCM:XXXV/2011/6 and GFCM:XXXV/2011/Inf.5, the SAC Chairman presented the draft programme of work of the Sub-Committees for the intersessional period 2011, as proposed by the SAC at its thirteenth session.

70. The Commission endorsed the programme of work proposed by SAC as follows:

#### **Stock Assessment**

- Carry out assessments on selected Mediterranean and Black Sea elasmobranch stocks;
- Prepare a proposal for the expansion of Task 1.5 (biological data of catches), possibly leading to the establishment of a Task 2 data collection framework;
- Continue with the elaboration of the GFCM Regional Database on biological parameters to facilitate agreement on values to be used for each stock assessment in the eastern, central and western Mediterranean;
- Improve the Stock Assessment Forms to facilitate the inclusion of raw data;
- Develop Reference Points with the view to evaluate the status of the stocks and fisheries including the effects on exploited stocks of FRAs;
- Collate and analyze main information useful for the European Eel Management Plans and set up a network of Mediterranean experts in collaboration with the Working Group on eel management of EIFAC/ICES.

#### **Marine Environment and Ecosystems**

- Continue with the implementation of the medium term programme on elasmobranchs;
- Prepare and disseminate educational material (posters, leaflets, brochures, etc.) for informing the public in the Mediterranean and Black Sea countries about harmful species and jellyfish;

- Prepare a new version of the TECHNOMED selectivity protocol as a standard document, including the collection of socio-economic data. The methodology of the statistical analysis should be improved and completed;
- Carry out, jointly with the SCSA, assessments on selected Mediterranean and Black Sea elasmobranchs stocks;
- Undertake a regional medium-term research programme on red coral;
- Improve the knowledge on the topographic description of seamount areas, as well as the structure and functioning of canyons and deep-sea habitats;
- Continue conducting pilot studies on the effects of implementing the new codend meshes;
- Implement the reporting of data on by-catch of elasmobranchs within the framework of Task 1.

### **Statistics and Information**

- Update the Task 1 data entry software and data submission exchange protocols (XML and CSV) to reflect the amendments proposed by the SCSA and endorsed by SAC;
- Update and publish the statistical bulletin (reference years 2008 and 2009);
- Continue the development of the Task 1 Regional Information System. Members are expected to submit the full Task 1 datasets for 2008 by January 2011, and the full Task 1 datasets for 2009 by May 2011;
- Finalize the development of the Regional Fleet Register information system and manage the data submitted accordingly;
- Work on a template considering the information requested by the GFCM Recommendations related to vessels lists, with a view to create a single data submission framework for vessels.

### **Economic and Social Sciences**

- Undertake a review of the fisheries laws and regulations in force at national level in the Mediterranean and the Black Sea and organize an expert meeting in the framework of the LaMed Project;
- Conduct regional studies to provide an overview of recreational fishing activities (gears, techniques, target species, etc.);
- Develop a harmonized monitoring framework protocol for recreational fisheries, design a data collection scheme for recreational fisheries indicators and conduct a regional study on the possible implementation of licensing schemes for this sector;
- Elaborate a Code of Practice / Technical Guidelines on recreational fisheries in the GFCM Competence Area;
- Perform studies regarding the socio-economic impact resulting from the implementation of the 40 mm diamond mesh in trawl fisheries;

- Populate the GFCM webpage dedicated to TECHNOMED with any information dealing with the economic impacts of selectivity studies;
- Proceed with the analysis of socio-economic data collected through the Task 1 framework;
- Undertake studies related to ecolabelling socio-economic impacts.

### Other transversal issues

- Consolidate the production of a Regional Plan of Action on the management and monitoring of fleet capacity on the basis of the Draft Outline GFCM RPOA-Capacity, produced by the second Workshop on fishing capacity, and Recommendation GFCM/34/2010/2;
- In line with Article 4 of Recommendation GFCM/2006/2, undertake an analysis of the impact of the establishment of a closed season for the FAD dolphinfish fisheries on the stocks of this species and to recommend any change that may be deemed necessary to improve its effectiveness, in order to evaluate possible modifications to the closure and/or to propose additional management measures;
- Establish an ad-hoc Working Group on the Black Sea open to all scientists of the region including from partner Organizations and organize the first meeting of the Working Group in early 2012.

### Meetings

The Commission agreed to convene the following meetings during the intersessional period:

| Meeting   | Place/Date                          |
|---|-------------------------------------|
| 14 <sup>th</sup> Session of the SAC (5 days)  | Varna (Bulgaria) /<br>February 2012 |
| Session of the SCSA (4 days)  | Rome (Italy) /<br>Nov.- Dec. 2011   |
| Working Group on stock assessment of Demersal Species (6 days)                        | Greece/TBD                          |
| Working Group on stock assessment of Small Pelagic Species (6 days)                   | Greece/TBD                          |
| Transversal Workshop (SCSA/SCMEE/SCCESS) on Spatial Based Fishery Management (3 days) | TBD/TBD                             |
| Stock assessment of selected species of elasmobranchs (5 days)                        | Brussels (Belgium) /<br>TBD         |

|   |   |
|---|---|
| Session of the <b>SCESS</b> (4 days)  | Rome (Italy) /<br>Nov.- Dec. 2011       |
| Workshop on the processing and analysis of Task 1.3 data (back-to-back with the SCESS Session)  | Rome (Italy) /<br>Nov.- Dec. 2011       |
| Expert meeting on Fisheries legislation within the framework of the LaMed Project (3 days)      | Beirut (Lebanon) /<br>21-23 Sept. 2011  |
| Session of the <b>SCSI</b> (4 days)   | Rome (Italy) /<br>Nov.- Dec. 2011       |
| Session of the <b>SCMEE</b> (4 days)  | Rome (Italy) /<br>Nov.- Dec. 2011       |
| Meeting of the Working Group on by-catch (3 days)   | Turkey/TBD                              |
| Training course on age reading and growth parameters of the main elasmobranchs species (5 days) | Turkey/TBD                              |
| Workshop (SCMEE) on Artificial Reefs, possibly back to back with the SCMEE session              | Rome (Italy) /<br>Nov.- Dec. 2011       |
| Second Transversal Workshop on Red Coral (3 days)   | Corsica (France) /<br>Sept. - Oct. 2011 |
| 12 <sup>th</sup> Session of the <b>CMSC</b> (1 day)   | Rome (Italy) /<br>Nov.- Dec. 2011       |
| Workshop on VMS (3 days)  | Tunis (Tunisia) /<br>Oct. - Nov. 2011   |
| First meeting of the <i>ad hoc</i> Working Group on the Black Sea (3 days)                      | Romania /<br>early 2012                 |

71. The Commission took note of the kind offer by some Members to host meetings, subject to confirmation by the relevant authorities in their countries.

72. The Algerian delegation suggested that the collection and analysis of useful information for the European Eel Management Plans could be carried out through the completion of questionnaires drawn up for this purpose. In view of previous negative experiences in following this practice, the Commission agreed that it is preferable to entrust the task to a consultant/s and through the setting up of a network of Mediterranean experts.

73. The European Union confirmed that it is still willing to organize the Workshop on VMS and suggested that the main aims of this Workshop would be to address technical matters related to the implementation of VMS as well as to reflect on the use of VMS data and other technical equipments for scientific purposes. The Commission agreed with these general guidelines and entrusted the Secretariat with the task to elaborate related Terms of Reference in consultation with Members.

74. The delegation of the European Union informed the Commission that it would also gladly organize the Workshop on the assessment of elasmobranchs in Brussels and suggested that the list of species to be assessed is expanded to include more species, in particular those included in Annex 2 and 3 of the Barcelona Convention. The Commission agreed, in principle, to focus also on these species but noted that this may not be possible at the moment, since sufficient data was only available for a few elasmobranch species.

75. The observer of RAC/SPA stated that his Organization looked forward to collaborating in the various activities of the GFCM during the forthcoming intersessional period, in particular on by-catch and red coral issues.

### **Programme of work of the Committee on Aquaculture**

76. The Chair of the CAQ presented the programme of CAQ on the basis of the documents GFCM:XXXV/2011/7 and GFCM:XXXV/2011/Inf.6, as it is hereunder reported:

#### **Working Group on Site selection and Carrying capacity**

- Preparation of a review on the experience and knowledge on Allocated Zones for Aquaculture (AZA) and guidelines;
- Finalization of a review on legal aspects related to site selection and carrying capacity;
- Improvement of the SHoCMed database hosted in the SIPAM website;
- Preparation of a technical Glossary on Site selection and Carrying capacity;
- Proceed with the Delphi rounds of discussions on Environmental Quality Standards for finfish marine aquaculture in cages;
- Preparation of a regional review on carrying capacity of aquaculture sites and carrying capacity standards.

### **Working Group on Sustainability in Aquaculture**

- Implementation of pilot case studies for the selection of indicators on aquaculture at local level (Spain and Morocco);
- Development and consolidation of synergies with relevant projects related to sustainable development of Aquaculture (FOESA and AQUAMED);
- Preparation of guidelines according to the agreed schemes as discussed within InDAM;
- Assessment of the indicators reference system at local level; follow up of the second step for the pilot case studies (Turkey and Tunisia);
- Discussion and revision of the regional indicators identified during the meeting held in Malta.

### **Working Group on Marketing in Aquaculture Products**

- Preparation of a project proposal to improve the image of aquaculture production and products in the Mediterranean;
- Preparation of a review of legislation and present status of aquaculture Producers Organisations (POs) in GFCM Member countries;
- Finalization of a project proposal on POs aiming at strengthening the cooperation among the CAQ subsidiary bodies and the Mediterranean POs.

### **Lagoon management and interaction between aquaculture and capture fisheries**

- Identification of target groups and establishment of a network of experts on Mediterranean coastal lagoons;
- Compilation of national report of Mediterranean lagoons;
- Identification of indicators for the sustainable development of aquaculture and capture fisheries activities within coastal lagoons;
- Preparation of guidelines on the sustainable management of Mediterranean coastal lagoons.

### **SIPAM**

- Release the new data-entry portal for the Production Centres and for the Market Data;
- Amend the Production Statistics data-entry form to allow for the submission of data for capture-based products;
- Update the “Production Statistics - Quick Start Guide for National Coordinators” and release the “Production Centres - Quick Start Guide for National Coordinators”;
- Release the SIPAM Aquaculture bulletin on an annual basis to be presented at the GFCM Annual Session;

- Training of national coordinators on the use of some components of the SIPAM system during the SIPAM 13th Session;
- Maintain and improve the SIPAM aquaculture web portal in all its sections, in particular those related to WGSA-InDAM and WGSC- SHoCMed.

## Meetings

The Commission agreed to convene the following meetings during the intersessional period:

| Meeting   | Place/Date                         |
|---|------------------------------------|
| WGSA-FOESA InDAM Pilot Project in Spain on the identification of indicators for sustainable aquaculture   | Málaga (Spain) / 23-25 May 2011    |
| LaMed-2 – Meeting on the Interaction between aquaculture and capture fisheries in Mediterranean coastal lagoons   | Cagliari (Italy) / 28-30 June 2011 |
| WGSA-INRH-InDAM Pilot Project in Morocco on the identification of indicators for sustainable aquaculture  | M' diq (Morocco)/ September 2011   |
| WGSC – SHoCMed Workshop on the definition and environmental monitoring within Allowable Zone of Effect (AZE) of aquaculture activities within the Mediterranean countries | Seville (Spain) / November 2011    |
| WGSA – InDAM Regional Workshop on the pilot case studies and guidelines and application of sustainable indicators in aquaculture  | Seville (Spain) / November 2011    |
| SIPAM – 13th Annual Meeting   | Salerno (Italy) / December 2011    |
| CMWG – Fifth Coordination Meeting of the Working Groups of CAQ  | TBD / GFCM HQs                     |

77. The observer of RAC/SPA, in consideration of the relevant role played by the lagoon areas in the context of conservation and biodiversity, expressed the interest of his organization in cooperating with the CAQ on the project on lagoons management.

78. The EU delegate noted the great amount of work to be done, emphasizing that it may reflect the fact that it represents a two-year work programme, since the CAQ programme is biannual. He consequently stressed that within the intersessional period an exercise to prioritize the issues should be made for ensuring improved achievements.

79. The Secretariat further specified that the workplan presented follows the indication of the CAQ with the understanding that the fifth session of CMWG will finalize the 2012 intersessional workplan following the indications of the CAQ.

80. The Commission endorsed the proposed workplan for 2011-2012.

### **New potential activities**

81. Ms Camille Samier, on behalf of the GFCM Secretariat, presented the most recent instruments and initiatives of relevance for the Mediterranean and the Black Sea and their possible implications for the GFCM. She underlined in particular the potential future activities implied by the adoption of the FAO International Guidelines for by-Catch management and reduction of discards. She also referred to the objectives of the European Union Working Group on Integrated Maritime Policy in the Mediterranean (IMP), as well as the outcomes of the last Convention on International Trade in Endangered Species of Wild Fauna and Flora meeting. Finally, she raised the analysis conducted by the Pew Environment Group, which compares the port states measures of several Regional Fisheries Management Organizations (RFMOs), including the GFCM, with the FAO Agreement on Port State Measures to Prevent, Deter and Eliminate Illegal, Unreported and Unregulated Fishing.

82. The EU delegate, in response, briefly introduced the aim and strategic orientations of the IMP in the Mediterranean and highlighted in particular the forum for dialogue and exchange of best practices across all coastal States which has been initiated through the Working Group. Priorities on IMP development in the Black Sea are also being defined in conjunction with the relevant coastal States and stakeholders. The Commission acknowledged with satisfaction the invitation to participate with all relevant stakeholders in the future discussion.

83. The EU delegate further encouraged the strengthening of GFCM in the Black Sea area, especially through the *ad hoc* Working Group established within the SAC, and welcomed the participation of the Russian Federation and Ukraine in recent meetings of the GFCM. Turkey, Bulgaria and Romania delegations also expressed their full support to GFCM.

84. In particular, the delegates of Bulgaria and Romania called for strengthening the Black Sea regional cooperation in fisheries, in order to promote sustainable stock management in this region. They recalled that the offer to host the fourteenth session of SAC and the first *ad hoc* Working Group on Black Sea issues, respectively in Bulgaria and Romania, are a clear expression of their interest in the GFCM mandate and activities. They added that the proposed action, namely the establishment of a specific Working Group, would create a platform for communication and collaboration among the fisheries stakeholders. This initiative would contribute to revitalize the existing partnerships, including the possibility to organize regional thematic meetings among the various entities (fishermen, scientists, policy makers, NGOs etc.).

85. The delegates of Bulgaria and Romania also pointed out that the further involvement of the GFCM would be a good opportunity to improve the cooperation in scientific research and data collection in the Black Sea, in order to assess the status of the fish stocks in the whole area. This is in light of its competence for the region and will be carried out by establishing specific actions. They highlighted the importance of starting a regional project under the umbrella of the FAO which could be a good basis for the development of common scientific research programs. They noted that the regional fisheries management in the Black Sea is fragmented and that different measures and administrative instruments were adopted and have been implemented in each of the riparian countries. To improve this situation, they stressed the need for an active participation of all Black Sea coastal countries in the stock assessment and the implementation of common conservation measures, concerning biological resources. It should be recalled that only Bulgaria, Romania (members of the EU and GFCM) and Turkey (member of GFCM) directly apply the measures adopted by the GFCM.

86. The Regional Advisory Council for the Mediterranean (RAC MED) delegate presented the composition as well as the objectives of the RAC MED and expressed her hope to strengthen and improve its coordination and collaboration with the GFCM.

## **REPORT OF THE FIFTH SESSION OF THE COMPLIANCE COMMITTEE**

87. The Chairperson of the CoC presented the report of the fifth session of the Committee. He recalled the main issues addressed during the meeting in particular those related to the status of implementation of GFCM decisions by Members and data and information submission including related confidentiality rules. He reminded that the updated Compendium of GFCM decisions, together with the CD ROM were considered useful in implementing GFCM Recommendations.

88. The Commission reviewed the report and agreed to adopt it. The final report is included as Appendix N to this report.

## **REPORT OF THE SECOND SESSION OF THE COMMITTEE ON ADMINISTRATION AND FINANCE**

89. The Chairperson of CAF presented the draft report of the second session of the Committee and he noted that it reproduced the workflow of the meeting thoroughly.

90. Several delegates reiterated the issue of budget increase and expressed their concerns about the proposed reinforcement of the Secretariat. The chairperson of CAF reminded that the discussion on these topics would have been held during the agenda item on GFCM budget and Member contributions.

91. On the basis of the issue raised by the delegate from Monaco concerning the amendment of GFCM financial regulation rules, the Commission agreed to identify the necessary modifications to the GFCM Agreement and associated procedural and financial Rules in a near future, through the action of the proposed *ad hoc* Task Force.

92. The Commission endorsed the report of the Committee on Administration and Finance as reported in Appendix O of this report.

## **GFCM BUDGET AND MEMBER CONTRIBUTIONS**

93. The Executive Secretary presented detailed information on the main chapters of the proposed budget for the financial period 2011 and 2012.

94. The delegations expressed their concern for the substantial increase of the proposed budget. Further information was requested about the post of Deputy Secretary as well as the three additional posts (Stock Assessment/Population Dynamics expert, Editor/Translator of technical documents and Data Compliance manager). The Executive Secretary provided the Commission with supplementary details and explanation on these issues mainly based on the rich workplan of SAC and CAQ for the intersessional period and the consequent need of permanent staff within the Secretariat rather than the use of ad hoc consultancies, especially for some sensitive issues requiring confidentiality, such as management of compliance data.

95. The discussion went on the issue of the proposed human resources enhancement and its impact on the budget. The Commission agreed to freeze the post of Deputy Secretary for the entire year 2012, to delete the position of Stock Assessment/Population Dynamics expert, to keep the Data Compliance manager as proposed and to postpone the recruitment of the technical Editor/Translator to March 2012.

96. Turkey, supported by other delegations, also proposed to take into consideration the possibility to temporarily recruit experts from Members, in order to help the Secretariat in carrying out specific activities during the year and aiming at reducing relevant increase of the budget which may occur in the future.

97. The Commission further agreed to request that FAO servicing costs for the future GFCM baby projects be maintained at 4.5% and to charge the payment of 18,000 US Dollars (related to a debt dating back to 2004) on the GFCM capital fund.

98. The Commission further agreed to adopt the budget for 2011 for a total amount of 1,708,239 US Dollars as indicated in Appendix R as well as the contribution of the Members to the GFCM budget (Appendix S).

#### **ANY OTHER MATTERS**

99. With regards to the regional plan to monitor fleet capacity in the Mediterranean, the Commission invited the Secretariat to take the necessary steps to progress on this issue, including by considering the most appropriate option among those proposed by the specialized Workshop held in Rome in September 2010.

100. The CIPS representative expressed its interest in the GFCM activities and its willingness to strengthen their collaboration in the future.

### **ELECTION OF GFCM BUREAU**

101. The Commission endorsed the nominations of the CAF, CoC, and CAQ Bureaux and unanimously elected its new Bureau as follows:

- Chairperson: Mr Stefano Cataudella (Italy)
- 1<sup>st</sup> Vice-Chairperson: Mr Haydar Fersoy (Turkey)
- 2<sup>nd</sup> Vice-Chairperson: Mr Philippe Ferlin (France)

102. All delegations paid special tribute to Mr Mohamed Hadj Ali Salem (Tunisia) as Chairperson of the Commission as well as to Mr Riccardo Rigillo (Italy) and Mr Ivan Katavic (Croatia), First and Second Vice-Chairperson respectively and expressed their deep gratitude for the outstanding commitments shown during their mandate.

### **DATE AND PLACE OF NEXT SESSION**

103. The Committee took note of the invitation made by the delegation of Morocco to host the thirty-sixth session of the Commission, subject to confirmation by the country's competent authorities. The exact date and venue will be communicated at a later stage.

### **ADOPTION OF THE REPORT**

104. The report, including its appendixes, was adopted on Saturday 14<sup>th</sup> May 2011.

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## Agenda

1. Opening of the session
2. Adoption of the agenda and arrangements for the session
  - Presentation and adoption of the agenda
  - Introduction of delegations of Members
  - Introduction of delegations of Observers
  - Meeting arrangement
3. Report on the intersessional activities 2010
  - Report of the scientific Advisory Committee (SAC)
    - Sub-committees of SAC
    - Coordinating meeting of the sub-committees of SAC
  - Report of the Committee on Aquaculture (CAQ)
    - Working Group of CAQ
    - Information System for the Promotion of Aquaculture in the Mediterranean (SIPAM)
    - Coordination Meeting of the Working Groups (CMWG)
  - Conclusions and recommendations of the Transversal Workshop on the assessment, management and monitoring of fishing capacity in the GFCM Area.
  - Activities carried out by the FAO regional projects to support SAC and CAQ workplan
4. Second session of the Committee on Administration and Finance (CAF)
5. Presentation and discussion of the report on the GFCM Performance Review
6. Selection of the GFCM Executive Secretary
7. Fifth session of the Compliance Committee (CoC)
8. Management of Mediterranean Fisheries and Aquaculture
  - Fisheries management advice emanating from the SAC
  - Aquaculture management advice emanating from CAQ
  - Pending amendment to the recommendation GFCM/33/2009/4 on reporting of aquaculture data and information
  - Recommendation from the International Commission for the Conservation of Atlantic Tunas (ICCAT) of relevance for the Mediterranean.
9. Programme of work for the intersessional period 2011
  - Work programme for the scientific advisory committee
  - Work programme of the Committee on Aquaculture
  - Work programme of the Compliance Committee
  - Work programme of the Committee on Administration and Finance
  - Potential new activities with regards to:
    - The EU Intergrated Marine Policy in the Mediterranean and the Black Sea
    - The Black Sea
    - The Fisheries Governance in the Mediterranean and Black Sea

- Collaboration with CITES
  - Other
10. Report of the fifth session of the Compliance Committee (CoC)
  11. Report of the second session of the Committee on Administration and Finance
  12. GFCM budget and Member contributions for 2011 and 2012
  13. Any other matters
  14. Election of the GFCM bureau
  15. Date and place of the thirty-sixth session
  16. Adoption of the report and closure of the meeting

### List of documents

|                       |   |
|-----------------------|---|
| GFCM:XXXV/2011/1      | Provisional Agenda and Timetable  |
| GFCM:XXXV/2011/2      | Intersessional activities of the SAC for 2010   |
| GFCM:XXXV/2011/3      | Report of the GFCM Committee on Administration and Finance  |
| GFCM:XXXV/2011/4      | Management of Mediterranean fisheries   |
| GFCM:XXXV/2011/5      | Report of the GFCM Compliance Committee   |
| GFCM:XXXV/2011/6      | Programme of work of the SAC for the intersessional period 2011   |
| GFCM:XXXV/2011/7      | Report on intersessional activities for 2010, recommendations and workplan for 2011 of the CAQ and its subsidiary bodies  |
| GFCM:XXXV/2011/8      | Report of the Secretariat on administrative and financial issues  |
| GFCM:XXXV/2011/9      | GFCM budget and Members contributions for 2011-2012   |
| GFCM:XXXV/2011/10     | ICCAT Recommendations of relevance to the Mediterranean   |
| GFCM:XXXV/2011/Inf.1  | Provisional List of Documents   |
| GFCM:XXXV/2011/Inf.2  | Provisional List of Participants  |
| GFCM:XXXV/2011/Inf.3  | Agreement for the Establishment of the General Fisheries Commission for the Mediterranean, Financial Rules and Rules of Procedures  |
| GFCM:XXXV/2011/Inf.4  | Report of the Thirty-fourth Session of the GFCM (Athens, Greece, 12-17 April 2010)  |
| GFCM:XXXV/2011/Inf.5  | Report of the Thirteenth Session of the Scientific Advisory Committee (SAC) (Marseille, France, 7-11 February 2011)   |
| GFCM:XXXV/2011/Inf.6  | Report of the Seventh Session of the Committee on Aquaculture (CAQ) (FAO HQs, Rome, Italy, 8-10 March 2011)   |
| GFCM:XXXV/2011/Inf.7  | Statement of Competence and Voting Rights by the European Union and its Member States   |
| GFCM:XXXV/2011/Inf.8  | Performance Review of the General Fisheries Commission for the Mediterranean and Black Sea  |
| GFCM:XXXV/2011/Inf.9  | Major activities of the FAO Regional Projects in 2010   |
| GFCM:XXXV/2011/Inf.10 | Review of instruments and initiatives of relevance for the Mediterranean and the Black Sea: analysis of their possible implications for the future activities of the GFCM (by A. Marashi) |
| GFCM:XXXV/2011/Inf.11 | Duties and responsibilities of an expert in stock assessment/ population dynamics within the GFCM Secretariat   |

|                       |  |
|-----------------------|--|
| GFCM:XXXV/2011/Inf.12 | Duties and responsibilities of a scientific editor within the GFCM Secretariat   |
| GFCM:XXXV/2011/Inf.13 | Duties and responsibilities of data compliance manager within the GFCM Secretariat   |
| GFCM:XXXV/2011/Inf.14 | Issues related to the reorganisation of the GFCM Committee on aquaculture  |
| GFCM:XXXV/2011/Dma.1  | Draft Review of jellyfish blooms in the Mediterranean and the Black Seas. (GFCM Studies & Reviews No 92)   |
| GFCM:XXXV/2011/Dma.2  | Draft GFCM publication on: Status on exploitation and management of European Eel in GFCM area - French only - (by H. Farrugio and P. Elie)                         |
| GFCM:XXXV/2011/Dma.3  | Draft GFCM publication on: Status of Elasmobranchs in the Mediterranean and the Black Sea (by Bradai and <i>al</i> )   |
| GFCM:XXXV/2011/Dma.4  | Draft GFCM publication on: Review of selectivity studies on square mesh codend and grids applied to Mediterranean bottom trawls (by J. Sacchi)                     |
| GFCM:XXXV/2011/Dma.5  | Task 1 Statistical Bulletin (reference year 2008) (by the GFCM Secretariat)  |
| GFCM:XXXV/2011/Dma.6  | Synthesis of Mediterranean marine finfish aquaculture - A marketing and promotion strategy. (GFCM Studies & Review No. 88)   |
| GFCM:XXXV/2011/Dma.7  | Present market situation and prospects of meagre ( <i>Argyrosomus regius</i> ), as an emerging species in Mediterranean aquaculture (GFCM Studies & Review No. 89) |
| GFCM:XXXV/2011/Dma.8  | Indicators for sustainable development of finfish Mediterranean aquaculture: highlights from the InDAM Project (GFCM Studies & Review No. 90)                      |
| GFCM:XXXV/2011/Dma.9  | Site selection and carrying capacity in Mediterranean marine aquaculture: key issues (WGSC-SHoCMed) (GFCM Studies & Review No. 91)                                 |

