



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



Seventh session of the Compliance Committee (CoC)

Split, Croatia, 13-17 May 2013

**Report of the sixth session of the Committee of Compliance (CoC)
Marrakech, Morocco, 15 May 2012**

OPENING OF THE SESSION

1. The sixth session of the Compliance Committee (CoC) of the General Fisheries Commission for the Mediterranean (GFCM) was held in Marrakech, Morocco, on 15 May 2012. The session was attended by representatives of 19 Members of the Commission, observers from non-Members, namely the Russian Federation and Ukraine, and from several intergovernmental organizations and non-governmental organizations.
2. The meeting was called to order by the Chairman, Mr Samir Majdalani, who welcomed participants. The Chairman drew the attention of the meeting to the statement of competence and voting rights by the EU and its Member States (document GFCM/36/2012/Inf.4).

ADOPTION OF THE AGENDA AND ARRANGEMENTS FOR THE SESSION

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

STATUS OF IMPLEMENTATION OF GFCM DECISIONS BY MEMBERS

5. Ms Pilar Hernandez, from the GFCM Secretariat, introduced document COC/VI/2012/2 and noted that 17 national reports (Algeria, Bulgaria, Croatia, Cyprus, Egypt, France, Greece, Italy, Lebanon, Malta, Montenegro, Morocco, Romania, Slovenia, Spain, Tunisia, Turkey) on the status of implementation of GFCM decisions had been received, representing 74 percent of members, which meant an improvement from last year.
6. The EU report covering the implementation of GFCM measures both at EU and its Member States level shows a good level of implementation whilst the implementation of the latest GFCM measures issued in 2011 concerning by-catch are still pending. Nevertheless, as recalled by the EU delegate, the GFCM measures are binding upon the EU and its Member States by their date of adoption, irrespective of the transposition into EU law.
7. It was noted that most countries were progressing towards full level of implementation, some have issued new laws, although in the report it was not clear how detailed they were in terms of

limitations and, in many cases these laws were not fully operational yet. For the most recent decisions about conservation, a gradual implementation was expected.

8. With regard to GFCM recommendations on monitoring, control and surveillance (MCS), several GFCM Members informed of the effort deployed on implementing the decisions such as the VMS and logbook while they were still to convey relevant information important for their implementation to the GFCM Secretariat (e.g. landing ports under Recommendation GFCM/2008/32/1).

9. As for GFCM Recommendations on Data and Information Reporting, the need to support GFCM Members in gathering and submitting data, particularly, the transmission of Task 1 data was identified and it was agreed that ways had to be found to overcome difficulties faced by some countries.

10. The Executive Secretary informed that advanced discussions had taken place with the EU for a possible financial support that would allow, inter alia, the evaluation of the overall GFCM data collection and transmission system in the Mediterranean and the Black Sea, including through the Task 1 statistical matrix, thus allowing to bring the necessary adjustments and make the system more straightforward for members.

11. It was specified that this effort should build upon the achievements of the FAO regional projects and avoid duplications.

12. GFCM Members were urged to submit their national reports on implementation in a timely manner, in order to allow the Secretariat to finalize the regional analysis in due time. It was suggested that GFCM Members refer in their reports to national laws that had been enacted to implement GFCM decisions.

13. The issue related to the vessels operating in the fisheries restricted area (FRA) of the Gulf of Lions was raised. The EU delegate recalled that the related information was submitted to the Secretariat according to Recommendation GFCM/33/2009/1 and expressed a positive view on the possible use of these data, including for scientific purposes, in line with the provisions in that recommendation.

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

14. Mr Federico De Rossi, from the GFCM Secretariat, presented the status of submission of data and information based on document COC/VI/2012/3. He recalled that a summary table describing the different frameworks for the submission of data and information requirements to be addressed by Members was available on the GFCM web site. He reported on the creation of the GFCM vessel records (GFCM-VR) database, resulting from the merging process of the four existing fleet-based datasets. In addition, the information system was set to be web-based while the desktop application of the Task 1 regional system had been finalized and the Statistical Bulletin was updated. The COC acknowledged the proposal to grant access to aquaculture data production available in the SIPAM system to national coordinators and third parties upon registration.

