

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



## GENERAL FISHERIES COMMISSION FOR THE MEDITERRANEAN

## **Fourth Session of the Compliance Committee**

Athens, Greece 12-13 April 2010

### IMPLEMENTATION OF GFCM DECISIONS BY THE MEMBERS\*

#### INTRODUCTION

1. This document presents the information as received by the Secretariat on the implementation of the GFCM decisions by the Contracting Parties, in accordance with Resolution GFCM/2008/1. It is intended to assist the Compliance Committee (COC) in reviewing Members' compliance with these decisions and, in accordance with its mandate, in formulating advice, for consideration by the Commission, on action to be taken in situations of lack or incomplete implementation of measures associated with these decisions, as well as to suggest measures to improve their effectiveness.

#### REPORTS RECEIVED BY THE SECRETARIAT

2. As at 29<sup>nd</sup> March 2010, only six national reports were received by the Secretariat. The information contained therein for the reference year 2009 is set out in the table given in Appendix A to this document.

#### SUGGESTED ACTION BY THE COMMITTEE

3. The Committee is invited to examine this document and to provide guidance for further action and follow up. In particular the Committee is invited to identify specific actions or measures to ensure that all GFCM decisions are effectively enforced by the Members and that national reports on the implementation of these decisions are submitted in a timely manner to the GFCM Secretariat.

<sup>\*</sup> Available only in English

# Appendix A

# **Table on implementation of GFCM decisions**

Reference of GFCM Measure	Country	Implementing policy, legal or institutional framework	Reference of national law (if applicable)	Progress on operational implementation	Remarks, (including constraints)
Recommendation GFCM/2005/1 on the management of certain fisheries exploiting demersal and deepwater	Albania	Directorate of Water Resources and Fisheries (Ministry of Environment, Forestry and Water Administration – MEFWA) Fishing Inspectorate	Paragraph 6 of Article 48 and Article 59 of Regulation no.1 of 29.3.2005	Minimum mesh size is 40 mm for all the demersal fleet, Trawling is banned under 1000 m depth	
species.	Algeria		Law N <sup>o</sup> 1-11 of 03 of July 2001, concerning fishing and aquaculture	Trawling banned bellow 1000m	
	Croatia	The institutional framework for the implementation of these provisions is provided through the MAFRD Directorate of Fisheries and the legal basis is supplied through the Marine Fisheries Law. Direct transposition is undertaken by way of a bylaw (regulation, ordinance or order)	Pravilnik o obavljanju gospodarskog ribolova na moru (Ordinance on commerscial fisheries at sea, Official Gazette. 6/06, 46/06, 66/07, 121/08, 146/08, 130/09 and 152/09).	Croatian trawl fleet does not operate on grounds with depths over 1000 meters, but these provisions are being transposed into the national legal framework by way of the new framework legislation (Marine Fisheries Law)	New legal act in parliamentary procedure
	Lebanon				
	Libya	Legal and institutional	<ul><li>Law No. 14 and its by- laws.</li><li>Ministerial decrees</li></ul>	A memo on the 40mm mesh size forwarded for approval to GPC (Cabinet).	Later, to be endorsed by General Peoples Conference.
	Turkey				

Reference of GFCM Measure	Country	Implementing policy, legal or institutional framework	Reference of national law (if applicable)	Progress on operational implementation	Remarks, (including constraints)
Recommendation GFCM/2006/1	Albania				
concerning the management of certain fisheries exploiting demersal and small pelagic species	Algeria			Extension of biological rest period.	Research center need more investigation, with assistance from regional project.
species	Croatia	See above		Basics for implementation of these provisions are transposed into the national legal framework by way of the framework legislation (Marine Fisheries Law)	
	Lebanon				
	Libya	Legal and institutional	Law No. 14 and its by- laws.     Ministerial decrees		Not applicable
	Turkey				
Recommendation GFCM/2006/2	Albania	Not Applicable	Not Applicable	Not Applicable	N.A.
concerning the establishment of a closed season for	Algeria			Not concerned with this type of fishery, which is not developed in Algeria	
the Dolphin fish fisheries using fish aggregation devices (FADs)	Croatia	See above	Pravilnik o obavljanju gospodarskog ribolova na moru (Ordinance on commerscial fisheries at sea Official Gazette 6/06, 46/06, 66/07, 121/08, 146/08, 130/09 i 152/09).	Croatia does not operate dolphin fishery, but these provisions are being transposed into the national legal framework by way of the new framework legislation (Marine Fisheries Law)	New legal act in parliamentary procedure