**Resolution GFCM/35/2011/1  
on the submission of combined data on fishing vessels**

The General Fisheries Commission for the Mediterranean (GFCM),

*RECALLING* the obligations of Contracting Parties to submit data on fishing vessels, in accordance with established standards and protocols, under Recommendations:

- GFCM/33/2009/1 on the establishment of a Fisheries Restricted Area in the Gulf of Lions to protect spawning aggregations and deep sea sensitive habitats
- GFCM/33/2009/2 on the minimum mesh size in the cod-end of demersal trawlers
- GFCM/33/2009/5 on the establishment of the GFCM Regional Fleet Register, and
- GFCM/33/2009/6 concerning the establishment of a GFCM Record of Vessels over 15 meters authorized to operate in the GFCM Area

*CONSIDERING* that most of the data to be reported under each of these Recommendations are common and that a single transmission of data on fishing vessels, incorporating all the data fields specified in each Recommendation, would facilitate the data submission processes executed by Contracting Parties;

*RESOLVES* that:

1. Contracting Parties shall submit the data specified in Recommendations GFCM/33/2009/1, GFCM/33/2009/2, GFCM/33/2009/5 and GFCM/33/2009/6 as a single dataset, as defined in Annex 1.
2. The data shall be submitted by Contracting Parties to the Secretariat at least at the beginning of each calendar year, and not later than 31<sup>st</sup> March, followed by updates, as appropriate, to fully reflect the situation of their fleets at any given time.
3. The data shall be submitted by Contracting Parties in accordance with the data submission standards and protocols established by the Secretariat, taking into account the provisions under paragraph 1.

| <b>Regional Fleet Register (RFR)</b>   | <b>ADDITIONAL DATA FIELDS</b>  |  |   |  |   |  |
|--|--|--|---|--|---|--|
|  | <b>Authorized Vessel List (AVL)</b>  | <b>Minimum Mesh Size</b>   | <b>Fisheries Restricted Area (FRA)</b>                                |  |   |  |
| <i>Recommendation GFCM/33/2009/5</i>   | <i>Recommendation GFCM/33/2009/6</i>   | <i>Recommendation GFCM/33/2009/2</i>                               | <i>Recommendation GFCM/33/2009/1</i>                                  |  |   |  |
| All Regional Fleet Register fields (47) as specified in Annex I of Recommendation GFCM/33/2009/5 | Indicator Y/N<br><i>(Automatic on the basis of Regional Fleet Register data)</i> | Indicator Y/N  | Indicator Y/N   |  |   |  |
|  |  | <i>Time period authorized for fishing with demersal trawl gear</i> | <i>Number of fishing days exerted by each vessel in the year 2008</i> | <i>Number of fishing days exerted in the fishery restricted area</i> | <i>Main gear(s) used to fish in the fishery restricted area</i> | <i>Seasonal period authorized for fishing in the fishery restricted area</i> |

**Resolution GFCM/35/2011/2  
on data confidentiality policy and procedures, amending Resolution GFCM/30/2006/1**

The General Fisheries Commission for the Mediterranean (GFCM),

*RECOGNISING* the need for confidentiality at the commercial and organisational levels for data, reports and messages submitted to GFCM;

*ADOPTS*, in accordance with paragraph 1 (h) of Article III and with Article V of the GFCM Agreement, the following policy and procedures on confidentiality of data:

**1. Field of application**

The provisions set out below shall apply to all data, reports and messages (electronic and of other nature) transmitted and received pursuant to GFCM recommendations.

**2. General Provisions**

- a) The Executive Secretary and the appropriate authorities of the Contracting Parties and Cooperating non-Contracting Parties (CPCs) , transmitting and receiving data, reports and messages shall take all necessary measures to comply with the security and confidentiality provisions set out under paragraphs 3 and 4 of the present Resolution;
- b) The Executive Secretary shall inform all CPCs of the measures taken by the Secretariat to comply with these security and confidentiality provisions;
- c) The Executive Secretary shall take all the necessary steps to ensure that the requirements pertaining to the deletion of data, reports and messages handled by the Secretariat are complied with;
- d) Each CPC shall guarantee the Executive Secretary the right to obtain as appropriate, the rectification of data, reports and messages the processing of which does not comply with the provisions of the GFCM Agreement;
- e) The Commission may instruct the Executive Secretary not to make available the data, reports and messages submitted to the GFCM by a CPC, where it is established that the CPCs in question has not complied with these security and confidentiality provisions.

### **3. Provisions on data confidentiality**

- a) Data, reports and messages shall be used only for purposes stipulated in GFCM Recommendations.
- b) (i) With respect to data provided under Recommendation GFCM/33/2009/3, the Secretariat shall develop web-based data access and reporting facilities which should be available, in accordance with the provisions of paragraph 4 (b), only to:
  - Registered users nominated by the Contracting Party, without any time restrictions unless specified. This nomination could be revoked at any time by the Contracting Party,
  - Registered participants of GFCM meetings with access limited to the period of the respective meetings.
- (ii) General statistical reports and publications shall be made available to the general public without any restriction, in accordance with the guidance of the Commission and the security provisions of paragraph 4.

### **4. Provisions on data security**

- a) CPCs and the Executive Secretary shall ensure the secure treatments of data, reports and messages, in particular where the processing involves transmission over an electronic network. CPCs and the Executive Secretary must implement appropriate technical and organisational measures to protect data, reports and messages against accidental or unlawful destruction or accidental loss, alteration, unauthorised disclosure or access, and against all inappropriate forms of processing.

The following security issues must be addressed from the outset:

- System access control: the system has to withstand a break-in attempt from unauthorised persons;
- Authenticity and data access control: the system has to be able to limit the access of authorised parties to a predefined set of data only;
- Communication security: it shall be guaranteed that data, reports and messages that enter the system are securely communicated;
- Data security: it shall be guaranteed that data, reports and messages that enter the system are securely stored for the required time and that they will not be tampered with;
- Security procedures: security procedures shall be designed addressing access to the system, system administration and maintenance, backup and general use of the system.

Having regard to the state of the art and the cost of their implementation, such measures shall ensure a level of security appropriate to the risks represented by the processing of the data, reports and messages.

b) Data Security

Access limitation to the data shall be secured via a flexible user identification and password mechanism. Each user shall be given access only to the data necessary for his task.

c) Security Procedures

Each CPC and the Executive Secretary shall nominate a security system administrator. The security system administrator shall review the log files generated by the software, properly maintain the system security, restrict access to the system as deemed needed and act as a liaison with the Executive Secretary in order to solve security matters.

**Resolution GFCM/35/2011/3**  
**concerning the procedure to submit new proposals of decisions**  
**to the annual sessions of the GFCM**

The General Fisheries Commission for the Mediterranean (GFCM),

*RECALLING* that the objectives of the Agreement establishing the GFCM, are to promote the development, conservation, rational management and best utilization of living marine resources;

*AWARE* of the necessity for coordinated and timely actions by all Contracting Parties and Cooperating non-Contracting Parties of GFCM (CPCs) to ensure the enforcement of GFCM's conservation and management measures, and the need to encourage all CPCs of GFCM to abide by these measures;

*CONSIDERING* the need for action to ensure the effectiveness of the GFCM objectives;

*TAKING* into account the conclusions of the GFCM Performance Review, in favour of the improvement of the effectiveness of the Commission with regards to the decision-making process in the field of fisheries and aquaculture management;

*NOTING* that the GFCM, at its Thirty-fourth Session, debated on the importance of adopting a strict procedure concerning the submission of new proposals for decisions to the Annual Sessions of the Commission;

*ADOPTS*, in conformity with the provision of paragraph 1 (b) and (h) of Article III and Article V of GFCM Agreement, that:

1. Contracting Parties shall ensure, to the extent possible, to submit to the GFCM Secretariat at least 15 days before the beginning of each Annual Session, any new proposal for decision related to the fisheries and aquaculture management in order to guarantee its communication in timely manner to the other Contracting Parties.

2. All efforts should be endeavored in order for these proposals to be, to the extent possible, elaborated by more than one member and presented in at least two of the GFCM working languages.

3. To ensure the effectiveness of GFCM objectives, paragraphs 1 and 2 are without prejudice to the adoption of any other decision regarding fisheries and aquaculture management needed during the Annual Session.

4. Any new proposal for decision introduced beyond the time-limit fixed under paragraph 1 shall be first submitted to the Commission for approval at the opening of the Annual Session in order to be considered or not during the Session.

5. The submission of proposal for decision shall follow a procedure well defined by the Commission. The Task Force, as established to follow-up on the Recommendations of the GFCM Performance Review, shall review the question and submit a proposal on this subject to the consideration of the Thirty-Sixth Session of the Commission. The procedure, thus proposed by the Working Group and adopted by the Commission in 2012, shall be annexed to the present Resolution.

**Recommendation GFCM/35/2011/1  
concerning the establishment of a GFCM Logbook, amending Recommendation  
GFCM/34/2010/1**

The General Fisheries Commission for the Mediterranean (GFCM),

*RECALLING* that the objectives of the GFCM Agreement establishing the GFCM are to promote the development, conservation, rational management and proper utilization of living marine resources;

*RECALLING* the Rule X (2) (e) of the GFCM Agreement in which Contracting Parties have an obligation to provide information on production and other data relevant to enable the Scientific Advisory Committee (SAC) to carry out its duties;

*RECALLING* Recommendation GFCM/33/2009/6 amending Recommendation GFCM/29/2005/2 concerning the establishment of a GFCM Record of Vessels over 15 meters authorized to operate in the GFCM area;

*RECALLING* Recommendation GFCM/33/2009/5 concerning the establishment of the GFCM Regional Fleet Register (RFR);

*CONSIDERING* the importance of knowing the spatial allocation of the fishing effort and origin of the catches, at the highest possible level of resolution, for sound scientific monitoring and management of fisheries;

*RECALLING* Recommendation GFCM/32/2008/1 on a regional scheme on port State measures to combat illegal, unreported and unregulated fishing in the GFCM area;

*RECALLING* Recommendation GFCM/33/2009/3 on the implementation of the GFCM Task 1 statistical matrix;

**ADOPTS**, in conformity with the provision of paragraph 1 (b) and (h) of Article III and Article V of GFCM Agreement, that:

1. Contracting Parties shall require that the masters of fishing vessels more than 15 meters in overall length (LOA) authorized to fish in the GFCM area and registered on the GFCM Record of Vessels shall keep a bound logbook of their operations, indicating particularly quantities of each species caught and kept on board, above 50 kg in live weight, whether the catches are weighed or estimated, the date and geographical positions of such

catches and the type of gear(s) used in accordance with the minimum specifications and information set out in Annex 1.

2. The minimum quantity referred to in paragraph 1 shall be without prejudice to stricter rules implemented by Contracting Parties who may define a lower threshold between 0 and 50 kg in the light of further work to be undertaken under the GFCM framework.

3. The provisions of the present Recommendation shall not affect more detailed or stricter obligations on the use of logbooks, including on the use of electronic means, adopted and implemented by Contracting Parties.

4. Contracting Parties are committed to implement this recommendation as from 1<sup>st</sup> January 2013.

1. Minimum specification for the GFCM logbook:

1. The logbook shall be numbered by sheets (3 digit country code and 7 digit unique reference);
2. The logbook shall be filled for each fishing operation carried out every day (preferably by midnight) and before port arrival;
3. The logbook shall be completed in case of at sea inspections or at the request of the flag state;
4. One copy of the sheets shall remain attached to the logbook;
5. Logbooks shall be kept on board to cover a period of one-year operation or the quota period.

2. Minimum standard information for the GFCM logbook:

1. Master(s) name (s) and address(es);
2. Date and time for departure and return from/to port;
3. Vessel name, call-sign, GFCM unique number and IMO number (if available);
4. Fishing gear (FAO code and units) and their dimension, mesh size and number of hooks;
5. Operations at sea with (minimum) one line per day of trip, providing:
  - a) Activity (fishing, steaming, etc.),
  - b) Position: Geographical positions, recorded for each fishing operation or at noon when no fishing has been conducted during this day as well as GFCM geographical sub-area and/or the number of the rectangle 30'x30' of the GFCM Statistical grid,
  - c) The numbers of a rectangle in the GFCM statistical grid is a 5 digits code, as identified by the following rule and reported in the Annex 2 of this Recommendation:
    - (i) Latitude is covered by a composed 3digits code of letter and number. Maximum range from M00 (30°N) up to M34 (47°30'N),
    - (ii) Longitude is covered by a composed code of a letter and a number. The letter range is from A to J and number range per letter is from 0 to 9. Maximum range from A0 (6°W) up to J5 (42°E).
  - d) Record of catches by species.
6. Species identification:
  - a) by FAO code,
  - b) round weight (RWT) in kg per day for all species,
  - c) number of fish caught per day (only for tunas, swordfish and highly migratory sharks).
7. Master(s) signature(s);

8. Observer signature (if applicable);
  9. Means of weight measure: estimation, weighing on board and/or counting of containers (boxes, baskets, etc).
3. Minimum information in case of landing and/or transshipment:
1. Date, time and port of landing and/or transshipment;
  2. Products:
    - a) presentation,
    - b) number of fish or containers and quantity in kg.
  3. Signature of the Master(s) or Vessel Agent(s);
  4. Vessel details [transshipment] (name, call-sign, markings, flag and any other characteristics);
  5. The permitted margin of tolerance of 10 percent shall be expressed as a percentage of the actual determined live weight equivalent of each species retained on board.

**Digits for the codification of the rectangles in the statistical grid**

## LATITUDE

| <b>Digit 2-3</b> |             |           |
|------------------|-------------|-----------|
| <b>code</b>      | <b>from</b> | <b>to</b> |
| <b>00</b>        | 30°N        | 30°30'N   |
| <b>01</b>        | 30°30'N     | 31°N      |
| <b>02</b>        | 31°N        | 31°30'N   |
| <b>03</b>        | 31°30'N     | 32°N      |
| <b>04</b>        | 32°N        | 32°30'N   |
| <b>05</b>        | 32°30'N     | 33°N      |
| <b>06</b>        | 33°N        | 33°30'N   |
| <b>07</b>        | 33°30'N     | 34°N      |
| <b>08</b>        | 34°N        | 34°30'N   |
| <b>09</b>        | 34°30'N     | 35°N      |
| <b>10</b>        | 35°N        | 35°30'N   |
| <b>11</b>        | 35°30'N     | 36°N      |
| <b>12</b>        | 36°N        | 36°30'N   |
| <b>13</b>        | 36°30'N     | 37°N      |
| <b>14</b>        | 37°N        | 37°30'N   |
| <b>15</b>        | 37°30'N     | 38°N      |
| <b>16</b>        | 38°N        | 38°30'N   |
| <b>17</b>        | 38°30'N     | 39°N      |
| <b>18</b>        | 39°N        | 39°30'N   |
| <b>19</b>        | 39°30'N     | 40°N      |
| <b>20</b>        | 40°N        | 40°30'N   |
| <b>21</b>        | 40°30'N     | 41°N      |
| <b>22</b>        | 41°N        | 41°30'N   |
| <b>23</b>        | 41°30'N     | 42°N      |
| <b>24</b>        | 42°N        | 42°30'N   |
| <b>25</b>        | 42°30'N     | 43°N      |
| <b>26</b>        | 43°N        | 43°30'N   |
| <b>27</b>        | 43°30'N     | 44°N      |
| <b>28</b>        | 44°N        | 44°30'N   |
| <b>29</b>        | 44°30'N     | 45°N      |
| <b>30</b>        | 45°N        | 45°30'N   |
| <b>31</b>        | 45°30'N     | 46°N      |
| <b>32</b>        | 46°N        | 46°30'N   |
| <b>33</b>        | 46°30'N     | 47°N      |
| <b>34</b>        | 47°N        | 47°30'N   |

## LONGITUDE

| Digit 4-5 |        |         |
|-----------|--------|---------|
| code      | from   | to      |
| A0        | 6°W    | 5°30'W  |
| A1        | 5°30'W | 5°W     |
| A2        | 5°W    | 4°30'W  |
| A3        | 4°30'W | 4°W     |
| A4        | 4°W    | 3°30'W  |
| A5        | 3°30'W | 3°W     |
| A6        | 3°W    | 2°30'W  |
| A7        | 2°30'W | 2°W     |
| A8        | 2°W    | 1°30'W  |
| A9        | 1°30'W | 1°W     |
| B0        | 1°W    | 0°30'W  |
| B1        | 0°30'W | 0°W     |
| B2        | 0°E    | 0°30'E  |
| B3        | 0°30'E | 1°E     |
| B4        | 1°E    | 1°30'E  |
| B5        | 1°30'E | 2°E     |
| B6        | 2°E    | 2°30'E  |
| B7        | 2°30'E | 3°E     |
| B8        | 3°E    | 3°30'E  |
| B9        | 3°30'E | 4°E     |
| C0        | 4°E    | 4°30'E  |
| C1        | 4°30'E | 5°E     |
| C2        | 5°E    | 5°30'E  |
| C3        | 5°30'E | 6°E     |
| C4        | 6°E    | 6°30'E  |
| C5        | 6°30'E | 7°E     |
| C6        | 7°E    | 7°30'E  |
| C7        | 7°30'E | 8°E     |
| C8        | 8°E    | 8°30'E  |
| C9        | 8°30'E | 9°E     |
| D0        | 9°E    | 9°30'E  |
| D1        | 9°30'E | 10°E    |
| D2        | 10°E   | 10°30'E |

| Digit 4-5 |         |         |
|-----------|---------|---------|
| code      | from    | to      |
| D3        | 10°30'E | 11°E    |
| D4        | 11°E    | 11°30'E |
| D5        | 11°30'E | 12°E    |
| D6        | 12°E    | 12°30'E |
| D7        | 12°30'E | 13°E    |
| D8        | 13°E    | 13°30'E |
| D9        | 13°30'E | 14°E    |
| E0        | 14°E    | 14°30'E |
| E1        | 14°30'E | 15°E    |
| E2        | 15°E    | 15°30'E |
| E3        | 15°30'E | 16°E    |
| E4        | 16°E    | 16°30'E |
| E5        | 16°30'E | 17°E    |
| E6        | 17°E    | 17°30'E |
| E7        | 17°30'E | 18°E    |
| E8        | 18°E    | 18°30'E |
| E9        | 18°30'E | 19°E    |
| F0        | 19°E    | 19°30'E |
| F1        | 19°30'E | 20°E    |
| F2        | 20°E    | 20°30'E |
| F3        | 20°30'E | 21°E    |
| F4        | 21°E    | 21°30'E |
| F5        | 21°30'E | 22°E    |
| F6        | 22°E    | 22°30'E |
| F7        | 22°30'E | 23°E    |
| F8        | 23°E    | 23°30'E |
| F9        | 23°30'E | 24°E    |
| G0        | 24°E    | 24°30'E |
| G1        | 24°30'E | 25°E    |
| G2        | 25°E    | 25°30'E |
| G3        | 25°30'E | 26°E    |
| G4        | 26°E    | 26°30'E |
| G5        | 26°30'E | 27°E    |

| Digit 4-5 |         |         |
|-----------|---------|---------|
| code      | from    | to      |
| G6        | 27°E    | 27°30'E |
| G7        | 27°30'E | 28°E    |
| G8        | 28°E    | 28°30'E |
| G9        | 28°30'E | 29°E    |
| H0        | 29°E    | 29°30'E |
| H1        | 29°30'E | 30°E    |
| H2        | 30°E    | 30°30'E |
| H3        | 30°30'E | 31°E    |
| H4        | 31°E    | 31°30'E |
| H5        | 31°30'E | 32°E    |
| H6        | 32°E    | 32°30'E |
| H7        | 32°30'E | 33°E    |
| H8        | 33°E    | 33°30'E |
| H9        | 33°30'E | 34°E    |
| I0        | 34°E    | 34°30'E |
| I1        | 34°30'E | 35°E    |
| I2        | 35°E    | 35°30'E |
| I3        | 35°30'E | 36°E    |
| I4        | 36°E    | 36°30'E |
| I5        | 36°30'E | 37°E    |
| I6        | 37°E    | 37°30'E |
| I7        | 37°30'E | 38°E    |
| I8        | 38°E    | 38°30'E |
| I9        | 38°30'E | 39°E    |
| J0        | 39°E    | 39°30'E |
| J1        | 39°30'E | 40°E    |
| J2        | 40°E    | 40°30'E |
| J3        | 40°30'E | 41°E    |
| J4        | 41°E    | 41°30'E |
| J5        | 41°30'E | 42°E    |

**Recommendation GFCM/35/2011/2  
on the exploitation of red coral in the GFCM Competence Area**

The General Fisheries Commission for the Mediterranean (GFCM),

*RECALLING* that the objectives of the Agreement establishing the GFCM are to promote the development, conservation, rational management and proper utilization of living marine resources;

*RECALLING* the Johannesburg Declaration on Sustainable Development of 2002 and particularly its Plan of Implementation;

*RECALLING* the Declaration of the Ministerial Conference for Sustainable Development of the Fisheries in the Mediterranean held in Venice in 2003;

*REAFFIRMING* the principles of the FAO Code of Conduct for Responsible Fisheries and recalling the precautionary and ecosystem approach to fishery management;

*RECALLING* the past involvement of GFCM, especially in the 1980s, resulting in three Technical Consultations on Red Coral (Spain 1983, Italy 1988 and Algeria 1989);

*TAKING* into account the SAC advice on red coral exploitation, as provided at its Thirteenth Session;

*ADOPTS*, in conformity with the provision of Article III paragraph 1 (b) and (h) and Article V of the GFCM Agreement, that:

1. Contracting Parties and Cooperating non-Contracting Parties (CPCs) in the GFCM Competence Area shall prohibit the use of any kind of towed gear, irrespective of the specific name, to exploit red coral. The only permitted gear for the harvesting shall be a hammer used by a scuba diver. This provision is without prejudice to stricter measures which may be adopted or maintained by CPCs.

2. CPCs shall prohibit the use of the Remotely Operated underwater Vehicles (ROVs) in the GFCM Competence Area for the exploitation of red coral.

3. By way of derogation from paragraph 2, formally granted by a Contracting Party on the basis of a specific fisheries authorisation, the use of ROV may be authorized in zones under national jurisdiction only and subject to the following conditions:

a) In Contracting Parties where ROV is already authorized only for reasons of observation and prospection and provided that ROV models cannot be equipped with manipulator arms or any other device allowing the cutting and harvesting of red coral. Contracting Parties concerned shall provide to the GFCM Secretariat the list of authorizations issued (specifying the date of their issuance) not later than the end of September 2011 and shall ensure that no new authorisation will be granted. The authorisation of ROV for prospection shall only be allowed until 2015, unless scientific advice states otherwise.

b) The provision in paragraph (a) above is without prejudice to Contracting Parties which have not yet authorised the ROV for prospection and may wish to do so. This authorisation shall be granted only on the basis of scientific results obtained in the context of national management plans and showing no negative impact on the sustainable exploitation of red coral.

c) Within a framework allowing for scientific experimental campaigns both for observation and harvesting during a limited period not extending beyond 2015, carried out under the supervision of national research institutions and/or in collaboration with national, international bodies as well as any other relevant stakeholder. The scientific results of these studies will be presented to the SAC, through the GFCM Secretariat, for its consideration and advice, including the status of the stock, the impact and the advisability of using ROV for direct harvesting of red coral. This derogation shall be without prejudice to stricter measures which may be adopted or maintained by Contracting Parties.

4. CPCs shall ensure the prohibition of the exploitation of red coral populations at depth less than 50 m until scientific studies, as validated by GFCM-SAC, indicate otherwise.

5. By way of derogation from paragraph 4, Contracting Parties may authorize exploitation of red coral at less than 50 m provided that an appropriate national management framework has been developed ensuring an authorization system and that only a limited number of red coral banks are exploited by the establishment of adequate spatio-temporal closures. This derogation shall be without prejudice to stricter measures which may be adopted or maintained by Contracting Parties.

6. Detailed information of the national management framework and the studies carried out at national level to apply this derogation must be provided within the annual national report to GFCM Secretariat for transmission to SAC for its considerations and advice.

7. CPCs shall ensure that authorized fishermen record and report to national authorities the daily catches and fishing effort by area and depths (e.g. number of fishing days, numbers of diving, etc) while allowing, whenever the case, comparisons with results of ROV experimental campaigns. This information must be made available to GFCM Secretariat for transmission to SAC for its considerations and advice.

8. SAC is requested to advice on the status of red coral banks and, not later than 2014, on the impact and adequacy for the continuation of using ROV for the prospection and harvesting of red coral banks.

9. As appropriate, the GFCM and its Members should, individually and collectively, engage in capacity building efforts and other research cooperative activities to improve knowledge on red coral and red coral fisheries and to support the effective implementation of the present Recommendation as well as of other management measures, including entering into cooperative arrangements with other appropriate international bodies and promote participatory programmes with relevant stakeholders.

10. Scientific and technical knowledge acquired through the actions stipulated under paragraphs 3 (c), 5, 7 and 9 above shall be taken into account by SAC with a view to develop an adaptive regional management plan.