15. The committee noted that although some progress in complying with the data/information requirements had been made by Members in the recent months, additional efforts were requested in order to better meet their obligations.

16. It was agreed that the collaboration proposed by FAO in relation to a global record would be accepted. It would include FAO support to GFCM for further developing the GFCM vessel records

and building up the IUU vessel list with related non-compliance information. Joint efforts would be undertaken in specific activities such as capacity building and systems development.

CONCLUSIONS OF THE TASK FORCE RELATING TO COMPLIANCE AND ENFORCEMENT ISSUES

17. Ms Judith Swan, invited expert, noted that the Task Force had identified a clear need to improve implementation of GFCM recommendations and strengthen the role of the Compliance Committee, including by amendment of the GFCM Agreement and Rules of Procedure.

18. The importance of compliance and enforcement for the optimum functioning of the GFCM was emphasized. The GFCM Agreement should be amended to require the implementation of GFCM decisions in national law, providing for a penalty system and for the possibility of applying sanctions consistent with international law such as trade and market measures and for a joint control and inspection scheme. In addition, it was suggested that GFCM consider compliance-related approaches used in other regional fisheries management organizations (RFMOs), such as phased approaches initiated with letters of concern and then examination by the RFMO and possible adoption of sanctions. However, more in-depth work would be needed to determine the most appropriate means.

19. It was agreed that the principles would need to be agreed first and then mechanisms should be developed. A key principle would be the aim of combating illegal, unreported and unregulated (IUU) fishing and mechanisms would include improvement of implementation and control and, as a last resort, resource to sanctions.

20. It was recommended that the GFCM Agreement be amended and that the GFCM Rules of Procedure be strengthened to take this need into consideration.

GUIDELINES ON THE IMPLEMENTATION OF A VESSEL MONITORING SYSTEM (VMS) IN THE GFCM AREA

21. Mr Laurent Dezamy, invited expert, illustrated technical options for the implementation of VMS in the GFCM area, consistent with Recommendation GFCM/2009/33/7. He reviewed key functionalities of VMS and the evolution of monitoring, control and surveillance (MCS). After having underlined that a Member with a reduced fleet could revert to a regional fishing monitoring center (FMC) for the transmission of VMS data, he introduced the guidelines for technical cooperation (document GFCM:XXXVI/2012/Inf.12) and explained that it would be possible for GFCM Members without a FMC to use the GFCM to collect such data after the setting up of a centralized system. Mr Dezamy also reviewed options to monitor artisanal vessels and uses of VMS data against IUU fishing. In conclusion, he specified administrative, technical and financial constraints linked to the setting up of a centralized GFCM system.

22. The EU suggested that VMS could be used as a tool for a possible joint inspection scheme. It was acknowledged that the Commission was moving towards the right direction and that the EU remained ready to support GFCM Members needing technical assistance.

23. The Committee took note of the concerns of some delegations regarding the implementation of Recommendation GFCM/2009/33/7 and recommended that the Commission, at its next session (either ordinary or extraordinary) would reconsider administrative, technical and financial constraints mentioned by these delegations.

24. The Committee acknowledged the need to first implement VMS at national level in all GFCM Members, step that would facilitate the establishment of a regional VMS system. In this respect, it was agreed that this item be re-addressed at the next session, giving mandate to the Secretariat to

undertake the necessary actions to support the discussion on this topic. These included the preparation of a report analyzing the status of the implementation of VMS in each country and providing the key administrative, legal and technical elements for its establishment at regional level for countries facing technical and financial hurdles that prevent them from developing such systems on their own. It was suggested that a consultant be recruited for this purpose.

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

25. The discussions of recommendation GFCM/34/2010/3 were postponed to the thirty-seventh session.

DATE AND VENUE OF THE SEVENTH SESSION

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

ADOPTION OF THE REPORT

27. This report was adopted on 19 May 2012.