



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



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**GENERAL FISHERIES COMMISSION FOR THE MEDITERRANEAN**

**Third session of the Compliance Committee**

**Tunis, Tunisia, 23-27 March 2009**

**STATUS OF THE COMPENDIUM OF GFCM DECISIONS**

## INTRODUCTION

1. At its second session (Rome, February 2008), the Compliance Committee of GFCM (COC) welcomed the progress made by the Secretariat on the draft Compendium of GFCM Decisions and suggested that a consolidated version of the Compendium be finalized by the Members during the intersession (through email exchange) and presented for final review at the third session of the COC.<sup>1</sup>

2. The second session of the COC acknowledged that the structure of the draft Compendium consisted of the following, noting the importance of including relevant GFCM decisions that are in force.

- recommendations;
- resolutions; and
- other decisions, pending more precise definitions in future.

3. With regard to Recommendations, the Committee also acknowledged the proposal to retain only those that were adopted after 1976 according to Article V of the GFCM Agreement, because they are binding on Members.

## STATUS AND STRUCTURE OF THE COMPENDIUM

4. The draft Compendium was circulated to Members by e-mail during the intersession for their comments, but no responses were received. The revisions called for at the second session of the COC have been included by the Secretariat in the draft Compendium as described below. The draft Compendium itself is in document COCIII/2009/Inf.3.

- All Recommendations adopted after 1976 under Article V of the GFCM Agreement were retained;
- The GFCM decisions that have been re-categorized are identified in the draft Compendium, with reasons for the change. Where the category of a decision was

<sup>1</sup> Paragraph 101 of the Report of the session.

revised, some minor amendments were made as appropriate. For example, a Resolution re-categorized as a Recommendation now includes a reference to Article V of the GFCM Agreement; similarly, a Recommendation downgraded to a Resolution does not contain any reference to Article V;

- The GFCM decisions that are obsolete due to being superseded are identified in the draft Compendium and excluded;
- An assessment was carried out to ensure that no contradictions existed among the decisions that were retained in the draft Compendium.

5. In addition, decisions adopted by the 32nd session of GFCM have been included.

6. The structure of the draft Compendium as agreed at the second session of COC has been elaborated, and GFCM decisions are categorized and referenced as follows:

- Rec.CM Recommendations on Conservation and Management
- Rec.IC Recommendations on Implementation and Compliance
- Rec.ICCAT ICCAT Recommendations relevant to the Mediterranean
- RES Resolutions
- OTH Other decisions

7. The reference for all decisions is shown as:

*DECISION TYPE-GFCM/Session number/Session year/order number*

#### **SUGGESTED ACTIONS BY THE COMMITTEE**

8. The Committee is invited to comment on the draft Compendium and otherwise express its views. In particular, it is invited to:

- (i) review the revised categorization of some active decisions, as suggested in the text (e.g. Recommendations that become Resolutions or other decisions, or vice-versa);
- (ii) confirm that the decisions which have been added to those that are currently inactive can be considered as superseded, and should not be retained;
- (iii) assess that there are no contradictions among provisions of the decisions to be retained in the Compendium; and
- (iv) provide guidance on possible criteria to identify decisions which could be eligible in the category “other decisions”.

9. To facilitate actions taken under (i) – (iii) in paragraph 8, relevant text in the Compendium appears in highlighting.

10. The Committee is invited to consider recommending to the Commission for its review the nature of the decision on the adoption of the draft Compendium, bearing in mind the legal scope of Recommendations, Resolutions and other decisions of the Commission.