

**GENERAL
FISHERIES
COMMISSION
FOR THE
MEDITERRANEAN**

36



GENERAL FISHERIES COMMISSION FOR THE MEDITERRANEAN

REPORT OF THE THIRTY-SIXTH SESSION

Marrakech, Morocco, 14–19 May 2012

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PREPARATION OF THIS DOCUMENT

This document is the final version of the report adopted in Marrakech during the thirty-sixth session of the General Fisheries Commission for the Mediterranean (GFCM) on 19 May 2012.

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ABSTRACT

The thirty-sixth session of the General Fisheries Commission for the Mediterranean (GFCM), including the third session of the Committee on Administration and Finance (CAF) and the sixth session of the Compliance Committee (CoC), was attended by representatives from 19 Contracting Parties, two non-GFCM Member countries and 18 observers. It coincided with the sixtieth anniversary of the entry into force of the GFCM constitutive agreement. The Commission reviewed the intersessional activities of the Scientific Advisory Committee (SAC) and the Committee on Aquaculture (CAQ) as well as the outcomes of the Task Force established to modernise the GFCM legal and institutional framework. In this respect, it decided to launch a process of revision of the basic texts of the GFCM. Furthermore, the Commission adopted binding recommendations based on scientific advice for the exploitation of red coral, the mitigation of incidental catches of cetaceans and the conservation of sharks, skates and rays together with a resolution on guidelines for allocated zones for aquaculture. The framework for the implementation of multiannual management plans for Mediterranean and Black Sea fisheries, including at sub-regional level, was discussed. The Commission adopted its 2012 autonomous budget, amounting to US\$ 1 805 027, along with its programme of work for the intersession, including the convening of several technical meetings and of the second session of its Working Group on the Black Sea. In order to discharge its duties, and as a support to the Task Force activities, the Commission endorsed the first GFCM Framework Programme for 2013–2018. This programme, which is aimed at enhancing sustainable development and cooperation in the Mediterranean and the Black Sea through a better management of fisheries and aquaculture was heralded by the signature of seven Memoranda of Understanding (with UNEP-MAP, ACCOBAMS, ICES, the Black Sea Commission, MedPAN, Eurofish and RAC/MED), which were adopted by the Commission, and by the review of the activities carried out by the FAO Regional Projects.

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OPENING OF THE SESSION

1. The General Fisheries Commission for the Mediterranean (GFCM) held its thirty-sixth session as well as the third session of its Committee on Administration and Finance (CAF) and the sixth session of its Compliance Committee (CoC) in Marrakech, Morocco, from 14 to 19 May 2012. It was attended by delegates from 19 Members, together with observers from non-Members, namely the Russian Federation and Ukraine, as well as from intergovernmental organizations and non-governmental organizations: the Mediterranean Action Plan for the United Nations Environment Programme (UNEP-MAP) and the Regional Activity Centre for Specially Protected Areas (RAC/SPA), the Agreement on the Conservation of Cetaceans of the Black Sea, Mediterranean Sea and Contiguous Atlantic Area (ACCOBAMS), the Black Sea Commission, the International Angling Confederation of Sport Fishing (CIPS), the Ministerial Conference on Fisheries Cooperation among African States bordering the Atlantic Ocean (COMHAFAT), the International Organisation for the Development of Fisheries in Central and Eastern Europe (EUROFISH), the International Commission for the Conservation of Atlantic Tunas (ICCAT), the International Council for the Exploration of the Sea (ICES), the IWMC - World Conservation Trust, the Centre for Marketing Information and Advisory Services for Fishery Products in the Arab Region (INFOSAMAK), the International Union for the Conservation of Nature (IUCN), the Network of Managers of Marine Protected Areas (MedPAN), the North Atlantic Treaty Organization (NATO), Oceana and the Mediterranean Regional Advisory Council (RAC-MED). The list of delegates and observers is provided in Appendix A to this report.

2. The session was called to order by Mr Stefano Cataudella, Chairperson of the Commission, who welcomed the participants and thanked Morocco for hosting this important session 60 years since the establishment of the GFCM. He expressed concern for the current status of marine ecosystems in the Mediterranean and the Black Sea and pointed to the need for a deeper reflection on the core mandate of the Commission so that social, economic and environmental considerations would be given adequate consideration. In this context, he recalled to the process of modernization of the Commission which would be of critical importance for the GFCM to efficiently discharge its duties. He finally provided some considerations on the regional dimension of aquaculture vis-à-vis other activities along the coastal zones, particularly to the issues pertaining to the interaction between aquaculture and capture fisheries that have been to the attention of the Commission for years. He also referred to the management of coastal lagoons where traditional aquaculture and capture fisheries had contributed to the conservation of ecosystem services provided by these environments.

3. Mr Abdelajabbar Youssefi, representative of the hosting country, greeted participants on behalf of the Minister of Agriculture and Fisheries of Morocco. He referred to the GFCM as one of the main regional fisheries organizations able to promote cooperation in the region, emphasizing the promising nature of its recent endeavors. He expressed his confidence in the common willingness of Members to work constructively in the view of current and future challenges, regarding the fisheries and aquaculture sectors. Mr Youssefi reiterated the importance Morocco gave to GFCM and the willingness to support its activities.

4. Mr Jean-Luc Bernard, FAO Representative a.i. in Morocco, stated that the considerable level of attendance and the many thematic to be addressed were a clear sign of the importance of the session and gave the floor to Mr Árni Mathiesen, Assistant Director-General, FAO Fisheries and Aquaculture Department, who addressed the participants on behalf of Mr José Graziano da Silva, Director General of FAO. He thanked Morocco for the excellent organization and expressed his satisfaction for the growth of the GFCM in recent years and for its capacity to adapt ultimately demonstrated by the Task Force approach. He acknowledged the move to the new headquarters as a significant step allowing the Secretariat to more efficiently perform its duties. Mr Mathiesen then referred to the potential of the first GFCM Framework Programme to bring Members together by better addressing their needs and to the progress in key issues of fisheries and aquaculture, particularly in the Black Sea. He reiterated that support would be continuously provided by FAO to the GFCM, while promoting its functional autonomy.

5. Ms Monique Pariat, from the European Union (EU), praised the work by the Task Force in identifying the necessary steps to modernize the GFCM. In this regard, she stressed the need for a more focused objective both on priority stocks and to tackle overfishing for sustainable harvesting, in line with the FAO Code of Conduct and the United Nations Fish Stocks Agreement (UNFSA), as well as for better compliance and enforcement to ensure adequate follow up to this process. She also referred positively to the increasing active role of the GFCM in the Black Sea and recalled that the EU was attaching greater interest to the work being undertaken by the Commission.

ADOPTION OF THE AGENDA AND ARRANGEMENTS FOR THE SESSION

6. The Chairperson referred to the Statement of Competence and Voting Rights by the European Union (EU) and its Members as provided in document GFCM/36/2012/Inf.4.

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

8. The documents before the Commission are listed in Appendix C.

ISSUES RELATED TO THE COOPERATION WITH INTERNATIONAL PARTY ORGANIZATIONS, INCLUDING THE SIGNATURE OF MEMORANDA OF UNDERSTANDING

9. The Executive Secretary recalled that the Secretariat was requested at the last Session of the Commission, as a result of the GFCM Performance Review, to intensify cooperation with relevant international organizations. He indicated that during the inter-session seven Memoranda of Understanding (MoU) were consequently drafted with the following organizations: UNEP-MAP, ICES, ACCOBAMS, Black Sea Commission, MedPAN, RAC-MED and EUROFISH. It was highlighted that these MoU would be instrumental to improve synergies and avoid duplications.

10. The representatives from the seven abovementioned organizations, in their interventions, noted the existence of several complementarities between their respective mandates and the one of the GFCM. In their view, these complementarities had significantly increased in recent years and the opportunity to work jointly on several issues of common interest had become evident. They recognized the relevance of cooperating with GFCM as one of the most important regional fisheries management organizations (RFMOs) in the region. After a brief introduction of the contents of the seven MoU, they were signed by the GFCM Executive Secretary, on behalf of FAO, and the representatives of the concerned party organizations.

11. The representative from Tunisia, supported by other Maghreb countries, provided some basic information on the recently established “Network of Research Institutes of Maghreb dealing with marine sciences” while noting that its cooperation with the GFCM would be important. He invited the Commission to consider the signature of a MoU with this network at the thirty-seventh session of the Commission. In this respect, the Secretariat was requested to undertake the necessary steps.

12. The representative from Libya reported that his country was experiencing significant problems in halting illegal, unreported and unregulated (IUU) fishing in waters under its jurisdiction and prompted all GFCM Members to cooperate further to better fight this scourge.

13. The Executive Secretary also informed that, upon a request received by the Secretariat, and after consultation with the GFCM Bureau, discussions with the civil division of NATO had taken place to identify possible fields of collaboration on the exchange of information and the fight against IUU fishing. The representative from NATO illustrated the activities of his organization aimed at promoting a more secure Mediterranean Sea some of which were partly interlinked with the fight against IUU fishing. He clarified that IUU fishing was not within the mandate of NATO.

14. Concern was expressed by Algeria, Egypt, Lebanon, Morocco and Tunisia for a potential MoU with NATO because the mandate of this organization does not entail functions related to fisheries and aquaculture, unlike that of the GFCM. It was recommended that Members be consulted via diplomatic notifications prior to the GFCM session.

REPORT ON THE INTERSESSIONAL ACTIVITIES 2011–2012

Activities of the Scientific Advisory Committee (SAC)

15. Mr Henri Farrugio, Chairperson of SAC, presented the activities of SAC and its subsidiary bodies on the basis of document GFCM:XXXVI/2012/2. He referred to the 16 meetings held during the intersessional period, including the fourteenth Session of SAC. He summarized the main results of the work done by the technical meetings of SAC as follows:

- The second Transversal Workshop on red coral updated the status of populations and drew the outline for a regional adaptive management plan.
- The Expert meeting on fisheries legislation in the Mediterranean and the Black Sea recognized the need to improve the implementation of GFCM Recommendations and to harmonize the existing fisheries legislations.
- The Workshop on the establishment of a vessel monitoring system (VMS) addressed existing constraints and recommended the elaboration of specific standards for the implementation of VMS.
- The second Transversal Working Group on by-catch (organized together with ACCOBAMS) stressed the importance of improving data collection schemes.
- The Working Group on stock assessment of selected species of elasmobranchs addressed the work related to eight stocks. They all resulted to be in overfishing status.
- The Transversal Workshop on spatial based approach to fishery management recognized the positive role of marine protected areas and noted that socio-economic aspects should be taken into consideration both in their establishment and during the management process.
- The Workshop on artificial reefs (ARs) acknowledged the positive outcomes associated to the use of ARs in the region and requested to assess the potential collateral effects.
- The second Working group on stock assessment on demersal and small pelagic species examined 28 technical papers on demersal species and 11 technical papers on small pelagic and formulated scientific advice.

16. Mr Farrugio also recapped the main conclusions of the meetings of the four Sub-Committees of SAC, as reflected in document GFCM:XXXVI/2012/2.

17. The Commission thanked Mr Farrugio for his presentation and commended the extensive work done by SAC, its Sub-Committees and its subsidiary bodies, including with the support by the Secretariat.

18. The EU delegation thanked the Chairman for the clear presentation and for the contributions made by SAC, while acknowledging the important role of this Committee. Referring to document GFCM:XXXVI/2012/2, and in particular its Appendix B, it was stressed that it represented a good scientific basis for further management reflection by GFCM but that it was not for the SAC to directly propose management advice in the form of draft recommendations, such as the selection of a percentage of mortality reduction upon which to base management action, as this exceeded its line of competence.

Activities of the Committee on Aquaculture (CAQ)

19. Mr François René, Chairperson of CAQ, reported on the activities of the Committee and of its subsidiary bodies on the basis of documents GFCM:XXXVI/2012/3 and GFCM:XXXVI/2012/Inf.9 and summarized their achievements as follows:

- The fifth meeting of the Coordination Meeting of the Working Groups (CMWG) reviewed the main conclusions and recommendations of CAQ subsidiary bodies. The CMWG discussed selected priorities for aquaculture development and underlined that the activities of CAQ should also focus on certification and traceability on aquaculture, aquatic animal health and bio security, and genetics in aquaculture.
- The Workshop on Allowable Zone of Effect (AZE) agreed on a selected number of Environmental Quality Standards parameters, on the definition and application of AZE and on the finalization of guidelines for the establishment of allocated zones for aquaculture (AZA).
- The Regional workshop on sustainable indicators in aquaculture refined the selection of minimum number of indicators for each pillars of sustainability to be applied at regional level and discussed the relevance and definition of reference points.
- The meeting on Mediterranean coastal lagoons management reviewed coastal lagoons country's profiles, acknowledged the lack of management plans and addressed biodiversity and conservation issues. It identified critical points and advocated the need for a common strategy for the sustainable development of traditional aquaculture and capture fisheries in coastal lagoons.
- The thirteenth session of the Information System for the Promotion of Aquaculture in the Mediterranean (SIPAM) noted the improvements made to production statistics, acknowledged the release of production centers data entry and the updating of a "Quick Start Guide for National Coordinators".
- The Working group on marketing of aquaculture products contributed to the InDAM pilot studies and identified the methodology to elaborate economic indicators at local and regional level.

20. The delegate from Egypt thanked for the work made. He recalled the issue of capture-based aquaculture practices which use seed (juveniles) caught from the wild, a practice now banned in Egypt and that would require additional study.

21. The Commission appreciated the work done by CAQ and thanked Mr René for the presentation. It also acknowledged the achievements of CAQ on the different issues. However, it was underlined that the list of indicators for aquaculture sustainability should not yet be considered exhaustive and without prejudice to additional indicators adopted by the Members.

Activities on the Black Sea

22. Mr Simion Nicolaev, Coordinator of the Working Group on Black Sea (WGBS), described the main features of fisheries and aquaculture in the Black Sea. He reported on the activities of this Working Group and summarized the main outcomes of its first meeting, held in Constanta on January 2012, based on document GFCM:XXXVI/2012/Inf.10. He reported that the meeting singled out several deficiencies and needs in the fisheries and aquaculture sector of the region. He noted the excellent level of attendance to the meeting, including representatives from the three non-GFCM Member countries, namely Georgia, the Russian Federation and Ukraine. The work plan of the Working Group was agreed and more focused terms of reference of this body were put forth, as reflected in Document GFCM:XXXVI/2012/Inf.10.

23. The Commission expressed high satisfaction for the work done by the WGBS and GFCM in the Black Sea, and highlighted the importance to liaise with non-Members in order to strengthen the cooperation to improve management of fisheries and aquaculture within the Black Sea area. The participation of the Russian Federation and Ukraine to the thirty-sixth session of the Commission was highly appreciated.

24. The Commission also acknowledged the efforts deployed by the Secretariat to support the implementation of the numerous activities carried out in the intersession.

THIRD SESSION OF THE COMMITTEE ON ADMINISTRATION AND FINANCE

25. The third session of the Committee on Administration and Finance (CAF) was held in Marrakech, Morocco, on 14 May 2012. The session was attended by 19 Members of the Commission together with observers from non-Members, namely the Russian Federation and Ukraine, as well as from intergovernmental organizations and non-governmental organizations.

26. The Committee commented some conclusions of the Task Force, which recommended the CAF to play a more active role consistently with its mandate and singled out the main administrative and financial issues, including staffing, GFCM Task Force, activities related to the Black Sea, meetings and publications, among others.