Reference of GFCM Measure	Country	Implementing policy, legal or institutional framework	Reference of national law (if applicable)	Progress on operational implementation	Remarks, (including constraints)
	Lebanon	N/A			
	Libya	Legal and institutional	Law No. 14 and its by- laws.     Ministerial decrees	Dolphin fish fisheries using fish aggregation devices (FADs) is banned between 1/1 and 14/8 of each year.	
	Turkey		Fishing of dolphin fish is banned from January 1 to August 14 in accordance with the Article 22 (4) of the Notification 2/1 Regulating Commercial Fishing		In Turkey, there exists no directed fishing for dolphin fish.
Recommendation GFCM/2006/3 on the	Albania	Not Applicable	Not Applicable	Not Applicable	N.A.
establishment of fisheries restricted areas in order to	Algeria			Many actions are being undertaken to implement this recommendation	Technical assistance required
protect the deep sea sensitive habitats	Croatia	See above		Croatian fleet does not operate in the areas, but these provisions are being transposed into the national legal framework by way of the new framework legislation (Marine Fisheries Law)	
	Lebanon				
	Libya	Legal and institutional	<ul><li>Law No. 14 and its by- laws.</li><li>Ministerial decrees</li></ul>		Not applicable

Reference of GFCM Measure	Country	Implementing policy, legal or institutional framework	Reference of national law (if applicable)	Progress on operational implementation	Remarks, (including constraints)
	Turkey			No fisheries restrictive area has been designated to protect deep sea sensitive habitats.	Lack of scientific research.
Recommendation GFCM/2007/1 on the mesh size of trawl nets exploiting demersal resources	Albania	MEFWA	Article 59 of Regulation no.1 of 29.3.2005	No exceptions are done for certain local and seasonal demersal trawl fisheries regarding the minimum codend mesh size	
	Algeria			Recommendation being followed through national regulation	
	Croatia	See above	Pravilnik o obavljanju gospodarskog ribolova na moru (Ordinance on commerscial fisheries at sea Official Gazette 6/06, 46/06, 66/07, 121/08, 146/08, 130/09 i 152/09).	Implemented	New legal act in parliamentary procedure
	Lebanon				
	Libya	Legal and institutional	<ul><li>Law No. 14 and its by- laws.</li><li>Ministerial decrees</li></ul>	Incorporated among a by-law to be approved by the secretariat of Agriculture, Husbandry &Marine wealth.	
	Turkey		Article 10 (bans on deep trawl fishing) of Notification 2/1 Regulating Commercial Fishing.	No derogation has been granted to demersal trawl fishing for the use of a minimum diamond or square mesh size of 40 mm for trawl fishing	

Reference of GFCM Measure	Country	Implementing policy, legal or institutional framework	Reference of national law (if applicable)	Progress on operational implementation	Remarks, (including constraints)
Recommendation GFCM/2008/1 on a	Albania				
regional scheme on port state measures to combat illegal, unreported and	Algeria			<ul><li>VMS project in place,</li><li>Control scheme in place,</li><li>National ports designated</li></ul>	Training required for national fisheries inspectors.
unregulated fishing in the GFCM area	Croatia	In addition to the framework described above, this segment is being transposed into the national legal through the Law on Ports and Maritime Property (under the auspices of Ministry of Sea, Transport and Infrastructure). Cooperation of the MAFRD and the MSTI is structured through the provisions of the Marine Fisheries Act and the direct intergovernmental coordination.		In some segments implemented in full (purse seiners in BFT fishery); other segments under way. Very few ports in Croatia are open for international entry, and implementing regulations are now being drafted. Croatia has fully implemented the certification scheme for its catches, certifying the legality of activities.	New legal act in parliamentary procedure
	Lebanon				
	Libya	Legal and institutional	<ul><li>Law No. 14 and its by- laws.</li><li>Ministerial decrees</li></ul>	A number of ports are to be qualified to deal with such measures.	