**Recommendation GFCM/35/2011/3  
on reducing incidental by-catch of seabirds in fisheries in the GFCM Competence Area**

The General Fisheries Commission for the Mediterranean (GFCM),

*RECALLING* that the objectives of the Agreement establishing the GFCM are to promote the development, conservation, rational management and proper utilization of living marine resources;

*RECALLING* the Johannesburg Declaration on Sustainable Development of 2002 and particularly its Plan of Implementation;

*RECALLING* the Declaration of the Ministerial Conference for Sustainable Development of the Fisheries in the Mediterranean held in Venice in 2003;

*REAFFIRMING* the principles of the FAO Code of Conduct for Responsible Fisheries and recalling the precautionary and ecosystem approach to fishery management;

*TAKING* into account the International Plan of Action for Reducing the Incidental Catch of Seabirds in Longline Fisheries (IPOA Seabirds) adopted by the Food and Agriculture Organization of the United Nations (FAO);

*CONSIDERING* that some seabirds species are listed under Annex II on endangered and threatened species of the SPA/BD Protocol to the Convention for the Protection of the Marine Environment and the Coastal Region of the Mediterranean (Barcelona Convention), and that a regional action plan has been implemented by RAC/SPA;

*CONSIDERING* the need to develop a common regional strategy to understand and possibly reduce the effect of fisheries on seabirds also on the basis of information collected through unified protocols;

*RECOGNIZING* that the longline fisheries is mainly responsible for seabirds by-catches in the Mediterranean and to reduce seabird by-catch some mitigation measures should be developed;

*HAVING* regard to ICCAT Recommendation 07-07 on reducing incidental by-catch of seabirds in longline fisheries;

*CONSIDERING* that synergies on issues of reciprocal interest shall be sought between ICCAT and GFCM;

*TAKING* into account the SAC advice on incidental taking of seabirds;

*ADOPTS*, in conformity with the provision of Article III paragraph 1 (b) and (h) and Article V of the GFCM Agreement, that:

1. Contracting Parties and Cooperating non-contracting Parties of GFCM (CPCs) should develop mechanisms to ensure that incidental taking of seabirds in fishing activities is monitored, recorded and kept to the lowest level as possible in particular for species under the Annex II of the SPA/BD protocol of the Barcelona Convention.

2. SAC and the GFCM Secretariat will assist in developing mechanisms to enable the CPCs to monitor and record data on seabirds and fishing interactions including regular reporting to the GFCM-Secretariat, either within the national annual reporting to SAC or through the Task 1;

3. Any event of incidental taking and release shall be recorded by the vessel owner/master in the logbook (or any equivalent document as developed by a Contracting Party to this specific end) and reported to national authorities for notification to GFCM Secretariat, the first time being no later than June 2013.

4. The SAC is invited to evaluate on the basis of available information, and in close cooperation with relevant international scientific committees, the risk of seabirds incidental taking and mortality in different types of Mediterranean fisheries, taking into account also areas and seasons, and compare the effects of by-catches among them. In addition, SAC shall advice on the most adequate mitigation measures also in comparison to relative effect caused by anthropic disturbances due to other than fishing activity.

5. The SAC, in close cooperation with scientific committees of other international organisations, and in line also with the FAO International Plan of Action for Reducing the Incidental Catch of Seabirds in Longline Fisheries (FAO-IPOA Seabirds), is requested to advice on the technical details, feasibility, likely effectiveness and side effects, in particular, of the following options for the mitigation of seabirds' by-catches in the Mediterranean fisheries:

- Setting of demersal and/or pelagic longlines only at night (one hour after dusk and one hour before dawn);
- Prohibition to set demersal and/or pelagic longlines one hour after dawn till noon;
- Use of bird-scaring lines and wrap scares, in case of longlines setting during the day;
- Setting of a minimum bait weight
- Use of only thawed baits conditioning instead of frozen baits;

- Discards and excess bait shall not be rejected at sea during setting or hauling operations;
- Setting of a minimum distance to set bottom-set nets from sea-birds breeding areas.

6. The SAC is invited to provide, also on the basis of the work done under the relevant international scientific committees, and in line with the FAO-IPOA Seabirds, a unified protocol for the collection of information on seabirds by-catches in fishing activities with high risk of interaction with seabirds in the Mediterranean.

7. The GFCM shall, upon reception of SAC advice, consider adopting additional measures for the mitigation of incidental taking of seabirds whenever is considered endangering the survival of seabirds populations while taking into account the socio-economic impact to fisheries.

**Recommendation GFCM/35/2011/4  
on the incidental by-catch of sea turtles in fisheries in the GFCM Competence Area**

The General Fisheries Commission for the Mediterranean (GFCM),

*RECALLING* that the objectives of the Agreement establishing the GFCM are to promote the development, conservation, rational management and proper utilization of living marine resources;

*RECALLING* the Johannesburg Declaration on Sustainable Development of 2002 and particularly its Plan of Implementation;

*RECALLING* the Declaration of the Ministerial Conference for Sustainable Development of the Fisheries in the Mediterranean held in Venice in 2003;

*REAFFIRMING* the principles of the FAO Code of Conduct for Responsible Fisheries and recalling the precautionary and ecosystem approach to fishery management;

*CONSIDERING* that Mediterranean sea turtles are listed in Annex II on endangered and threatened species of the SPA/BD Protocol to the Convention for the Protection of the Marine Environment and the Coastal Region of the Mediterranean (Barcelona Convention) and a regional action plan has been implemented by RAC/SPA;

*HAVING* regard to ICCAT Recommendation 10-09 on the by-catch of sea turtles in ICCAT fisheries;

*RECOGNIZING* that also some other types of fishing operating in the GFCM Competence Area can adversely affect sea turtles and there is a need to implement measures to mitigate these adverse effects;

*NOTING* the importance of harmonizing conservation and management measures with other organization responsible for managing international fisheries;

*EMPHASIZING* the need to improve the collection of scientific data regarding all sources of mortality for sea turtle populations including but not limited to data from fisheries within the GFCM Competence Area;

*TAKING* into account the SAC advice on the use of de-hooking devices by longliners;

**ADOPTS**, in conformity with the provision of Article III paragraph 1 (b) and (h) and Article V of the GFCM Agreement, that:

1. Contracting Parties and Cooperating non-contracting Parties of GFCM (CPCs) should ensure the implementation of fisheries management measures that strongly mitigate or eliminate the risk of incidental taking of sea turtles in fishing operations and/or the mortality associated with those incidental takings.
2. Specimens of sea turtles accidentally taken in fishing gears shall be safely handled and released unharmed and alive to the extent possible.
3. Any kind of vessels of CPCs shall be prohibited to take on board, tranship and land sea turtles unless otherwise required to rescue and to secure assistance for the recovery of harmed and comatose individual animals and provided that the competent national authorities concerned have been duly and officially informed in advance.
4. SAC shall provide in 2011 information useful for fishermen on the procedure to identify comatose turtles and release them when they are safe.
5. Any event of incidental taking as well as releasing or discarding shall be recorded by the ship-owner/master in the logbook (or any other equivalent document as developed by a CP to this specific end) and reported to national authorities for notification to GFCM Secretariat within the annual national reporting to SAC.
6. CPCs shall ensure that incidental taking of sea turtles in fishing activities is monitored and recorded. Starting no later than 2013, the SAC annual national reports shall contain information on the interaction of the fishing fleets with sea turtles in GFCM fisheries by gear type and characteristics: times, soak duration, depths and locations, target species, sea turtles species and disposition status of sea turtle specimen(s) (i.e. discarded death or released alive).
7. CPCs are strongly encouraged to facilitate the cooperation between scientists and fishermen to collect this information.
8. CPCs shall require, not later than 2013, that :
  - a) to the extent practicable, fishing vessels using purse seines for small pelagic in the GFCM Competence Area avoid encircling sea turtles and release encircle or incidently entangled sea turtles;
  - b) to the extent practicable, fishing vessels using surrounding nets without purse line for pelagic species, including on Fish Aggregating Devices, avoid encircling sea turtles and release encircle or entangled sea turtles;

9. With a view to meet the requirements of paragraph 2, fishing vessels using longlines and bottom-set nets in the GFCM Competence Area shall carry on board safe handling, disentanglement and release equipment, capable of releasing sea turtles unharmed and in a manner that maximizes the probability of their survival. This provision must be fully implemented not later than 2014, unless otherwise stipulated by stricter measures adopted by a Contracting Party.
10. The GFCM Secretariat shall compile, no later than 2013, the data collected under paragraph 4 as well as, in close cooperation with ICCAT and other appropriate international bodies, the available information from the scientific literature and other relevant sea turtle by-catch mitigation information, and report to the SAC for its consideration.
11. The SAC shall provide advice if possible in 2013, and no later than 2014, on the characteristics of devices, fishing gears and fishing operations or other approaches to mitigate/eliminate sea turtles by-catch and to release them alive.
12. The SAC shall identify current gaps in the scientific knowledge and experiments, including socio-economic aspects, with a view to overcome them and obtain more robust and implementable results. If necessary, SAC shall provide the protocol and the sampling design to carry out these additional studies under the responsibility of the Contracting Parties.
13. Guidelines should be produced by SAC in 2012, then widely published and distributed and made available in the GFCM web-site in order to mitigate sea turtles by-catches, including information on already existing kits for de-hooking turtles and provision of training materials on use of this equipment.
14. Upon receipt of advice from the SAC, the GFCM shall consider, if necessary, additional measures to mitigate sea turtle by-catch in those fisheries which have been considered most relevant
15. As appropriate, the GFCM and its Members should, individually and collectively, engage in capacity building efforts and other cooperative activities to support the effective implementation of the present Recommendation, including entering into cooperative arrangement with other appropriate international bodies.

**Recommendation GFCM/35/2011/5  
on fisheries measures for the conservation of the Mediterranean monk seal  
(*Monachus monachus*) in the GFCM Competence Area**

The General Fisheries Commission for the Mediterranean (GFCM),

*RECALLING* that the objectives of the Agreement establishing the GFCM are to promote the development, conservation, rational management and proper utilization of living marine resources;

*RECALLING* the Johannesburg Declaration on Sustainable Development of 2002 and particularly its Plan of Implementation;

*RECALLING* the Declaration of the Ministerial Conference for Sustainable Development of the Fisheries in the Mediterranean held in Venice in 2003;

*REAFFIRMING* the principles of the FAO Code of Conduct for Responsible Fisheries and recalling the precautionary and ecosystem approach to fishery management;

*CONSIDERING* that the Mediterranean Monk Seal is listed under Annex II on endangered and threatened species of the SPA/BD Protocol to the Convention for the Protection of the Marine Environment and the Coastal Region of the Mediterranean (Barcelona Convention), and that a regional management plan has been implemented by RAC/SPA;

*RECOGNIZING* that some fishing operations carried out in the GFCM Competence Area can adversely affect Mediterranean monk seals (hereafter referred to as monk seal) and there is a need to implement measures to mitigate these adverse effects;

*AIMING* to reduce the incidental taking of monk seals in certain fisheries;

*TAKING* into account the SAC advice on the need to endorse measures for the reduction of the by-catch of monk seals;

*ADOPTS*, in conformity with the provision of Article III paragraph 1 (b) and (h) and Article V of the GFCM Agreement, that:

1. Contracting Parties and Cooperating non-contracting Parties of GFCM (CPCs) shall ensure the implementation of fisheries management measures that strongly mitigate the risk of incidental taking of monk seals during fishing operations.
2. Fishing vessels of CPCs shall be prohibited to take on board, tranship and land monk seals in the GFCM Competence Area of unless otherwise required to rescue and to secure assistance for the recovery of harmed individual animals and provided that the competent national authorities concerned have been duly and officially informed in advance.
3. Specimens of monk seals accidentally taken in fishing gears shall be released unharmed and alive. Should it be already dead, the carcass will be landed and national authorities notified at the latest upon arrival at port.
4. Any event of incidental taking and release shall be recorded by the vessel-owner/master in the logbook (or any other equivalent document developed by a Contracting Party to this specific end) and reported to the respective national authorities for notification to GFCM Secretariat.
5. CPCs shall adopt, not later than 2015, fisheries management measures based on scientific studies under their responsibility and designed, whenever appropriate, in line with SAC scientific advice guidance, in order to have very low and close to 0 risk of monk seals incidental taking and mortality in fishing activities/operations.
6. CPCs shall provide, to the best extent possible, to GFCM Secretariat, the related map and geographical positions identifying the location of already known, past and current, monk seal caves with information on fishing fleets using bottom-set nets registered in the ports close to the caves locations within a maximum range of 20 miles. The preliminary maps and lists of geographical positions shall be established for the first time by December 2011 and notified to GFCM not later than 31 January 2012.
7. With a view to ensure that the information provided by the Contracting Parties on maps and geographic positions of monk seal caves is not detrimental to the monk seal survival, such information is transmitted to GFCM Secretariat and treated in a restricted manner in line with the provisions of Resolution GFCM/35/2011/2. The GFCM Secretariat shall ensure that this information is only available to carry out scientific and conservation work as required by the GFCM or by the Contracting Party providing the original data.
8. Technical and scientific information on measures adopted under paragraph 5 must be notified to GFCM Secretariat within the annual national reporting to SAC.
9. SAC, in close cooperation with scientific bodies including committees of other multilateral organizations partners of GFCM, shall provide, not later than February 2012, a protocol and a sampling design to carry out, whenever appropriate, new studies as referred to in paragraph 5, as well as to set a work programme with a view to evaluate the soundness of

measures taken and, if the case, to advice on additional measures including the socio-economic impact.

10. As appropriate, the CPCs should, individually and collectively, engage in capacity building efforts and other research cooperative activities to improve knowledge on monk seals and to support the effective implementation of this recommendation, including entering into cooperative arrangements with other appropriate international bodies and promote participatory programmes with relevant stakeholders.

**Recommendation GFCM/35/2011/6  
on reporting of aquaculture data and information, amending Recommendation  
GFCM/33/2009/4**

The General Fisheries Commission for the Mediterranean (GFCM),

*RECALLING* the FAO Code of Conduct for Responsible Fisheries which calls for sustainable development and responsible aquaculture practices;

*RECALLING* the GFCM's role in promoting the sustainable development of aquaculture in the Mediterranean, Black Sea and connecting waters;

*RECALLING* the Rule X(e) of the GFCM Agreement in which Contracting Parties have an obligation to provide information on production and other data relevant to the function of the CAQ;

*CONSIDERING* the development of the Information System to promote aquaculture in the Mediterranean (SIPAM) over the years;

*RECOGNIZING* the need of the Committee on Aquaculture to have reliable data available to undertake its work effectively;

*RECALLING* that standards in aquaculture data collection and statistics should be established in line with guidelines set by the FAO Coordinating Working Party on Aquaculture Statistics;

*NOTING* the proposal made by the Sixth Session of CAQ to establish a regional data collection scheme for aquaculture;

*NOTING* that the Thirty-first Session recommended that the responsibilities of the SIPAM National Coordinators be formally endowed with a national institution;

***ADOPTS***, in conformity with the provision of paragraph 1 (b) and (h) of Article III and Article V of the GFCM Agreement, the following:

1. Contracting Parties shall submit the data for all the parameters listed below on an annual basis to the GFCM Secretariat:

**PRODUCTION STATISTICS BY:**

- CWP<sup>1</sup> Statistical Areas;
- Culture environment (brackish, marine and freshwater);
- Cultured species (scientific and common name; including capture-based species);
- System of culture (extensive, semi-intensive, intensive);
- Type of culture (cages, ponds, raceways, hatchery, etc.);

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<sup>1</sup> See *The Coordinating Working Party on Fishery Statistics: Its Origin, Role and Structure*. FAO Fisheries Circular. No. 193. December 1995.

- Type of product (ongrowing, eggs, fingerlings, etc.);
- Capture-based aquaculture input (seed quantity: eggs, wild fingerlings, wild fish etc.);
- Production quantity (tonnes/units);
- Production value (currency);

#### PRODUCTION CENTRES

- Unit (segment) of production (hatcheries, ongrowing farms);
- Number of production centres per unit (segment);
- Cultured species per unit (segment);
- Total volume (m<sup>3</sup>) of facilities of production centres per segment;
- Destination of product per segment (consumption, ongrowing, restocking, ornamental).

#### MARKET

- Feed, Fishmeal and Fish Oil:
  - o Domestic production (tonnes)
  - o Feed prices for major farmed species (per tonne)
  - o Domestic Prices (per tonne)
- Trade and Consumption:
  - o Import and export of aquatic products (weight and value)
  - o Import and export of major farmed species (weight and value)
  - o Main export destination for farmed species
  - o National per capita consumption of aquatic products

2. The deadline for submissions is 30 June, with the reference year for the data submitted being the preceding year.

3. Members shall nominate a national focal point responsible for the submission of aquaculture data.

**Recommendation GFCM/35/2011/7 (A)**  
**ICCAT recommendation [10-04] amending the Recommendation by ICCAT**  
**to establish a Multi-annual recovery plan for Bluefin Tuna in the Eastern Atlantic and**  
**Mediterranean**

*FOLLOWING* the advice of the SCRS based on the stock assessment carried out in 2010,

*DESIRING* to achieve a stock level consistent with the objective of the Convention through 2022,

*CONVINCED* that to achieve this objective, it is necessary to strengthen the recovery plan for that stock adopted in 2006. The objective is to recover the stock through a combination of management measures which will protect the spawning stock biomass and reduce juvenile catches,

*RECOGNIZING* that the success of the recovery plan involves the strengthening of the control system, which should include a set of effective control measures to ensure the respect of the management measures and to ensure the traceability of all the catches,

*CONSIDERING* the necessity to improve the responsibility of the industry, flag States, port States, farm States and market States to ensure compliance with the present recommendation,

*GIVEN* the need to address the overcapacity of the fleet and the farming capacity;

THE INTERNATIONAL COMMISSION FOR THE CONSERVATION  
OF THE ATLANTIC TUNAS (ICCAT) RECOMMENDS THAT:

**Part I**

**General provisions**

1. The Contracting Parties, Cooperating non-Contracting Parties, Entities or Fishing Entities (hereinafter referred to as CPCs), whose vessels have been actively fishing for bluefin tuna (*Thunnus thynnus thynnus*) in the eastern Atlantic and Mediterranean shall implement a 15 year Recovery Plan for bluefin tuna in the eastern Atlantic and Mediterranean starting in 2007 and continuing through 2022, with the goal of achieving  $B_{MSY}$ , with at least 60% probability.

## Definitions

2. For purposes of this Plan:

- a) "Fishing vessel" means any vessel used or intended for use for the purposes of the commercial exploitation of bluefin tuna resources, including catching vessels, fish processing vessels, support ships, tug and towing vessels, vessels engaged in transshipment and transport vessels equipped for the transportation of tuna products and auxiliary vessels, except container vessels;
- b) "Catching vessel" means a vessel used for the purposes of the commercial capture of bluefin tuna resources;
- c) "Processing vessel" means a vessel on board of which fisheries products are subject to one or more of the following operations, prior to their packaging: filleting or slicing, freezing and/or processing;
- d) "Auxiliary vessel" means any vessel used to transport dead bluefin tuna (not processed) from a cage or a tuna trap to a designated port and / or to a processing vessel.
- e) "Fishing actively" means, for any catching vessel, the fact that it targets bluefin tuna during a given fishing season;
- f) "Joint fishing operation" means any operation between two or more catching vessels where the catch of one catching vessel is attributed to one or more other catching vessels in accordance with the allocation key;
- g) "Transfer operations" means:
  - any transfer of live bluefin tuna from the catching vessel net to the transport cage;
  - any transfer of live bluefin tuna from the transport cage to another transport cage;
  - any transfer of the cage with bluefin tuna from a towing vessel to another towing vessel;
  - any transfer of dead bluefin tuna from the transport cage to an auxiliary vessel;
  - any transfer from a bluefin tuna farm or a tuna trap to a processing vessel, transport vessel, or transfer of cage containing bluefin tuna from one farm to another;
  - any transfer of live bluefin tuna from the trap to the transport cage.
- h) "Trap" means fixed gear anchored to the bottom usually containing a guide net that leads bluefin tuna into an enclosure.
- i) "Caging" means the transfer of bluefin tuna from the transport cage to the fattening and farming cages.
- j) "Fattening" means caging of bluefin tuna for a short period (usually 2-6 months) aiming mostly at increasing the fat content of the fish.
- k) "Farming" means caging of bluefin tuna for a period longer than six months, aiming to increase the total biomass.
- l) "Transshipment" means the unloading of all or any of the fish on board a fishing vessel to another fishing vessel.
- m) "Sport fishery" means a non-commercial fishery whose members adhere to a national sport organization or are issued with a national sport license.
- n) "Recreational fishery" means a non-commercial fishery whose members do not adhere to a national sport organization or are not issued with a national sport license.

### Length of vessels

3. All lengths of vessels referred to in this Recommendation shall be understood as length overall.

## Part II

### Management measures

#### TAC and quotas

4. The total allowable catches (TACs) shall be set at 12,900 t annually, effective beginning in 2011 and thereafter, until such time the TAC is changed following the SCRS advice.

5. The SCRS shall monitor and review the progress of the Plan. In 2012, and thereafter every three years, the SCRS will conduct a stock assessment and provide advice to the Commission on the appropriate management measures, *inter alia*, on total allowable catch levels for future years.

The SCRS shall present a Kobe II strategy matrix reflecting recovery scenarios of eastern Atlantic and Mediterranean bluefin tuna in accordance with the multiannual recovery plans of the present Recommendation.

6. The recovery plan for bluefin tuna in the eastern Atlantic and Mediterranean shall be reviewed in 2012.

7. If the SCRS stock assessment detects a serious threat of fishery collapse, the Commission shall suspend all the fisheries for eastern Atlantic and Mediterranean bluefin tuna in the following year. CPCs shall immediately intensify research activities so that SCRS can conduct further analysis and present recommendations on conservation and management measures necessary to resume the fisheries.

8. The allocation scheme from 2011 is set in the table below.

| <i>CPC</i> | <i>Quota</i> | <i>%</i>  |
|------------|--------------|-----------|
| Albania    | 32.33        | 0.2506266 |
| Algeria    | 138.46       | 1.0733333 |
| China      | 36.77        | 0.2850125 |
| Croatia    | 376.01       | 2.9148371 |
| Egypt      | 64.58        | 0.5006266 |

|                |          |            |
|----------------|----------|------------|
| European Union | 7,266.41 | 56.3287720 |
| Iceland        | 29.82    | 0.2311278  |
| Japan          | 1,097.03 | 8.5041103  |
| Korea          | 77.53    | 0.6010025  |
| Libya          | 902.66   | 6.9973935  |
| Morocco        | 1,223.07 | 9.4811529  |
| Norway         | 29.82    | 0.2311278  |
| Syria          | 32.33    | 0.2506266  |
| Tunisia        | 1,017.56 | 7.8880702  |
| Turkey         | 535.89   | 4.1541604  |
| Chinese Taipei | 39.75    | 0.3081704  |
| TOTAL          | 12,900   | 100        |

9. With a view to ensuring compliance with the provisions of this Recommendation, each CPC shall submit fishing, inspection and capacity reduction plans to the inter-sessional meeting of the Compliance Committee scheduled before the 2011 fishing season starts. If the Compliance Committee finds a serious fault in the plans submitted by a CPC and cannot endorse the plans, the Commission shall decide on suspension of bluefin tuna fishing by that CPC in 2011 by mail vote. Such plans for the 2012 and 2013 fishing seasons shall be submitted to the Commission one month prior to its annual meeting in the preceding year for their endorsement, without which the CPC shall not engage in bluefin tuna fishing in that fishing season. Such system shall be reviewed at the 2012 annual meeting of the Commission.

#### **Associated conditions to TAC and quotas**

10. Each CPC shall take the necessary measures to ensure that the fishing effort of its catching vessels and its traps are commensurate with the fishing opportunities on bluefin tuna available to that CPC in the eastern Atlantic and Mediterranean Sea, including by establishing individual quotas for its catching vessels over 24 m included in the list referred to in paragraph 55.a).

11. Each CPC shall draw up an annual fishing plan for the catching vessels and traps fishing bluefin tuna in the eastern Atlantic and Mediterranean Sea. The annual fishing plan shall identify, *inter alia*, the catching vessels over 24 meters included in the list referred to in paragraph 55.a) and the individual quota allocated to them and the method used to allocate quota as well as the measure to ensure the respect of the individual quota.

12. Each CPC shall also allocate a specific quota for the purpose of recreational and sport fisheries as defined in paragraph 2.m) and n).

13. No later than 1 March each year, the annual fishing plan shall be transmitted by each CPC to the ICCAT Executive Secretariat. Any subsequent modification to the annual fishing plan or to the specific method used to manage their quota shall be transmitted to the ICCAT Executive Secretariat at least 10 days before the exercise of the activity corresponding to that modification.

14. No later than 15 October, each CPC shall report to the ICCAT Executive Secretariat on the implementation of their annual fishing plans for that year. Those reports shall include:

- a) the number of catching vessels actually engaged in active fishing activities involving bluefin tuna in the eastern Atlantic and Mediterranean;
- b) the catches of each catching vessel; and
- c) the total number of days each catching vessel fished in the eastern Atlantic and Mediterranean.

15. The flag CPC may require the catching vessel to proceed immediately to a port designated by it when the individual quota is deemed to be exhausted.

16.