27. Concerning the issue of the contribution of Monaco, the Committee adopted an ad hoc rule which would allow the payment of membership fee only.

28. The discussions and conclusions of the Committee are summarized in the report in Appendix K.

SIXTH SESSION OF THE COMPLIANCE COMMITTEE (COC)

29. The sixth session of the Compliance Committee (COC) was held in Marrakech, Morocco, on 14 May 2012. The session was attended by 19 Members of the Commission together with observers from non-Members, namely the Russian Federation and Ukraine, as well as from intergovernmental organizations and non-governmental organizations.

30. The Committee reviewed main issues related to the status of implementation of GFCM decisions by Members and data and information submission, including confidentiality rules. It welcomed the updated Compendium of GFCM decisions, together with the related CD-ROM, which were considered useful in implementing GFCM recommendations.

31. In discussion, the Committee noted that the implementation of GFCM recommendations needed to be improved. It was underlined that although 74 percent of Members had provided the GFCM Secretariat with their national reports, not all of them were submitted in a timely manner thus not allowing the Secretariat to finalize the regional analysis in due time.

32. Appreciation was expressed for the collaboration proposed by FAO in relation to a global record that will include FAO support to GFCM to further developing the GFCM vessel records and building up the IUU vessel list. Moreover, it was noted that progress in complying with the data/information requirements was made by Members although additional effort is still required in order to better meet their obligation.

33. In addition, it was recalled that with regards to the implementation of VMS the Secretariat was given the mandate for the preparation of a document analyzing the status of the implementation of VMS in each country and providing the key administrative, legal and technical elements. In this regard, some

Members proposed that the deadline for the implementation of Recommendation GFCM/33/2009/7 be postponed by the Commission since they were not ready yet for its implementation.

34. It was agreed that, given these constraints, this issue would be re-addressed as an agenda item at the next session of the Commission.

35. The discussions and conclusions of the Committee are summarized in the report in Appendix J.

ACTIVITIES CARRIED OUT BY THE FAO REGIONAL PROJECTS TO SUPPORT SAC AND CAQ WORKPLAN

36. The activities of the FAO regional projects AdriaMed, MedSudMed, CopeMed II and EastMed were presented by the coordinators Mr E. Arneri, Mr. J. A. Camiñas and Ms C. Riga on the basis of document GFCM:XXXVI/2012/Inf.15. Main achievements of the projects ArtFiMed, MedFisis finished during 2011 and GEF-LME were also presented. The projects' institutional framework as well as the cooperation and synergies among the FAO regional projects were also highlighted.

37. Several concerned Members expressed their gratitude for the great support they received through the targeted activities carried out by the regional projects. In particular, the projects were praised in relation to the progress fostered in the standardization of methodologies and the assessment of shared stocks. All present countries highlighted the important role played by the projects in supporting GFCM objectives related to the responsible management of Mediterranean fisheries, and more specifically in filling the gaps in fisheries administration, improving the countries' data management, obtaining essential scientific information, in providing relevant training and promoting national capacity building.

38. The Commission recognized that, in some cases, the technical contributions requested to countries would hardly be delivered without the support of the projects, reason for which several delegations stressed the need for their continuation. It also took note of a statement by Turkey relating to the positive level of advancement of the FAO Black Sea regional project and wished for it to follow the same cooperative approach with the GFCM of the other regional projects.

39. The Executive Secretary informed that the first GFCM Framework Programme would be the opportunity to further strengthen collaboration with the projects in support of the identified work packages. He thanked the donors, namely the EU, Italy, Spain and Greece, for allowing the projects to produce harmonized methodologies and advocated regional cooperation in fisheries management in the GFCM area.

ADOPTION OF RECOMMENDATIONS ON FUTURE ACTIONS CONCERNING THE ACTIVITIES OF THE TASK FORCE ON THE MODERNISATION OF THE GFCM LEGAL AND INSTITUTIONAL FRAMEWORK

40. Mr Srouf reported on the consultation process that took place under the Task Force with a view to building upon the strengths and make up for the weaknesses of the GFCM from September 2011 to the present Session of the Commission. He informed about subsequent activities carried out by the Secretariat, including the organization of four subregional meetings which proved the relevance of the subregional approach within the context of GFCM.

41. Mr Nicola Ferri, from the GFCM Secretariat, summarized the results of the Task Force, including actions proposed for review by the Commission. Mr Ferri reported on the main orientations of the Task Force under the areas identified in its terms of reference and explained whether or not action could be taken by the Commission without revising the existing GFCM legal and institutional framework. He concluded by presenting the various options available to the Commission to follow up on the work done by the Task Force, emphasizing in particular the one relating to the amendment of the GFCM Agreement.

42. The Chairperson expressed satisfaction for the active collaboration of delegations in connection with the outcomes of the Task Force. He mentioned in particular the transparency of the Task Force and referred to the bottom up participatory approach adopted while delving into the sustainable management of fisheries and aquaculture. He also referred to the exceptional effort made by the Secretariat for the results reached so far.

43. The Commission reiterated its thanks to the GFCM Secretariat for its achievements in connection with the Task Force, and the importance of this instrument for the future of the Commission was stressed several times. It was noted that various aspects were already identified for the amendment of the GFCM Agreement together with its associated procedural and financial rules by the Task Force and that there was significant room to improve the GFCM legal and institutional framework. Members clearly stated that GFCM should remain an Article XIV body of FAO, benefiting of maximum functional autonomy, and that its functioning should be improved within an integrated approach, including through better cooperation with relevant international organizations having a sectoral competence over the Mediterranean and the Black Sea and bearing in mind the need to also address environmental considerations.

44. However, concerns were expressed for the possibility of additional financial constraints that an amendment of the GFCM Agreement might bring about and for the time that a ratification process would take.

45. Ukraine expressed the view that a Cooperating non-Contracting Party status should be clearly laid down in the amendment of the GFCM Agreement so that cooperation with non-Members willing to work within the framework of the GFCM could be further fostered.

46. The existence of time consuming procedures at national level to ratify the amendment of the GFCM Agreement was acknowledged. It was recommended that solutions should be considered to amend the GFCM Agreement without the need for ratifications. A pragmatic approach should be fostered whereby the amendment of the GFCM Agreement could be done without necessarily entailing new obligations.

47. In this context, Ms Annick Van Houtte, from the FAO Legal Office, explained that financial obligations would constitute new obligations, and hence require a proper ratification process to enter into force, whereas other amendments for instance related to the structure of the Commission (i.e. Committees, Working Groups, etc.) could be dealt with under the simplified procedure contemplated in Article XII of the GFCM Agreement (adoption at the Session of the Commission by a two-thirds majority). She also clarified that the Commission may amend its own Rules of Procedure and Financial Regulations by a two-thirds majority of its membership and that accordingly such amendments would not require ratification process at the national level to enter into force.

48. In the ensuing discussions, the Commission decided to hold an extraordinary session in order to focus on the amendment of the Agreement and associated rules, as appropriate, acting on the orientations given by the Task Force. The Commission underlined the importance of a consistent preparatory work and agreed on the recruitment of a qualified consultant for this purpose. This work, aiming at proposing a draft amended Agreement, should be carried out in close collaboration and regular consultation with Members, and the process should be backstopped by the relevant FAO services. The Commission insisted on the necessity to submit the new draft, through the usual diplomatic channels, at least two months prior to the extraordinary session.

49. Consistent with the transparent and participatory approach of the Task Force, it was agreed that a communication system of open interactions between the GFCM Members and the Secretariat would have to characterize future work on the amendment of the GFCM Agreement and its associated rules. The preparatory work by the GFCM Secretariat, including through a consultant, would have to also ensure

that the Legal Services of the FAO would be kept abreast of the process aimed at the amendment of the GFCM Agreement and its associated rules.

50. The organization of this extraordinary session and the related preparatory activities are subject to the availability of extra-budgetary funds, since their implication within the autonomous budget was not considered.

INTRODUCTION OF THE FIRST FRAMEWORK PROGRAMME TO SUPPORT SUSTAINABLE DEVELOPMENT AND COOPERATION IN THE MEDITERRANEAN AND THE BLACK SEA

51. Mr Davide Fezzardi, from the GFCM Secretariat, introduced the proposal of the first GFCM Framework Programme (FWP) proposed by the Secretariat for the period 2013–2018 based on the document GFCM:XXXVI/2012/Inf.14. He informed that the FWP would be aimed at supporting the GFCM activities related to the work of the Task Force and at serving as a platform to promote sustainable development through fisheries and aquaculture. He presented the five work programmes inside the FWP and the nested work packages to be identified and prioritized together with Members and in close cooperation with FAO regional projects and other ongoing initiatives and party organizations. He finally highlighted the multiannual/multidonor funding mechanisms to provide the extra-budgetary funds needed to implement the FWP.

52. The Executive Secretary recalled that seeking for extra-budgetary funds followed the performance review recommendation in order to make the activities of the Commission more effective, and that the FWP would be the right platform to support the functioning of the modernized GFCM and to develop joint initiatives with partners.

53. Several delegations showed strong appreciation for the FWP and looked forward for participating in its initiatives. Some delegates praised the GFCM Secretariat for preparing the FWP and asked whether the activities to be undertaken under the FWP would be planned on an annual basis and could be revised during their implementation given the five-year cycle.

54. The Delegate from Turkey welcomed the development of the first GFCM Framework Programme and praised the emerging priorities identified by the GFCM. She informed the Commission that as an indication of Turkey's support to this programme, internal discussions and procedures were underway in order to possibly provide financial support to this regional initiative.

55. France expressed its willingness to support this initiative by hosting the next session of the Committee on Aquaculture and requested that, in order to foresee further financial support, the FWP provide a detailed explanation of the activities to be carried out under the frame of the regional projects, the autonomous budget as well as the extra-budgetary funds.

56. The EU delegation confirmed its full support to the FWP although it was not in the position to express a financial commitment, due to internal rules. The delegation reaffirmed the need to closely link the FWP to other ongoing regional initiatives and in particular the FAO regional projects. In this regard, it suggested that the current draft FWP be developed to specifically include identified gaps, complementary actions and priorities while building on achievements of the FAO regional projects. It finally reiterated the fact that the FWP should be implemented in a transparent way.

57. The Chairman stressed that the FWP should be intended as a flexible new generation tool to accommodate emerging needs from the region.

58. The Commission requested the Secretariat to prepare a detailed project document which would help the negotiations process with potential donors.

MANAGEMENT OF MEDITERRANEAN FISHERIES AND AQUACULTURE

Advice from the Scientific Advisory Committee (SAC)

59. Mr Henri Farrugio, Chairperson of the SAC, presented the main conclusions and advice emanating from the SAC on the basis of documents GFCM:XXXVI/2012/2 and GFCM:XXXVI/2012/Inf.7. He went through the issues related to by-catch and to red coral conveying the proposals made by the SAC.

60. In relation to stock assessment, he informed that advice on selected fish stocks was provided in Tables 1, 2 and 3 of Appendix A to document GFCM:XXXVI/2012/2. He introduced a proposal providing relevant elements for a possible decision in relation to the management of 20 demersal stocks and very specific measures for three of them: hake in the Gulf of Lions, deep water rose shrimp in the Strait of Sicily and sole in the Northern Adriatic as reproduced in Appendix B of GFCM:XXXVI/2012/2.

61. The EU delegate thanked the SAC and commended the significant efforts deployed to produce sound scientific advice for the stocks assessed. Notwithstanding this large improvement, he suggested to reach agreement on a wider decision-making framework for designing multiannual management plans which should take into account not only fishing mortality reductions, but also complementary measures and recalled that measures are focused on the management of fishery activities. It was stressed that, *inter alia*, they should include reference points, time frames upon which measuring the achievements and, where possible, socio-economic aspects, unless urgent conservation issues are at stake. These plans should be set up on the basis of outcomes of simulations on alternative different management scenarios evaluated by the SAC and proposed by Members at a subregional level.

62. The SAC Chair reminded participants of the status of certain stocks and the measures proposed for their preservation, provided that sufficient information exists. This was followed by the intervention of the delegate from Tunisia who favored a short-term approach with timely actions to be undertaken. These immediate urgent actions should not hamper the development, in a complementary and parallel way, of a longer term region-wide management plan.

63. The Executive Secretary informed that the process of modernization that the Commission was undertaking should allow the creation of an appropriate framework for the development of both national and regional management plans in a staggered way and with different time frames and always leaving space for immediate actions in the most urgent cases.

64. The Commission proposed the inclusion of this process within the first GFCM Framework Programme in which the different donors should request and economically assist the Members to develop specific management plans. As previously expressed, the Chair stated that the FWP would be implemented in synergy with other ongoing regional initiatives.

65. Mr Driss Meski, Executive Secretary of ICCAT, stressed the importance to strengthen cooperation between RFMOs, especially that between ICCAT and GFCM, given the existence of common interests and respecting mutual competence. He invited the GFCM to cooperate in issues such as monitoring of vessels, fight against IUU fishing and other issues which could arise in the future.

66. The Commission favored this cooperation and requested the Secretariat to take the necessary steps in this respect.

67. The representatives of the World Wide Fund for Nature (WWF) and Oceana expressed their concern about the depleted stocks as presented by the SAC and the poor performance of GFCM in implementing the scientific advice through binding recommendations. Although they welcomed the effort by GFCM in the modernization process, they requested the Commission to act urgently by endorsing

SAC advice as reflected in Appendix B of document GFCM:XXXVI/2012/2 in parallel with the establishment of a wider framework for the development of multiannual management plans.

68. The SAC advice concerning by-catch, red coral and demersal fisheries was reviewed and the floor was opened for the delegations to voice their opinion for a possible endorsement.

69. Referring to the reduction of by-catch, the Commission analyzed the following SAC advice:

- Prohibition of the use of inoxidable materials in hooks and metals in snoods in long lines;
- Seasonal closures during spawning period of the marine mammals' prey in Greece and Tunisia;
- Ban of the use of nets in the dogfish fishery in the Black Sea, as it has a high rate of cetacean by-catch and most of the targeted catch is discarded due to the species dying very fast after being caught; and
- Increase in gill net mesh size up to 400 mm (measured among 3 knots) and use of filaments of a thickness of less than 0.5 mm (160-Rtex) in the turbot fishery in the Black Sea.

70. Tunisia requested more details to SAC, specifically about time and area closures for the second advice to be in the position to endorse it.

71. The delegate from Croatia, supporting all four advice, underlined that, may the measure for the use of stainless material in hooks of longlines be adopted, an adequate time frame should be established to allow the replacement of the current gears.

72. The EU stressed that the two advice related to fisheries in the Black Sea should be considered during the review of the draft EU recommendation on the subject. It also expressed, supported by other delegations, that the advice proposing to prohibit the use of inoxidable material had to be duly qualified, including on the basis of its implications on the fishing activities also taking into account the work of ICCAT.

73. In relation to advice on red coral, the following were brought to the attention of the Commission:

- Establish a minimum size of 7 mm of diameter measured within one centimeter from the base with a tolerance of 5 percent of the total weight of the daily catch;
- Establish a quota system based on number of licenses;
- Establish a statistical form to facilitate the transmission of the data required in Recommendation GFCM/35/2011/2; and
- Set up an adaptive regional management plan on red coral, for which a consultant should be appointed.