Reference of GFCM Measure	Country	Implementing policy, legal or institutional framework	Reference of national law (if applicable)	Progress on operational implementation	Remarks, (including constraints)
Т	Гurkey	Turkey is currently working on to develop a technical, infrastructural and operational framework to meet the requirements of the Recommendation	In order to form a legal basis for new provisions for monitoring, surveillance, control and data collection amendment to the Fisheries Law-1380 have been made.	Compliance with the requirement of the recommendation requires further alignment both at legislative and implementation level.	
			The amendments include provisions on the IUU fishing.  The amended Fisheries Law is expected to be approved by the Turkish Parliament within 2010.	Turkey has constructed 36 offices at ports for collection of data on landings. Provisions on the designation of ports for landings have been included into the amended Fisheries Law which requires approval from the Turkish parliament.  The following landing ports have been designated for controlling of IUU fishing.  1. Silivri Landing Port, İstanbul  2. Yakakent landing Port, Samsun  3. Güzelbahçe Landing Port, İzmir  4. İskenderun Landing Port, Hatay  These are the fishing ports to which foreign vessels may be permitted access in accordance with the	

Reference of GFCM Measure	Country	Implementing policy, legal or institutional framework	Reference of national law (if applicable)	Progress on operational implementation	Remarks, (including constraints)
Recommendation GFCM/33/2009/1 on	Albania	Not applicable	Not applicable	Not applicable	N.A.
the establishment of a Fisheries Restricted Area in	Algeria		Not concerned		
the Gulf of Lions	Croatia	The institutional framework for the implementation of these provisions is provided through the MAFRD Directorate of Fisheries and the legal basis is supplied through the Marine Fisheries Law. Direct transposition is undertaken by way of a bylaw (regulation, ordinance or order)		Croatian fleet does not operate in the areas, but these provisions are being transposed into the national legal framework by way of the new framework legislation (Marine Fisheries Law)	New legal act in parliamentary procedure
	Lebanon	N/A		N/A	
	Libya	Legal and institutional	<ul><li>Law No. 14 and its by- laws.</li><li>Ministerial decrees</li></ul>		Not applicable
	Turkey			In 2008, no Turkish fishing vessel was operated/engaged in fishing using towed nets, bottom and midwater longlines, bottom-set nets in the Gulf of Lions.	
Recommendation GFCM/33/2009/2 on a minimum mesh size in the codend of demersal trawl nets	Albania	Directorate of Water Resources and Fisheries (Ministry of Environment, Forestry and Water Administration – MEFWA) Fishing Inspectorate	Regulation no. 8 of 25.1.2010	From 1 February 2010 all vessels should begin implementing a 40 mm square mesh size or when requested and approved a 50 mm diamond mesh size.	

Reference of GFCM Measure	Country	Implementing policy, legal or institutional framework	Reference of national law (if applicable)	Progress on operational implementation	Remarks, (including constraints)
	Algeria			Implementation not engaged yet	Need of assistance
	Croatia	See above	Pravilnik o obavljanju gospodarskog ribolova na moru (Ordinance on commerscial fisheries at sea Official Gazette, 6/06, 46/06, 66/07, 121/08, 146/08, 130/09 i 152/09).	Fully implemented; Croatia is currently preparing the submission of the list of authorized vessels for submission to the Secretariat in order to provide all the relevant information	New legal act in parliamentary procedure
	Lebanon				
	Libya	Legal and institutional	<ul><li>Law No. 14 and its by- laws.</li><li>Ministerial decrees</li></ul>	A memo on the 40mm mesh size forwarded for approval to GPC (Cabinet).	Later, to be endorsed by General Peoples Conference
	Turkey		Article 10 (2) of Notification 2/1 Regulating Commercial Fishing	Use of a minimum size of 40 mm square mesh codend for trawl fishing is being implemented through legislative provisions.	
				Works on bringing regulations on the use of a minimum legal diamond codend mesh size, in accordance with the Recommendation, is underway.	
Recommendation GFCM/33/2009/3 on the implementation of the GFCM Task 1 statistical matrix	Albania	Directorate of Water Resources and Fisheries (MEFWA)		Task 1.1, 1.2, and 1.4 are being prepared	Some more effort and assistance is required for the socio-economic data (Task 1.3)