- a) No carry-over of any under-harvests shall be made under this Plan.
- b) By derogation to paragraph 4 of the 2002 *Recommendation by ICCAT Concerning a Multi-year Conservation and Management Plan for Bluefin Tuna in the East Atlantic and Mediterranean* [Rec. 02-08], no more than 50 % carry-over of any under-harvests arising from 2005 and/or 2006 may be made under this Plan. Paragraph 2 of the 1996 *Recommendation by ICCAT Regarding Compliance in the Bluefin Tuna and North Atlantic Swordfish Fisheries* [Rec. 96-14] shall not apply for the overages in 2005 and 2006.
- c) The underages of Libya, Morocco and Tunisia in 2005 and 2006 may be carried over to 2009 and 2010 as follows:

| <i>CPCs</i> | <i>2009</i> | <i>2010</i> |
|-------------|-------------|-------------|
| Libya       | 145 t       | 145 t       |
| Morocco     | 327 t       | 327 t       |
| Tunisia     | 202 t       | 202 t       |

- d) Any overage of a CPC shall be deducted from the next year's quotas of that CPC. Notwithstanding this provision, the payback of the European Union for its overage in 2007 shall be spread over 2009-2012 (500 t in 2009 and 2010, 1,510 t in 2011 and 2012). This payback shall be reviewed in the light of a general transparency and incentive provision on overages to be adopted by ICCAT at the latest in 2010.

17. CPCs shall be encouraged to voluntarily reduce their catches of bluefin tuna in eastern Atlantic and Mediterranean in 2009. Notwithstanding paragraph 16.a), the voluntary reduced portion of the CPC's allocation may be carried over to 2011 on condition that such voluntary reduced portion is notified to the ICCAT Secretariat before 1 March 2009.

18. Private trade arrangements and or transfer of quotas/catch limits between CPCs shall be done only under authorization by the CPCs concerned and the Commission.

19. To comply with paragraph 1 of 2002 *Recommendation by ICCAT on Vessel Chartering* [Rec. 02-21], the percentage of a CPC's bluefin tuna quota/catch limit that may be used for chartering shall not exceed 60%, 40% and 20% of the total quota in 2007, 2008, 2009, respectively. No chartering operation for the bluefin tuna fishery is permitted from 2010.

20. No JFOs between different CPCs shall be permitted. However, a CPC with less than 5 authorized purse seiners may authorize joint fishing operations with any other CPC. Each CPC conducting a JFO shall be responsible and accountable for the catches made under this JFO.

Any CPC joint fishing operation for bluefin tuna shall only be authorized with the consent of the CPC if the vessel is equipped to fish bluefin tuna and has an individual quota, and in accordance with the following requirements.

At the moment of the application for the authorization, following the format set in Annex 6, each CPC shall take the necessary measures to obtain from its catching vessel(s) participating in the joint fishing operation the following information:

- duration,
- identity of the operators involved,
- individual vessels' quotas,
- the allocation key between the vessels for the catches involved, and
- the information on the fattening or farming farms of destination.

Each CPC shall transmit all this information to the ICCAT Secretariat at least ten days before the start of the operation.

The Commission shall establish and maintain an ICCAT record of all joint fishing operations authorized by the CPCs in the eastern Atlantic and Mediterranean Sea.

### **Closed fishing seasons**

21. Bluefin tuna fishing shall be prohibited in the eastern Atlantic and Mediterranean by large-scale pelagic longline catching vessels over 24 m during the period from 1 June to 31 December with the exception of the area delimited by West of 10°W and North of 42°N, where such fishing shall be prohibited from 1 February to 31 July.
22. Purse seine fishing for bluefin tuna shall be prohibited in the eastern Atlantic and Mediterranean during the period from 15 June to 15 May.
23. Bluefin tuna fishing by baitboats and trolling boats shall be prohibited in the eastern Atlantic and Mediterranean during the period from 15 October to 15 June.
24. Bluefin tuna fishing by pelagic trawlers shall be prohibited in the eastern Atlantic during the period from 15 October to 15 June.
25. Bluefin tuna recreational and sport fishing shall be prohibited in the eastern Atlantic and Mediterranean from 15 October to 15 June.

### **Spawning grounds**

26. The SCRS shall continue working on the identification as precisely as possible of spawning grounds, in the Atlantic and Mediterranean. It shall advise the Commission in 2012 on the creation of sanctuaries.

### **Use of aircraft**

27. CPCs shall take necessary measures to prohibit the use of airplanes or helicopters for searching for bluefin tuna in the Convention area.

### **Minimum size**

28. CPCs shall take the necessary measures to prohibit catching, retaining on board, transshipping, transferring, landing, transporting, storing, selling, displaying or offering for sale bluefin tuna weighing less than 30 kg.
29. By derogation of paragraph 28, a minimum size for bluefin tuna of 8 kg shall apply to the following situations in accordance with the procedures set out in **Annex 1**.

- a) Bluefin tuna caught by baitboats and trolling boats in the eastern Atlantic.
- b) Bluefin tuna caught in the Adriatic Sea for farming purposes.
- c) Bluefin tuna caught in the Mediterranean Sea by the coastal artisanal fishery for fresh fish by baitboats, longliners and handliners.

30. For catching vessels fishing actively for bluefin tuna, an incidental catch of maximum 5% of bluefin tuna weighing between 10 and 30 kg may be authorized. This percentage is calculated on the total incidental catches in number of fish retained on board this vessel, or their equivalent in percentage in weight. Incidental catches must be deducted from the quota of the flag State CPC. The procedures referred to in paragraphs 62, 63, 64, 65, 67, 68 and 69 shall apply to the incidental catch.

### **By-catch**

31. Catching vessels not fishing actively for bluefin tuna are not authorized to retain on board bluefin tuna exceeding more than 5% of the total catch on board by weight or/and number of pieces. By-catches must be deducted from the quota of the flag state CPC.

The procedures referred to in paragraphs 62, 63, 64, 65, 67, 68 and 69 shall apply to the by-catch.

### **Recreational fisheries**

32. Recreational fisheries on bluefin tuna shall be subject to the authorization for each vessel issued by the flag State CPC.

33. CPCs shall take the necessary measures to prohibit the catch and retention on board, transshipment or landing of more than one bluefin tuna in each sea trip.

34. The marketing of bluefin tuna caught in recreational fishing shall be prohibited except for charitable purposes.

35. Each CPC shall take measures to record catch data from recreational fishing and transmit them to the SCRS. Catches of recreational fisheries shall be counted against the quota allocated to the CPC in accordance with paragraph 12.

36. Each CPC shall take the necessary measures to ensure, to the greatest extent possible, the release of bluefin tuna caught alive, especially juveniles, in the framework of recreational fishing.

## **Sport fisheries**

37. CPCs shall take the necessary measures to regulate sport fishing, notably by fishing authorizations.

38. The marketing of bluefin tuna caught in sport fishing competitions shall be prohibited except for charitable purposes.

39. Each CPC shall take measures to record catch data from sport fishing and transmit them to the SCRS. Catches of sport fishing shall be counted against the quota allocated to the CPC in accordance with paragraph 12.

40. Each CPC shall take the necessary measures to ensure, to the greatest extent possible, the release of the bluefin tuna caught alive, especially juveniles, in the framework of sport fishing.

## **Part III**

### **Capacity measures**

#### **Adjustment of fishing capacity**

41. Each CPC shall ensure that its fishing capacity is commensurate with its allocated quota.

42. To that purpose each CPC shall establish a management plan over 2010-2013. Such plan shall be submitted to the Commission by 15 September 2009 for discussion and approval by the Commission at its annual meeting in 2009. Such plan shall be reviewed and, if necessary, revised and submitted on an annual basis for discussion and approval by the Commission for the remaining period. Such plan shall include the information referred to in paragraphs 43 to 49, as well as detailed information regarding the ways used by CPCs to eliminate overcapacity in addition to scrapping.

#### **Freezing of fishing capacity**

43. CPCs shall limit the number, and the corresponding gross registered tonnage, of their fishing vessels to the number and tonnage of their vessels that fished for, retained on board, transhipped, transported, or landed bluefin tuna during the period 1 January 2007 to 1 July 2008. This limit shall be applied by gear type for catching vessels and by vessel type for other fishing vessels.

44. Paragraph 43 shall not be interpreted to affect the measures contained in **Annex 1** paragraphs 1 and 2 of this Recommendation.

45. CPCs shall limit the number of their traps engaged in the eastern Atlantic and Mediterranean bluefin tuna fishery to the number authorized by each CPC by 1 July 2008.

46. This freezing may not apply to certain CPCs, in particular developing States that demonstrate that they need to develop their fishing capacity so as to fully use their quota. Such CPCs shall indicate in their management plans the programming of the introduction of additional fishing capacity into the fishery.

### **Reduction of fishing capacity**

47. Without prejudice to paragraph 46, each CPC shall reduce its fishing capacity referred to in paragraphs 43, 44 and 45 so as to ensure that the discrepancy between its fishing capacity and its fishing capacity commensurate with its allocated quota, in accordance with the methodology approved at the 2009 annual meeting, shall be reduced by:

- a) at least 25% in 2010;
- b) at least 75% in 2011;
- c) at least 95% in 2012;
- d) 100% in 2013.

48. To calculate its fishing capacity reduction, each CPC shall take into account *inter alia*, the estimated yearly catch rates per vessel and gear.

49. This reduction may not apply to certain CPCs that demonstrate that their fishing capacity is commensurate with their allocated quotas.

### **Adjustment of farming capacity**

50. Each farming or fattening CPC shall establish a management plan over 2010-2013. Such plan shall be submitted to the Commission by 15 September 2009 for discussion and approval by the Commission at its annual meeting in 2009, and shall be reviewed at its annual meeting in 2010. Such plan shall include the information referred in paragraphs 51 to 54.

51. Each CPC shall limit its tuna farming capacity to the farming capacity of the farms that were registered in the ICCAT list or authorized and declared to ICCAT as of 1 July 2008.

52. Each CPC shall establish for 2010 a maximum input of wild caught bluefin tuna into its farms at the level of the input quantities registered with ICCAT by its farms in 2005, 2006, 2007 or 2008.

53. Within the maximum input quantity of wild caught bluefin tuna referred to in paragraph 52, each CPC shall allocate inputs to its farms.

54. Further adjustment of farming capacity shall be decided by the Commission at its annual meeting in 2010, depending on the level of the TAC after 2010.

## **Part IV**

### **Control measures**

#### **Records of ICCAT vessels authorized to fish bluefin tuna**

55.

- a) The Commission shall establish and maintain an ICCAT record of all catching vessels authorized to fish actively for bluefin tuna in the eastern Atlantic and Mediterranean Sea.
- b) The Commission shall establish and maintain an ICCAT record of all other fishing vessels (i.e. catching vessels excluded) authorized to operate for bluefin tuna in the eastern Atlantic and Mediterranean Sea.

During a calendar year, a fishing vessel shall be registered in only one of the ICCAT records referred to paragraphs a) and b). Without prejudice to paragraph 31, for the purposes of this recommendation, fishing vessels not entered into one of the ICCAT records referred to in paragraph a) and b) are deemed not to be authorized to fish for, retain on board, tranship, transport, transfer, process or land bluefin tuna in the eastern Atlantic and Mediterranean Sea.

56. Each flag CPC shall submit electronically each year to the ICCAT Executive Secretary, at the latest one month before the beginning of the fishing seasons referred to in paragraphs 21 to 24, when applicable, and otherwise by 1 March, the list of its catching vessels authorized to fish actively for bluefin tuna and the list of its other fishing vessels authorized to operate in the eastern Atlantic and Mediterranean Sea referred to in paragraph 55.a), in accordance with the format set in the Guidelines for Submitting Data and Information Required by ICCAT.

No retroactive submissions shall be accepted. Any subsequent changes shall not be accepted unless a notified fishing vessel is prevented from participation due to legitimate operational reasons or force majeure. In such circumstances, the CPC concerned shall immediately inform the ICCAT Executive Secretary, providing:

- a) full details of the intended replacement fishing vessel(s) referred to in paragraph 55;
- b) a comprehensive account of the reasons justifying the replacement and any relevant supporting evidence or references.

57. Conditions and procedures referred in the 2009 *Recommendation by ICCAT Concerning the Establishment of an ICCAT Record of Vessels 20 Meters in Length Overall or Greater Authorized to Operate in the Convention Area* [Rec. 09-08] (except paragraph 3) shall apply *mutatis mutandis*.

## **ICCAT record of tuna traps authorized to fish for bluefin tuna**

58. The Commission shall establish and maintain an ICCAT Record of all tuna traps authorized to fish for bluefin tuna in the eastern Atlantic and Mediterranean Sea. For the purposes of this recommendation, tuna traps not entered into the record are deemed not to be authorized to be used to fish for, retain, transfer or land bluefin tuna.

59. Each CPC shall submit electronically to the ICCAT Executive Secretary, by 1 March each year, the list (including the name of the traps, register number) of its authorized tuna traps referred to in paragraph 58. Conditions and procedures referred in Recommendation Rec. 09-08 (except paragraph 3) shall apply *mutatis mutandis*.

## **Information on fishing activities**

60. By 1 March each year, each CPC shall notify the ICCAT Secretariat the list of the catching vessels included in the ICCAT record referred to in paragraph 55.a)) that have fished for bluefin tuna in the eastern Atlantic and Mediterranean in the preceding fishing year.

61. Each CPC shall notify the ICCAT Secretariat of any information concerning vessels not covered in paragraph 60 but known or presumed to have fished for bluefin tuna in the eastern Atlantic and Mediterranean. The ICCAT Secretariat shall forward such information to the flag State for action as appropriate, with a copy to other CPCs for information.

## **Transshipment**

62. Transshipment at sea operations of bluefin tuna in the eastern Atlantic and Mediterranean Sea shall be prohibited.

63. Fishing vessels shall only tranship bluefin tuna catches in designated ports of CPCs. To this end, each CPC shall designate ports in which transshipping of bluefin tuna is authorized and communicate a list of these ports to the ICCAT Secretariat by 1 March each year.

For a port to be determined as designated port, the port State shall specify permitted transshipping times and places.

The Port State shall ensure full inspection coverage during all transshipping times and at all transshipping places.

On the basis of this information the ICCAT Secretariat shall maintain a list of designated ports on the ICCAT website.

The masters of the transshipping fishing vessels shall complete the ICCAT transshipment declaration in accordance with the format set out in Annex 3.

64. Prior to entry into any port, the receiving fishing vessel, or its representative, shall provide the relevant authorities of the port State at least 48 h before the estimated time of arrival, with the following:

- a) estimated time of arrival,
- b) estimated quantity of bluefin tuna retained on board, and information on the geographic area where it was taken;
- c) the name of the transshipping fishing vessel and its number in the ICCAT record of catching vessels authorized to fish actively for bluefin tuna or in the ICCAT record of other fishing vessels authorized to operate in the eastern Atlantic and Mediterranean Sea,
- d) the name of the receiving fishing vessel, its number in the ICCAT record of catching vessels authorized to fish actively for bluefin tuna or in the ICCAT record of other fishing vessels authorized to operate in the eastern Atlantic and Mediterranean Sea,
- e) the tonnage and the geographic area of the catch of bluefin tuna to be transshipped.

Any transshipment requires the prior authorization from the flag State of the transshipping fishing vessel concerned.

The master of the transshipping fishing vessel shall, at the time of the transshipment, inform its Flag State of the following:

- a) the quantities of bluefin tuna involved,
- b) the date and port of the transshipment,
- c) the name, registration number and flag of the receiving fishing vessel and its number in the ICCAT record of catching vessels authorized to fish actively for bluefin tuna or in the ICCAT record of other fishing vessels authorized to operate in the eastern Atlantic and Mediterranean Sea,
- d) the geographical area of the catch of bluefin tuna.

The relevant authority of the port State shall inspect the receiving vessel on arrival and check the cargo and documentation related to the transshipment operation.

The relevant authority of the port State shall send a record of the transshipment to the flag State authority of the transshipping fishing vessel, within 48 hours after the transshipment has ended.

## Recording requirements

65. The masters of catching vessels shall keep a bound or electronic logbook of their operations, indicating particularly the quantities of bluefin tuna caught and kept on board, whether the catches are weighed or estimated, the date and location of such catches and the type of gear used in accordance with the requirements set out in **Annex 2**.

66. The masters of the catching vessels involved in a joint fishing operation shall record in their logbook:

- a) as regards the catching vessel transferring the fish into cages:
  - its name and international radio call sign;
  - the date and the time of the catch and of the transfer,
  - the location of the catch and of the transfer (longitude/latitude),
  - amount of catches taken on board, and amount of catches transferred into cages,
  - amount of catches counted against its individual quota,
  - the name of the tug boat and its ICCAT number.
  
- b) as regards the other catching vessels not involved in the transfer of the fish:
  - their names and international radio call signs;
  - the date and the time of the catch and of the transfer,
  - the location of the catch and of the transfer (longitude/latitude),
  - that no catches have been taken on board or transferred into cages,
  - amount of catches counted against their individual quotas,
  - the name and the ICCAT number of the catching vessel referred to in (a),
  - the name of the tug boat and its ICCAT number.

67. Fishing vessels shall only land bluefin tuna catches in designated ports of CPCs. To this end, each CPC shall designate ports in which landing of bluefin tuna is authorized and communicate a list of these ports to the ICCAT Secretariat by 1 March each year.

For a port to be determined as designated port, the port State shall specify permitted landing times and places. The port State shall ensure full inspection coverage during all landing times and at all landing places.

On the basis of this information the ICCAT Secretariat shall maintain a list of designated ports on the ICCAT website.

68. Prior to entry into any port, the fishing vessels or their representative, shall provide the relevant authorities of the port, at least 4 hours before the estimated time of arrival, with the following:

- a) estimated time of arrival,
- b) estimate of quantity of bluefin tuna retained on board,
- c) the information on the geographic area where the catch was taken;

Port State authorities shall keep a record of all prior notices for the current year.

Each landing or caging shall be subject to an inspection by the relevant authorities of the port.

The relevant authority shall send a record of the landing to the flag State authority of the fishing vessel, within 48 hours after the landing has ended.

After each trip and within 48 hours of landing, the masters of catching vessels shall submit a landing declaration to the competent authorities of the CPC where the landing takes place and to its flag State. The master of the authorized catching vessel shall be responsible for the accuracy of the declaration, which shall indicate, as a minimum, the quantities of bluefin tuna landed and the area where they were caught. All landed catches shall be weighed and not only estimated.

69. The masters of fishing vessels shall complete and transmit to their flag State the ICCAT transshipment declaration no later than 48 hours after the date of transshipment in port.

### **Communication of catches**

70.

- a) Each CPC shall ensure that its catching vessels fishing actively for bluefin tuna shall communicate by electronic or other means, to their competent authorities, a weekly catch report, with, as a minimum, information on the catch amount, including nil catch returns, the date and the location (latitude and longitude) of the catches. This report shall be transmitted by the latest Monday noon with the catches taken in the Plan Area during the preceding week ending Sunday midnight GMT. This report shall include information on the number of days in the Plan Area since the beginning of the fishing or since the last weekly report.
- b) Each CPC shall ensure that its purse seine catching vessels and its other catching vessels over 24 m fishing actively for bluefin tuna shall communicate, except in case of nil catch returns, by electronic or other means, to their competent authorities, a daily catch report, with, as a minimum, information on the catch amount, the date and the location (latitude and longitude) of the catches. If a CPC requires such daily reports even in case of nil catch returns, the weekly reports referred to in a) shall not be required.

- c) On the basis of the information referred to in (a) and (b), each CPC shall transmit without delay weekly catch reports for all vessels to the ICCAT Secretariat in accordance with the format set out in **Annex 5**.

### **Reporting of catches**

71. Each CPC shall report its provisional monthly catches of bluefin tuna. This report shall be sent to the ICCAT Secretariat within 30 days of the end of the calendar month in which the catches were made.

72. The ICCAT Secretariat shall within 10 days following the monthly deadlines for receipt of the provisional catch statistics collect the information received and circulate it to CPCs together with aggregated catch statistics.

73. The Executive Secretary shall notify without delay all CPCs of the date on which the accumulative reported catch taken by catching vessels of the CPCs is estimated to equal 85% of the concerned CPC quota for this stock. The CPC shall take the necessary measures to close its bluefin tuna fisheries before its quota is exhausted and notify this closure without delay to the ICCAT Secretariat which will circulate this information to all CPCs.

### **Cross check**

74. CPCs shall verify, including by using inspection reports and observer reports, VMS data, the submission of logbooks and relevant information recorded in the logbooks of their fishing vessels, in the transfer/transshipment document and in the catch documents.

The competent authorities shall carry out cross checks on all landings, all transshipment or caging between the quantities by species recorded in the fishing vessel logbook or quantities by species recorded in the transshipment declaration and the quantities recorded in the landing declaration or caging declaration, and any other relevant document, such as invoice and/or sales notes.

### **Transfer operations**

75. Before any transfer operation, as defined in paragraph 2.g), the master of the catching or towing vessel or its representatives or the representative of the farm or trap, where the transfer in question originates as appropriate shall send to its flag State or farm state CPC authorities before the transfer, a prior transfer notification indicating:

- name of the catching vessel or farm or trap and ICCAT number record,
- estimated time of transfer,
- estimate of quantity of bluefin tuna to be transferred,

- information on the position (latitude/longitude) where the transfer will take place and identifiable cage numbers,
- name of the towing vessel, number of cages towed and ICCAT number record where appropriate,
- Port, farm or cage of destination of the bluefin tuna.

76. The flag State shall assign and communicate to the master of the fishing vessel, or trap or farm as appropriate, an authorization number for each transfer operation. The transfer operation shall not begin without the prior authorization issued in accordance with a unique numbering system that includes the 3 letters CPC code, 4 numbers showing the year and 3 letters that indicate either positive authorization (AUT) or negative authorization (NEG) followed by sequential numbers, by the CPC flag State authorities of the catching vessel, the towing vessel, farm or trap.

If the flag State of the catching vessel, the towing vessel or the authorities of the CPC where the farm or trap is located considers on receipt of the prior transfer notification that:

- a) the catching vessel or the trap declared to have caught the fish does not have sufficient quota,
- b) the quantity of fish has not been duly reported by the catching vessel or a trap or had not been authorized to be caged and not taken into account for the consumption of the quota that may be applicable,
- c) the catching vessel declared to have caught the fish is not authorized to fish for bluefin tuna, or
- d) the tug vessel declared to receive the transfer of fish is not registered in the ICCAT record of all other fishing vessels referred to in paragraph 55.b) or is not equipped with a Vessel Monitoring System, it shall not authorize the transfer.

In case the transfer is not authorized the catching CPC shall issue a release order to the master of the catching vessel, shall inform the master of the catching vessel that the transfer is not authorized and to proceed to the release of the fish into the sea according to the procedures described in the paragraph below.

In case the transfer is not authorized, the catching vessel CPC shall issue a release order to the master of the catching vessel.

The transfer shall be authorized or not authorized by the flag State of the catching vessel farm or trap as appropriate within 48 hours following the submission of the prior transfer notification. In case that the transfer is not authorized the captain of the catching vessel, the owner of the farm or trap as appropriate has to release the fish into the sea according to the following procedures.

The release of bluefin tuna into the sea shall be recorded by video camera and observed by an ICCAT regional observer who shall draft and submit the report together with the video recording to the ICCAT Secretariat.

77. The masters of catching or towing vessels or the representative of the farm or trap shall complete and transmit to their flag State the ICCAT transfer declaration at the end of the transfer operation in accordance with the format set out in **Annex 4**.

- a) The transfer declaration forms shall be numbered by the flag authorities of the vessel, farm or trap from where this transfer originates. The numbering system shall include the 3 letters CPC code, followed by 4 numbers showing the year and 3 sequential numbers followed by the 3 letters ITD (CPC-20\*\*/xxx/ITD).
- b) The original transfer declaration shall accompany the transfer of fish. A copy of the declaration must be kept by the catching vessel or trap and towing vessel.
- c) Masters of vessels carrying out transfer operations (including towing vessels, shall report on their daily log the quantities transferred and the number of fish, as well as the catching vessel name, flag and ICCAT number, the name of the other vessel(s) involved and their ICCAT number, the date and position of transfer and the farm of destination. The daily log shall contain the details of all transfers carried out during the fishing season. The daily log shall be kept on board and be accessible at any time for control purposes.

78. The authorization for transfer by the flag State does not prejudice the authorization of the caging operation.

79. The master of the catching vessel or the representative of the farm or trap, where appropriate, shall ensure that the transfer activities shall be monitored by video camera in the water.

One video record shall be produced and transmitted each to the regional observer and to the CPC observer aboard the towing vessel, the latter of which shall accompany the transfer declaration and the associated catches to which it relates. At the beginning and/or end of each video, the ICCAT transfer declaration number must be displayed. The time and the date of the video shall be continuously displayed through out each video record.

The CPCs shall provide copies of video records to the SCRS upon request. SCRS shall keep confidentiality of commercial activities.

80. The ICCAT Regional Observer on board the catching vessel, as referred to in the ICCAT Regional Observer Programme (**Annex 7**), shall record and report upon the transfer

activities carried out, verify the position of the catching vessel when engaged in transfer operation, observe and estimate catches transferred and verify entries made in the prior transfer authorization as referred to in paragraph 76 and in the ICCAT transfer declaration as referred to in paragraph 77.

In cases where the estimation by the regional observer is at least 10% higher by number and/or average weight than declared by the master of the catching vessel, an investigation shall be initiated by the flag State of the catching vessel and concluded prior to the time of caging at the farm. Pending the results of this investigation, caging shall not be authorized and the catching section of the BCD shall not be validated.

81. The ICCAT Regional Observer shall sign with clearly written name and ICCAT number the ICCAT transfer declaration. He shall verify that the ICCAT transfer declaration is properly filled and transmitted to the master of the tug vessel.

The tuna trap operator shall complete and transmit to its CPC the ICCAT transfer declaration at the end of the transfer operation to the fishing vessel, in accordance with the format set out in **Annex 4**.

### **Caging operations**

82. The CPC under whose jurisdiction the farm for bluefin tuna is located shall submit within one week a caging report, validated by an observer, to the CPC whose flag vessels has fished the tuna and to the ICCAT Secretariat. This report shall contain the information referred to in the caging declaration as set out in the *Recommendation by ICCAT on Bluefin Tuna Farming* [Rec. 06-07].