74. Full support to the four above-mentioned advice was expressed by the delegates of Algeria, Morocco, Tunisia and the EU, while highlighting possible difficulties in the control of minimum size and the need to establish a monitoring and traceability system. Some delegations informed that they were already working on national management plans and they requested that those be taken into consideration when elaborating the region-wide plan for the management of red coral.

75. Upon request by delegates of Algeria, Morocco and Tunisia, the SAC Chair explained that the regional management plan should be a general framework that would integrate all the existing national plans, flexible enough to be adapted to each zone according to the most recent research results and to the data provided via the data submission tool developed by the Secretariat.

76. Based on the assessment work done by the Sub-Committee on Stock Assessment and the related management advice as well as on the conclusions emanating from ad hoc meeting to finalize selected outcomes from the fourteenth session of the SAC, the following proposals were submitted to the consideration of the Commission:

- Advice on selected fish stocks (demersal and small pelagics) in some GFCM geographical subregions as provided in the Tables 1 and 2 of Appendix A to document GFCM:XXXVI/2012/2;
- Advice on selected elasmobranchs in some GFCM geographical subregions as provided in the Table 3 of Appendix A to document GFCM:XXXVI/2012/2; and
- A proposal providing relevant elements for a possible binding decision in relation to the management of demersal fisheries (hake in the Gulf of Lions, deep water rose shrimp in the Strait of Sicily and sole in the Northern Adriatic). Such proposal is reproduced in Appendix B of document GFCM:XXXVI/2012/2

77. In relation to selected fish stocks (demersal and small pelagics) in several GFCM geographical subareas (GSAs), Tunisia and Egypt shared their difficulties in translating the advice of reducing the effort into proper management measures. Both delegations favored instead the protection of nursery areas and encouraged the SAC to continue the studies on the identification of such areas and to undertake the analysis of the socio-economic impact of the possible management measures.

78. The delegate from Morocco expressed doubts on the ways to measure and reduce the effort and asked the SAC for more specific indications in order to be able to pronounce his position on this advice.

79. In response, the SAC Chair clarified that the requested reduction concerned F (Fishing mortality rate) and not fishing effort and that the way the different administrations should undertake it was a decision lying with the managers. He added that scientific advice presented was based on biological reference points and was directed to very specific species and areas. Only after the scenarios were decided by each party and transmitted to the SAC, simulations could be carried out to foresee for the socio-economic impact.

80. The Commission repeatedly thanked the SAC and its Chair for the momentous efforts made in order to submit concrete proposals to the Session and commended the valuable work by the Secretariat.

Advice from the Committee of Aquaculture (CAQ)

81. The CAQ Chairperson presented the main conclusions and suggestions on Mediterranean aquaculture management, as reported in documents GFCM:XXXVI/2012/3 and GFCM:XXXVI/2012/Inf.9, and which focused on the following:

- Regional indicators for sustainable aquaculture for the governance and for different dimensions of sustainability should be adopted at regional level and should be considered as a tool at the disposal of GFCM Members to plan and monitor the progress of the development of sustainable aquaculture.
- The implementation of AZA for marine cage culture should be confirmed as a priority and aquaculture environmental monitoring programmes should be implemented in the areas surrounding the fish farms, also called “allowable zone of effect”.
- The preparation of guidelines for a management plan for Mediterranean coastal lagoons should be elaborated to address the conservation of traditional aquaculture and artisanal capture fisheries, the prevention of any further degradation of coastal lagoons and restoration of the environment.

82. Delegates congratulated the CAQ for the relevant issues and priorities identified thus far. They emphasized the important social and economic role of aquaculture in general for the region and particularly for countries where aquaculture was considered an emerging and strategic sector. Some delegates advocated that proper funds and specific studies, e.g. on market, certification and traceability, should be allocated for aquaculture within the GFCM Secretariat.

83. The Executive Secretary recalled how aquaculture activities and achievements within the GFCM had increased over time, and how this was also possible thanks to the support of donors such as the EU and Italy, which funded projects in support to the activities of the subsidiary bodies of the CAQ.

84. The representative from EUROFISH recognized the importance of aquaculture in the region and the several aspects of aquaculture addressed by the CAQ. She reiterated the willingness to work with GFCM through CAQ in joint activities under the newly signed MoU and within the respective mandates of each organization.

85. Several delegates highlighted the crucial environmental and socio-economic role of coastal lagoons and stressed the need to preserve, monitor and restore these productive ecosystems. They also concurred on the GFCM approach to strike a balance between developing aquaculture and environmental conservation of coastal lagoons.

86. The Commission, acting on the advice made on aquaculture management, gave mandate to the Secretariat and to the CAQ to proceed with the preparation of specific guidelines to be presented during the next session on: sustainable indicators; environmental monitoring aquaculture activities and management of coastal lagoons.

New proposals for recommendations

87. Four proposals for decision, as prepared and tabled by the EU, were introduced and discussed as follows:

- *Draft recommendation on mitigation of incidental catches of cetaceans in the GFCM area*

88. Algeria, Egypt, Morocco, Tunisia and Turkey welcomed this proposal and suggested to add some details of similar measures currently in force in their national regulations.

89. While welcoming the proposal, some modifications in the text were also suggested by ACCOBAMS, aiming at underlining their implication in the actions proposed through the signed MoU.

90. The recommendation was endorsed after taking into consideration some final comments regarding the set deadline, the use of monofilament nets as well as the need to analyse socio-economic impact before implementing the changes in gears proposed.

- *Draft recommendation on further measures for the exploitation of red coral in the GFCM area*

91. The Commission welcomed the proposal and some minor changes were introduced, particularly in relation to the way of measuring the diameter of the branches and the percentage of tolerance for undersized weight. It was suggested to consider the current national plans during the elaboration of the regional plan for the management of red coral and to increase the tolerance from the proposed 5 percent to 10 percent.

92. The representative of IWMC thanked the EU for the proposal and suggested to the Commission that, in order to set up the adaptive regional management plans, mandate should be given to start the work on the data collection forms already prepared by the Secretariat, through which the data collection could be carried out, and to clarify that the use of DNA bar-coding system should be included in a more comprehensive analysis on the traceability of red coral. He emphasized the need, recognized by the SAC to undertake a socio-economic analysis of the coral fishery and related sectors.

- *Recommendation on fisheries management measures for conservation of sharks and rays in the GFCM area*

93. The delegations welcomed the proposal since most of them described similar measures already in force in their countries. It was requested to the Commission to harmonize the requirements on vessels length with those already established in the Recommendation GFCM/35/2011/1 on the GFCM Logbook.

94. Some delegates expressed concern about the limit of three nautical miles where trawling would be forbidden: for instance in some coasts of Algeria, Egypt and Tunisia this would not be feasible due to the specific characteristics of the continental shelf. It was therefore suggested to evaluate such limit case by case. Ukraine also shared the same concern.

95. The representative from IWMC informed of the possibility that a new proposal to include the porbeagle shark (*Lamna nasus*) in the CITES appendices, be presented at the next CITES Conference in 2013 with a deadline ending in October 2012 and invited the Commission to follow this issue through the Secretariat, also due to the fact that FAO would convene as usual an ad hoc panel of experts and seek comments from RFMOs on the proposals relevant to marine species presented at CITES.

- *GFCM Guidelines on a general management framework and presentation of scientific information for multiannual management plans for sustainable fisheries in the GFCM area*

96. The delegations welcomed the proposal although stressing the need for further improvement of the text. It was also highlighted that each country had its own objectives when developing management plans (developmental, environmental, economical, etc.) and that reaching a consensus by encompassing all the peculiarities of each country, including geopolitical considerations, should be necessary when developing a multiannual regional plan.

97. The EU delegate clarified that the document reproduced guidelines to show the way forward on the basis of common concepts and criteria already signed by GFCM Members under several frameworks including, *inter alia*, the FAO Code of Conduct and the UNFSA. He invited the delegations to endorse the guidelines, which were not binding but only establishing a common language as well as being the first basis upon which implement the SAC advice for sustainable exploitation at a subregional level.

- *Draft recommendation on the establishment of a set of minimum standards for bottom-set gillnet fisheries for turbot and conservation of cetaceans in the Black Sea*

98. Turkey expressed satisfaction for this first specific recommendation on the Black Sea in the GFCM and thanked the EU for the initiative. Turkey, in principle, supported the recommendation, stressed that proposed measures should be applied to all Black Sea riparian countries and suggested to circulate this recommendation to the GFCM WGBS for further scientific reflections as required. Ukraine, while expressing satisfaction for the EU proposal, stated that it was not in the position to agree with the proposal and the corresponding SAC advice on the increase in gill net mesh size up to 400 mm and on the fixation of total length of turbot in the Black Sea.

99. This proposal was put on hold for further elements to be addressed during the second meeting of the WGBS.

- *Regional Plan of Action for the Management of Fishing Capacity (RPOA)*

100. Ms Pilar Hernández, from the GFCM Secretariat, presented the Draft regional plan of action for the management of fishing capacity in the GFCM area stressing that it was the product of several technical meetings since 2010. She outlined the main actions addressed to the Members and to the Commission as stated in document GFCM:XXXVI/2012/Inf.11.

101. Turkey fully supported the draft RPOA and informed of the progress done in the country to develop a regulation which intended to reduce 7 percent of fleet over 12 metres.

102. Algeria, Egypt, Libya, Morocco and Tunisia acknowledged the importance of the RPOA and gave details of similar measures adopted in their respective countries, while disagreeing on a general freeze of their fleets by arguing that, depending on the area and on the species, some fisheries were not yet fully developed or fisheries were in the process of being developed. They also urged that the issue of IUU in such areas be tackled, while Libya objected to this RPOA at this time. Lebanon expressed reserves to freezing its fleet capacity and requested derogation for countries in process of developing their fleets.

103. The Executive Secretary recalled that the RPOA was not a new document but a second draft version approved by the Sub-Committees and the SAC, elaborated in close collaboration with the FAO Fisheries Department, compliant with the FAO International Plan of Action (IPOA), and offered the assistance of the Secretariat to work on an improvement of the text.

- *Allocated zones for aquaculture*

104. The Turkish delegation presented a draft recommendation on allocated zones for aquaculture (AZA).

105. The EU delegation thanked the Turkish delegates for the proposal which was defined more as "guidelines" rather than a "recommendation" and proposed, together with Morocco, some specific changes aimed at improving the text.

106. The Commission expressed deep appreciation and commitment in support to the proposal from Turkey which was slightly amended.

107. The Commission was informed that some initiatives similar to AZA had just started in some countries, including Algeria and Morocco, and it was reiterated that allocating specific zones for aquaculture would be beneficial to the sector at the national and regional levels. It was also stated that setting up AZA, in particular in the coastal areas, was instrumental to avoid conflicts over competing uses, to conserve the environment and to rationalize investments.

108. The delegate from Algeria thanked the Turkish delegation for the proposal on AZA whose implementation was a mean to improve management for the sustainable development of aquaculture within coastal areas. He also wished for Algeria, as well as other Members with similar needs, to be technically guided and assisted by the GFCM in the process of implementation of the proposed resolution.

109. The Commission favored and shared the proposition made by the delegate from Algeria and highlighted that technical support would be an element to strengthen regional cooperation and promote collaboration on sustainable aquaculture.

110. RAC/SPA and IUCN welcomed the EU proposals, and specifically the one on AZA. In this respect, they also stressed their willingness to further collaborate on the issue of wetlands and extensive aquaculture.

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

- Resolution RES/36/2012/1 on guidelines on allocated zones for aquaculture (AZA) (Appendix D)
- Recommendation GFCM/36/2012/1 on further measures for the exploitation of red coral in the GFCM area (Appendix E)
- Recommendation GFCM/36/2012/2 on mitigation of incidental catches of cetaceans in the GFCM area (Appendix F)

- Recommendation GFCM/36/2012/3 on fisheries management measures for conservation of sharks, skates and rays in the GFCM area (Appendix G)

112. The Commission further agreed to approve a decision regarding guidelines on a general management framework and presentation of scientific information for multiannual management plans for sustainable fisheries in the GFCM area (Appendix I). These guidelines would not be binding and would constitute a basis for future work to be done.

113. All delegations acknowledged that in addition to the coordination and cooperation initiatives that could be undertaken by the Members of the GFCM within the remit of their mandate, the Task Force was expected, in 2012 and 2013, to stimulate, coordinate and mobilize all resources of the GFCM, in particular the SAC, in order to facilitate the implementation, at subregional level as required, of these guidelines on a general framework to develop multiannual management plans for sustainable fisheries. A first review of these activities will be made at the next session.

114. The Commission took note of the statement of Morocco in relation to the efforts made in banning the use of drift nets, and expressed gratitude to the country for this initiative, greatly contributing to the sustainable management of living marine resources.

Draft recommendation on the management of protected areas including specially protected areas of Mediterranean interest (SPAMI) in the GFCM Convention area

115. It was decided that the consideration of the draft Recommendation on SPAMI would be addressed within the framework of the signed Memorandum of Understanding with UNEP/MAP.

Pending decisions

116. The draft recommendation on the establishment of a set of minimum standards for bottom-set gillnet fisheries for turbot and conservation of cetaceans in the Black Sea was deferred to the next Session of the Commission. The text of this draft is reproduced under Appendix H.

117. The draft regional plan of action (RPOA) for the management of fishing capacity in the GFCM area was discussed and proposals for amending the text were gathered as reflected in Appendix L. The Commission decided to defer the adoption of this plan to the next Session in 2013.

PROGRAMME OF WORK FOR THE INTERSESSIONAL PERIOD 2012-2013

Programme of work of the Scientific Advisory Committee

118. With reference to documents GFCM:XXXVI/2012/2, the SAC Chairman presented the draft programme of work of the Sub-Committees for the intersessional period 2012-2013, as proposed by the SAC at its fourteenth session.

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

Sub-Committee on Marine Environment and Ecosystems (SCMEE)

- Develop a regional management plan for red coral;
- Co-organize with the Ege University (Turkey) the International conference on artificial reefs that will be held in İzmir (Turkey) in September 2013. It is suggested that this action be an alternative to the proposed workshop on artificial reefs.
- On gear selectivity:

- Complete the different database of the network of technologists involved in Mediterranean fisheries (GFCM-TECHNOMED network) and to re-activate the TECHNOMED web site;
- Elaborate a catalogue of fishing gears in the GFCM area;
- Co-organize with the CopeMed project a meeting of the Working Group on selectivity and fishing technology .
- On the implementation of the medium-term elasmobranchs programme:
 - Produce factsheets to facilitate the identification of the most commonly landed species;
 - Publish the updated version of the draft GFCM publication on: status of elasmobranchs in the Mediterranean and the Black Sea;
 - Organize a training workshop on elasmobranchs age reading methodologies.

Sub-Committee on Statistics and Information (SCSI)

- Launch a consultation phase for reviewing the Task 1 data submission framework.
- Organize a workshop to finalize the new Task 1 and Task 2 data submission framework and define a plan of action, possibly within the context of the Framework Programme, for improving Members' capacity to collect and submit relevant data.