Reference of GFCM Measure	Country	Implementing policy, legal or institutional framework	Reference of national law (if applicable)	Progress on operational implementation	Remarks, (including constraints)
	Algeria			<ul> <li>Regular data submission,</li> <li>Implementation of all components in progress,</li> <li>Regular data submission.</li> </ul>	Some difficulties in introducing and obtaining some socio-economic data, Assistance needed.
	Croatia	See above	Pravilnik o obavljanju gospodarskog ribolova na moru (Ordinance on commerscial fisheries at sea Official Gazette 6/2006, 46/2006, 66/2007, 121/2008); Pravilnik o ribolovnim alatima i opremi za gospodarski ribolov na moru (Ordinance on fishing gears in commercial fisheries at sea, Official Gazette 6/2006, 46/2006, 93/2006,125/2006, 41/2009).	Implemented. Croatia has initiated all the relevant activities for submission of Task 1.1, Task 1.2 and Task 1.4 data to the Secretariat in order to provide all the relevant information. Preparations for submission of task 1.3 and Task 1.5 data are under way	
	Lebanon				Technical and financial constraints
	Libya	Legal and institutional	<ul><li>Law No. 14 and its by- laws.</li><li>Ministerial decrees</li></ul>		See attached matrix (Task 1.1, 1.2, 1.4)
	Turkey			Task I data have been submitted to the Secretariat	

Reference of GFCM Measure	Country	Implementing policy, legal or institutional framework	Reference of national law (if applicable)	Progress on operational implementation	Remarks, (including constraints)
Recommendation GFCM/33/2009/4 on reporting of aquaculture data and information	Albania	Directorate of Water Resources and Fisheries (MEFWA)		Aquaculture data and information will be submitted before June 2010.	
	Algeria			Statistical system being adapted to take into account aquaculture data	
	Croatia	See above	Pravilnik o očevidniku o uzgoju ribe i drugih morskih organizama (Ordinance on logbook in farming of fish and other marine organisms, Official Gazette 156/09	Fully implemented	
	Lebanon				Technical and financial constraints
	Libya	Legal and institutional	<ul><li>Law No. 14 and its by- laws.</li><li>Ministerial decrees</li></ul>		See Report submitted to FAO by national coordinator on 8.8.2005

Reference of GFCM Measure	Country	Implementing policy, legal or institutional framework	Reference of national law (if applicable)	Progress on operational implementation	Remarks, (including constraints)
	Turkey	Aquaculture Regulation	Article 13 of Fisheries Law- 1380	Turkish Statistical Institute is the main official competent authority for publishing all statistical data. The Ministry of Agriculture and Rural Affairs, the main competent body responsible for fisheries, circulates/reports official data and information on aquaculture to the relevant organisations, including FAO Fisheries and Aquaculture Department	Turkey's Statistical data on aquaculture are regularly submitted to SIPAM
Recommendation GFCM/33/2009/5 on the establishment of the GFCM Regional	Albania	Directorate of Water Resources and Fisheries (MEFWA)	Article 13 of Law no. 7908 of 5.4.1995	Some of the data have already been collected	Some assistance is required for the software establishment
Fleet Register	Algeria			<ul> <li>Data collection for updating regional fleet in progress,</li> <li>Record of vessel submitted</li> </ul>	
	Croatia	See above	Pravilnik o povlastici za obavljanje gospodarskog ribolova na moru i registru o izdanim povlasticama (Ordinance on licence for commercial fisheries at sea and register of licences issued, Official Gazette 155/2005, 135/2006)	Fully implemented. Croatia has put a lot of effort into setting up of the fleet register in line with all the relevant provisions of the RFMOs and/or international organizations. Croatia is prepared to actively participate in further development of the GFCM register.	
	Lebanon				Technical and financial constraints