When the farming facilities authorized to operate for farming of bluefin tuna caught in the Convention area (hereafter referred to as FFBs) are located beyond waters under jurisdiction of CPCs, the provisions of the previous paragraph shall apply, mutatis mutandis, to CPCs where the natural or legal persons responsible for FFBs are located.

83. Before any caging operation into a farm, the flag CPC of the catching vessel shall be informed by the competent authority of the farm State of the caging of quantities caught by catching vessels flying its flag. If the flag CPC of the catching vessel considers on receipt of this information that:

- a) the catching vessel declared to have caught the fish had not sufficient quota for bluefin tuna put into the cage,
- b) the quantity of fish has not been duly reported by the catching vessel and not taken into account for the calculation of any quota that may be applicable,
- c) the catching vessel declared to have caught the fish is not authorized to fish for bluefin tuna, it shall inform the competent authority of the farm State to proceed to the seizure

of the catches and the release of the fish into the sea according to the procedures described in paragraph 76.

The caging shall not begin without the prior authorization of the catching vessel's flag State.

Fish shall be caged before the 31st of July unless the farm CPC receiving the fish provides valid reasons including force majeure, which shall accompany the caging report when submitted.

84. The CPC under whose jurisdiction the farm for bluefin tuna is located shall take the necessary measures to prohibit placing in cages for farming or fattening bluefin tuna that are not accompanied by accurate, complete and validated documentation required by ICCAT.

85. The caging shall be authorized or not authorized by the flag State of the catching vessel, farm or trap, as appropriate, within 48 hours following the submission of the information mentioned in paragraph 83. In case the caging is not authorized the catching vessel CPC shall issue a release order to the flag CPC of the towing vessel and/or CPC farm authority, as appropriate, according to the procedures described in paragraph 76.

86. The CPC under whose jurisdiction the farm is located shall ensure that transfer activities from cages to the farm shall be monitored by video camera in the water.

One video record shall be produced for each caging operation. At the beginning or end of each video, the ICCAT transfer declaration number must be displayed. The time and the date of the video shall be continuously displayed through out each video record.

In cases where there is more than a 10% difference either by average weight and/or number between the estimate by the regional observer and the farm operator an investigation shall be initiated by the farm CPC in cooperation with flag state of the catching vessel. This difference is calculated by number and/or average weight. If the investigation is not concluded within 10 working days or if the outcome of the investigation indicates that the number and or average weight of bluefin tuna is in excess of 10% of that declared by the farm operator, then the flag CPCs authorities of the catching vessel shall issue a release order for the number and or weight in excess.

The CPCs farm authorities shall ensure that the release order is carried by the farm operator within 48 hours following the arrival of a regional observer. The release shall be carried out in accordance to the procedures described in paragraph 76. Pending the results of this investigation, harvesting shall not take place and the farming section of the BCD shall not be validated.

In the event that the final estimation at the time of caging in the farm is greater than the final estimation at the time of first transfer from the catching vessel, the CPC of the catching vessel shall decide on the final quota uptake that they shall validate in the BCD(s) concerned.

87. CPCs shall initiate pilot studies on how to better estimate both the number and weight of bluefin tuna at the point of capture and caging including through the use of stereoscopic systems and report the results to the SCRS.

SCRS shall explore operationally viable technologies and methodologies for determining the size and biomass at the points of capture and caging.

A sampling programme and/or an alternative programme shall be established at the time of caging in order to improve the counting and the weight estimations of the caged fish.

### **Trap activities**

88. CPCs shall take the necessary measures to ensure the record of the catches after the end of every fishing operation and the transmission of these data together with the estimated quantities remaining in the trap simultaneously by electronic means or other means within 48 hours after the end of every fishing operation to the competent authority, which shall transmit these data without delay to the ICCAT Secretariat.

### **VMS**

89. Without prejudice to paragraph 1.d) of Recommendation Rec.06-07, CPCs shall implement a vessels monitoring system for their fishing vessels over 24 m , in accordance with the 2003 *Recommendation by ICCAT Concerning Minimum Standards for the Establishment of a Vessel Monitoring System in the ICCAT Convention Area* [Rec. 03-14].

Without prejudice to paragraph 1d) of Recommendation 06-07, with effect from 1 January 2010 this measure shall be applied for their fishing vessels over 15 m.

No later than 31 January 2008, each CPC shall communicate without delay messages pursuant to this paragraph to the ICCAT Secretariat, in accordance with the data exchange formats and protocols adopted by the Commission in 2007.

The ICCAT Executive Secretary shall make available without delay the information received under this paragraph to CPCs with an active inspection presence in the Plan Area and to SCRS, at its request.

On request from CPCs engaged in inspection at sea operations in the convention area in accordance with the ICCAT scheme of joint international inspection referred to in paragraphs 99 and 100 of this Recommendation, the ICCAT Secretariat shall make available the messages received under paragraph 3 of Recommendation by ICCAT Concerning Data Exchange Format and Protocol in Relation to the Vessel Monitoring System (VMS) for the Bluefin Tuna Fishery in the ICCAT Convention Area [Rec. 07-08] to all fishing vessels.

The transmission of VMS data by fishing vessels included in the ICCAT bluefin tuna record of catching vessels to ICCAT shall start at least 15 days before the opening of the fishing seasons and shall continue at least 15 days after the closure of the fishing seasons unless the vessel is removed by the flag State authorities.

For control purposes, the transmission of VMS bluefin tuna authorised fishing vessels shall not be interrupted when vessels are in port unless there is a system of hailing in and out of port.

Fishing vessels included in the ICCAT bluefin tuna record of other vessels shall transmit VMS data to ICCAT throughout the whole period of authorization.

### **CPC Observer Programme**

90. Each CPC shall ensure observer coverage on vessels active in the bluefin tuna fishery on at least:

- 100% of its active purse seine vessels equal or less than 24 m in 2011,
- 100% of its active purse seine vessels equal or less than 20 m in 2012,
- 20% of its active pelagic trawlers (over 15m),
- 20% of its active longline vessels (over 15m),
- 20% of its active baitboats (over 15m),
- 100% during the harvesting process for tuna traps,
- 100% of towing vessels.

The observer tasks shall be, in particular, to:

- a) monitor a catching vessel compliance with the present recommendation,
- b) record and report upon the fishing activity, which shall include, *inter alia*, the following:
  - amount of catch (including by-catch), that also includes species disposition, such as retained on board or discarded dead or alive,
  - area of catch by latitude and longitude,
  - measure of effort (e.g., number of sets, number of hooks, etc.), as defined in the *ICCAT Manual* for different gears.
  - date of catch,
- c) observe and estimate catches and verify entries made in the logbook,

- d) sight and record vessels that may be fishing contrary to ICCAT conservation measures.

In addition, the observer shall carry out scientific work, such as collecting Task II data, when required by the Commission, based on the instructions from the SCRS.

In implementing this observer requirement, CPCs shall:

- a) ensure representative temporal and spatial coverage to ensure that the Commission receives adequate and appropriate data and information on catch, effort, and other scientific and management aspects, taking into account characteristics of the fleets and fisheries;
- b) ensure robust data collection protocols;
- c) ensure observers are properly trained and approved before deployment;
- d) ensure, to the extent practicable, minimal disruption to the operations of vessels fishing in the Convention area.

Data and information collected under each CPCs observer programme shall be provided to the SCRS and the Commission, as appropriate, in accordance with requirements and procedures to be developed by the Commission by 2009 taking into account CPC confidentiality requirements.

For the scientific aspects of the programme, the SCRS shall report on the coverage level achieved by each CPC and provide a summary of the data collected and any relevant findings associated with that data. SCRS shall also provide any recommendations to improve the effectiveness of CPC observer programmes.

### **ICCAT Regional Observer Programme**

91. An ICCAT Regional Observer Programme shall be established to ensure an observer coverage of 100%:

- of purse seine vessels over 24 m length during the 2011 fishing season (**Annex 7**);
- of purse seine vessels over 20 m length during the 2012 fishing season (**Annex 7**);
- of all purse seine vessels irrespective of their length during all the annual fishing season from 2013 onward, (**Annex 7**);
- during all transfer of bluefin tuna to the cages and all harvest of fish from the cage.

Such purse seine vessels without an ICCAT regional observer shall not be authorized to fish or to operate in the bluefin tuna fishery.

In case that bluefin tuna is harvested from the cage and traded as fresh products the regional observer that observes the harvest may be a national of the farm CPC.

92. An ICCAT Regional Observer Programme shall ensure an observer presence during all transfer of bluefin tuna to the cages and all harvest of fish from the cage.

The observer tasks shall be, in particular, to:

- observe and monitor farming operation compliance with Recommendation 06-07,
- validate the caging report referred to in paragraph 82,
- carry out such scientific work, for example collecting samples, as required by the Commission based on the directions from the SCRS.

### **Enforcement**

93. CPCs shall take enforcement measures with respect to a fishing vessel, where it has been established, in accordance with its law that the fishing vessel flying its flag does not comply with the provisions of paragraphs 21 to 25, 28 to 30 and 65 to 69 (closed seasons, minimum size and recording requirements).

The measures may include in particular depending on the gravity of the offence and in accordance with the pertinent provisions of national law:

- fines,
- seizure of illegal fishing gear and catches,
- sequestration of the vessel,
- suspension or withdrawal of authorization to fish,
- reduction or withdrawal of the fishing quota, if applicable.

94. The CPC under whose jurisdiction the farm for bluefin tuna is located shall take enforcement measures with respect to a farm, where it has been established, in accordance with its law that this farm does not comply with the provisions of paragraphs 82 to 86 and 92 (caging operations and observers) and with Recommendation 06-07.

The measures may include in particular depending on the gravity of the offence and in accordance with the pertinent provisions of national law:

- fines,
- suspension or withdrawal of the record of FFBs,
- prohibition to put into cages or market quantities of bluefin tuna.

### **Access to and requirements for video records**

95. Each CPC shall take the necessary measures to ensure that the video records as referred in paragraphs 79 and 86 are made available to the ICCAT inspectors and ICCAT observers.

The CPC under whose jurisdiction the farm for bluefin tuna is located shall take the necessary measures to ensure that the video records as referred in paragraphs 79 and 86,) are made available to its inspectors and its observers.

Each CPC shall establish the necessary measures to avoid any replacement, edition or manipulation of the original video record.

### **Market measures**

96. Consistent with their rights and obligations under international law, exporting and importing CPCs shall take the necessary measures:

- to prohibit domestic trade, landing, imports, exports, placing in cages for farming, re-exports and transshipments of eastern Atlantic and Mediterranean bluefin tuna species that are not accompanied by accurate, complete, and validated documentation required by this Recommendation and the *Recommendation by ICCAT Amending Recommendation 08/12 on an ICCAT Bluefin Tuna Catch Documentation Programme* [Rec. 09-11] on a Bluefin Tuna Catch Documentation Programme.
- to prohibit domestic trade, imports, landings, placing in cages for farming, processing, exports, re-exports and the transshipment within their jurisdiction, of eastern and Mediterranean bluefin tuna species caught by fishing vessels whose flag State either does not have a quota, catch limit or allocation of fishing effort for that species, under the terms of ICCAT management and conservation measures, or when the flag State fishing possibilities are exhausted, or when the individual quotas of catching vessels referred to in paragraph 11 are exhausted;
- to prohibit domestic trade, imports, landings, processing, exports from farms that do not comply with Recommendation Rec. 06-07.

### **Conversion factors**

97. The conversion factors adopted by SCRS shall apply to calculate the equivalent round weight of the processed bluefin tuna.

## **Growth factors**

98. Each CPC shall define growth factors to be applied to bluefin tuna farmed in its cages. It shall notify to ICCAT Secretariat and to the SCRS the factors and methodology used. The SCRS shall review this information at its annual meetings in 2009 and 2010 and shall report to the Commission. The SCRS shall further study the estimated growth factors and provide advice to the Commission for its annual meeting in 2010.

## **Part V**

### **ICCAT Scheme of Joint International Inspection**

99. In the framework of the multi-annual management plan for bluefin tuna, each CPC agrees, in accordance with Article IX, paragraph 3, of the ICCAT Convention, to apply the ICCAT Scheme of Joint International Inspection adopted during its Fourth Regular Meeting, held in November 1975 in Madrid<sup>\*</sup>, as modified in **Annex 8**.

100. The Scheme referred to in paragraph 99 shall apply until ICCAT adopts a monitoring, control and surveillance scheme which will include an ICCAT scheme for joint international inspection, based on the results of the Integrated Monitoring Measures Working Group, established by the *Resolution by ICCAT for Integrated Monitoring Measures* [Res. 00-20].

101. When at any time, more than 15 fishing vessels of anyone CPC are engaged in bluefin tuna fishing activities in the Convention area, the CPC shall, during that time have an inspection vessel in the Convention area, or shall cooperate with another CPC to jointly operate an inspection vessel.

## **Part VI**

### **Final provisions**

102. Availability of data to the SCRS

The ICCAT Secretariat shall make available to the SCRS all data received in accordance with the present Recommendation.

All data shall be treated in a confidential manner.

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<sup>\*</sup> Note from the Secretariat: See Appendix II to Annex 7 in the *Report for Biennial Period, 1974-75, Part II (1975)*.

## 103. Evaluation

All the CPCs shall submit each year to the Secretariat regulations and other related documents adopted by them to implement this Recommendation. In order to have greater transparency in implementing this Recommendation, all the CPCs involved in the bluefin tuna chain shall submit each year, no later than 15 October, a detailed report on their implementation of this Recommendation.

## 104. Cooperation

All the CPCs involved in the bluefin tuna chain are encouraged to enter into bilateral arrangements in order to improve the compliance with the provisions of this Recommendation. These arrangements could notably cover exchanges of inspectors, joint inspections and data sharing.

## 105. Repeals

This Recommendation repeals paragraph 10 of the *Recommendation by ICCAT on Bluefin Tuna Farming* [Rec. 06-07] and paragraph 6 of the *Recommendation by ICCAT Concerning Data Exchange Format and Protocol in Relation to the Vessel Monitoring System (VMS) for the Bluefin Tuna Fishery in the ICCAT Convention Area* [Rec, 07-08].

This Recommendation replaces the *Recommendation Amending the Recommendation by ICCAT to Establish a Multi-annual Recovery Plan for Bluefin Tuna in the Eastern Atlantic and Mediterranean* [Rec. 08-05] and the *Recommendation Amending Recommendation 08-05 to Establish a Multi-annual Recovery Plan for Bluefin Tuna in the Eastern Atlantic and Mediterranean* [Rec. 09-06].

**Specific Conditions Applying to the Catching Vessels Referred to in Paragraph 29**

1. CPCs shall limit:
  - The maximum number of its baitboats and trolling boats authorized to fish actively bluefin tuna to the number of the vessels participating in directed fishery for bluefin tuna in 2006.
  - The maximum number of its artisanal fleet authorized to fish actively bluefin tuna in Mediterranean to the number of the vessel participating in the fishery for bluefin tuna in 2008.
  - The maximum number of its catching vessel authorized to fish actively bluefin tuna in Adriatic to the number of the vessel participating in the fishery for bluefin tuna in 2008. Each CPC shall allocate individual quotas to the concerned vessels.
2. By 30 January each year, CPCs shall submit to ICCAT Secretariat, the number of catching vessels established pursuant to paragraph 1 of this Annex.
3. CPCs shall issue specific authorizations to the catching vessel referred to in paragraph 1 and shall transmit the list of such catching vessels to ICCAT Secretariat.
4. Any subsequent changes shall not be accepted unless a notified catching vessel is prevented from participation due to legitimate operational reasons or force majeure. In such circumstances CPC concerned shall immediately inform the ICCAT Executive Secretariat, providing:
  - a) full details of the intended replacement of the catching vessel referred to in paragraph 3 of this Annex;
  - b) a comprehensive account of the reasons justifying the replacement and any relevant supporting evidence or references.
5. Each CPC shall allocate no more than 7% of its quota for bluefin tuna among its baitboats and trolling boats, with up to a maximum of 100 t of bluefin tuna weighing no less than 6.4kg caught by baitboat vessels of an overall length of less than 17 m by derogation to paragraph 29 of this Recommendation.
6. Each CPC may allocate no more than 2% of its quota for bluefin tuna among its coastal artisanal fishery for fresh fish in the Mediterranean.

Each CPC may allocate no more than 90% of its quota for bluefin tuna among its catching vessel in Adriatic

for farming purposes.

7. Authorized catching vessels pursuant to paragraph 1 of this Annex shall only land bluefin tuna catches in designated ports. To this end, each CPC shall designate ports in which landing of bluefin tuna is authorized and communicate a list of these ports to the ICCAT Secretariat by 1 March each year.

For a port to be determined as designated port, the port State shall specify permitted landing times and places. The port State shall ensure full inspection coverage during all landing times and at all landing places.

On the basis of this information the ICCAT Secretariat shall maintain a list of designated ports on the ICCAT website for these fisheries.

8. Prior to entry into any designated port, authorized catching vessels in accordance with paragraph 4 of this Annex or their representative, shall provide the competent port authorities at least 4 hours before the estimated time of arrival with the following:
  - a) estimated time of arrival,
  - b) estimate of quantity of bluefin tuna retained on board,
  - c) information on the zone where the catches were taken;

Each landing shall be subjected to an inspection in port.

Port state authorities shall keep a record of all prior notice for the current year.

9. CPCs shall implement a catch reporting regime that ensures that an effective monitoring of the utilization of each vessels quota.
10. Bluefin tuna catches may not be offered for retail sale to the final consumer, irrespective of the marketing method, unless appropriate marking or labeling indicates:
  - a) the species, fishing gear used,
  - b) the catch area and date.

11. Beginning 1 July 2007, CPCs whose baitboats, longliners, handliners and trolling boats are authorized to fish for bluefin tuna in the eastern Atlantic and Mediterranean shall institute tail tag requirements as follows:
  - a) Tail tags must be affixed on each bluefin tuna immediately upon offloading.
  - b) Each tail tag shall have a unique identification number and be included on bluefin tuna catch documents and written on the outside of any package containing tuna.
  
12. The master of the catching vessel shall ensure that any quantity of bluefin tuna landed in designated port shall be weighed before first sale or before being transported elsewhere from the port of landing.

**Minimum specification for logbooks:**

1. The logbook must be numbered by sheets.
2. The logbook must be filled in every day (midnight) or before port arrival
3. The logbook must be completed in case of at sea inspections
4. One copy of the sheets must remain attached to the logbook
5. Logbooks must be kept on board to cover a period of one-year operation.

**Minimum standard information for logbooks:**

1. Master name and address
2. Dates and ports of departure, Dates and ports of arrival
3. Vessel name, register number, ICCAT number and IMO number (if available). In case of joint fishing operations, vessel names, register numbers, ICCAT numbers and IMO numbers (if available) of all the vessels involved in the operation.
4. Fishing gear:
  - a) Type FAO code
  - b) Dimension (length, mesh size, number of hooks ...)
5. Operations at sea with one line (minimum) per day of trip, providing:
  - a) Activity (fishing, steaming...)
  - b) Position: Exact daily positions (in degree and minutes), recorded for each fishing operation or at noon when no fishing has been conducted during this day.
  - c) Record of catches:
6. Species identification:
  - a) by FAO code
  - b) round (RWT) weight in kg per day
  - c) number of pieces per day
7. Master signature
8. Observer signature (if applicable)
9. Means of weight measure: estimation, weighing on board and counting.
10. The logbook is kept in equivalent live weight of fish and mentions the conversion factors used in the evaluation.

**Minimum information in case of landing, transshipment/transfer:**

1. Dates and port of landing /transshipment/transfer
2. Products
  - a) presentation
  - b) number of fish or boxes and quantity in kg
3. Signature of the Master or Vessel Agent

**Document No. ICCAT Transhipment Declaration**

|  |  |  |  |
|--|--|--|--|
| <p><b>Carrier vessel</b></p> <p>Name of vessel and radio call sign:</p> <p>Flag:</p> <p>Flag State authorization No.</p> <p>National Register No.</p> <p>ICCAT Register No.</p> <p>IMO No.</p> | <p><b>Fishing Vessel</b></p> <p>Name of the vessel and radio call sign,</p> <p>Flag:</p> <p>Flag State authorization No.</p> <p>National register No.</p> <p>ICCAT Register No.</p> <p>External identification:</p> <p>Fishing logbook sheet No.</p> | <p>Final destination:</p> <p>Port</p> <p>Country</p> <p>State:</p> |  |
|--|--|--|--|

Day    Month    Hour    Year    |2\_|0\_|\_|\_|    F.V Master's operator name:                      Carrier Master's name: LOCATION OF TRANSHIPMENT

Departure    |\_|\_|    |\_|\_|    |\_|\_|    from    |\_\_\_\_\_|

Return        |\_|\_|    |\_|\_|    |\_|\_|    to        |\_\_\_\_\_|    Signature:

Signature:

Tranship.    |\_|\_|    |\_|\_|    |\_|\_|                      |\_\_\_\_\_|

For transhipment, indicate the weight in kilograms or the unit used (e.g. box, basket) and the landed weight in kilograms of this unit: |\_|\_| kilograms.

| Port | Sea Lat. Long. | Species | Number of unit of fishes | Type of Product Live | Type of Product Whole | Type of Product Guttred | Type of Product Head off | Type of Product Filleted | Type of Product | Further transhipments |
|------|----------------|---------|--------------------------|----------------------|-----------------------|-------------------------|--------------------------|--------------------------|-----------------|-----------------------|
|      |                |         |                          |                      |                       |                         |                          |                          |                 | Date:                 |
|      |                |         |                          |                      |                       |                         |                          |                          |                 | Place/Position:       |
|      |                |         |                          |                      |                       |                         |                          |                          |                 | Authorization CP No.  |

|  |  |  |  |  |  |  |  |  |  |  |                                     |
|--|--|--|--|--|--|--|--|--|--|--|-------------------------------------|
|  |  |  |  |  |  |  |  |  |  |  | Transfer vessel Master signature:   |
|  |  |  |  |  |  |  |  |  |  |  |                                     |
|  |  |  |  |  |  |  |  |  |  |  | Name of receiver vessel:            |
|  |  |  |  |  |  |  |  |  |  |  | Flag                                |
|  |  |  |  |  |  |  |  |  |  |  | ICCAT Register No.                  |
|  |  |  |  |  |  |  |  |  |  |  | IMO No.                             |
|  |  |  |  |  |  |  |  |  |  |  | Master's signature                  |
|  |  |  |  |  |  |  |  |  |  |  |                                     |
|  |  |  |  |  |  |  |  |  |  |  | Date:                               |
|  |  |  |  |  |  |  |  |  |  |  | Place/Position:                     |
|  |  |  |  |  |  |  |  |  |  |  | Authorization CP No.                |
|  |  |  |  |  |  |  |  |  |  |  | Transfer vessel Master's signature: |
|  |  |  |  |  |  |  |  |  |  |  |                                     |
|  |  |  |  |  |  |  |  |  |  |  | Name of receiver vessel:            |
|  |  |  |  |  |  |  |  |  |  |  | Flag                                |
|  |  |  |  |  |  |  |  |  |  |  | ICCAT Register No.                  |
|  |  |  |  |  |  |  |  |  |  |  | IMO No.                             |
|  |  |  |  |  |  |  |  |  |  |  | Master's signature                  |

ICCAT Observer signature (if applicable).

Obligations in case of transshipment:

1. The original of the transshipment declaration must be provided to the recipient vessel (processing/transport).
2. The copy of the transshipment declaration must be kept by the correspondent catching vessel or trap.
3. Further transshipping operations shall be authorized by the relevant CPC which authorized the vessel to operate.
4. The original of the transshipment declaration has to be kept by the recipient vessel which holds the fish, up to the landing place.
5. The transshipping operation shall be recorded in the logbook of any vessel involved in the operation

| Document No  | ICCAT Transfer Declaration           |   |  |
|--|--------------------------------------|---|--|
| <b>1 - TRANSFER OF LIVE BFT DESTINATED FOR FARMING</b>   |                                      |   |  |
| Fishing vessel name:<br><br>Call sign:<br>Flag:<br>Flag State transfer authorisation no.<br>ICCAT Register no.<br>External identification:<br>Fishing logbook no.<br>JFO no. | Trap name:<br><br>ICCAT Register no. | Tug vessel name:<br><br>Call sign:<br>Flag:<br>ICCAT Register no:<br>External identification: | Farm of destination name:<br><br>ICCAT Register no:  |
| <b>2 - TRANSFER AFTER HARVESTING</b>   |                                      |   |  |
| Farm name:<br><br>ICCAT Register no.   | Trap name:<br><br>ICCAT Register no. | Transport vessel name:<br><br>Flag:<br>ICCAT Register no.<br>External identification:         | Processing carrier vessel name:<br><br>Call sign:<br>Flag:<br>ICCAT Register no:<br>External identification: |
| <b>3 - TRANSFER INFORMATION</b>  |                                      |   |  |
| Date: __ / __ / ____   | Place or position:                   | Port:   | Lat: _____ Long: _____   |
| Number of individuals:   | Total weight in Kg:                  | Species:  |  |
| Type of product:    Live <input type="checkbox"/> Whole <input type="checkbox"/> Gutted <input type="checkbox"/> Other (Specify):  |                                      |   |  |

|  |                          |  |                        |
|--|--------------------------|--|------------------------|
| Master of fishing vessel / trap operator / farm operator name and signature: |                          | Master of receiver vessel (tug, processing, carrier) name and signature: |                        |
| <b>4 - TRANSFER OF DEAD FISH TO AUXILIARY VESSEL</b>                         |                          |  |                        |
| Auxiliary vessel name:   | Flag:                    | Quantity in Kg   | Number of individuals: |
| Date: __/__/_____  | Position:<br>Long:       | Lat:   | Port of landing:       |
| <b>5 - FURTHER TRANSFERS</b>   |                          |  |                        |
| Date: __/__/_____  | Place or position:       | Port:  | Lat: Long:             |
| Tug vessel name:   | Call sign:               | Flag:  | ICCAT Register no.     |
| Farm State transfer authorisation no:  | External identification: | Master of receiver vessel name and signature:                            |                        |
| Date: __/__/_____  | Place or position:       | Port:  | Lat: Long:             |
| Tug vessel name:   | Call sign:               | Flag:  | ICCAT Register no.     |
| Farm State transfer authorisation no:  | External identification: | Master of receiver vessel name and signature:                            |                        |
| Date: __/__/_____  | Place or position:       | Port:  | Lat: Long:             |
| Tug vessel name:   | Call sign:               | Flag:  | ICCAT Register no.     |
| Farm State transfer authorisation no:  | External identification: | Master of receiver vessel name and signature:                            |                        |





### **ICCAT Regional Observer Programme**

1. Each CPC shall require its farms and all its purse seine vessels as referred to in paragraph 91 to carry an ICCAT observer during all the fishing and harvesting period in the Convention area.
2. The Secretariat of the Commission shall appoint the observers before 1 March each year, and shall place them into farms and on board the purse seine vessels flying the flag of Contracting Parties and of non-Contracting Cooperating Parties, Entities or Fishing Entities that implement the ICCAT observer program. An ICCAT observer card shall be issued for each observer.
3. The Secretariat shall issue a contract listing the rights and duties of the observer and the master of the vessel or farm operator. This contract shall be signed by both parties involved.
4. The Secretariat shall establish an ICCAT Observer Programme Manual.