Sub-Committee on Economic and Social Sciences (SCESS)

- Organize a workshop including a training component on bio-economic analysis models used in the GFCM area. This workshop will be possibly organized in collaboration with the CopeMed and MedSudMed projects and will be applied to three fisheries selected at the Ad hoc meeting of the SAC for which sufficient data are known to be available, namely:
 - i) demersal trawl fishery in the Ligurian and North Tyrrhenian Sea, GSA09;
 - ii) *Parapenaeus* and *Merluccius* trawl fishery in the Strait of Sicily, GSAs 12-16;
 - iii) demersal trawl fishery in the Gulf of Lions, GSA07 extended to species other than *Merluccius*; and
 - iv) *Pagellus bogaraveo* in the Strait of Gibraltar;
- Undertake regional case studies related to the socio-economic analysis of recreational fisheries and of small-scale fisheries;
- Hold a specific Working Group back-to-back to the forthcoming SCESS meeting on the review of the variables list of Task 1.3 and their related definitions.

Sub-Committee on Stock Assessment (SCSA)

- Organize the two Working Groups on demersal and on small pelagic species including some species of elasmobranchs;
- Organize an expert consultation to elaborate the design and contents of the new Task 2 module;
- Contribute to the Joint ICES/EIFAAC/GFCM Working Group on European Eel;
- Organize a training course on the time series analysis in the framework of the GFCM Permanent Working Group on stock assessment methodologies (PWGSAM).

Ad hoc Working Group on the Black Sea

- Organize a workshop on data collection and information systems on fisheries in the Black Sea;
- Organize a training course on direct and indirect stock assessment methodologies;
- Organize subregional stock assessments on small pelagic and demersal stocks (possibly in collaboration with the Scientific, Technical and Economic Committee for Fisheries, STECF).
- Organize a workshop to assess IUU fishing and its impact in the region;
- Create, through the GFCM web site, a common regional database of experts and research institutions working in the Black Sea area;
- Elaborate a publication on the most recent status of fisheries and aquaculture, as a result of the collaboration between the GFCM Secretariat and national experts from all riparian countries;
- Elaborate a technical publication on the main fishing gear and fleets typology;
- Revitalize the joint GFCM/EIFAAC Working Group on Sturgeon;
- Gather all relevant information on the fisheries and aquaculture related legislation in force in the area, with a view to creating a regional database.

Meetings

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

Meeting	Place/Date
GFCM/ICES/EIFAAC Working Group on EEL	Rome?/ second half of 2012
International conference/Workshop on Artificial Reefs (with the support of the EastMed Project)	Turkey/ September 2013
Working Group on selectivity and fishing technology (in collaboration with CopeMed II)	TBD/ last quarter of 2012
Meeting of the PWGSAM on time series analysis	Sicily, Italy/ September 2012
Working Group on the review of the variables list of Task 1.3 and their according definitions (back-to-back with the SCESS/SAC Session)	Egypt/ February 2013
SCESS Working Group on bio-economic analysis models	Tunisia/ last quarter of 2012
Workshop for finalising the new Task 1 & 2 data submission framework (SCSI)	TBD/ second half of 2013
Workshop to assess IUU fishing and its impact in the Black Sea	TBD/ second half of 2013
Workshop on data collection and information systems on fisheries in the Black Sea	TBD/ September 2012
Training on direct and indirect stock assessment methodologies (possibly with the STECF)	Varna, Bulgaria/ 30 April–4 May 2012
Subregional stock assessments on small pelagic and demersal stocks (possibly in collaboration with STECF)	Bucharest, Romania/ October 2012
Working Group on stock assessment of demersal and elasmobranchs Species (SCSA) (5 days)	Split, Croatia/ 22–26 October 2012
Working Group on stock assessment of small pelagic species (SCSA) (5 days)	Split, Croatia, 22–26 October 2012
14 th Session of the SCSA (2 days)	Cairo, Egypt/ February 2013
13 th Session of the SCMEEE (2 days)	Cairo, Egypt/ February 2013
13 th Session of the SCSI (2 days)	Cairo, Egypt/ February 2013
13 th Session of the SCESS (2 days)	Cairo, Egypt/ February 2013
15 th Session of the SAC (4 days)	Cairo, Egypt/ February 2013
2 nd Session of the Working Group on Black Sea	TBD/ first half of 2013

120. The proposed activities by SAC will be implemented according to the availability of funds, either through autonomous budget or extra-budgetary resources.

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

122. The EastMed Project coordinator offered to co-organize the International Conference on Artificial reefs to be held in Izmir (September 2013) and in relation to case studies under the SCESS she

informed that the Project would be keen on putting its staff at disposal without any cost for the Commission.

Programme of work of the Committee on Aquaculture

123. The programme of CAQ, based on the documents GFCM:XXXVI/2012/3 and GFCM:XXXVI/2012/Inf.9, was endorsed as follows:

Workplan of the Working Group on Sustainability on Aquaculture (WGSA)

- Identify reference points and standards for the selected indicators;
- Implement new pilot studies and test the indicators reference system at local level; follow-up of the pilot studies with: step two Morocco and Spain, step three Tunisia and implement a communication and dissemination strategy;
- Identify strategy for involvement of concerning parties in the use of indicators as appropriate.

Workplan of the Working Group on Site Selection and Carrying Capacity (WGSC)

- Organize regional training on site selection and site management;
- Definition of *reference points* for EQS and monitoring aquaculture;
- Implement a programme of dissemination of the technical results and outcomes of SHoCMed activities;
- Establish an IT forum platform on site selection and carrying capacity for data sharing within the WGSC.

Workplan of the Information System for the Promotion of Aquaculture in the Mediterranean (SIPAM)

- Update the available information on aquaculture legal and regulation aspects and make them available online.

Workplan on Lagoon management and interaction between aquaculture and capture fisheries

- Identify indicators for the sustainable development of aquaculture and capture fisheries activities within coastal lagoons.

Workplan of the Working Group on Marketing of Aquaculture Products (WGMA)

- Work with WGSA on the indicators for sustainable aquaculture related to economic and marketing issues;
- Work with SIPAM for aquaculture marketing data and issues related to the data surveys on economic aspects;
- Carry out a regional survey of producer organizations (POs) in GFCM member countries;
- Workshop on “Organizational capacity and role of aquaculture Producer Organizations and farmers market promotion”.

Workplan of the Working Group on Black Sea (WGBS) (aquaculture component)

- Organize a workshop/training on AZA (Black Sea);
- Implement regional initiatives to harmonize the environmental monitoring programme on aquaculture and on AZA;
- Organize a workshop on aquaculture species diversification to be developed in the region;
- Data inventory of marine and brackish aquaculture farms and production centers.

Other priorities identified by CMWG

- Carry out a regional survey on aquatic animal health and biosecurity on aquaculture;
- Carry out a regional survey on the main aspects related to the certification and traceability in aquaculture.
- Technical assistance on aquaculture development to Members.

Meetings

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

Meeting	Place/Date
WGMA Workshop on “Organizational capacity and strengthening the role of producer organizations and farmers in marketing and market promotion”	TBD/ TBD
SIPAM – 14 th Annual Meeting	Hurghada, Egypt/ November 2012
WGSA – WGMA - WGSC – InDAM - SHoCMed Workshops on the identification of <i>reference points</i> for economic and environmental indicators on aquaculture	TBD/ December 2012
WGSC –SHoCMed Workshop – Training on site selection, allocated zones for aquaculture and site management for coastal marine aquaculture	Morocco/ December 2012
WGBS-WGSC Training on site selection and allocated zones for aquaculture (ad hoc training for the Black Sea)	TBD/ TBD
CAQ Workshop on “Black Sea aquaculture species diversification”	Trabzon/ Turkey TBD
Eighth Session of the Committee on Aquaculture	Paris, France/ March 2013

124. The proposed activities by CAQ will be implemented according to the availability of funds, either through autonomous budget or extra-budgetary resources.

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

126. The Commission endorsed the proposed work plan for 2012 and 2013.

REPORT OF THE SIXTH SESSION OF THE COMPLIANCE COMMITTEE (COC)

127. The Chairperson of the COC, Mr Samir Majdalani, presented the report of the sixth session of the Committee. He recalled discussions occurred on the status of implementation of GFCM decisions by Members and data and information submission.

128. In this context, it was recommended that in the future the report would include, under an appendix, a table relating to the national reports received by Members presenting analytical information on action taken at national level by each Member. The EU delegate clarified that in the calculation of the number of national reports submitted, the one submitted by his delegation would have to be considered by the GFCM Secretariat as covering also those of EU Member States. He further clarified that the submission of the national report by the EU would be without prejudice to the decision by EU Member States to also submit their national reports.

129. With regard to VMS, the Executive Secretary recalled that Recommendation GFCM/33/2009/7 had entered into force already, although it provided for a phased implementation. It was hence agreed that the possibility to postpone the final deadline for its implementation of 12 months would be examined by the Commission at its next ordinary or extraordinary session.

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

REPORT OF THE THIRD SESSION OF THE COMMITTEE ON ADMINISTRATION AND FINANCE (CAF)

131. The Chairperson of CAF, Mr Hachemi Missaoui, presented the draft report of the third session of the Committee and he noted that it reproduced the workflow of the meeting thoroughly.

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

GFCM BUDGET AND MEMBER CONTRIBUTIONS

133. The Executive Secretary presented detailed information on the main chapters of the proposed budget for the financial period 2012 and 2013. He explained that recourse to extrabudgetary funds will be as usual made in support of the activities of the GFCM.

134. The delegations expressed their concern for the increase of the proposed budget although the need for the activities as proposed through the work plan of SAC and CAQ was recognized.

135. The Executive Secretary provided the Commission with supplementary details and explanation on the budgetary lines and he pointed out the consequences that a reduction of the budget would imply on several operative aspects such as the number of activities to be carried out, the organizations of the events, the translation service as well as the work of the Secretariat staff. The willingness to neither reducing the identified work plan nor affecting the quality of work of the Commission was nonetheless emphasized by several delegations, especially in relation to the follow-up to important actions such as the modernization of the GFCM framework, possible amendment of its Agreement and renewed focus on the Black Sea.

136. Mr Philippe Ferlin, second Vice-Chair of the GFCM and former independent expert of the GFCM Performance Review Panel, recalled that the performance review had clearly pointed out that the GFCM, compared to other RFMOs, had limited resources which are currently used to organize a sheer number of meetings with restricted personnel and against the background of a broader mandate. In this regard, it was noted that the GFCM performs, in addition to fisheries, functions relating to data collection, aquaculture and capacity building which are not usually encompassed in the mandate of other RFMOs.

137. It was remarked that discussions on the budget should become more structured in the future so that options would be presented to GFCM Members under an activity/output-oriented budget structure, including on the variations depending on the activities planned for the intersession. Relevant documents, in addition to a forecast of the activities impact on the budget, would have to be reviewed by the CAF and made available to the Members enough time prior to the annual Session.

138. The Executive Secretary insisted that GFCM Members should be encouraged, in order to facilitate a better preparation of the budget in view of the annual sessions, to ensure that national scientists involved in GFCM activities provide to SAC and CAQ specific proposals for the work plan, together with concise terms of reference for the meetings to be organized and interconnected tasks to be developed. In this regard, the key elements to evaluate the budgetary implications of any proposed activity (e.g. duration of meeting, needs for interpretation and consultancies, venue, etc.) would have to be submitted to the GFCM Secretariat for consideration.

139. It was proposed that, in order to make a more rational use of available resources, the Commission should adopt stricter rules relating to the budget and that the impact of the costs of staff should not exceed 50 percent of the total budget, including the budget available from extrabudgetary funds. It was suggested to limit covering the expenses for moderators and coordinators' participation to meetings to once per year

only and that coverage of vice-chairpersons attendance should not be envisaged anymore. Also, the deployment of GFCM staff should not constitute an additional financial burden.

140. The EU delegate declared to be open to explore with the GFCM Bureau and Secretariat sources for possible extrabudgetary funds in support of the activities of the GFCM. Moreover, the Secretariat was mandated to explore the options available with the interpretation and translation services, including with the FAO, to foresee a possible reduction on those costs.

141. The Commission further agreed to adopt the budget for 2012 for a total amount of US\$ 1 805 027 as indicated in Appendix M as well as the contribution of the Members to the GFCM budget (Appendix N). This budget included the upgrade of the Administrative Assistant G-5 to Programme Assistant G-6 and the recruitment of a Legal and Liaison Officer (P-3) in 2013. The Commission decided that the Deputy Secretary post could continue to remain frozen until further notice.

142. It was agreed that the extraordinary session of the Commission as well as the CAF and CoC bureau meetings would be held upon availability of funds.

ISSUES RELATING TO THE ELECTION OF THE SAC BUREAU, INCLUDING THE ENDORSEMENT OF APPOINTED SUB-COMMITTEE COORDINATORS

143. The Commission endorsed the proposal by SAC to postpone to the election of the SAC Bureau and the appointment of coordinators of its Sub-Committees to the next session of the committee.

ANY OTHER MATTERS

144. The delegate of Monaco expressed in a statement support for the first GFCM Framework Programme. He noted that this programme was consistent with the national policy on capacity building in law of the sea and maritime affairs aimed at the conservation of marine ecosystems and marine resources. He expressed the willingness of Monaco to consider support to such initiative.

145. The delegate of Italy acknowledged the efforts made by GFCM to modernize his legal and institutional framework, a project strongly supported by his country, in the context of the activities of Rome-based UN agencies. He also welcomed the development of new methodologies among GFCM Members in view of the attainment of sustainable fisheries.

146. The Commission thanked Morocco for the excellent organization of the thirty-sixth Session of the GFCM as well as for the hospitality in the beautiful city of Marrakech. Appreciation for the excellent work done by the GFCM Secretariat and the staff was reiterated.

147. Mr Josip Markovic, from Croatia, was unanimously elected Vice-Chair of the COC to replace Mr Roland Kristo, from Albania, who recently left his position within the national administration.