Reference of GFCM Measure	Country	Implementing policy, legal or institutional framework	Reference of national law (if applicable)	Progress on operational implementation	Remarks, (including constraints)
	Libya	Legal and institutional	<ul><li>Law No. 14 and its by- laws.</li><li>Ministerial decrees</li></ul>		As yet, neither time nor effort allows.
	Turkey			National fleet registry is being updated in real-time.	
				Turkey is technically ready to submit the data required by the Recommendation	
Recommendation GFCM/33/2009/6 concerning the establishment of a GFCM record of	Albania	Directorate of Water Resources and Fisheries (MEFWA)		The list of vessel has been delivered. All the changes occurred in the list during 2009 will be send no later then 31 March 2010	The GFCM Unique identifying number has to be changed (MedFisis assistance)
vessels over 15 metres authorized to operate in the GFCM	Algeria			Enhanced statistical system put in place,     Vessel record submitted	Further technical assistance needed
Area	Croatia	See above	Pravilnik o povlastici za obavljanje gospodarskog ribolova na moru i registru o izdanim povlasticama (Ordinance on licence for commercial fisheries at sea and register of licences issued, Official Gazette 155/2005, 135/2006)	Implemented at national level; Croatia is currently preparing the submission of the list of authorized vessels for submission to the Secretariat in order to provide all the relevant information	
	Lebanon			On-going	Installing and using the AVL on-line Browser application
	Libya	Legal and institutional	<ul><li>Law No. 14 and its by- laws.</li><li>Ministerial decrees</li></ul>	Will be included in RFR	

Reference of GFCM Measure	Country	Implementing policy, legal or institutional framework	Reference of national law (if applicable)	Progress on operational implementation	Remarks, (including constraints)
	Turkey			Record of Turkish vessels over 15 metres authorized to operate in the GFCM Area is routinely submitted to the Secretariat	
Recommendation GFCM/33/2009/7 concerning minimum standards for the establishment of a vessel monitoring	Albania	Directorate of Water Resources and Fisheries (MEFWA)  Inter-institutional Operational Marine Center (IOMC)	Chapter II of D.C.M no. 1062 of 16.7.2008	There is a project being implemented that will fulfill all the requirements regarding this Recommendation by the end of 2011.	
system in the GFCM Area	Algeria			Vessel monitoring System being put in place,	Will be operational as due.
	Croatia	See above	Pravilniku o sustavu nadzora i praćenja ribarskih plovila (Ordinance on satellite-based vessel monitoring system in fisheries, Official Gazette 62/2006, 135/06, 133/07, 37/09, 38/09 i 39/09)	Fully implemented	
	Lebanon				Technical and financial constraints
	Libya	Legal and institutional	<ul><li>Law No. 14 and its by- laws.</li><li>Ministerial decrees</li></ul>	Implemented for tuna fishing vessels (>24m) only.	Small-scale fishermen cannot afford VMS operation.

Reference of GFCM Measure	Country	Implementing policy, legal or institutional framework	Reference of national law (if applicable)	Progress on operational implementation	Remarks, (including constraints)
	Turkey		<ul> <li>Ministerial Order on Bluefin Tuna Fishing.</li> <li>Notification by Undersecretariat for Maritime on the Equipment of Vessel with the Automatic Identification System Class-B CS Device and its Technical Specifications. (Date: 11th September, 2007; number:26640)</li> </ul>	A vessel monitoring system is being currently implemented for the vessel engaged in fishing for bluefin tuna.  Vessels over 15 meters are under a legal obligation to have an Automatic Identification System since 1st January 2010.  Turkey is technically ready to meet the requirements of that Recommendation.	
Recommendation GFCM/33/2009/8 on the establishment of a list of vessels presumed to have carried out IUU fishing in the GFCM Area, amending Recommendation GFCM/2006/4	Albania	Directorate of Water Resources and Fisheries (MEFWA)  Inter-institutional Operational Marine Center (IOMC)	Paragraph 3 of Article 26 of Regulation no.1 of 29.3.2005	The IOMC will assist the MEFWA in MCS activities and in establishing a IUU list of vessels.	
	Algeria				
	Croatia	See above		Croatia is prepared to implement the provisions of this Recommendation by way of general provisions for actions against the IUU fisheries as they are incorporated into the national legal framework (Marine Fisheries Law)	New legal act in parliamentary procedure
	Lebanon				