#### **Designation of the observers**

5. The designated observers shall have the following qualifications to accomplish their tasks:
  - sufficient experience to identify species and fishing gear;
  - satisfactory knowledge of the ICCAT conservation and management measures assessed by a certificate provided by the CPCs and based on ICCAT training guidelines;
  - the ability to observe and record accurately;
  - a satisfactory knowledge of the language of the flag of the vessel or farm observed.

#### **Obligations of the observer**

6. Observers shall:
  - a) have completed the technical training required by the guidelines established by ICCAT;

- b) be nationals of one of the CPCs and, to the extent possible, not of the farm State or flag State of the purse seine vessel;
- c) be capable of performing the duties set forth in point 7 below;
- d) be included in the list of observers maintained by the Secretariat of the Commission;
- e) not have current financial or beneficial interests in the bluefin tuna fishery.

7. The observer tasks shall be, in particular:

- a) As regards observers on purse-seine vessels, to monitor the purse seine vessels' compliance with the relevant conservation and management measures adopted by the Commission. In particular the observers shall:
  - i) In cases where the observer observes what may constitute non compliance with ICCAT recommendation he/she shall submit this information without delay to the observer implementing company who shall forward it to the flag state authorities of the catching vessel. For this purpose the observer implementing company shall set up a system through which this information can be securely communicated.
  - ii) record and report upon the fishing activities carried out;
  - iii) observe and estimate catches and verify entries made in the logbook;
  - iv) issue a daily report of the purse seiner vessels' transfer activities;
  - v) sight and record vessels which may be fishing in contravention to ICCAT conservation and management measures;
  - vi) record and report upon the transfer activities carried out;
  - vii) verify the position of the vessel when engaged in transfer;
  - viii) observe and estimate products transferred, including through the review of video recordings;
  - ix) verify and record the name of the fishing vessel concerned and its ICCAT number;
  - x) carry out scientific work such as collecting Task II data when required by the Commission, based on the directives from the SCRS.
  
- b) As regards observers in the farms, to monitor the farms' compliance with the relevant conservation and management measures adopted by the Commission. In particular the observers shall:
  - i) verify the data contained in the transfer declaration and caging declaration, including through the review of video records;
  - ii) certify the data contained in the transfer declaration and caging declaration;
  - iii) issue a daily report of the farms' transfer activities;
  - iv) countersign the transfer declaration and caging declaration;

- v) carry out such scientific work, for example collecting samples, as required by the Commission, based on the directives from the SCRS.
  - c) establish general reports compiling the information collected in accordance with this paragraph and provide the master and farm operator the opportunity to include therein any relevant information.
  - d) submit to the Secretariat the aforementioned general report within 20 days from the end of the period of observation.
  - e) exercise any other functions as defined by the Commission.
8. Observers shall treat as confidential all information with respect to the fishing and transfer operations of the purse seiners and of the farms and accept this requirement in writing as a condition of appointment as an observer;
9. Observers shall comply with requirements established in the laws and regulations of the flag or farm State which exercises jurisdiction over the vessel or farm to which the observer is assigned.
10. Observers shall respect the hierarchy and general rules of behavior which apply to all vessel and farm personnel, provided such rules do not interfere with the duties of the observer under this program, and with the obligations of vessel and farm personnel set forth in paragraph 11 of this Programme.

### **Obligations of the flag States of purse seine vessels and farm States**

11. The responsibilities regarding observers of the flag States of the purse seine vessels and their masters shall include the following, notably:
- a) Observers shall be allowed to access to the vessel and farm personnel and to the gear, cages and equipment;
  - b) Upon request, observers shall also be allowed access to the following equipment, if present on the vessels to which they are assigned, in order to facilitate the carrying out of their duties set forth in paragraph 7:
    - i) satellite navigation equipment;
    - ii) radar display viewing screens when in use;
    - iii) electronic means of communication;
  - c) Observers shall be provided accommodations, including lodging, food and adequate sanitary facilities, equal to those of officers;
  - d) Observers shall be provided with adequate space on the bridge or pilot house for clerical work, as well as space on deck adequate for carrying out observer duties; and

- e) The flag States shall ensure that masters, crew, farm and vessel owners do not obstruct, intimidate, interfere with, influence, bribe or attempt to bribe an observer in the performance of his/her duties.

The Secretariat, in a manner consistent with any applicable confidentiality requirements, is requested to provide to the farm State or flag State of the purse seine vessel, copies of all raw data, summaries, and reports pertaining to the trip. The Secretariat shall submit the observer reports to the Compliance Committee and to the SCRS.

### **Observer fees**

- 12. a) The costs of implementing this program shall be financed by the farm operators and purse seiner's owners. The fee shall be calculated on the basis of the total costs of the program. This fee shall be paid into a special account of the ICCAT Secretariat and the ICCAT Secretariat shall manage the account for implementing the program;
- b) No observer shall be assigned to a vessel or farm for which the fees, as required under subparagraph a), have not been paid.

### ICCAT Scheme of Joint International Inspection

Pursuant to paragraph 3 of Article IX of the Convention, the ICCAT Commission recommends the establishment of the following arrangements for international control outside the waters under national jurisdiction for the purpose of ensuring the application of the Convention and the measures in force thereunder:

#### I. Serious violations

1. For the purposes of these procedures, a serious violation means the following violations of the provisions of the ICCAT conservation and management measures adopted by the Commission:
  - a) fishing without a license, permit or authorization issued by the flag CPC,
  - b) failure to maintain sufficient records of catch and catch-related data in accordance with the Commission's reporting requirements or significant misreporting of such catch and/or catch-related data;
  - c) fishing in a closed area;
  - d) fishing during a closed season;
  - e) intentional taking or retention of species in contravention of any applicable conservation and management measure adopted by the ICCAT;
  - f) significant violation of catch limits or quotas in force pursuant to the ICCAT rules;
  - g) using prohibited fishing gear;
  - h) falsifying or intentionally concealing the markings, identity or registration of a fishing vessel;
  - i) concealing, tampering with or disposing of evidence relating to investigation of a violation;
  - j) multiple violations which taken together constitute a serious disregard of measures in force pursuant to the ICCAT;
  - k) assault, resist, intimidate, sexually harass, interfere with, or unduly obstruct or delay an authorized inspector or observer;
  - l) intentionally tampering with or disabling the vessel monitoring system;
  - m) such other violations as may be determined by the ICCAT, once these are included and circulated in a revised version of these procedures;
  - n) fishing with assistance of spotter planes;
  - o) interference with the satellite monitoring system and/or operates without VMS system;
  - p) transfer activity without transfer declaration.
  - q) transshipment at sea
  
2. In the case of any boarding and inspection of a fishing vessel during which the authorized inspectors observe an activity or condition that would constitute a serious

violation, as defined in paragraph 1, the authorities of the flag State of the inspection vessels shall immediately notify the flag State of the fishing vessel, directly as well as through the ICCAT Secretariat. In such situations the inspector should, where possible, also inform the competent authorities of the flag State of the fishing vessel, as notified to the ICCAT Secretariat, and any inspection ship of the flag State of the fishing vessel known to be in the vicinity.

3. ICCAT inspectors should register the inspections undertaken and the infringements detected (if any) in the fishing vessel logbook.
4. The flag State CPC shall ensure that, following the inspection referred to in paragraph 2 of this Annex, the fishing vessel concerned ceases all fishing activities. The flag State CPC shall require the fishing vessel to proceed within 72 hours to a port designated by it, and where an investigation shall be initiated.

If the vessel is not called to port; the CPC must provide due justification in a timely manner to the Executive Secretary, who shall make it available on request to other Contracting Parties.

In the case an inspection that has detected an activity or condition that would constitute a serious violation, the vessel should be reviewed under the procedures described in the *Recommendation to Establish a List of Vessels Presumed to Have Carried Out Illegal, Unreported and Unregulated Fishing Activities in the ICCAT Convention Area* [Rec. 09-10], taking into account any response actions and other follow up.

## **II. Conduct of inspections**

5. Inspection shall be carried out by inspectors of the fishery control services of Contracting Governments. The names of the inspectors appointed for that purpose by their respective governments shall be notified to the ICCAT Commission;
6. Ships carrying inspectors shall fly a special flag or pennant approved by the ICCAT Commission to indicate that the inspector is carrying out international inspection duties. The names of the ships so used for the time being, which may be either special inspection vessels or fishing vessels, shall be notified to the ICCAT Commission, as soon as may be practical;
7. Each inspector shall carry an identity document supplied by the authorities of the flag State in the form shown in paragraph 20 of this Annex and giving him an appointment stating that he has authority to act under arrangements approved by the ICCAT Commission. This identity document shall be valid for a minimum of five years;

8. Subject to the arrangements agreed under paragraph 15 of this Annex, a vessel employed for the time being in fishing for tuna or tuna-like fishes in the Convention area outside the waters within its national jurisdiction shall stop when given the appropriate signal in the International Code of Signals by a ship carrying an inspector unless it is actually carrying out fishing operations, in which case it shall stop immediately once it has finished such operations. The master\* of the vessel shall permit the inspector, who may be accompanied by a witness, to board it and in this respect must provide a boarding ladder. The master shall enable the inspector to make such examination of catch or gear and any relevant documents as the inspector deems necessary to verify the observance of the ICCAT Commission's recommendations in force in relation to the flag State of the vessel concerned and the inspector may ask for any explanations that he deems necessary;
9. An inspector party shall consist of a maximum of two ICCAT inspectors unless additional inspectors are warranted by circumstances. An assistant can accompany the inspector party for trainee purposes only.
10. On boarding the vessel an inspector shall produce the document described in paragraph 6 of this Annex. Inspections shall be made so that the vessel suffers the minimum interference and inconvenience and the quality of the fish does not deteriorate. An inspector shall limit his enquiries to the ascertainment of the observance of the ICCAT Commission's recommendations in force in relation to the flag State of the vessel concerned. In making his examination an inspector may ask the master for any assistance he may require. He shall draw up a report of his inspection in a form approved by the ICCAT Commission. He shall sign the report in the presence of the master of the vessel who shall be entitled to add or have added to the report any observations which he may think suitable and must sign such observations.
11. Copies of the report shall be given to the master of the vessel and to the inspector's government, which shall transmit copies to the appropriate authorities of the flag State of the vessel and to the ICCAT Commission. Where any infringement of the recommendations is discovered the inspector should, where possible, also inform the competent authorities of the flag State, as notified to the ICCAT Commission, and any inspection ship of the flag State known to be in the vicinity;
12. Resistance to an inspector or failure to comply with his directions shall be treated by the flag State of the vessel in a manner similar to resistance to any inspector of that State or a failure to comply with his directions;
13. Inspector shall carry out their duties under these arrangements in accordance with the rules set out in this recommendation but they shall remain under the operational control of their national authorities and shall be responsible to them;

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\* Master refers to the individual in charge of the vessel.

14. Contracting Governments shall consider and act on reports of foreign inspectors under these arrangements on a similar basis in accordance with their national legislation to the reports of national inspectors. The provisions of this paragraph shall not impose any obligation on a Contracting Government to give the report of a foreign inspector a higher evidential value than it would possess in the inspector's own country. Contracting Governments shall collaborate in order to facilitate judicial or other proceedings arising from a report of an inspector under these arrangements;
15. a) Contracting Governments shall inform the ICCAT Commission by 1 March each year of their provisional plans for participation in these arrangements in the following year and the Commission may make suggestions to Contracting Governments for the coordination of national operations in this field including the number of inspectors and ships carrying inspectors;
- b) the arrangements set out in this recommendation and the plans for participation shall apply between Contracting Governments unless otherwise agreed between them, and such agreement shall be notified to the ICCAT Commission.



Provided however, that implementation of the scheme shall be suspended between any two Contracting Governments if either of them has notified the ICCAT Commission to that effect, pending completion of an agreement;

16. a) the fishing gear shall be inspected in accordance with the regulations in force for the subarea in which the inspection takes place. The inspector will state the nature of this violation in this report;
- b) inspectors shall have the authority to inspect all fishing gear in use or that fishing gear on deck ready for use;
17. The inspector shall affix an identification mark approved by the ICCAT Commission to any fishing gear inspected which appears to be in contravention of the ICCAT Commission's recommendations in force in relation to the flag State of the vessel concerned and shall record this fact in his report;
18. The inspector may photograph the gear in such a way as to reveal those features which in his opinion are not in conformity with the regulation in force, in which case the subjects photographed should be listed in the report and copies of the photographs should be attached to the copy of the report to the flag State;
19. The inspector shall have authority, subject to any limitations imposed by the ICCAT Commission, to examine the characteristics of catches, to establish whether the ICCAT Commission's recommendations are being complied with.

He shall report his findings to the authorities of the flag State of the inspected vessel as soon as possible.

20. New proposed model Identity Card for inspectors.

*Dimensions: Width 10.4cm, Height 7cm*

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| <p style="text-align: center; font-weight: bold;">INTERNATIONAL COMMISSION FOR THE<br/>CONSERVATION OF ATLANTIC TUNA</p> <div style="display: flex; align-items: center; justify-content: center;">  <p style="font-size: 24px; font-weight: bold; margin: 0;">ICCAT</p> </div> <p style="text-align: center; font-weight: bold; margin-top: 5px;">Inspector Identity Card</p> <p><b>Contracting Party:</b></p> <p><b>Inspector Name:</b></p> <p><b>Card n°:</b></p> <p><b>Issue Date:</b> <span style="float: right;">Valid five years</span></p> <div style="border: 1px dashed black; width: 80px; height: 60px; margin-top: 10px; display: flex; align-items: center; justify-content: center;"> <p style="font-size: 8px;">Photograph</p> </div> | <div style="display: flex; align-items: center; justify-content: center; margin-bottom: 10px;">  <p style="font-size: 24px; font-weight: bold; margin: 0;">ICCAT</p> </div> <p style="font-size: 8px; margin: 0;">The holder of this document is an ICCAT inspector duly appointed under the terms of the Scheme of Joint International Inspection and Surveillance of the International Commission for the Conservation of the Atlantic Tuna and has the authority to act under the provision of the ICCAT Control and Enforcement measures.</p> <div style="display: flex; justify-content: space-between; margin-top: 20px;"> <div style="width: 45%; border-top: 1px dotted black; padding-top: 2px;"> <p style="font-size: 8px; margin: 0;">ICCAT Executive Secretary<br/>Issuing Authority</p> </div> <div style="width: 45%; border-top: 1px dotted black; padding-top: 2px;"> <p style="font-size: 8px; margin: 0;">Inspector</p> </div> </div> |
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**Recommendation GFCM/35/2011/7 (B)**  
**ICCAT recommendation [10-06] on Atlantic Shortfin Mako sharks caught  
 in association with fisheries managed by ICCAT**

*CONSIDERING* that Atlantic shortfin mako sharks (*Isurus oxyrinchus*) are caught in association with fisheries managed by ICCAT;

*TAKING INTO ACCOUNT* that the 2008 ICCAT Standing Committee on Research and Statistics (SCRS) stock assessment indicated North Atlantic shortfin mako stock was depleted to about 50 percent of biomass estimated for the 1950s, and some model outcomes indicated that the stock biomass was near or below the level that would support MSY and current harvest levels are above  $F_{MSY}$ ;

*RECALLING* Recommendation by ICCAT Concerning the Conservation of Sharks Caught in Association with Fisheries Managed by ICCAT [Rec. 04-10], Recommendation by ICCAT to Amend Recommendation [Rec. 04-10] Concerning the Conservation of Sharks Caught in Association with Fisheries Managed by ICCAT [Rec. 05-05], and the Supplemental Recommendation by ICCAT Concerning Sharks [Rec. 07-06], including the obligation of CPCs to annually report Task I and Task II data for catches of sharks, in accordance with ICCAT data reporting procedures;

*ALSO RECALLING* the need to improve species-specific Task I and Task II data for sharks, as recommended by SCRS;

*RECOGNIZING* the continuing obligation to reduce mortality of North Atlantic shortfin mako sharks under Recommendations 05-05 and 07-06;

*NOTING* that the 2008 ecological risk assessment conducted by the SCRS concluded that the shortfin mako shark has low biological productivity, making it susceptible to overfishing even at low levels of fishing mortality;

THE INTERNATIONAL COMMISSION FOR THE CONSERVATION  
 OF ATLANTIC TUNAS (ICCAT) RECOMMENDS THAT:

1. CPCs shall include information in their 2012 Annual Reports on actions taken to implement Recommendations 04-10, 05-05, and 07-06, in particular the steps taken to improve their Task I and Task II data collection for direct and incidental catches;
2. Actions taken by CPCs, as described in paragraph 1, shall be reviewed annually by ICCAT's Compliance Committee, beginning in 2012;

3. CPCs that do not report Task I data for Atlantic shortfin mako sharks, in accordance with SCRS data reporting requirements, shall be prohibited from retaining this species, beginning in 2013 until such data have been received by the ICCAT Secretariat;

4. The SCRS shall conduct a stock assessment for shortfin mako sharks in 2012 and advise the Commission on:

- a) the annual catch levels of shortfin mako that would support MSY;
- b) other appropriate conservation measures for shortfin mako sharks, taking into account species identification difficulties;

The SCRS shall complete its shark identification guide and circulate it to CPCs before the 2011 Commission meeting.

**Recommendation GFCM/35/2011/7 (C)**  
**ICCAT recommendation [10-08] on Hammerhead sharks (family *Sphyrnidae*) caught in association with fisheries managed by ICCAT**

*RECALLING* that the Commission adopted the *Resolution by ICCAT on Atlantic Sharks* [Res. 01-11], the *Recommendation by ICCAT Concerning the Conservation of Sharks caught in Association with Fisheries Managed by ICCAT* [Rec. 04-10], the *Recommendation by ICCAT to Amend the Recommendation 04-10 on the Conservation of Sharks Caught in Association with the Fisheries Managed of ICCAT* [Rec. 05-05] and the *Supplemental Recommendation by ICCAT Concerning Sharks* [Rec. 07-06].

*NOTING* that *Sphyrna lewini* and *Sphyrna zygaena* are among the shark species for which there are sustainability concerns.

*CONSIDERING* that it is difficult to differentiate between the various species of hammerhead sharks except for the bonnethead (*Sphyrna tiburo*) without taking them on board and that such action might jeopardize the survival of the captured individuals.

*RECALLING* the need to annually report Task I and Task II for catches of sharks in conformity with the *Recommendation by ICCAT Concerning the Conservation of Sharks Caught in Association with Fisheries Managed by ICCAT* [Rec. 04-10];

THE INTERNATIONAL COMMISSION FOR THE CONSERVATION  
OF ATLANTIC TUNAS (ICCAT) RECOMMENDS THAT:

1. Contracting Parties, and Cooperating non-Contracting Parties, Entities or Fishing Entities (hereafter referred to as CPCs) shall prohibit retaining onboard, transshipping, landing, storing, selling, or offering for sale any part or whole carcass of hammerhead sharks of the family *Sphyrnidae* (except for the *Sphyrna tiburo*), taken in the Convention area in association with ICCAT fisheries.
2. CPCs shall require vessels flying their flag, to promptly release unharmed, to the extent practicable, hammerhead sharks when brought alongside the vessel.
3. Hammerhead sharks that are caught by developing coastal CPCs for local consumption are exempted from the measures established in paragraphs 1 and 2, provided these CPCs submit Task I and, if possible, Task II data according to the reporting procedures established by the SCRS. If it is not possible to provide catch data by species, they shall be provided at least by genus *Sphyrna*. Developing coastal CPCs exempted from this prohibition pursuant to this paragraph should endeavor not to increase their catches of hammerhead sharks. Such CPCs shall take necessary measures to ensure that hammerhead sharks of the family *Sphyrnidae* (except of *Sphyrna tiburo*) will not enter international trade and shall notify the Commission of such measures.

4. CPCs shall require that the number of discards and releases of hammerhead sharks are recorded with indication of status (dead or alive) and reported to ICCAT in accordance with ICCAT data reporting requirements.
  
5. CPCs shall, where possible, implement research on hammerhead sharks in the Convention area in order to identify potential nursery areas. Based on this research, CPCs shall consider time and area closures and other measures, as appropriate.
  
6. As appropriate, the Commission and its CPCs should, individually and collectively, engage in capacity building efforts and other cooperative activities to support the effective implementation of this Recommendation, including entering into cooperative arrangements with other appropriate international bodies. `

**Recommendation GFCM/35/2011/7 (D)**  
**ICCAT recommendation [10-09] on the by-catch of sea turtles in ICCAT fisheries**

*RECOGNIZING* that some fishing operations carried out in the Convention area can adversely affect sea turtles and there is a need to implement measures to mitigate these adverse effects;

*EMPHASIZING* the need to improve the collection of scientific data regarding all sources of mortality for sea turtle populations, including but not limited to data from fisheries within the Convention area;

*CONSISTENT* with the call for the minimization of waste, discards, catch of non-target species (both fish and non-fish species), and impacts on associated or dependent species, in particular endangered species, in the FAO Code of Conduct for Responsible Fisheries and U.N. Agreement on Straddling Fish Stocks and Highly Migratory Fish Stocks;

*GIVEN THAT* the United Nations Food and Agriculture Organization (FAO) adopted the *Guidelines to Reduce Sea Turtle Mortality in Fishing Operations* at its Twenty-sixth Session of the Committee on Fisheries, held in March 2005, and recommended their implementation by regional fisheries bodies and management organizations;

*NOTING* the importance of harmonizing conservation and management measures with other organizations responsible for managing international fisheries, in particular following through on the commitments that have been made throughout the Kobe meeting process;

*RECALLING* the recommendation from the independent performance review in September 2008 that ICCAT “develop a stronger approach generally to by-catch and develop and adopt appropriate mitigation measures including reporting on the effectiveness of these measures throughout the fisheries”;

*FURTHER RECALLING* the *Resolution by the ICCAT on Sea Turtles* [Res. 03-11] and the *Resolution by ICCAT on Circle Hooks* [Res. 05-08];

THE INTERNATIONAL COMMISSION FOR THE CONSERVATION  
 OF ATLANTIC TUNAS (ICCAT) RECOMMENDS THAT:

1. Each CPC shall collect, and annually report to ICCAT no later than 2012 information on the interactions of its fleet with sea turtles in ICCAT fisheries by gear type, including catch rates that take into consideration gear characteristics, times and locations, target species, and disposition status (i.e., discarded dead or released alive). Data to be recorded and reported must also include a breakdown of interactions by sea turtle species, and, where possible, include the nature of the hooking or entanglement (including with Fish Aggregating

Devices or FADs), bait type, hook size and type, and the size of the animal. CPCs are strongly encouraged to use observers to collect this information.

2. CPCs shall require that:

- a) purse seine vessels flagged to that CPC operating in the Convention area avoid encircling sea turtles to the extent practicable, release encircled or entangled sea turtles, including on FADs, when feasible, and report interactions between purse seines and/or FADs and sea turtles to their flag CPC so that this information is included in the CPC reporting requirements specified in paragraph 1;
- b) pelagic longline vessels flagged to that CPC operating in the Convention area carry on board safe-handling, disentanglement and release equipment capable of releasing sea turtles in a manner that maximizes the probability of their survival;
- c) fishermen on pelagic longline vessels flagged to that CPC operating under their flag use the equipment specified in item 2b above to maximize the probability of sea turtle survival and are trained in safe-handling and release techniques.

3. In advance of the 2011 SCRS meeting, if possible, and no later than 2012, the ICCAT Secretariat shall compile the data collected under paragraph 1 as well as available information from the scientific literature and other relevant sea turtle by-catch mitigation information, including that provided by CPCs and report it to the SCRS for its consideration.

4. SCRS shall also provide advice to the Commission on approaches for mitigating sea turtle by-catch in ICCAT fisheries, including reducing the number of interactions and/or the mortality associated with those interactions. Such advice should be provided, as appropriate, whether or not an assessment as envisioned in paragraph 5 has been conducted.

5. Based on the activities undertaken in paragraph 3, SCRS shall initiate an assessment of the impact of the incidental catch of sea turtles resulting from ICCAT fisheries as soon as possible and no later than 2013. After the initial assessment is complete and the results presented to the Commission, SCRS shall advise the Commission on the timing of future assessments.

6. Upon receipt of advice from the SCRS, the Commission shall consider additional measures to mitigate sea turtle by-catch in ICCAT fisheries, if necessary.

7. As appropriate, the Commission and its CPCs should, individually and collectively, engage in capacity building efforts and other cooperative activities to support the effective implementation of this recommendation, including entering into cooperative arrangements with other appropriate international bodies.