DATE AND PLACE OF THE NEXT SESSION

148. The Commission took note of the kind invitation made by the delegation of Croatia to host the thirty-seventh session of GFCM, 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

149. The report, including its appendixes, was adopted on Saturday 19 May 2012.

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Agenda

1. Opening of the session
2. Adoption of the agenda and arrangements for the session
3. Issues related to the cooperation with international Party organizations, including the signature of memoranda of understanding
4. Report on the intersessional activities 2011–2012
5. Third session of the Committee on Administration and Finance (CAF)
6. Sixth session of the Compliance Committee (CoC)
7. Adoption of recommendations on future actions concerning the activities of the Task Force on the modernisation of GFCM legal and institutional framework
8. Introduction of the First Framework Programme to support sustainable development and cooperation in the Mediterranean and Black Sea
9. Activities carried out by the FAO regional projects to support SAC and CAQ work plan
10. Management of fisheries and aquaculture
11. Programme of work for the intersessional period 2012–2013
12. Report of the sixth session the Compliance Committee (CoC)
13. Report of the third session of the Committee on Administration and Finance (CAF)
14. GFCM budget and Member contributions for 2012 and 2013
15. Issues relating to the election of SAC Bureau, including the endorsement of appointed Sub-Committees coordinators
16. Any other matters
17. Date and place of the next session
18. Adoption of the report

List of documents

GFCM:XXXVI/2012/1	Agenda and timetable
GFCM:XXXVI/2012/2	Report on intersessional activities for 2011, recommendations and workplan for 2012 of the SAC and its subsidiary bodies
GFCM:XXXVI/2012/3	Report on intersessional activities for 2011, recommendations and workplan for 2012 of the CAQ and its subsidiary bodies
GFCM:XXXVI/2012/4	Report of the GFCM Committee on Administration and Finance
GFCM:XXXVI/2012/5	Report of the GFCM Compliance Committee
GFCM:XXXVI/2012/6	Report of the Secretariat on administrative and financial issues
GFCM:XXXVI/2012/7	GFCM budget and Members contributions for 2012–2013
GFCM:XXXVI/2012/8	Report of the Task Force activities aimed at modernising the legal and institutional framework of the GFCM
GFCM:XXXVI/2012/Inf.1	List of documents
GFCM:XXXVI/2012/Inf.2	List of participants
GFCM:XXXVI/2012/Inf.3	Agreement for the establishment of the General Fisheries Commission for the Mediterranean, financial rules and rules of procedures
GFCM:XXXVI/2012/Inf.4	Statement of competence and voting rights by the EU and its Member States
GFCM:XXXVI/2012/Inf.5	GFCM framework for cooperation and arrangements with Party organizations
GFCM:XXXVI/2012/Inf.6	Report of the thirty-fifth session of the GFCM (FAO HQs, Rome, Italy, 9–14 May 2011)
GFCM:XXXVI/2012/Inf.7	Report of the fourteenth session of the Scientific Advisory Committee (SAC) (Sofia, Bulgaria, 20–24 February 2012)
GFCM:XXXVI/2012/Inf.8	Report of the seventh session of the Committee on Aquaculture (CAQ) (FAO HQs, Rome, Italy, 8–10 March 2011)
GFCM:XXXVI/2012/Inf.9	Draft report of the fifth CAQ Coordination Meeting of the Working Groups (GFCM HQ, Rome, Italy, 7–9 March 2012)
GFCM:XXXVI/2012/Inf.10	Report of the first ad hoc Working Group on the Black Sea (Romania, 16–18 January 2012) (available only in English)
GFCM:XXXVI/2012/Inf.11	Draft regional plan of action for the management of fishing capacity (available only in English)
GFCM:XXXVI/2012/Inf.12	Guidelines for a technical cooperation programme in the monitoring of fishing vessels in the GFCM area of competence (available only in English)
GFCM:XXXVI/2012/Inf.13	Draft recommendation on the management of protected areas including specially protected areas of Mediterranean interest (SPAMIs) in the GFCM Convention area
GFCM:XXXVI/2012/Inf.14	First GFCM Framework Programme (2013-2018) in support of GFCM Task Force activities (FWP) (available only in English)
GFCM:XXXVI/2012/Inf.15	Major activities of the FAO regional projects in 2011
GFCM:XXXVI/2012/Inf.16	Report of the final meeting of the Task Force for the validation of the outcomes emerged (Marrakech, Morocco, 11–12 May 2012) (available only in English)

Resolution GFCM/36/2012/1 on guidelines on allocated zones for aquaculture (AZA)

The General Fisheries Commission for the Mediterranean (GFCM)

RECOGNIZING that aquaculture plays an important role in terms of contribution to economic development and it represents an important source of food and employment for coastal communities of GFCM Members;

CONSISTENT WITH the 1995 FAO Code of Conduct for Responsible Fisheries, in particular Article 9 which calls upon States, *inter alia*, to produce and regularly update aquaculture development strategies and plans, as required, to ensure that aquaculture development is ecologically sustainable and to allow the rational use of resources shared by aquaculture and other activities;

TAKING INTO ACCOUNT relevant provisions in the Johannesburg Declaration on Sustainable Development of 2002 and 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 Integrated Coastal Zone Management (ICZM);

NOTING that aquaculture activities are rapidly expanding in the GFCM Area, thus calling for an ICZM consistent planning and management at regional level;

ACKNOWLEDGING that aquaculture activities affect and are affected by other human activities to the extent that their relative contribution to environmental degradation needs to be controlled and adverse social and environmental interactions with aquaculture activities have to be reduced;

CONSIDERING the implementation of a regional strategy for the creation of Allocated Zones for Aquaculture (AZA) as an immediate priority for the responsible development and management of aquaculture activities in the Mediterranean and Black Sea;

FURTHER CONSIDERING that the creation of AZAs may facilitate the integration of aquaculture activities into coastal zone areas exploited by other users and contribute to the enhancement of coordination between the different public agencies involved in aquaculture licensing and monitoring processes;

ACKNOWLEDGING conflicts between aquaculture activities and other users of the coastal zone in addition to the main variables and factors affecting the development of aquaculture activities,

STRESSING IN PARTICULAR the need for the definition of common criteria for the selection of sites for aquaculture activities,

BEARING IN MIND that the sustainable development of aquaculture can be significantly facilitated by a clear vision of Allocation Zones for Aquaculture (AZAs);

DESIRING to promote in the GFCM area of competence the establishment of AZAs as a management tool for marine spatial planning;

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

1. Contracting Parties and Cooperating non-contracting Parties of the GFCM (hereafter referred to as CPCs) shall include in their national marine spatial planning strategy of aquaculture development and management schemes for the identification and allocation of specific zones reserved for aquaculture activities.
2. AZAs shall comprise specific areas dedicated to aquaculture activities, and any future development thereof and their identification shall be based on the best social, economic and environmental information available in order to prevent conflicts among different users for increased competitiveness, sharing costs and services and to assure investments.
3. AZAs shall be established within the remit of local or national aquaculture plans of CPCs with the aim of ensuring the sustainability of aquaculture development and of promoting equity and resilience of interlinked social and ecological systems.
4. AZAs shall be established within the framework of ICZM, with regulations and/or restrictions being assigned to each zone in accordance with their degree of suitability for aquaculture activities and carrying capacity limit.
5. The zoning process for the establishment of AZAs shall follow a participatory approach, be transparent, coordinated by the main authority responsible for marine planning at local level and carried out in cooperation with the different authorities involved in the aquaculture licensing and leasing procedures and monitoring. The coordination of competences among the different public authorities involved in aquaculture licensing and leasing procedures and monitoring shall be ensured at national level.
6. Zones to be allocated to aquaculture activities shall be classified, inter alia, as, “areas suitable for aquaculture activities”, “areas unsuitable for aquaculture activities” and “areas for aquaculture activities with particular regulation and/or restriction”; guidelines shall be developed to this end;
7. AZAs, once established, shall be based on legal and regulatory provisions integrated into the national legislation or other adequate national administration level and on inter-ministerial coordination in order to ensure their effective implementation.
8. For every AZA, an allowable zone of effect of aquaculture activities could be defined in the close vicinity of each farm. Such zone shall be accompanied by a Environmental Monitoring Programme.
9. The Environmental Monitoring Programme shall be flexible and adaptable, taking into account scale (time and space) approach, and monitoring shall be mandatory.

Recommendation GFCM/36/2012/1 on further measures for the exploitation of red coral in the GFCM area

The General Fisheries Commission for the Mediterranean (GFCM),

RECALLING that the objective of the Agreement establishing the General Fisheries Commission for the Mediterranean is to promote the development, conservation, rational management and best utilization of living marine resources;

RECALLING Recommendation GFCM/35/2011/2 on the exploitation of red coral in the GFCM Competence Area and in particular Paragraph 10 which refers to the development of an adaptive regional management plan;

RECALLING that red coral is listed in the Annex III of the Protocol concerning the Specially Protected Areas and Biological Diversity in the Mediterranean (hereinafter SPA/BD Protocol) of the Convention for the Protection of the Marine Environment and the Coastal Region of the Mediterranean (Barcelona Convention) which implies that its exploitation needs to be properly regulated at national and international level (consistent with the high conservation standards laid down in those acts)

CONSIDERING the importance of establishing minimum common harvesting standards pending the development of an adaptive regional management plan

TAKING NOTE of the latest scientific advice on the red coral's minimum size for exploitation, as transmitted by the Scientific Advisory Committee (SAC)

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

1. Contracting Parties and Cooperating non-contracting Parties of the GFCM (hereafter referred to as CPCs) shall ensure that red coral colonies whose basal diameter is smaller than 7 mm at the trunk, measured within one centimetre from the base of the colony, is not harvested, retained on board, transhipped, landed, transferred, stored, sold or displayed or offered for sale as raw product.
2. By way of derogation from Paragraph 1, Parties may authorize a maximum tolerance limit of 10 % in live weight of undersized (<7 mm) red coral colonies provided that a strict national management framework has been developed ensuring an authorization system and specific monitoring and control programmes are in place.
3. By 31st December 2014 at the latest, the SAC is requested to assess the impact that the implementation of the 10% tolerance margin can have on the size composition of catches and on the sustainability of red coral harvesting.
4. Provisions under paragraphs 1 and 2 above are without prejudice to stricter measures which may be adopted or maintained by CPCs in their national management framework.
5. With a view to ensure adequate monitoring and data gathering needed to set up the adaptive regional management plan based, whenever available, on national plans, the CPCs shall ensure that red coral catches are landed only in a limited number of designated ports with adequate port facilities. The list of designated ports shall be communicated to the GFCM Secretariat not later than 31st January 2013.

6. In addition to substantiate the Terms of Reference provided in the 2012 Work Plan of its Sub-Committee for Marine Environment and Ecosystems, and pending the development of a regional management plan for red coral, as requested by the Recommendation GFCM/35/2011/2, the SAC shall also evaluate the feasibility and implications, including services needed and economic consequences, to establish traceability mechanisms including, inter alia, a DNA bar-coding system for red coral.

7. The GFCM Secretariat is requested to take actions in support of the SAC with a view to put into operation, not later than 31 May 2013, the adaptive regional management plan.

8. In order to collect data on harvesting of red coral, CPCs shall compile data collection forms provided by the Secretariat. CPCs shall return the filled forms by 31st January of each year starting with the 2013 harvesting season.

Recommendation GFCM/36/2012/2 on mitigation of incidental catches of cetaceans in the GFCM area

The General Fisheries Commission for the Mediterranean (GFCM),

RECALLING that the objective of the Agreement establishing the General Fisheries Commission for the Mediterranean is to promote the development, conservation, rational management and best utilization of living marine resources;

RECALLING the Johannesburg Declaration on Sustainable Development of 2002 and in particular its Plan of Implementation;

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 incidental catch of cetacean species in relation with fishing activities may seriously affect cetacean populations in the GFCM Area;

RECOGNIZING that some fishing operations carried out in the GFCM Area, including the risk of unaccounted catches of cetaceans due to the loss of these gears at sea (so called "ghost fishing"), can adversely affect cetaceans and there is a need to better understand the phenomenon to conceive and implement measures to mitigate these adverse effects;

RECALLING the Agreement on the Conservation of Cetaceans of the Black Sea, Mediterranean Sea and Contiguous Atlantic Area (ACCOBAMS) whose objectives include the mitigation of negative impacts between cetaceans and fishing activities;

RECALLING the Protocol concerning the Specially Protected Areas and Biological Diversity in the Mediterranean (hereinafter SPA/BD Protocol) of the Convention for the Protection of the Marine Environment and the Coastal Region of the Mediterranean (Barcelona Convention) and the listing of several cetaceans species occurring in the Convention Area therein;

RECALLING the Recommendation GFCM/2005/3(A) prohibiting the use of driftnet for fisheries of large pelagic species;

AIMING to reduce cetaceans by-catch in the GFCM Competence Area, thus contributing to improve the conservation status of these animals in line with an ecosystem approach to fisheries management;

TAKING INTO ACCOUNT the SAC advice on the need to endorse measures for the reduction of the by-catch of cetaceans;

RECOGNIZING, also, the need to collect more data and technical information in order to fully assess the advantages and risks associated with the possible adoption of other types of measures modifying the characteristics of fishing gear, as well as any other potential impacts on fisheries activities;

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 the GFCM (hereafter referred to as CPCs) shall take actions to study, monitor, prevent, mitigate and, to the extent possible, eliminate incidental taking of cetaceans during fishing operations.
2. For the purpose of mitigating the by-catch of cetaceans during fishing operations, the CPCs shall:
 - a) prohibit, not later than 1st January 2015, gillnet fisheries using monofilament greater than 0.5 mm;
 - b) require vessels flying their flag to promptly release alive / unharmed to the extent practicable cetaceans that have been incidentally caught and brought alongside the vessel.
3. The CPCs shall collect and forward to the GFCM Secretariat, both through their national reporting to SAC and the Task 1.4, information on by-catch rates of cetaceans taking into account, amongst other relevant information: fisheries concerned, characteristics of gear type, times, locations (either by GSA or statistical rectangles) and affected cetacean species.
4. The SAC, in coordination with the GFCM Secretariat and relevant partner organizations, shall compile all available data and other relevant information from commercial fisheries and scientific literature with a view to assess, from a scientific, environmental and socio-economic perspective, the conservation benefits, feasibility, alternative solutions and potential impacts of measures such as:
 - restricting/prohibiting the use of inoxidable steel hooks and metallic branch lines (snoods) in bottom and demersal longlines fishing;
 - limiting the maximum dimensions, both in terms of drop and length overall, of bottom-set nets towards ranges of common values considered adequate at subregional level to tackle the problem of cetacean incidental taking;
 - limiting the soaking time for bottom-set net fishing including the implementation of time-data logger, taking also into consideration subregional specificities of fisheries.
 - assess the impact of using bottom set-gillnets with twine diameter equal or smaller than 0.5 mm on the fisheries, from a biological and socio-economic point of view.
5. The SAC, in coordination with the GFCM Secretariat and relevant partner organizations shall assess the feasibility of other possible mitigation measures, such as the use of pingers and acoustically reflective nets for the remediation of cetacean by-catches in fishing gear.
6. The SAC shall report back to the GFCM in 2015 in time for its 39th session.
7. Taking into account the possible technical interactions between different fishing gear in fisheries, the GFCM Secretariat is requested to coordinate, whenever appropriate, with the Secretariat of ICCAT with a view to properly address the items identified in Paragraph 4.
8. Upon receipt of advice from the SAC, the GFCM will consider, if appropriate, the adoption of further measures to mitigate incidental catches of cetaceans in the fisheries concerned.
9. The provisions of this recommendation are without prejudice to additional or stricter measures adopted or that could be adopted by the CPCs, in particular for what concerns measures in Paragraph 2.a) above.

Recommendation GFCM/36/2012/3 on fisheries management measures for conservation of sharks and rays in the GFCM area

The General Fisheries Commission for the Mediterranean (GFCM),

RECALLING that the objectives of the Agreement establishing the General Fisheries Commission for the Mediterranean 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 in particular its Plan of Implementation;

RECALLING the Declaration of the Ministerial Conference for Sustainable Development of the Fisheries in the Mediterranean held in Venice on 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 FAO International Plan of action for the Conservation and the management of Sharks (IPOA-sharks);

RECALLING the Convention for the Protection of the Marine Environment and the Coastal Region of the Mediterranean (Barcelona Convention) and the listing of some sharks species in either Annex II or Annex III of its Protocol concerning the Specially Protected Areas and Biological Diversity in the Mediterranean (hereinafter SPA/BD Protocol);

NOTING the importance of harmonizing conservation and management measures with other international conventions responsible for the protection of these species;

TAKING INTO ACCOUNT the SAC advice and in particular the needs for species identification and to ensure better conservation status to sharks including protection of coastal areas from most active fishing gear;

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

PART I
Scope

1. Contracting Parties and Cooperating non-contracting Parties of the GFCM (hereafter referred to as CPCs) shall ensure that sharks are kept on board, transhipped, landed and marketed at first sale in a way that species are recognizable and identifiable and catches, incidental takings and, whenever appropriate, releases by species can be monitored and recorded.
2. CPCs shall adopt fisheries management measures to ensure adequate conservation status to sharks.