Reference of GFCM Measure	Country	Implementing policy, legal or institutional framework	Reference of national law (if applicable)	Progress on operational implementation	Remarks, (including constraints)
	Libya	Legal and institutional	<ul><li>Law No. 14 and its by- laws.</li><li>Ministerial decrees</li></ul>		No record of IUU fishing
	Turkey			There is no blacklisted Turkish fishing vessel.	
Recommendation GFCM/33/2009/9 (A)	Albania	Not Applicable	Not Applicable	Not Applicable	N.A.
by ICCAT on Mediterranean swordfish	Algeria		Being transmitted to ICCAT		
	Croatia	See above	Naredba o lovostaju igluna u 2008.godini (Xiphias gladius) (Order on closeure of fisheries for Xiphias gladius, Official Gazette 118/09)	Fully implemented	
	Lebanon				
	Libya	Legal and institutional	Law No. 14 and its by-laws. Ministerial decrees		See Libyan ICCAT file.
	Turkey				
Recommendation GFCM/33/2009/9 (B) by ICCAT to establish a multiannual recovery plan for bluefin tuna in	Albania	Directorate of Water Resources and Fisheries (MEFWA)	Ministerial Order no. 330 of 30.7.2009	Implemented	
the Eastern Atlantic and Mediterranean	Algeria				

Reference of GFCM Measure	Country	Implementing policy, legal or institutional framework	Reference of national law (if applicable)	Progress on operational implementation	Remarks, (including constraints)
	Croatia	See above	Pravilnik o ulovu, uzgoju i prometu tuna (Ordinanance on catch, farming and trade of bluefin tuna, Official Gazette 67/09)	Fully implemented	
	Lebanon				
	Libya	Legal and institutional	<ul><li>Law No. 14 and its by- laws.</li><li>Ministerial decrees</li></ul>		See Libyan ICCAT file.
	Turkey				
Recommendation GFCM/33/2009/9 (C) by ICCAT amending recommendation [07-10] on an ICCAT bluefin tuna catch documentation program	Albania	Directorate of Water Resources and Fisheries (MEFWA)		Implemented for the exploitation of the 2009 quotas	A new ICCAT bluefin tuna catch documentation scheme has been approved
	Algeria				
	Croatia	See above	Pravilnik o izmjenama Pravilnika o ulovu, uzgoju i prometu tuna (Ordinanance on amendments to the Ordinance on catch, farming and trade of bluefin tuna,Official Gazette 9/10)	Fully implemented	
	Lebanon				

Reference of GFCM Measure	Country	Implementing policy, legal or institutional framework	Reference of national law (if applicable)	Progress on operational implementation	Remarks, (including constraints)
	Libya	Legal and institutional	Law No. 14 and its by- laws.     Ministerial decrees		See Libyan ICCAT file.
	Turkey				
Recommendation GFCM/31/2007/3(B)	Albania	Not Applicable	Not Applicable	Not Applicable	N.A.
by ICCAT bluefin tuna farming	Algeria				
	Croatia	See above	Pravilnik o ulovu, uzgoju i prometu tuna (Ordinanance on catch, farming and trade of bluefin tuna, Official Gazette 67/09)	Fully implemented	
	Lebanon				
	Libya	Legal and institutional	Law No. 14 and its by- laws.     Ministerial decrees		See Libyan ICCAT file.
	Turkey				
Recommendation GFCM/31/2007/3(C) by ICCAT establishing a programme for transhipment	Albania	Not Applicable	Not Applicable	Not Applicable	N.A.
	Algeria				

Reference of GFCM Measure	Country	Implementing policy, legal or institutional framework	Reference of national law (if applicable)	Progress on operational implementation	Remarks, (including constraints)
	Croatia	See above	Pravilnik o ulovu, uzgoju i prometu tuna (Ordinanance on catch, farming and trade of bluefin tuna, Official Gazette 67/09)	Fully implemented	
	Lebanon				
	Libya	Legal and institutional	<ul><li>Law No. 14 and its by- laws.</li><li>Ministerial decrees</li></ul>		See Libyan ICCAT file.
	Turkey				