8. In their Annual Reports to ICCAT, CPCs shall report on the implementation of this Recommendation, focusing on paragraphs 1, 2, and 7. In addition, CPCs should report on other relevant actions taken to implement FAO's *Guidelines to Reduce Sea Turtle Mortality in Fishing Operations* with respect to ICCAT fisheries in their Annual Reports.

9. This recommendation replaces the *Resolution by ICCAT on Sea Turtles* [Res. 03-11] in its entirety.

**Recommendation GFCM/35/2011/7 (E)**  
**ICCAT Recommendation [07-07] on reducing the incidental by-catch of seabirds in  
 longline fisheries**

*RECOGNISING* the need to strengthen mechanisms to protect seabirds in the Atlantic Ocean;

*TAKING INTO ACCOUNT* the United Nations Food and Agriculture Organization (FAO) International Plan of Action for Reducing the Incidental Catch of Seabirds in Longline Fisheries (IPOA-Seabirds), and the IOTC Working Party on By-catch objectives;

*ACKNOWLEDGING* that to date some Contracting Parties and Cooperating non-Contracting Parties, Entities, or Fishing Entities (hereinafter referred to as “CPCs”) have identified the need for, and have either completed or are near finalized, their National Plan of Action on Seabirds;

*RECOGNISING* the concern that some species of seabirds, notably albatross and petrels, are threatened with extinction;

*NOTING* that the Agreement on the Conservation of Albatrosses and Petrels has entered into force;

*RECALLING* the *Resolution by ICCAT on Incidental Mortality of Seabirds [Res. 02-14]*;

*CONSCIOUS* that there are on-going scientific studies which may result in the identification of more effective mitigation measures and therefore that these current measures should be considered provisional;

THE INTERNATIONAL COMMISSION FOR THE CONSERVATION  
 OF ATLANTIC TUNAS (ICCAT) RECOMMENDS THAT:

1. The Commission shall develop mechanisms to enable CPCs to record data on seabird interactions, including regular reporting to the Commission, and seek agreement to implement such mechanisms as soon as possible thereafter.
2. CPCs shall collect and provide all available information to the Secretariat on interactions with seabirds, including incidental catches by their fishing vessels.
3. CPCs shall seek to achieve reductions in levels of seabird by-catch across all fishing areas, seasons and fisheries, through the use of effective mitigation measures.
4. All vessels fishing south of 20°S shall carry and use bird-scaring lines (tori poles):
  - Tori poles shall be used in consideration of the suggested tori pole design and deployment guidelines (provided for in **Annex 1**);
  - Tori lines are to be deployed prior to longlines entering the water at all times south of 20°S;
  - Where practical, vessels are encouraged to use a second tori pole and bird-scaring line at times of high bird abundance or activity;
  - Back-up tori lines shall be carried by all vessels and be ready for immediate use.

5. Longline vessels targeting swordfish using monofilament longline gear may be exempted from the requirements of paragraph 4 of this Recommendation, on condition that these vessels set their longlines during the night, with night being defined as the period between nautical dusk/dawn as referenced in the nautical dusk/dawn almanac for the geographical position fished. In addition, these vessels are required to use a minimum swivel weight of 60g placed not more than 3m from the hook to achieve optimum sink rates.

CPCs applying this derogation shall inform the SCRS of their scientific findings resulting from their observer coverage of these vessels.

6. The Commission shall, upon receipt of information from the SCRS, consider, and if necessary, refine, the area of application of the mitigation measures specified in paragraph 4.

7. This measure is a provisional measure which will be subject to review and adjustment in the light of future available scientific advice.

8. The Commission shall consider adopting additional measures for the mitigation of any incidental catch of seabirds at its annual meeting in 2008 based on the results of the ICCAT seabird assessment which is currently underway.

*Annex 1*

## **Suggested Guidelines for Design and Deployment of Tori Lines**

### **Preamble**

These guidelines are designed to assist in preparation and implementation of tori line regulations for longline vessels. While these guidelines are relatively explicit, improvement in tori line effectiveness through experimentation is encouraged. The guidelines take into account environmental and operational variables such as weather conditions, setting speed and ship size, all of which influence tori line performance and design in protecting baits from birds. Tori line design and use may change to take account of these variables provided that line performance is not compromised. On-going improvement in tori line design is envisaged and consequently review of these guidelines should be undertaken in the future.

### **Tori line design**

1. It is recommended that a tori line 150 m in length be used. The diameter of the section of the line in the water may be greater than that of the line above water. This increases drag and hence reduces the need for greater line length and takes account of setting speeds and length of time taken for baits to sink. The section above water should be a strong fine line (e.g. about 3 mm diameter) of a conspicuous color such as red or orange.

2. The above water section of the line should be sufficiently light that its movement is unpredictable to avoid habituation by birds and sufficiently heavy to avoid deflection of the line by wind.

3. The line is best attached to the vessel with a robust barrel swivel to reduce tangling of the line.

4. The streamers should be made of material that is conspicuous and produces an unpredictable lively action (e.g. strong fine line sheathed in red polyurethane tubing) suspended from a robust three-way swivel (that again reduces tangles) attached to the tori line, and should hang just clear of the water.
5. There should be a maximum of 5-7 m between each streamer. Ideally each streamer should be paired.
6. Each streamer pair should be detachable by means of a clip so that line stowage is more efficient.
7. The number of streamers should be adjusted for the setting speed of the vessel, with more streamers necessary at slower setting speeds. Three pairs are appropriate for a setting speed of 10 knots.

### **Deployment of tori lines**

1. The line should be suspended from a pole affixed to the vessel. The tori pole should be set as high as possible so that the line protects bait a good distance astern of the vessel and will not tangle with fishing gear. Greater pole height provides greater bait protection. For example, a height of around 6 m above the water line can give about 100 m of bait protection.
2. The tori line should be set so that streamers pass over baited hooks in the water.
3. Deployment of multiple tori lines is encouraged to provide even greater protection of baits from birds.
4. Because there is the potential for line breakage and tangling, spare tori lines should be carried onboard to replace damaged lines and to ensure fishing operations can continue uninterrupted.
5. When fishers use a bait casting machine (BCM), they must ensure coordination of tori line and machine by:
  - (i) ensuring the BCM throws directly under the tori line protection, and
  - (ii) when using a BCM that allows throwing to port and starboard, ensure that two tori lines are used.
6. Fishers are encouraged to install manual, electric or hydraulic winches to improve ease of deployment and retrieval of tori lines.

**Report of the fifth session of the Committee of Compliance (CoC)**  
FAO Headquarters, Rome, Italy, 11<sup>th</sup> May 2011

**OPENING OF THE SESSION**

1. The fifth session of the Compliance Committee of the General Fisheries Commission for the Mediterranean (GFCM) was held in Rome, Italy on 11 May 2011. The Session was attended by delegations of 22 Members of the Commission, observers from non GFCM Member nations (the Russian Federation and Ukraine) and from 6 intergovernmental organizations and non-governmental organizations.
2. The meeting was called to order by the Chairman of the Compliance Committee (CoC), Mr Khatir Boudjelida (Algeria), who welcomed the participants.
3. The Chairman drew the attention of the meeting to the Statement of Competence and Voting Rights by the European Union and its Member States (document COC:V/2011/Inf.3) and the terms of reference of the CoC (document COC:V/2011/Inf.2).

**ADOPTION OF THE AGENDA AND ARRANGEMENTS FOR THE SESSION**

4. The meeting adopted the agenda in Appendix A.
5. The documents which were before the Commission are listed in Appendix B.

**STATUS OF IMPLEMENTATION OF GFCM DECISIONS BY MEMBERS**

6. Mr Matthew Camilleri, from the GFCM Secretariat, introduced this item on the basis of document COC:V/2011/2 “Status of Implementation of GFCM decisions by Members”. Seven reports had been received by 4 May 2011, but subsequent reports had been received

and distributed in respect of the nine EU members and Morocco. Some countries had reported fully and others to a lesser degree.

#### **STATUS OF DATA AND INFORMATION SUBMISSIONS BY MEMBERS AND MANAGEMENT OF GFCM DATABASES BY THE SECRETARIAT**

7. Mr Camilleri made a presentation on the status of submission of data and information, as well as the progress made by the Secretariat on related databases, based on document COC/V/2011/3. He referred individually to the twelve different frameworks within which Members are obliged to submit data and information, noting the status of compliance by Members and the quality of data submitted, as well as the GFCM Task 1 Statistical Bulletin. The Secretariat invited the Committee to provide guidance for further action and follow up, and as appropriate to identify, in accordance with Recommendation GFCM/34/2010/3, Members that have not met their obligations.

8. Based on a request from the Scientific Advisory Committee (SAC), a proposal was then introduced to combine the four GFCM fishing vessel lists into a single fleet submission which will reduce the number of submissions of fleet-based datasets while ensuring that all data fields requested by all Recommendations are included.

9. During discussion, some delegations clarified the status of and processes for their information submissions to GFCM, others noted internal difficulties in sending data as required. The importance of ensuring that some of the information provided by the Secretariat is verified during the Committee meeting was noted. It was considered that the Regional Projects should consider priorities for, and means to strengthen compliance with, data submission requirements to help relevant countries build their technical capacity.

10. There was full support to adopt a single fleet submission, and the Committee requested the Secretariat to prepare a draft resolution, for consideration by the Commission, for a combined transmission protocol without amending existing Recommendations.

11. The Secretariat introduced proposed options, based on a SAC request, relating to data

access policies and confidentiality for the Task 1 database. SAC had agreed that the statistical bulletin and basic statistics should be available to the public without restriction, however access rights for the Task 1 datasets raised more concerns.

12. Discussion focused on the balance between data and information that should be publicly available, and that which should be kept confidential on some level. It was emphasized that the regional database required the agreed standard of confidentiality to be implemented by all Members so that managers could access to the database.

13. To promote clearer understanding, it was suggested that a distinction should be made between aggregated, disaggregated and raw data, and data that must be used by the SAC. Aggregated information must continue to be available to the general public but access to some disaggregated data should be restricted to registered persons, and only for specific tasks established by GFCM.

14. The Committee favoured two options presented as follows:

- Access to Task 1 datasets should be available to users upon registration. The eligible users will be nominated by the national SAC focal point. In this case, the access would have no time limitation.
  
- Access to Task 1 datasets will be available to participants registered in selected GFCM meetings, with access limited to the period of the meeting and some extensions before and after.

15. The Executive Secretary, Mr Abdellah Srouf, suggested that Resolution GFCM/31/2006/1 on data confidentiality policy and procedures be amended, in order to reflect the concerns and views expressed by the Committee. The Committee agreed that the Secretariat prepares a draft amendment accordingly, for the consideration of the Commission.

**IDENTIFICATION OF THE NON-COMPLIANCE WITH GFCM DECISIONS IN REFERENCE TO RECOMMENDATION GFCM/34/2010/3**

16. The CoC Chairperson suggested deferral of non-conformity of Members with GFCM decisions in reference to Recommendation GFCM/34/2010/3 to the Sixth Session. He noted the situation that is prevailing in counties on the southern shore of the Mediterranean and requested Members to address their concerns to Secretariat and regional projects.

17. The Committee agreed to the deferral, noting this would allow parties to improve and seek assistance through cooperation projects. The EU raised the related issue of implementing GFCM Recommendations in national law in order to ensure their implementation, give legal certainty to the obligation of Members and inform stakeholders.

18. Some delegations referred to the difficult and long processes involved in implementation as well as lack of human and financial capacity for purposes of compliance, and noted that non-implementation in national law does not necessarily mean there is non-compliance.

19. Upon a proposal by the Executive Secretary, the Committee agreed that the established Task Force for the GFCM Performance Review could consider the issue further.

**FOLLOW UP ON THE COMPENDIUM OF GFCM DECISIONS**

20. The Executive Secretary informed the Committee that the Compendium of GFCM decisions and CD ROM have been updated, facilitating access to all GFCM decisions. He invited comments on possible improvements to the Compendium. The Chairman noted that the Compendium could be useful in implementing Recommendations in national laws and regulations.

**ANY OTHER MATTERS**

21. The Chair read the letter received from Lebanon concerning the Recommendation GFCM/34/2010/1 and GFCM/34/2010/2.

22. Considering that the notification did not meet GFCM procedures because of time constraints, the Committee took note of the reservation expressed by Lebanon. The Committee recommended that the Regional Projects take stock of the situation and attempt to seek a solution in the short term to enable Lebanon to be in a position to comply with and enforce the GFCM Recommendations.

**ELECTION OF THE BUREAU**

23. The bureau of the CoC was unanimously elected. Mr Samir Majdalani (Lebanon) was elected Chairperson while Mr Roland Kristo (Albania) and Mr Khaled Fliti (Algeria) were elected first and Second Vice-Chairpersons respectively.

**DATE AND VENUE OF THE SIXTH SESSION**

24. It was agreed that the date and venue of the sixth session would be decided by the Commission at its thirty-fifth session.

**ADOPTION OF THE REPORT AND CLOSURE OF THE SESSION**

25. This report was adopted on 13 May 2011.

## Agenda

1. Opening of the session
2. Adoption of the agenda and arrangements for the session
3. Status of data and information submissions by Members and management of GFCM databases by the Secretariat
4. Status of implementation of GFCM decisions by Members (List attached)
5. Identification of the non-compliance with GFCM decisions in reference to the Recommendation GFCM/34/2010/3
6. Follow up on the Compendium of GFCM decisions
7. Any others matters
  - 7.1 Letter received from Lebanon concerning the Recommendations GFCM/34/2010/1 and GFCM/34/2010/2
8. Election of the bureau
9. Date and venue of the sixth session
10. Adoption of the report and closure of the session

**List of Documents**

|                  |   |
|------------------|---|
| COC:V/2011/1     | Provisional Agenda and timetable  |
| COC:V/2011/2     | Status of Implementation of GFCM decisions by Members   |
| COC:V/2011/3     | Status of data and information submissions by Members and management of GFCM databases by the Secretariat |
| COC:V/2011/Inf.1 | List of Documents   |
| COC:V/2011/Inf.2 | Terms of reference of the Compliance Committee  |
| COC:V/2011/Inf.3 | Statement of Competence and Voting Rights by the European Union and its Member States                     |
| COC:V/2011/Inf.4 | Performance Review of the General Fisheries Commission for the Mediterranean and Black Sea                |
| COC:V/2011/Inf.5 | Compendium of GFCM decisions  |
| COC:V/2011/Inf.6 | Report of the Fourth session of the Compliance Committee  |
| COC:V/2011/Dma.1 | Interactive e-compendium of GFCM decisions (CD Rom) (in English only)                                     |

**Report of second session of the  
Committee on Administration and Finance (CAF)**  
FAO Headquarters, Rome, Italy, 9<sup>th</sup> May 2011

### **OPENING OF THE SESSION**

1. The Committee on Administration and Finance (CAF) of the General Fisheries Commission for the Mediterranean (GFCM) held its second session in Rome, Italy, on 9 May 2011. The session was attended by delegates of 22 GFCM Members as well as Observers from non GFCM Member nations (the Russian Federation and Ukraine) and from 6 intergovernmental and non-governmental organizations.

2. The meeting was called to order by the CAF Chairman, Mr Mohamed Fathy Osman (Egypt), who welcomed the participants and expressed his gratitude to FAO for hosting the session and for the excellent organization.

### **ADOPTION OF THE AGENDA AND ARRANGEMENTS FOR THE SESSION**

3. The Chairperson referred to the Statement of Competence and Voting Rights by the European Union and its Member States as provided in CAF:II/2011/Inf.4.

4. The agenda, attached in Appendix A, was adopted without changes.

5. The documents which were before the Commission are listed in Appendix B.

### **REPORTS OF THE SECRETARIAT ON ADMINISTRATIVE AND FINANCIAL ISSUES**

6. The Acting Executive Secretary, Mr Abdellah Srour, made a presentation based on the document CAF:II/2011/2 "Report of the Secretariat on Administrative and Financial Issues". He provided a summary of the main actions taken in relation with the administration and financial situation related to 2010, including topics such as GFCM Recommendations

adopted in 2010, GFCM Performance Review, staffing and related issues pertaining the same period and the need for reinforcement of the Secretariat in 2011-2012, the meetings attended by the staff of the Secretariat and the GFCM Bureau, the publications released and those in preparation, AND the good collaboration with existing partners and the establishment of new linkages with other organizations. The agreement between FAO and the government of Italy in relation with GFCM new headquarters was also presented. In addition, he referred to the ratification status of the GFCM Agreement as amended in 1997. Furthermore, the Acting Executive Secretary made a review on the budget adoption for 2010 and the dynamics that followed along with the budgetary situation by 31 December 2010. Finally, he made reference to GFCM new extra-budgetary resources, which were highlighted by the signature of two agreements with DG Mare (of the European Commission) and another with the Italian government.

## **ADMINISTRATIVE ISSUES**

### *Recommendations adopted under Article V of the GFCM Agreement*

7. The Committee was informed that the Secretariat had officially transmitted the text of recommendations and resolutions adopted at the Thirty-fourth Session of the Commission (Greece, April 2010) to Contracting Parties. After the “grace period”, the decisions entered into force on 9 September 2010. The Committee was informed of the scope of a letter received from Lebanon concerning the Recommendations GFCM/34/2010/1 and GFCM/34/2010/2.

### *GFCM Performance Review*

8. The Acting Executive Secretary stressed that the final draft report prepared by the Performance Review Panel and circulated among the GFCM Members for comments in October 2010, was received in its final version in January 2011 which considered the feedback from EU, Italy and Turkey.

9. He also informed that the conclusions of the report regarding the functioning of the technical subsidiary bodies were presented and discussed by a member of the Performance

Review Panel during the Thirteenth Session of the Scientific Advisory Committee (SAC) held in February 2011 and in the course of the Seventh Session of the Committee on Aquaculture (CAQ) held in March 2011. The feedback of the SAC and the CAQ about the Performance Review have been respectively integrated in the final reports of the two Committees.

### **Activities and functioning of the Secretariat and needs for the future**

10. The Committee was informed that the intersessional activities of the Secretariat included the organization and coordination of 29 meetings, of which: 17 meetings of Scientific Advisory Committee (SAC) subsidiary bodies and its annual Session, 7 meetings of Committee on Aquaculture (CAQ) subsidiary bodies and its annual session. The Secretariat produced 41 technical and administrative documents, of which 25 already available on GFCM website, 7 published and 9 to be released presently.

11. The Committee was informed on staffing issues within the Secretariat. Firstly, the recruitment of the Information Management Officer (Professional Category P2), Ms Pilar Hernandez (Spanish citizen) in August 2010. Moreover, the post of Administrative Assistant (G3) left vacant in December 2010, is in its final stage of recruitment, the appointment being envisaged in June/July 2011. In relation with the need for strengthening the Secretariat in terms of technical staff, a proposal for three additional posts (Stock Assessment/Population Dynamics expert, Editor/Translator of technical documents and Data Compliance manager) within the course of the next two years was brought to the attention of the Committee. Furthermore, the Committee was sensitized about the urgency to recruit a Security guard/Receptionist (G3) and an Office helper (G2) in view of moving to the new headquarters.

### **Progress on GFCM new Headquarters**

12. With regards to the question of GFCM new headquarters, the acting Executive Secretary recalled that FAO Director-General had approved that FAO contribute on a voluntary basis € 46,000 per annum to cover specific running costs (water, electricity, etc.) while the host country, Italy, would contribute € 100,000 per annum, corresponding to the

remaining share of the estimated total of these costs. The Secretariat was coordinating with FAO Infrastructure and Facilities Management Service dealing with logistic and technical matters, in order to ensure the move to the new headquarters by 1<sup>st</sup> of June 2011.

### **Status of ratification of the Amendments to the GFCM Agreement**

13. The Committee was informed on the status of acceptance of 1997 amendments to the GFCM agreement, that remained unchanged, i.e. 21 Members had deposited their instruments of acceptance while Egypt and Israel have not yet done so. Regarding the case of the Syrian Arab Republic, the Secretariat received a letter on 17 September 2010 from the Syrian Embassy in Rome notifying that Syria ratified the agreement on 12 July 2009. However, according to FAO Legal Office, this letter could not be considered as a formal ratification since the specific standard model for the ratification process had not been used.

## **FINANCIAL ISSUES**

### **Member contributions to the autonomous budget**

14. The Secretariat informed the Committee that the “Call for funds” letter was sent the 17 June 2010. By December 2010 most Members had settled their contribution. In total twenty-one Members deposited their instruments of acceptance and remitted their contributions; two Members (the Syrian Arab Republic and Egypt) did not deposit their formal instruments of acceptance but remitted their contribution; one Member (Greece) deposited its instruments of acceptance but did not pay its contribution; one Member (Israel) did not deposit its instrument of acceptance (nor participated in the vote for the selection of Executive Secretary), nor paid its contribution.

### **2010 Financial situation: autonomous budget, arrears and trust funds**

15. The Committee was informed on the main elements of the budget for the intersessional period, during which the Secretariat managed the expenditure according to the priorities and workplan adopted by the Commission.

16. Information on the status of GFCM extra-budgetary resources (i.e. voluntary contribution from Members) received from EU, Italy and Spain in support of the activities of the subsidiary bodies of the CAQ was provided. In this respect, the EU delegate suggested that more details and explanations regarding the extra-budgetary resources should be added as annex to the report. The Committee agreed with this proposal (as set out in Annex C).

17. The Committee thanked the Secretariat for the thorough presentation made on administrative and financial issues. The discussion of the Committee focused on the additional future costs, anticipated by the Secretariat through a second presentation.

18. Although the request for additional personnel was motivated by the increasing amount of activities requested to the Secretariat to perform the workplan set by the subsidiary bodies of the Commission, some delegates expressed their concern about the proposal of a budget increase of over 15%, bearing in mind the general crisis affecting the Mediterranean region.

19. The EU delegate highlighted the importance to reinforce GFCM Secretariat, pointing out that such strengthening of human resources should be considered after a clear identification of priorities. She also asked clarification about the vacant posts and those already filled in.

20. Some delegates suggested the need for budget optimization, specifically by means of training and support from projects in the region. The proposal of using internet for consultation and downloading of GFCM reports and publications was viewed as a means to reduce costs.

21. The delegate from Monaco expressed his concern about the contribution increase for 2011 and took the opportunity to raise the issue of reconsidering GFCM financial rules related to the calculation of Members contributions.

22. The Acting Executive Secretary explained that such increase was due to inclusion of information provided by World Bank, not available before, which has made the calculation more accurate.

23. The representative of FAO Legal Office stated that the request to amend GFCM financial rules was made by Monaco in timely manner. However he also pointed out that any adjustment to the mentioned regulations should take into consideration all the implications for the other Members.

24. Following the discussion, the Commission agreed to consider the request made by representative from Monaco in a wider context as being of interest of all Members. For this purpose it was underlined the need of addressing the issue in the framework of the proposed ad-hoc task force aiming at identifying the necessary modifications to the GFCM Agreement and associated procedural and financial Rules.

25. The Committee agreed that a final decision on staffing, budget adoption and priorities would be taken during the week, further to the election of the Executive Secretary and the review of 2011 workplan.

### **Progress on the selection of GFCM Executive Secretary**

26. The Committee was reminded that the vacancy announcement for the post of Executive Secretary was posted between 18 November - 29 December 2010. The pre-selection panel met on 11 March 2011 and GFCM Members were invited to send their preferences among the 8 pre-selected candidates. A short list of 5 candidates was prepared on the basis of the results received. The final election, through interview and vote, would lead to the appointment of the new GFCM Executive Secretary.

### **Provisional GFCM budget and member contributions for 2011 and 2012**

27. The Acting Executive Secretary, introduced this Agenda item based on document GFCM Budget and Member Contributions for 2011-2012 (CAF:II/2011/3).

28. The document presented an estimate of forecast expenditures under the autonomous budget and includes a breakdown of the main budget chapters for 2011 and 2012 financial

years. The share of the autonomous budget to be financed by each Member is calculated on the scale featured in the GFCM Financial Regulations. The document should be read in conjunction with the draft programme of work of the Commission for 2011 (documents GFCM:XXXV/2011/6 and 7) to assess the budgetary implications.

29. The document put forward two issues for the consideration of the Commission. The first, was related to the payment of 18,000 US Dollars related to a debt dating back to 2004. The second referred to a request received from the FAO Technical Cooperation Division to increase FAO project servicing costs at 4.5% at the moment. It was decided, in relation to the first issue, to request the cancellation of the debt and, as for the second, the application of the same percentage of project servicing costs to all GFCM project.

30. The forecast budget included in the document is based on the proposed programme of work of the Scientific Advisory Committee (SAC) for 2011, as adopted at its Thirteenth Session and the programme of work of the Committee on Aquaculture (CAQ) for 2011, as adopted at its Seventh Session. The budget is also adjusted according to an update of the Secretariat administrative and operational costs and does not include any new activity proposed by the Commission. Moreover, the estimated budget does not include the unforeseen cost that could result from the move to the new Headquarters. Additional activities would need to be added to this estimate. As requested by the Commission, the budget of cooperative projects financed from extra-budgetary resources and executed by the Secretariat is dealt with separately from the GFCM global budget.

31. With reference to GFCM Autonomous Budget, the Acting Executive Secretary presented also GFCM Member contributions for 2011-2012. The draft budget for the next financial year was presented in accordance with the provisions of Article X of the Financial Regulations and decision taken by the Commission at its thirty-second session.

32. On the basis of the information and data available to the Secretariat and assuming the Commission approves all proposed expenditures, the total sum of the autonomous budget for 2011 is estimated at 1,869,987 US dollars, while that for 2012 is estimated at 2,335,711 US dollars. This would represent a 15.15 percent increase in 2011 in relation to the initial budget adopted for 2010 and a 24.91 percent increase in 2012 in relation to the budget proposed for

the previous financial year.