Definitions

3. For the purposes of this Recommendation the following definitions shall apply:

‘Shark’ means any fish of the taxon *Elasmobranchii*

‘Shark fins’ means any fins of sharks including caudal fins, but excluding the pectoral fins of rays, which are a constituent part of ray wings;

‘finning’ means the removal of fins at sea and discarding of carcass;

‘trawl nets’ means nets which are actively towed by the main boat engine and consisting of a cone- or pyramid-shaped body (as trawl body) closed at the back by a cod-end and which can extend at the opening by the wings or can be mounted on a rigid frame. Horizontal opening is either obtained by otter boards or provided by a beam or frame of variable shape and size. Such nets can be towed either on the bottom (bottom trawl net) or in midwater (pelagic trawl net);

PART II

Fisheries management measures

4. CPCs shall ensure that:

- ‘finning’ shall be prohibited;
- beheading and skinning of specimens on board and before landing shall be prohibited. Beheaded and skinned sharks cannot be marketed at the first sale markets after landing;
- It shall be prohibited to purchase, offer for sale or sell shark fins which have been removed, retained on board, transhipped or landed in contravention of this Recommendation.

5. Reduction of trawl fishing in coastal areas to enhance protection of coastal sharks

- A) CPCs shall ensure that fishing activities carried out with trawl nets are prohibited within 3 nautical miles off the coast, provided that the 50 meters isobath is not reached, or within the 50 meters isobath where that depth is reached at a shorter distance from the coast.
- B) Specific and spatially limited derogation may be granted by the Members on condition that affects a limited number of vessels and provided that such derogation:
 - a. is justified by particular geographical constraints, such as the limited size of continental shelf along the entire coastline of a Member State or the limited extent of trawlable fishing grounds due to different causes;
 - and/or
 - b. concerns small trawl vessels of less than or equal to 12 metres overall length and engine power of less than or equal to 85 kW traditionally carried out in coastal areas;
 - or
 - c. concerns a limited number of vessels during a seasonal fishing campaign;
 - and
 - d. has no significant impact on the marine environment.
- C) CPCs shall inform the GFCM on the modalities of applying the derogation under point B) no later than 31 March 2013. This notification shall include:
 - a. a list of authorised trawl fishing vessels with their characteristics,
 - b. zones as identified by geographic coordinates both on land and at sea and by GFCM statistical rectangles as defined in Recommendation GFCM/35/2011/1.
 - c. Measures taken to monitor and mitigate impact on marine environment
- D) CPCs shall establish a specific monitoring plan for the trawl fisheries operating under derogation as stipulated by point B).
- E) These provisions are without prejudice to more detailed or stricter rules implemented by Members.

Elasmobranchs species under Annex II (list of endangered or threatened species) and Annex III (list of species whose exploitation is regulated) of the SPA/BD Protocol to the Barcelona Convention

6. CPCs shall ensure a high protection from fishing activities to elasmobranchs species listed in Annex II of the SPA/BD protocol of the Barcelona Convention that must be released unharmed and alive to the extent possible.
7. Specimens of sharks' species listed in Annex II of the SPA/BD Protocol cannot be retained on board, transhipped, landed, transferred, stored, sold or displayed or offered for sale.
8. CPCs shall ensure that catches of tope shark (*Galeorhinus galeus*) taken with bottom-set nets, longlines and in tuna traps shall be promptly released unharmed and alive to the extent possible.

**PART III
Monitoring, data collection and research**

9. CPCs shall ensure that:
 - a. information on fishing activities, catch data, incidental taking, release and/or discarding events for sharks species listed either in Annex II or III of the SPA/BD Protocol, must be recorded by the ship-owners in the logbook or equivalent document, in line with requirements of Recommendation GFCM/35/2011/1 establishing the GFCM logbook;
 - b. this information must be reported to the national authorities for notification to GFCM Secretariat within the annual national reporting to SAC and through the Task 1;
 - c. any other additional measures are taken to improve data gathering in view of scientific monitoring of the species.
10. As appropriate, the GFCM and its CPCs should, individually and collectively, engage in capacity building efforts and other research cooperative activities to improve knowledge on sharks and sharks fisheries and to support the effective implementation of this recommendation, including entering into cooperative arrangements with other appropriate international bodies.
11. The provisions referred to in Paragraphs 4, 5, 6, 7, 8 and 9 are without prejudice to stricter rules implemented by the CPCs.

Draft Recommendation on the establishment of a set of minimum standards for bottom-set gillnet fisheries for turbot and conservation of cetaceans in the Black Sea

The General Fisheries Commission for the Mediterranean (GFCM),

RECALLING that the objectives of the Agreement establishing the General Fisheries Commission for the Mediterranean 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 in particular its Plan of Implementation;

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

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

RECOGNIZING that these fishing operations shall be consistent with the sustainable exploitation and conservation of the fish species targeted;

AIMING to improve the knowledge about the impact that certain fisheries have on marine mammals;

AIMING to reduce the incidental taking of marine mammals in certain fisheries;

TAKING INTO ACCOUNT the SAC advice on the need to endorse measures for the reduction of the by-catch of marine mammals;

**PART I
Scope**

1. Members and cooperating non-Members of GFCM shall adopt fisheries management measures in the Black Sea region to ensure adequate conservation of turbot;

2. Members and cooperating non-Members of GFCM shall adopt fisheries management measures to study, monitor, prevent, reduce and, to the extent possible, eliminate incidental taking of cetaceans during fishing operations.

**PART II
Definitions**

3. For the purposes of this Recommendation the following definitions shall apply:

- "Black Sea" means the GFCM geographical subarea n° 29 as defined in Resolution GFCM/33/2009/2;
- "Turbot" means fishes pertaining to the species *Psetta maxima*;
- "Picked dogfish" means fishes pertaining to the species *Squalus acanthias*;

- "Bottom-set gillnet" means any net made up of a single piece of net held vertically in the water by floats and weights fixed or capable of being fixed by any means to the bottom of the sea and maintain the gear in place either close to the bottom or floating in the water column.
- "Mesh size" means :
 - o For knotted netting: the longest distance between two opposite knots in the same mesh when fully extended (stretched mesh);
 - o For knotless netting: the inside distance between the opposite joints in the same mesh when fully extended (stretched mesh) along its longest possible axis.

PART III

Fisheries management measures related to turbot in the Black Sea

4. Members and cooperating non-Members of GFCM shall ensure that turbot in Black Sea waters is exclusively fished using bottom-set gillnets and that the following conditions are respected:

- Mesh size is equal to or larger than 400 mm

The mesh size of the net shall be determined as the mean value of the series of 20 selected meshes; in case of different mesh sizes in the fishing net, the meshes shall be selected from the part of the fishing net having the smallest meshes.

Meshes shall be measured only when wet and unfrozen; meshes that have been broken or have been repaired shall not be included.

- To be landed, turbot shall have a minimum size of 45 cm measured from the tip of the snout to the end of the tail fin (total length).

PART IV

Fisheries management measures for the mitigation of marine mammals by-catch

5. In order to mitigate the impact of bottom-set gillnet fisheries on marine mammals populations, Members and cooperating non-Members of GFCM shall ensure that monofilament or twine diameter shall not exceed 0.5 mm.

Monofilament or twines shall be assessed when unfrozen.

Monofilament (or) of twines within a mesh that are broken or have been repaired shall not be selected.

6. Members and cooperating non-Members of GFCM should set up adequate monitoring in order to collect reliable information on the impact that bottom-set gillnets targeting picked dogfish have on cetaceans populations in the Black Sea.

Guidelines on a general management framework and presentation of scientific information for multiannual management plans for sustainable fisheries in the GFCM area

The General Fisheries Commission for the Mediterranean (GFCM),

RECALLING that the objectives of the Agreement establishing the General Fisheries Commission for the Mediterranean are to promote the development, conservation, rational management and best utilization of living marine resources;

RECALLING the Reykjavik Declaration on Responsible Fisheries in the Marine Ecosystem of 2001;

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

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

RECALLING Recommendations GFCM/27/2002/1, GFCM/30/2006/1 and Resolution GFCM 33/2009/1 on the management of certain fisheries exploiting demersal and small pelagic;

CONSIDERING the diversity both of the multispecies fisheries and of the life-history traits of exploited stocks in the GFCM Area;

CONSIDERING that fishing mortality must be kept below safe levels to ensure long-term high yields while limiting the risk of stock collapse and guaranteeing stable and viable fisheries;

CONSIDERING the socio-economic importance of fisheries and the need to ensure their sustainability to generate benefit for both current and future generations;

CONSIDERING that certain fisheries management measures need to be revised and adapted to the evolution of both the state of exploited stocks and of the scientific knowledge and that an appropriate method to this end should be established;

CONSIDERING the SAC advice on the need to develop multiannual management plans based on agreed reference points and to evaluate different management scenarios;

AIMING to develop coherent, effective and efficient precautionary management systems in line with the agreed principles of sustainability and able to take actions on the basis of target and safeguard reference points, either model based or empirical, as well as an associated system of decision control rules;

RESOLVES, in conformity with the provision of paragraphs 1 (a), (c), (d), (e) and (h), of Article III of GFCM Agreement that:

PART I

General objectives and definitions

1. GFCM may develop and adopt multi-annual management plans for fisheries exploiting demersal and small pelagic stocks, in particular when shared among GFCM Members, and operating in one or more adjacent GSAs.
2. Such multiannual management plans should be designed to counteract and prevent overfishing while providing high long-term yields and maintaining, to the extent possible, the stocks size of harvested species at levels which can produce the maximum sustainable yield and with a low risk of stocks falling outside safe biological limits.
3. Whenever scientifically based and in line with GFCM provisions, they should be coherent with the precautionary and/or ecosystem approaches and minimize the impact of fishing on the sensitive habitats.
4. For this purpose, the SAC will be requested to provide to the GFCM a set of management scenarios for each of the Multiannual management plan to be adopted.
5. Each management scenario may evaluate, as appropriate, different measures including inter alia:
 - fishing gear selectivity, fishing effort regulation, and/or spatio-temporal closures with their timeframe of implementation;
 - the probability and timeframe for the recovery of the stock(s) based on adequate reference points;
 - the socio-economic impacts on fishing activities.
6. Contracting Parties and Cooperating non-contracting Parties of the GFCM (hereafter referred to as CPCs), whose vessels carry out fisheries in the GFCM Area, agreed to cooperate with a view to gradually develop and implement, whenever advisable, multi-annual management plans for the fisheries concerned and in accordance with these guidelines.
7. Such guidelines should not affect the possibility for CPCs to develop their own multiannual management plans, provided that objective and measures therein are not less strict or in contradiction with GFCM measures.

Definitions

8. GFCM multiannual management plans may include where relevant the following elements:
 - **reference point**, i.e. conventional value of an indicator, either model based or empirical, which represents a state of the fishery or exploited fish stocks or stocks assemblage, and whose characteristics are considered to be useful for the management of the fisheries with respect, for example, to an acceptable level of biological risk or a desired level of yield. These values may be key fishing mortality rates (F), total mortality rates (Z), exploitation rate (E), biomass levels, catch rates and related fishing effort or other set of empirical indicators that are related to the maximum potential of a stock or group of stocks and that produce the highest sustainable catches and economic viability of fisheries.
In terms of their use the reference points can be classified as Target, Threshold or Limit reference points.
 - **target reference point**, i.e. a management objective based that points to a state of a fishing and/or biological resource which is considered to be desirable. Target reference points should be set sufficiently far away from a limit reference so that the probability that the limits will be exceeded is low. The trajectory toward the target(s) may be

represented either on a linear plot with a single target reference point or on a two-dimension plot using two target reference points or on a multidimensional plot when more than two target reference points are used.

- **threshold reference point**, i.e. a precautionary reference point expressed either as fishing mortality rate or a level of biomass or another agreed indicator. They are between the limit and target reference points and used to reduce the probability that the limit reference point will be exceeded. They serve as a red flag and may trigger particular management actions designed to reduce fishing pressure and mortality.
After this point pre-negotiated management measures to reverse the situation should be initiated.
- **limit reference point**, i.e. a conservation reference point expressed either as a fishing mortality rate or level of biomass or another agreed indicator that indicates to a state of a fishery and/or a resource which is considered to be undesirable and which management actions should avoid with high probability.
After this point pre-negotiated management measures to reverse the situation should be initiated

PART II

Specific operational objectives, scientific monitoring and adaptation of the plan

9. The general objectives of a management plan adopted according to these guidelines should be attained on the basis of specific target reference points and, whenever possible and appropriate, on the basis of thresholds and/or limit reference points, to be chosen along with a range of management actions on a case by case basis depending on the available scientific and socio-economic advice by the SAC and within lists proposed by SAC as requested by points 12, 13 and 14 below.

10. The specific objective may be to keep, with high probability, and throughout an accepted range of management actions and associated timeframe for their implementation, the fishing mortality and/or the exploitation rate and/or levels of biomass on the most relevant key stock(s) at levels able to deliver long-term high yields while reducing the risk that stock sizes fall below minimum biological acceptable level in order to avoid undermining their production potentials. The key stock(s) may be chosen taking into account in a proportionate manner either the catch composition and/or the economic value as well as, whenever appropriate, the vulnerability of stock(s).
The specific objective(s) should be chosen on the basis of simulations and evaluation of different management scenarios carried out by the SAC.

11. The SAC is requested to provide a reasoned list of reference points frequently used in fisheries management and in line with the objectives of a multiannual plan as indicated in points 1 and 7 of these guidelines.

12. The threshold reference points should be chosen by the SAC taking into account the uncertainties in the parameters estimations and, whenever scientifically possible, provide values that result in a 5% probability that the limit reference points will be reached.

13. The list of reference points that will be provided by the SAC on the basis of points 11 and 12 is not deemed to be exhaustive and may be revised on the basis of the SAC advice and GFCM deliberations.

Scientific monitoring for the conception, adaptation and revision of the plans on the basis of management scenarios

14. CPCs should ensure adequate annual scientific monitoring of their fisheries and exploited stocks so that SAC is in a position to provide scientific advice, based on evaluation of different management scenarios, adequate to set up multiannual management plans for relevant shared stocks and fisheries.

15. The SAC, on the basis of stock assessments analysis and Task I data, should provide each year, whenever possible, or on a longer time scale depending on the investigated stocks, advice on the status of exploited stocks and pressure exerted by fishing activities and monitor the achievement and maintenance of the objective(s) of a management plan so that, whenever the case, required adaptation of the multiannual management plan could be attained.

16. Whenever possible and adequate, SAC is requested to use management procedure simulations to the consideration of Members, taking into account the uncertainties in parameter estimation and in implementation, to assess the probability to achieve the management objective(s) under different management scenarios.

17. Whenever the GFCM, on the basis of advice from SAC, finds that the fishing mortality or the exploitation rate and associated spawning stock biomass levels or other suitable indicator are no longer appropriate to achieve the objective(s) of a multiannual plan, then it should revise the reference levels accordingly.

18. Where SAC advice indicates that the specific targets of the multi-annual plan are not being met the GFCM should decide a revision of management measures to ensure the sustainable exploitations of the stock(s).

PART III

Science in support of advice for fisheries management

19. As appropriate, the GFCM and its CPCs should, individually and collectively, engage in capacity building efforts and other research cooperative activities to improve knowledge on fisheries and exploited stocks and to support the effective implementation of these guidelines including, as adequate, entering into cooperative arrangements with other appropriate international frameworks.

20. With a view to support the SAC in the formulation of adequate scientific advice for multiannual management plans, Members and cooperating non-Members endeavour to:

- i. improve the communication between Members and Cooperating non-Members, the GFCM and the SAC by enabling a constant and regular dialogue;
- ii. improve the implementation of data collection and provision to the SAC;
- iii. support research programmes and projects supporting the work of the SAC;
- iv. facilitate participation in working groups and SAC meetings of scientists from all Members and Cooperating non-Members, as well as other relevant scientific bodies;
- v. contribute to the training of scientific researchers, including young scientists;
- vi. strengthen peer review mechanisms within the SAC by ensuring, inter alia, the wide participation of scientists and explore the possibility to publish its main scientific findings in the scientific peer-reviewed literature.

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.

Report of third session of the Committee on Administration and Finance (CAF)

Marrakech, Morocco, 14 May 2012

OPENING OF THE SESSION

1. The Committee on Administration and Finance (CAF) of the General Fisheries Commission for the Mediterranean (GFCM) held its third session in Marrakech, Morocco, on 15 May 2012. The session was attended by delegates of 19 GFCM Members as well as observers from non-GFCM Member nations (the Russian Federation and Ukraine) and from intergovernmental and non-governmental organizations.

2. The meeting was called to order by the CAF Chairperson, Mr Hachemi Missaoui, who welcomed the participants and expressed his gratitude to the government of Morocco for hosting the session in Marrakech and for the excellent organization of the event.

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:III/2012/Inf.4.

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

CONCLUSIONS OF THE TASK FORCE ON ADMINISTRATIVE AND FINANCIAL ISSUES

5. Ms Judith Swan, invited expert, presented the conclusions of the Task Force on administrative and financial issues and pointed out that a comparative study carried out during the exercise revealed that the CAF was only used marginally, this limited use being due, among other reasons, to its narrow scale of functions.

6. The Task Force, therefore, recommended that the CAF play a more incisive role, which would include financial monitoring, to be managed under the Framework Programme (FWP). It was suggested that funds, other than annual contributions, be collected by the GFCM through the CAF, in compliance with the GFCM Agreement.

REPORT OF THE SECRETARIAT ON ADMINISTRATIVE AND FINANCIAL ISSUES

7. The Executive Secretary, Mr Abdellah Srour, introduced the "Report of the Secretariat on Administrative and Financial Issues" (CAF:III/2012/2), summarizing the main actions related to the administration and financial situation of 2011. This overview touched on topics such as staffing, GFCM Task Force, GFCM new headquarters, activities related to the Black Sea, meetings, publications, the status of ratification of the GFCM Agreement as amended in 1997, the status of payment of the contributions made by Members to the autonomous budget and reviews of the statement of the expenditures made in 2011, including extrabudgetary baby projects.

ADMINISTRATIVE ISSUES

Recommendations adopted under Article V of the GFCM Agreement

8. The Committee was informed that the Secretariat had officially transmitted the text of recommendations and resolutions adopted at the thirty-fifth Session of the Commission (Italy, May 2011) to Members and observers. After a “grace period”, the relevant decisions entered into force on 28 September 2011.

Specific actions of GFCM for the Black Sea

9. In compliance with the decision of GFCM to increase the activities of the Commission in the Black Sea, the Executive Secretary informed the Committee on the significant outcomes of the first meeting of the GFCM ad hoc Working Group on the Black Sea (Romania, January 2012). Moreover, he underlined that, during the intersessional period several contacts were made between the GFCM Secretariat and Georgia, Russian Federation, Ukraine, not currently Members of the Commission.

Activities and functioning of the Secretariat

10. The Committee was informed that the intersessional activities of the Secretariat included the organization and coordination of 28 meetings agreed by the Commission, including 15 meetings of subsidiary bodies and the annual session of the Scientific Advisory Committee (SAC), 7 meetings of subsidiary bodies of the Committee on Aquaculture (CAQ). In addition, GFCM held 6 meetings related to the Task Force established during the thirty-fifth session to modernize and improve its legal framework and organized several meetings with partner organizations and selected GFCM Members and non-GFCM Members to enhance collaboration. The Secretariat had produced 35 technical and administrative documents.

11. The Committee was reminded that Mr Abdellah Srour was formally elected Executive Secretary of the Commission during the thirty-fifth session of the Commission and that, following his appointment, the freezing of the post of Deputy Executive Secretary for 2012 was decided. The Data Compliance Officer (Professional Category P-2), Mr Federico De Rossi (Italian citizen), was recruited in October 2011. The post of Bio-Statistician (left vacant in August 2011 and shifted to P-4 Fishery Resources Officer) will be filled by Mr Miguel Bernal (Spanish national) in July 2012. Moreover, the post of Office Clerk (G-3) was filled by Ms Florence Dickens (British citizen) in November 2011. Two FAO retirees, Mr Abdallah Ben Hamida (Tunisian citizen) and Mr Gianni Alessio (Italian citizen), carried out the tasks of the Security Guards on a temporary basis at the new headquarters. Finally, the recruitment of a Scientific Editor/Translator (P-2) as agreed at the thirty-fifth session was ongoing.

New GFCM headquarters

12. The Committee was informed that the GFCM Secretariat settled down in its offices located in Palazzo Blumenstihl in September 2011. The move to its new HQs required considerable effort made mainly by FAO Corporate Services, Security, GFCM Secretariat and Fisheries department, all of whom covered all logistical and technical arrangements.

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 (remitting its contribution) and Israel had not yet done so.

FINANCIAL ISSUES

Member contributions to the autonomous budget

14. The Secretariat informed the Committee that the “Call for funds” letter was sent in May 2011. By December 2011, most Members had settled their contributions. In total, nineteen Members deposited their instruments of acceptance and remitted their contributions; Greece, Libya, Monaco and the Syrian Arab Republic had deposited their instruments of acceptance but had not paid their contributions; while Israel had neither deposited its instrument of acceptance (nor participated in the vote for the selection of Executive Secretary), nor paid its contribution.

2011 Financial situation: autonomous budget and extrabudgetary resources

15. The Committee was informed on the main expenditures incurred during the intersessional period, set according to the priorities and work plan adopted.

16. Information on the status of GFCM extrabudgetary resources (i.e. voluntary contribution from Members for specific activities) received from FAO, EU and Italy was provided.

17. The Committee thanked the Secretariat for the thorough presentation made on administrative and financial issues.

Provisional GFCM budget and Member contributions for 2012 and 2013

18. The discussion of the Committee then focused on “GFCM Budget and Member Contributions for 2012–2013” (CAF:III/2012/3).

19. The proposed budget for the given period had been prepared assuming that the need for strengthening the Secretariat in terms of technical staff would imply the creation of one additional post (Legal and Liaison Officer P-3). The upgrade of the Administrative Assistant G-5 to Programme Assistant G-6 to better reflect the responsibilities and job profile of the position was also included in the proposal.

20. The total sum of the autonomous budget for 2012 was estimated at USD 1 866 036, while that for 2013 was estimated at USD 2 062 877. Those figures would represent a 9.24 percent increase in 2012 in relation to 2011, and a 10.55 percent increase in 2013 in relation to the budget proposed for the previous financial year.

21. The budget proposal for 2012–2013 was also prepared assuming that FAO would continue to contribute to the Secretariat with EUR 46 000 per annum along with technical backstopping and that the Government of Italy would continue to disburse EUR 100 000 yearly to cover part of GFCM running costs.

22. The Committee decided to cancel the outstanding amount USD 6 055 as a contribution of Bulgaria, given that such contribution referred to a period previous to the ratification of the GFCM Agreement by the Bulgarian competent authorities.

23. The issue of the considerable increase of the contribution of Monaco from 2011 onwards, despite the absence fisheries and aquaculture activities carried out in waters under its jurisdiction, was also raised. In this respect, the Committee was asked to reconsider its financial rules related to the calculation of Members contributions.

24. Several delegations further intervened to share Monaco’s concern and favored the identification of an appropriate solution. Upon a proposal by the Executive Secretary, the Commission unanimously agreed to apply, considering the particular situation of Monaco, an ad hoc rule allowing

the payment of membership fees only (10 percent). This ad hoc rule would no longer be applicable as soon as any evidence of fishing and/or aquaculture activities be detected. It was also agreed that Monaco would pay its contribution for 2011 in full.

25. Some delegates expressed their concern about the proposal of a budget increase of over 9 percent for 2012, bearing in mind the period of austerity affecting the GFCM region.

26. The EU delegate acknowledged the effort made in terms of effective initiatives and logistic challenges undergone by the Secretariat throughout 2011. He also highlighted the importance of analyzing the budget proposal for the new period by adopting a holistic approach which would take into account not only the proposed expenditure per se, but also the planned activities and their effectiveness.

27. The GFCM Chairperson stated that this critical period was not only caused by the present economic crisis but also the need to be courageous and opt for the effective modernization of the Commission and the improvement of its legal and institutional framework, as foreseen in the GFCM Task Force. He stressed the need to focus on issues like the Black Sea area, the preservation of fishing capacity, the valorization of aquaculture and other related activities.

28. The Committee agreed that a final decision on staffing, budget adoption and priorities would be taken during the week, further to the review of the 2012 work plan.

DATE AND VENUE OF THE FOURTH SESSION

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

ADOPTION OF THE REPORT

30. This report was adopted on 19 May 2012.

Draft Regional Plan of Action (RPOA) for the Management of Fishing Capacity in the GFCM area

1. Introduction

It is widely recognised that overcapacity is a problem, along with environmental concerns, in many national and international fisheries that may foster destructive fishing operations, aggravate overfishing and by-catch of unwanted or protected species, create chronic management problems, and weaken the long-term economic performance of the fishing sector.

There are existing commitments including those of the Johannesburg Declaration on Sustainable Development (2002), the International Plan of Action for the Management of Fishing Capacity (IPOA-Capacity), and the actions and obligations already adopted by the GFCM.

Modernisation is important, especially in the GFCM convention area where many boats in the fleets are old. In the existing and upcoming programmes for modernisation, it is critical to specify the purpose and objectives of such programs and, in particular, their potential contribution or ability to increase capacity.

It is necessary for the GFCM to be able to develop a Regional Plan of Action for the Management of Fishing Capacity (RPOA-Capacity), including actions to monitor and manage fishing capacity and, where appropriate, measures to tackle overcapacity and its effects based on scientific advice.

2. History

The General Fisheries Commission for the Mediterranean (GFCM) in its Recommendation GFCM/34/2010/2:

RECALLED that the objectives of the Agreement establishing the General Fisheries Commission for the Mediterranean are to promote the development, conservation, rational management and best utilization of living marine resources;

RECALLED the Declaration of the Third Ministerial Conference on the Sustainable Development of the Fisheries in the Mediterranean held in Venice, Italy, on 25 and 26 November 2003;

RECALLED Recommendation GFCM/27/2002/1 which urges the control of fishing effort and the improvement of the exploitation pattern of demersal fisheries, as well as limiting catches of juveniles of small pelagic species;

CONSIDERED that in the advice for 2001,2011 the GFCM Scientific Advisory Committee (SAC) considered that several demersal and small pelagic stocks are overexploited, some with high risk of recruitment overfishing, and that sustainable management requires measures aimed at controlling or reducing the fishing effort from 10 percent up to 40 percent and more;

NOTED that the stock assessment conducted by the SAC only concerns specific geographical subareas corresponding to the data supplied by certain Members and that the assessed stocks may be shared with adjacent GFCM geographical subareas;

RECALLED that in cases where no scientific information on the status of fisheries and of the exploited resources is available a more cautious approach is needed in the development plans of

fishing fleets and that suitable information coming from adjacent areas could be used for proper and precautionary management of fisheries until sound scientific evidence becomes available;

NOTED that the Scientific Advisory Committee (SAC) advises to apply the precautionary principle;

RECALLED that any possible global limitation of the fleet capacity at regional level shall not prevent or hinder transferability of fishing fleet capacity from one Member to another and from one GSA to another provided that the targeted fisheries are exploited sustainably and that the overall capacity does not increase;

RECALLED the International Plan of Action (IPOA) for the management of fishing capacity elaborated within the framework of the FAO Code of Conduct for Responsible Fisheries which calls upon States to cooperate, where appropriate, through regional fisheries management organizations or arrangements and other forms of co-operation, with a view to ensuring the effective management of fishing capacity, as specified in Article 27 of the IPOA.

RECALLED Recommendation GFCM/34/2009/3 on the implementation of the GFCM Task 1 Statistical Matrix including in particular mandatory submission of the components Tasks 1.1, 1.2 and 1.4 by February 2010 for the first time while Task 1.3 and Task 1.5 by January 2011 and noting that the SAC calls for a mandatory submission by the Members as from 2009 of several components of Task 1 statistical matrix including in particular Tasks 1.1, 1.2, and 1.4;

NOTED that GFCM, at its thirty-second session, requested the SAC to carry out an evaluation of consequences of a possible freezing of the fleet capacity and the proposals and results of the workshop on the assessment, management and monitoring of fishing fleet capacity held in February 2010;

RECALLED Recommendation GFCM/34/2009/6 on the establishment of a GFCM record of vessels over 15 metres authorized to operate in the GFCM area;

RECALLED Recommendation GFCM/34/2009/5 on the establishment of the GFCM Regional Fleet Register by June 2010 to contain information on all vessels, boats, ships or other crafts that are equipped and used for commercial fishing activity and as from 2011 Contracting Parties shall submit a full database at least at the beginning of each calendar year followed by updates as appropriate.

3. Definitions

For the purpose of this RPOA-Capacity and pending further developments and work on this issue, the following general definitions shall apply:

“Capacity” may be defined both as an input-based estimate such as vessels numbers, size (GT, LOA), engine power (kW), or an output-based estimate, i.e. the maximum potential harvest or output that could be realized if only the fixed factors limited production. As a minimum common standard, GT and/or kW must be used.

“Fishing capacity” means a fishing vessel's tonnage in GT and/or GRT and its engine power in kW. The fishing capacity level per GFCM Member shall be the sum of its vessels expressed in tonnage (GT and/or GRT) and engine power (kW).

“Overcapacity” can be defined in two ways: (1) in input terms, "overcapacity" means there is more than the minimum fleet and effort required to produce a given output (harvested catch) level; and (2) in output terms, overcapacity means that the maximum harvest level that a fisher

could produce with given levels of inputs, such as fuel, amount of fishing gear, ice, bait, engine horsepower and vessel size would exceed the desired level of harvesting.

4. Nature and scope of the RPOA-Capacity

As the long term aim is to achieve sustainability, there is an ongoing need for complete information regarding:

the status of fish stocks throughout the entire GFCM area; and

fishing capacity throughout the entire GFCM area, and especially the spatial distribution of this capacity by groups of species and geographical subareas.

5. Principles and objectives

5.1. Principles

Open access - It is recognised that open access to fisheries is not an option compatible with the sustainable fisheries development and the RPOA-Capacity.

Overall fishing capacity - The levels of the overall fishing capacity in the GFCM area shall be determined based on a regional plan of action considering the national and regional fishing capacity management plans and scientific advice.