33. The document finally addressed the extra-budgetary resources (i.e. those from voluntary contributions of certain Members) allocated to supporting the Committee on Aquaculture and its working groups. It made reference, specifically, to the agreements with the European Commission for the cooperative project in support of the working groups of the Committee on Aquaculture on sustainable aquaculture development (InDAM Phase 2) and on site selection and carrying capacity (SHoCMed Phase 2); as well as to the Italy funded cooperative project for strengthening cooperation on fisheries and aquaculture in the Mediterranean and Black Sea (LaMed).

#### **ANY OTHERS MATTERS**

34. No other issues were raised

#### **ELECTION OF THE BUREAU**

35. The bureau of the CAF was unanimously elected. Mr Hachemi Missaoui (Tunisia) was elected Chairperson while Mr Aleksandar Joksimovic (Montenegro) and Mr Mohamed Najih (Morocco) were elected first and Second Vice-Chairpersons respectively.

#### **DATE AND VENUE OF THE THIRD SESSION**

36. The date and venue of the third session will be simultaneous to the thirty-sixth session of the Commission.

#### **ADOPTION OF THE REPORT**

1. The report was adopted on 13 May 2011.

## Agenda

1. Opening of the session
2. Adoption of the agenda and arrangements for the session
3. Reports from the Secretariat on administrative and financial issues
  - 3.1 Activities and functioning of the Secretariat and needs for the future
  - 3.2 Progress on the issue of the new Headquarters of the Commission
  - 3.3 Status of ratification of the Amendments to the GFCM Agreement
  - 3.4 Contributions by Members to the autonomous budget
  - 3.5 2010 financial situation: autonomous budget, arrears and trust funds
  - 3.6 Progress on the selection of the GFCM Executive Secretary
4. Provisional GFCM budget and Member contributions for 2011 and 2012
5. Any others matters
6. Election of the bureau
7. Date and venue of the third session
8. Adoption of the report

**List of documents**

|                   |   |
|-------------------|---|
| CAF:II/2011/1     | Provisional Agenda and Timetable  |
| CAF:II/2011/2     | Report of the Secretariat on administrative and financial issues  |
| CAF:II/2011/3     | GFCM budget and Members contributions for 2011-2012   |
| CAF:II/2011/Inf.1 | Provisional List of Documents   |
| CAF:II/2011/Inf.2 | Agreement for the Establishment of the General Fisheries Commission for the Mediterranean, Financial Rules and Rules of Procedure |
| CAF:II/2011/Inf.3 | Terms of reference of the Committee on Administration and Finance   |
| CAF:II/2011/Inf.4 | Statement of Competence and Voting Rights by the European Union and its Member States   |
| CAF:II/2011/Inf.5 | Performance Review of the General Fisheries Commission for the Mediterranean and Black Sea  |
| CAF:II/2011/Inf.6 | Report of the First Session of the Committee on Administration and Finance  |
| CAF:II/2011/Inf.7 | Duties and responsibilities of an expert in stock assessment/ population dynamics within the GFCM Secretariat                     |

### **Status of GFCM extra-budgetary resources**

At its Thirty-first Session, the Commission requested that extra-budgetary resources (i.e. voluntary contributions from Members) also be reflected in the financial statement. The situation is as follows:

#### Recently closed activities

The Tunisian Cooperative Project in support of the SIPAM Regional Centre (TEMP/INT/988/MUL - Assistance to SIPAM) was closed in November 2010.

The Spanish Cooperative Project in support of the CAQ Working Group on Marketing in Aquaculture (WGMA) was executed from April 2008 to June 2010, and was completed in September 2010.

The activities of the Working Group on Sustainability in Aquaculture (WGSA) were carried out with the support of the Project “Developing site selection and carrying capacity for Mediterranean aquaculture within aquaculture appropriate areas” (SHoCMed Phase I). SHoCMed Phase I, funded with the support of the European Union, went from October 2008 to November 2009. In 2010 the cash balance due for the amount of €3,821.70 was received from the donor.

The activities of the WGSA were also implemented thanks to the support of the Project “Indicators for Sustainable Development of Aquaculture and Guidelines for their use in the Mediterranean (InDAM Phase 1)” funded with the support of the European Commission. InDAM Phase I went from December 2008 to December 2009. In 2010 the cash balance due for the amount of €1,834 was received from the donor.

#### Recently launched activities

*European Community Cooperative Project in support of CAQ Working Groups on Aquaculture Sustainability (InDAM Phase 2) and Siting and Carrying Capacity (SHoCMed Phase 2)*

An agreement between DG MARE and GFCM was signed on 24 September 2010 to launch SHoCMed Phase 2 with a contribution of €60,938.79 (approximately US dollars 85,138.75) representing 30% of the project eligible costs. The GFCM received a first payment of €48,751.03 (US dollars 68,111), of which the amount of US dollars 24,806.07 was spent in 2010 for travel and consultancies.

An agreement between DG MARE and GFCM was signed on 16 November 2010 to launch InDAM Phase 2 with a contribution of €85,318.37 (approximately US dollars 114,214.98), representing 50% of the project eligible costs for the first year. The GFCM received a first payment of €68,254.70 (US dollars 91,372).

*Italian Cooperative Project in support of GFCM activities: “Strengthening cooperation on fisheries and aquaculture management in the Mediterranean and the Black Sea” (LaMed)*

The project on “Strengthening cooperation on fisheries and aquaculture management in the Mediterranean and the Black Sea” (LaMed), with a total contribution of €300,000 funded by the Italian Ministry of Agriculture, Food and Forestry Policies (MiPAAF) was launched on 1 September 2010. The project has two components: Component 1 “Fisheries laws and regulations in the Mediterranean and the Black Sea (LaMed-1)” and the Component 2 “Mediterranean coastal lagoons management: interactions between aquaculture and capture fisheries (LaMed -2)”. The GFCM received a first payment of US dollars 171,648.00. The amount of US dollars 25,742 was spent in 2010.

**Terms of the reference for a task force towards a possible revision of the GFCM Agreement, of the rules of procedure and the financial rules.**

Having regard to the performance review of the General Fisheries Commission for the Mediterranean and Black Sea (GFCM:XXXV/2011/Inf.8) the GFCM agreed to set up an ad hoc task force to identify the main elements necessary to assist the Commission in the identifying the necessary modifications to the GFCM Agreement and associated procedural and financial Rules in view of making this organization more effective by addressing functional and structural issues.

This revision, which may be achieved either through a new Agreement or by amending the existing one, shall allow GFCM to fulfil, in an efficient and effective manner, its obligations to deliver the "long-term conservation and optimum utilization" (i.e. sustainable exploitation) and production of the marine living resources within a precautionary and ecosystem approach to fisheries management, including relevant compliance and enforcement mechanisms, while taking into account in particular:

The 1992 Convention on Biological Diversity (Rio Summit),

The Reykjavik Declaration on Responsible Fisheries in the Marine Ecosystem of 2001

The Johannesburg Declaration on Sustainable Development of 2002 and in particular Article 31a in its Plan of Implementation;

The Declaration of the Ministerial Conference for Sustainable Development of the Fisheries in the Mediterranean held in Venice on 2003;

The FAO Code of Conduct for Responsible Fisheries adopted by the 28th Session of the Conference of the Food and Agriculture Organisation of the United Nations in October 1995;

The Agreement to Promote Compliance with International Conservation and Management Measures by Fishing Vessels on the High Seas, 1993,

The United Nations Agreement for the Implementation of the Provisions of the United Nations Convention on the Law of the Sea of 10 December 1982 relating to the Conservation and Management of Straddling Fish Stocks and Highly Migratory Fish Stocks,

The 1995 Convention for the Protection of the marine environment and coastal region of the Mediterranean and its Protocols as amended, in particular, the Protocol on Specially Protected Areas and biological diversity in the Mediterranean and the Protocol on Integrated Coastal Zone Management,

The International Commission for the Conservation of Atlantic Tunas (ICCAT)

The 1979 Convention on the conservation of migratory species and animals (also known as the Bonn Convention),

The Convention on the Protection of the Black Sea against pollution, and "best practices" and experiences of other Regional Fisheries Management Organizations,

The task force:

- will be under the guidance of the Chair and will include members of the Bureau as well as the Executive Secretary.
- will use all the electronic means to create an interactive, permanent and transparent network in order to be able to carry out its duties in a timely and efficient manner.
- Will provide all GFCM members with the right to access all the discussions and debates. All GFCM members will therefore be allowed to contribute to the proceedings and to the consultation process and will be asked to designate one focal point.
- will organise, before the next Annual session, the necessary consultations with all the other parties, including observers and partner organisations, so as to ensure that the conclusions of the work can be validated by a wide range of stakeholders and be presented 3 months before the next annual session.

Particular attention will have to be given to the budgetary constraints of the organization and costs will be reduced as much as possible.

The work of the task force will address in particular the following issues:

## **I. 1. GFCM Basic framework**

### **A. 1.1 GFCM GENERAL OBJECTIVES**

- Qualification of the terms: (1) sustainable exploitation both in terms of long-term conservation and optimum utilisation, (2) sustainable aquaculture production, (3) precautionary approach, (4) ecosystem approach to fisheries management and aquaculture.
- Indicators, either model based or empirical, required for measuring the above.
- Methodology to be used in applying these indicators (single indicator, multiple indicators including, inter alia, traffic light approach, etc.).
- Definition of reference points to establish an operational and adaptive precautionary framework using target, precautionary thresholds and conservation limit reference points.
- Taking into account data availability, identify suitable technical reference points for the evaluation of the state of different stocks and for measuring the pressure from fisheries.
- Typology (issues and areas) of interaction of capture fisheries and aquaculture with other human activities in marine areas with the aim of contributing to integrated management of the marine space.

## **II. 2. Conservation issues**

- Methodology and identification, on the basis of the current information, of: (1) Shared stocks, fisheries and countries concerned (2) Straddling stocks and their location (3) Technical interactions and potential mobility of fishing fleets from territorial waters to High Seas (4) Habitats and marine living resources for which a coordinated management action is advisable, also in relation to the development of an ecosystem approach to fisheries management.
- Taking into account the mobility of vessels amongst fisheries, distribution of marine living resources, and governance of the marine space, the relevance for GFCM of focusing on a limited and identified number of stocks rather than the broader spectrum of Mediterranean species.
- Applicability and implications, for GFCM's work, of the concept of Large Marine Ecosystems in the Mediterranean and Black Sea.
- Evaluation of whether the current geographical division of the Mediterranean and Black Sea space (GSAs, FAO divisions, statistical grid etc.) usually also used as assessment units, actually correspond to meaningful biological units and are adequate and flexible enough to accommodate adaptive fisheries management measures, i.e. that are dependent on the ongoing definition of stocks unit and fisheries management areas.

## **III. 3. Management issues**

- On the basis of current knowledge of fisheries and stocks, the suitability of implementing input (fishing effort and capacity) and/or output (catch limitation and quota allocation) fisheries management measures.
- State of play of the fishing capacity in the different parties by operational unit and fisheries as a basis for discussing GFCM's mandate in terms of fleet capacity.
- State of play, added-value and proposals for a way forward for the different research and capacity-building cooperation frameworks and tools in the Mediterranean and Black Sea on fisheries understanding and management.

## **IV. 4. Specific aspects related to aquaculture**

- Adequate indicators on reaching sustainable aquaculture both in terms of biological and economic dimensions.
- Assessment of current SIPAM organisation/management with a view to improve CAQ and SIPAM relations, and thereby effectiveness of CAQ.
- Suitability of promoting shellfish aquaculture, in particular shrimps production, and its implications with respect to environmental quality.
- State of play, risks and opportunities in relation to alien species.
- A state of play of coastal lagoon management, related objectives and parameters, including in particular the interaction between capture fisheries and aquaculture (harvesting of wild fry, etc.).

- Advice on (1) Membership to CAQ (open or officially appointed) (2) Lighter operational structure (e.g. ad-hoc working group that is problem-solving oriented and meets back-to-back to other sessions as necessary) (3) Coordination across WGs (4) need for binding vs non-binding measures (5) Suitable mechanism to draft and table proposals for recommendations.

## **V. 5. Compliance and Enforcement**

- Definition and current usage of the following terms: coastal State, flag State, port State, non-compliant flag state, IUU fishing, cooperating non-members, and non-cooperating non-Members.
- Best practices to strengthen the compliance through port State measures, including the identification of gaps and weaknesses of the GFCM recommendation 2008/1 on a regional scheme for port state measures.
- Overview and best practices of follow-up schemes on infringements of conservation and management measures.
- Innovative elements and procedures to facilitate compliance by the Parties, in particular cooperative mechanisms to detect and deter non-compliance, notably in terms of enhanced accountability.
- Identification of technical and administrative gaps in the capacity of Members to provide the information required by GFCM, together with advice on technical and capacity-building solutions.
- Identification of gaps in the current setting of technical equipments and mechanisms for Monitoring, Control and Surveillance (MCS) as established by GFCM and advice on solutions, including also the use of high seas control and the development of a framework for joint high seas inspections, monitoring programmes and observer programmes.

## **VI. 6. Financial and Administrative issues**

- A draft roadmap and elements for implementing the financial audit, underlining those aspects of the audit that could entail a review of the GFCM agreement.
- Analysis of impact and added-value of extra-budgetary activities currently being financed.
- List of possible alternative funding mechanisms for extra-budgetary supported activities.

## **VII. 7. Decision-making**

- Advice, on the basis of the conservation needs and human capacity for analysis of the state of stocks and pressure exerted by fisheries, on whether the organisation of a bi-annual session would be more suitable for improving the effectiveness and efficiency of its subsidiary bodies.
- Identification of an optimal mechanism to facilitate consultation with stakeholders.

### **VIII. 8. Dispute settlement**

- A succinct overview of the elements and mechanisms for dispute settlement utilised in other RFMOs/FMOs and in the UN Fish Stock Agreement and
- Proposal for the most suitable mechanism for the region, with accompanying justifications.

### **IX. 9. International Cooperation and interaction with non-Members**

- Advice on mechanisms and procedures required to consolidate the achievements and capitalise on regional cooperation projects on fisheries and marine ecosystem related matters.
- Advice on ways of strengthening cooperation and consistency with other international and intergovernmental organisations and conventions operating on the same geographic area and related subjects (e.g. fisheries-related matters, marine conservation, etc.).
- Ways of addressing interaction with cooperating and non-cooperating non-Members.

### **X. 10. Broad GFCM Administrative Arrangement**

On the basis of the abovementioned elements and reflections, an impact assessment of the different solutions that could be considered together with the advantages and disadvantages of having GFCM maintained as an FAO Article XIV body or as a fully independent RFMO (cost effectiveness, administration costs, interpretation and translation, personnel recruitments, etc.).

**Draft recommendation on the management of protected areas including  
Specially Protected Areas of Mediterranean Importance (SPAMIs)  
in the GFCM convention Area**

The General Fisheries Commission for the Mediterranean (GFCM),

*RECALLING* the 1982 United Nations Convention on the Law of the Sea (UNCLOS), in particular Articles 118 and 119, whereby States are called upon, inter alia, to cooperate with each other in the conservation and management of living resources in the areas of the high seas, through sub-regional or regional fisheries organizations as appropriate, and to exchange data and scientific information relevant to the conservation of fish stocks through competent international organizations;

*RECALLING* also the 1995 United Nations Agreement for the Implementation of the Provisions of the United Nations Convention on the Law of the Sea of 10 December 1982 relating to the Conservation and Management of Straddling Fish Stocks and Highly Migratory Fish Stocks, the objective of which is to ensure the long-term conservation and sustainable use of straddling fish stocks and highly migratory fish stocks, by inter alia, requiring States to cooperate in this respect through regional fisheries management organizations and arrangements (RFMO/As) particularly in areas beyond national jurisdiction;

*RECALLING* also the provisions of the 1993 FAO Agreement to Promote Compliance with International Conservation and Management Measures by Fishing Vessels on the High Seas;

*RECALLING* further the 1995 FAO Code of Conduct for Responsible Fisheries and the related International Plans of Action (IPOAs), Strategies and Guidelines which promote responsible fishing and fisheries activities, taking into account all their relevant biological, technological, economic, social, environmental and commercial aspects, whilst ensuring the protection of living aquatic resources and their environments and coastal areas;

*RECALLING*, in addition, the 2006 United Nations General Assembly Resolution 61/105 on Sustainable Fisheries, particularly paragraphs 80-91, which calls upon flag States and RFMO/As to sustainably manage fish stocks and protect vulnerable marine ecosystems, in general, as well as to manage bottom fisheries on the high seas, in order to prevent significant adverse impacts on vulnerable marine ecosystems and to ensure the long term sustainability of deep-sea fish stocks;

*TAKING INTO ACCOUNT* the 2009 FAO International Guidelines for the Management of Deep-sea Fisheries in the High Seas which guides States and RFMO/As to formulate and implement appropriate measures for the management of deep-sea fisheries in the high seas,

through a range of management tools and measures necessary to ensure the conservation of target and non-target species, as well as affected habitats;

*CONSIDERING* the role of the GFCM, as a Regional Fisheries Management Organization and in particular as a FAO regional fishery body, to promote the development, conservation, rational management and best utilization of living marine resources, and to these ends, to keep under review the state of these resources and the fisheries based thereon, as well as to formulate and recommend appropriate measures;

*RECALLING* that establishing closed or specially regulated fishing areas is recognized to be one of the measures for the recovery of marine fish stocks and the conservation of marine biodiversity important for the sustainability of fish stocks, and that the GFCM has already taken action in this regard through the setting up of Fisheries Restricted Areas;

*ACKNOWLEDGING* the cooperation established, through Recommendation GFCM/31/2007/2, between the GFCM Secretariat and the Pelagos Secretariat on the exchange of data related to the *Pelagos Sanctuary for the Conservation of Marine Mammals*, recognized as a Specially Protected Area of Mediterranean Importance (SPAMI) by the Contracting Parties of the 1995 Protocol concerning Specially Protected Areas and Biological Diversity in the Mediterranean (SPA/BD) of the Convention for the Protection of the Marine Environment and the Coastal Region of the Mediterranean (Barcelona Convention);

*RECALLING* that the Conservation Plan adopted by the Pelagos Contracting Parties refers to the competence of the GFCM, in relation to fisheries conservation and management and the measures established in this regard;

*CONSIDERING* that any fisheries conservation and management measures that may be drawn up in SPAMIs, established through the framework of the SPA/BD Protocol, must be consistent with the fisheries conservation and management objectives and measures of RFMO/As in particular GFCM and other international organizations;

*ADOPTS*, in conformity with the provision of paragraph 1 (b) and (h) of Article III and Article V of GFCM Agreement that:

1. In accordance with the GFCM mandate, the conservation and management of fisheries resources including the regulation of fishing activities in protected areas, including SPAMIs, which may be established within the context of any international agreement, convention or arrangement for the protection of the marine environment, fall within the remit of the GFCM through its conservation and management measures in place and others which the GFCM may draw up in the future.
2. Conservation and management measures within SPAMIs, in addition to those specified in paragraph 1 may also be established in cooperation with other international

entities such as the Regional Activity Centre for Specially Protected Areas (RAC/SPA) within the framework of the SPA/BD Protocol of the Barcelona Convention.

3. The provisions in paragraph 1 and 2 are without prejudice to any collaboration which the GFCM may seek to have with its partners and other international organisations, in matters related to the conservation and management of living marine resources in the Mediterranean and Black Sea.

4. The provisions stipulated in paragraphs 1 and 2 are also without prejudice to measures and other actions taken by the Contracting Parties; consistent with international law, in the exercise of their rights and the fulfillment of their obligations under relevant legal frameworks related to the establishment of marine protected areas.

## GFCM autonomous budget for 2011

| AUTONOMOUS BUDGET  | 2011             |               |
|--|------------------|---------------|
|  | US Dollars       | (%)           |
| <i>PROFESSIONAL STAFF</i>  |                  |               |
| Executive Secretary - D-1 (7 months for 2011)  | 142,917          | 8.37%         |
| Deputy Secretary - P-5 (5 months for 2011)   | 95,833           | 5.61%         |
| Aquaculture Expert - P-5 (upgrade from P-4)  | 229,000          | 13.41%        |
| Bio-statistician - P-4 (upgrade from P-3)  | 160,000          | 9.37%         |
| Fishery information officer - P-2  | 131,244          | 7.68%         |
| Data compliance manager - P-2 (5 months for 2011)  | 50,000           | 2.93%         |
| <b>Sub-total professional</b>  | <b>808,994</b>   | <b>47.36%</b> |
| <i>ADMINISTRATIVE STAFF</i>  |                  |               |
| Programmer/System Analyst - G-5  | 85,000           | 4.98%         |
| Bilingual Secretary - G-5  | 103,000          | 6.03%         |
| Administrative Assistant - G3 (6 months in 2011)   | 34,500           | 2.02%         |
| Security guard / receptionist for new HQ - G-3 (4 months for 2011)                           | 20,000           | 1.17%         |
| Office helper for new HQ - G-2 (4 months for 2011)   | 20,000           | 1.17%         |
| Temporary staff and overtime   | 35,000           | 2.05%         |
| <b>Sub-total Administrative support</b>  | <b>297,500</b>   | <b>17.42%</b> |
| <b>TOTAL STAFF</b>   | <b>1,106,494</b> | <b>64.77%</b> |
| <i>ACTIVITIES</i>  |                  |               |
| Consultancies (aquaculture information, data compliance/GFCM website, editor, WG Moderators) | 60,000           | 3.51%         |
| Travel (Staff, Bureau, Coordinators' DSA and ticket)   | 165,000          | 9.66%         |
| Chargeback (including interpretation)  | 160,000          | 9.37%         |
| Training   | 12,000           | 0.70%         |
| Equipment  | 20,000           | 1.17%         |
| Operating and Overhead expenses  | 30,000           | 1.76%         |
| Contracts (including publications)   | 25,000           | 1.46%         |
| Performance review   | 5,000            | 0.29%         |
| Interpreters' travel   | 15,000           | 0.88%         |
| Office move  | 20,000           | 1.17%         |
| <b>Sub-total Activities</b>  | <b>512,000</b>   | <b>29.97%</b> |
| <b>AUTONOMOUS BUDGET</b>   | <b>1,618,494</b> |               |
| Miscellaneous (1% of autonomous budget)  | 16,185           |               |
| FAO Servicing Costs (4.5% of total)  | 73,561           |               |
| <b>TOTAL AUTONOMOUS BUDGET</b>   | <b>1,708,239</b> |               |

## Appendix S

## Contributions to the GFCM budget for 2011 (based on 2006-2008 averages)

| Member                 | US \$   | %     | US \$ | Index | US \$  | Weighted Total | US \$   |
|------------------------|---------|-------|-------|-------|--------|----------------|---------|
| Albania                | 14,596  | 0.85  | 7,427 | 1     | 3,517  | 17,964         | 3,651   |
| Algeria                | 56,151  | 3.29  | 7,427 | 1     | 3 517  | 222,403        | 45 206  |
| Bulgaria               | 10,944  | 0.64  | 7,427 | 1     | 3 517  |                |         |
| Croatia                | 63,784  | 3.73  | 7,427 | 10    | 35 170 | 104,235        | 21 187  |
| Cyprus                 | 42,597  | 2.49  | 7,427 | 10    | 35 170 |                |         |
| Egypt                  | 63,161  | 3.70  | 7,427 | 1     | 3 517  | 256,894        | 52 217  |
| France                 | 77,766  | 4.55  | 7,427 | 20    | 70 339 |                |         |
| Greece                 | 42,597  | 2.49  | 7,427 | 10    | 35 170 |                |         |
| Israel                 |         |       |       |       |        |                |         |
| Italy                  | 77,766  | 4.55  | 7,427 | 20    | 70 339 |                |         |
| Japan                  | 78,068  | 4.57  | 7,427 | 20    | 70 339 | 1,483          | 301     |
| Lebanon                | 12,864  | 0.75  | 7,427 | 1     | 3 517  | 9,445          | 1 920   |
| Libyan Arab Jamahiriya | 58,499  | 3.42  | 7,427 | 10    | 35 170 | 78,233         | 15 902  |
| Malta                  | 42,597  | 2.49  | 7,427 | 10    | 35 170 |                |         |
| Monaco                 | 77,767  | 4.55  | 7,427 | 20    | 70 339 | 4              | 1       |
| Montenegro             | 8,569   | 0.50  | 7,427 |       |        | 5,618          | 1 142   |
| Morocco                | 28,843  | 1.69  | 7,427 | 1     | 3 517  | 88,058         | 17 899  |
| Romania                | 10,944  | 0.64  | 7,427 | 1     | 3 517  |                |         |
| Slovenia               | 42,597  | 2.49  | 7,427 | 10    | 35 170 |                |         |
| Spain                  | 77,766  | 4.55  | 7,427 | 20    | 70 339 |                |         |
| Syrian Arab Republic   | 12,992  | 0.76  | 7,427 | 1     | 3 517  | 10,075         | 2 048   |
| Tunisia                | 64,915  | 3.80  | 7,427 | 1     | 3 517  | 265,522        | 53 971  |
| Turkey                 | 196,075 | 11.48 | 7,427 | 1     | 3 517  | 910,796        | 185 131 |
| EC                     | 546,382 | 31.99 | 7,427 |       |        | 2,651,511      | 538 955 |

100

170

4,622,239

1,708,239

170,824

597,884

939,532

|                             |                  |                 |
|-----------------------------|------------------|-----------------|
| <b>Total budget</b>         | <b>1,708,239</b> | <b>US \$</b>    |
| Basic fee                   | 10%              | of total budget |
|                             | 170,824          | US \$           |
| Number of Members*          | <b>23</b>        |                 |
| Total budget less basic fee | 1,537,416        | US \$           |
| GDP component               | 35%              | of total budget |
|                             | 597,884          | US \$           |
| Catch component             | 55%              | of total budget |
|                             | 939,532          | US \$           |

\* Members paying their contributions to the autonomous budget