Complementarity, coherence and consistency - Members shall work to ensure that efforts to address the management of fishing capacity are complementary, coherent and consistent to current activities and actions and international commitments, including the ecosystem approach to fisheries.

Responsible management for sustainable exploitation – Noting that there is a need to balance social concerns and issues with those of conservation, it is important to take into account and address the social and economic impacts of measures address overcapacity, including those that stop fishing activities.

Optimal fishing capacity - Because there is a link between fleet capacity and sustainable stocks, there is a need to find the optimal capacity in each fishery which reflects the balance between economic and biologically sustainable exploitation.

Safety - The management of fishing capacity should not preclude consideration of issues such as safety including issues of vessel design, size and ability to catch fish as well as best practices in fish handling, hygiene and quality whilst ensuring that overall fishing capacity is not increased.

Precautionary approach - Noting that the fishing capacity of the fleet will vary according to the resources being targeted, the implementation of a precautionary approach to fisheries is of importance for sustainable exploitation of fisheries in the GFCM area and should be applied strictly by the GFCM Members.

Long-term economic efficiency – It is important that short-term profitability does not lead to investments that undermine long-term economic efficiency.

Results-based management approach –Members of the GFCM should endeavour to apply a result-based management approach in relation to the management of fishing capacity.

Flexibility, adaptability, transparency and accountability - The principles of flexibility, adaptability, transparency and accountability are fundamental elements of the RPOA-Capacity.

5.2. Objectives

The objectives of the RPOA-Capacity are to:

- lay the foundation on which regional management plans and other related initiatives should be formulated, developed and implemented;
- provide guidance in the development and implementation of national plans of action for the management of fishing capacity in coherence with the RPOA-Capacity;
- enable the GFCM to promote the development, conservation and rational management and proper utilisation of living marine resources.

6. Mechanisms to promote implementation

6.1. Levels of actions

Regional and subregional actions – There is need to recognize the role of regional and subregional cooperation projects and initiatives and the importance of taking into account the different specifics of subzones in terms of fleet dimension and stocks status.

National actions – Formulation of national plans of action for management of the fishing capacity should take into account existing management strategies of the different fisheries in all countries of the GFCM area, in accordance with the guidance provided by the RPOA-Capacity.

Local actions – Local actions should be based as a minimum on the RPOA-Capacity and may serve as a example for larger management initiatives.

6.2. Tools and Instruments

Action must be accompanied by clear time frames for achieving results which recognize the different financial, administrative, legislative and reporting changes that may be needed to do this.

6.2.1. Financial instruments

Financial instruments for the management of the fleet capacity shall avoid having a negative impact on exploited fishery resources, on marine environment and on long-term profitability of fishing activities.

Financial assistance from public funds shall not in any circumstance lead to an increase in the catch capacity or the power of fishing vessels engines. Nonetheless, public financial assistance may contribute to improving safety on board, working conditions, hygiene and quality of products, energy saving and improve catch selectivity provided that it does not increase the ability of the vessels to catch fish. No public aid should be granted for the construction of fishing vessels or for the increase of vessel fishholds.

Any financial mechanisms and subsidies¹ designed to help fleets shrink should guarantee and efficient decrease in fleet capacity taking into account technological creep.

Financial investments/assistance from private funds shall be allowed to operate only within an organized fisheries management framework designed and monitored to deliver sustainable exploitation on the basis of scientific advice and rationale management.

Financial instruments should be used with caution knowing that even so-called “good” subsidies can create incentives to increase, rather than reduce fishing capacity.

6.2.2. *Economic instruments*

It is important to take into account the socio-economic impacts when introducing measures to reduce fishing capacity.

Members of the GFCM should consider the use and impacts of the different management tools available as adequate.

Efforts towards investment in disinvestment in the fisheries of the GFCM Members should be encouraged where overcapacity and sustainable exploitation may be a concern.

6.2.3. *Technical instruments*

There is need to address scientific and biological issues including, but not limited to:

- the issue of the efficiency of fishing gear and electronic equipment such as those used to for detecting fish;
- the collection of data at the national level regarding the status of various stocks, fishing activities and ecosystems – and particularly for shared stocks – in a manner that is consistent and harmonized with other countries;
- the use of one or more indicators of fishing capacity to evaluate the balance between fleet capacity and fishing opportunities – both qualitatively and quantitatively.

Capacity measurement - GFCM Members should ensure the successful and complete implementation of the regional fleet register and use the agreed regional fishing capacity measure unit as established in the Recommendations GFCM 33/2009/5 and GFCM 34/2010/2, respectively.

6.2.4. *Administrative and legal instruments*

Members are encouraged to recall and implement GFCM decisions regarding the management of fishing capacity and related issues.

Entry/exit regime - There is need for a simple and transparent entry/exit regime that applies to all members of the GFCM with the view to avoid any future increases of overall fishing capacity.

Capacity ceiling - Fishing capacity should be frozen within the soonest possible period based on scientific evidence, best practices and lessons learned.

¹ Further detail can be found in the document: *Westlund, Lena. Guide for identifying, assessing and reporting on subsidies in the fisheries sector. FAO Fisheries Technical Paper N° 438. 29 pp. www.fao.org/docrep/007/y5424e/y5424e00.htm*

Harmonization - There is a necessity to harmonize fisheries policies, legal and regulatory frameworks as well as specific fisheries regulations, particularly for shared stocks.

6.2.5. *Management instruments*

Regional and national measures such as temporary closures or fisheries management for other effort limitations shall be taken into account when establishing actions and measures.

7. Human resources development for management of fishing capacity

Awareness raising regarding overcapacity - Communication and sensitization programmes related to fishing capacity should be created to increase general awareness amongst stakeholders and the general public about the problems of overcapacity.

Stakeholder participation – Effective participation of stakeholders, including women and fisheries organizations, should be supported by access to information and education.

Development, implementation and monitoring - Countries are encouraged to seek assistance in the monitoring of fishing capacity and for the development and implementation of national plans of action for the management of fishing capacity.

Livelihoods Diversification - The diversification by fishers into of non-fishing activities should be encouraged.

8. Monitoring, control and surveillance of fishing capacity of fleets operating in the GFCM Convention area

8.1. *Monitoring of fishing activity*

As part of monitoring fishing activity there should be standardised logbook and catch documentation systems and include the use of VMS and other electronic reporting systems where appropriate.

8.2. *Regulation of new constructions and imports of vessels*

In exceptional cases where scientific evidence shows that there are sustainable new fishing opportunities, keeping in mind best practices and lessons learned as well as socio-economic concerns for local communities, new constructions and/or imports of vessels may be allowed, but all new constructions should be certified as in compliance with the RPOA-Capacity by the competent authorities.

In situations where there may not be new fishing opportunities but there is a desire for new constructions or import of vessels, then there should be a system of control as follows:

- All new constructions should have official authorisation;
- To authorize a new construction or import, it should be necessary the destruction or exit from the register of at least the same tonnage and power that the one intended to be built. Priority consideration should be given to situations which enable the transfer of capacity from fleet segments in which there is an overcapacity.

- To ensure that the tonnage and power of a new vessel is equal to or less than the tonnage and power of vessel(s) removed from the register of active vessels (i.e. registered and currently fishing vessels).

Fishing licenses of withdrawn vessels should be transferred to the replacement vessel, taking into account that the indivisible “vessel unit” to transfer is composed of tonnage + power + fishing license.

9. Actions

Contracting Parties and cooperating non-Contracting Parties (CPCs) in the GFCM shall undertake the following actions:

- To freeze fishing capacity at levels in line with Recommendation 34/2010/2 based on and with reference to the GFCM vessel records as defined in Resolution GFCM 35/2011/1. This action is without prejudice to CPCs who have an obsolete fleet, are in the process of developing it or have other structural problems which are anyhow requested to follow the guidance of this action plan to the extent possible. Due scientific justification is to be submitted to the GFCM Secretariat.
- Where there is evidence of overcapacity, and consistent with the application of the precautionary approach, CPCs are urged to undertake capacity reduction programmes.
- CPCs shall use the agreed regional fishing capacity measure unit as established in Recommendation GFCM 33/2009/5.
- The SAC will continue to assess and advise on the current levels and options for desired levels of fishing capacity per fishing area/subregion in relation to fleet segmentation, fishing type, species and fishing gears.
- CPCs should ensure the evaluation of the effects of modernization, new fishing practices, and technology creep on fishing capacity.
- In cases where CPCs are undertaking fleet modernization programs and activities, they must provide evidence that overall capacity is not increasing.
- Subject to the maintenance of the overall fishing capacity, fishing vessels exceeding 15 metres of length overall (LOA) may be transferred from one GSA to another by CPCs concerned.
- The GFCM shall improve the evaluation of the issue of fishing capacity for vessels of 15 metres of length overall (LOA) and less, including small scale fisheries.
- CPCs shall consider the use of some limitations or other mechanisms in order to prevent negative impacts of the transfer of fishing capacity from one operational unit to another thereby endangering the stability of biodiversity.
- CPCs are encouraged to consider the use of license-based fisheries systems in situations such as, but not limited to, fisheries restricted areas (FRAs).
- The GFCM shall develop mechanisms to monitor fishing capacity levels through, *inter alia*, the regional fishing fleet register and other data collection schemes.

- The Secretariat will be responsible for updating and displaying the current levels of fishing capacity.
- The Commission through its Compliance Committee shall monitor the implementation of the RPOA-Capacity through annual reports submitted by its CPCs. It shall review the programmes and impacts of the RPOA every three years.
- The RPOA will be updated by the Commission every three years on the basis of the above and considering any additional management measures adopted by the GFCM during the preceding period.

These actions shall be without prejudice to additional or stricter measures taken or to be taken by the Parties for the management and reduction of their fleet capacity.

GFCM autonomous budget for 2012

AUTONOMOUS BUDGET	US\$	Share of total (%)
ADMINISTRATION		
<u>Professional staff</u>		
Executive Secretary – D-1	245 000	13.57%
Deputy Executive Secretary – P-5 (frozen)	0	
Aquaculture Expert – P-5	238 000	13.19%
Fishery Resources Officer – P-4 (6 months)	80 000	4.43%
Fishery Information Officer – P-2	135 000	7.48%
Data Compliance Officer – P-2	115 000	6.37%
Scientific Editor/Translator – P-2 (4 months)	35 000	1.94%
Subtotal professional	848 000	46.98%
<u>Administrative staff</u>		
Programmer/System Analyst - G5	90 000	4.99%
Bilingual Secretary - G5 (proposed upgrade to G-6 – 3 months 2012)	102 000	5.65%
Administrative Assistant - G3	68 000	3.77%
Subtotal Administrative support	260 000	14.40%
TOTAL STAFF	1 108 000	61.38 %
ACTIVITIES		
Temporary human resources (Security guards, Office helper, overtime...)	100 000	5.54%
Consultancies (editor, WG moderators etc.)	52 197	2.89%
Travel (Staff, Bureau, Coordinators' DSA, experts and ticket)	160 000	8.86%
Chargeback (including interpretation)	160 000	8.86%
Training	15 000	0.83%
Equipment	10 000	0.55%
Operating and Overhead expenses	25 000	1.39%
Contracts (including publications)	20 000	1.11%
Task Force/Framework Programme	30 000	1.66%
Interpreters' travel	30 000	1.66%
Subtotal Activities	602 197	33.36%
AUTONOMOUS BUDGET	1 710 197	
Miscellaneous (1% of autonomous budget)	17 102	
FAO Servicing Costs (4.5% of total)	77 728	
TOTAL AUTONOMOUS BUDGET	1 805 027	

Contributions to the GFCM autonomous budget for 2012

Member	US\$	%	US\$	Index	US\$	Weighted total	US\$
Albania	16 103	0.89	7 848	1	4 212	18 337	4 043
Algeria	63 180	3.50	7 848	1	4 212	231 842	51 120
Bulgaria	12 060	0.67	7 848	1	4 212		
Croatia	75 306	4.17	7 848	10	42 117	114 926	25 341
Cyprus	49 965	2.77	7 848	10	42 117		
Egypt	70 470	3.90	7 848	1	4 212	264 907	58 411
France	92 083	5.10	7 848	20	84 235		
Greece	49 965	2.77	7 848	10	42 117		
Israel							
Italy ¹	92 083	5.10	7 848	20	84 235		
Japan	92 251	5.11	7 848	20	84 235	767	169
Lebanon	14 142	0.78	7 848	1	4 212	9 445	2 083
Libya	73 758	4.09	7 848	10	42 117	107 906	23 793
Malta	49 965	2.77	7 848	10	42 117		
Monaco	7 848	0.43	7 848				
Montenegro	8 531	0.47	7 848			3 100	683
Morocco	30 426	1.69	7 848	1	4 212	83 298	18 367
Romania	12 060	0.67	7 848	1	4 212		
Slovenia	49 965	2.77	7 848	10	42 117		
Spain	92 083	5.10	7 848	20	84 235		
Syrian Arab Republic	14 213	0.79	7 848	1	4 212	9 764	2 153
Tunisia	68 796	3.81	7 848	1	4 212	257 311	56 736
Turkey	196 964	10.91	7 848	1	4 212	838 586	184 905
EC	572 810	31.73	7 848			2 562 234	564 962
		100		150		4 502 423	
	1 805 027		180 503		631 760		992 765

Total budget	1 805 027	US\$
Basic fee	10%	of total budget
	180 503	US\$
Number of Members ²	23	
Total budget less basic fee	1 624 525	US\$
GDP component	35%	of total budget
	631 760	US\$
Catch component	55%	of total budget
	992 765	US\$

¹ In addition to the contribution to the GFCM autonomous budget, Italy will contribute with €100 000 annually for part of the running costs related to GFCM headquarters at Palazzo Blumenstihl.

² Members paying their contributions to the autonomous budget.

The thirty-sixth session of the General Fisheries Commission for the Mediterranean (GFCM), including the third session of the Committee on Administration and Finance (CAF) and the sixth session of the Compliance Committee (CoC), was attended by representatives from 19 Contracting Parties, two non-GFCM Member countries and 18 observers. It coincided with the sixtieth anniversary of the entry into force of the GFCM constitutive agreement. The Commission reviewed the intersessional activities of the Scientific Advisory Committee (SAC) and the Committee on Aquaculture (CAQ) as well as the outcomes of the Task Force established to modernise the GFCM legal and institutional framework. In this respect, it decided to launch a process of revision of the basic texts of the GFCM. Furthermore, the Commission adopted binding recommendations based on scientific advice for the exploitation of red coral, the mitigation of incidental catches of cetaceans and the conservation of sharks, skates and rays together with a resolution on guidelines for allocated zones for aquaculture. The framework for the implementation of multiannual management plans for Mediterranean and Black Sea fisheries, including at sub-regional level, was discussed. The Commission adopted its 2012 autonomous budget, amounting to US\$ 1 805 027, along with its programme of work for the intersession, including the convening of several technical meetings and of the second session of its Working Group on the Black Sea. In order to discharge its duties, and as a support to the Task Force activities, the Commission endorsed the first GFCM Framework Programme for 2013–2018. This programme, which is aimed at enhancing sustainable development and cooperation in the Mediterranean and the Black Sea through a better management of fisheries and aquaculture was heralded by the signature of seven Memoranda of Understanding (with UNEP-MAP, ACCOBAMS, ICES, the Black Sea Commission, MedPAN, Eurofish and RAC/MED), which were adopted by the Commission, and by the review of the activities carried out by the FAO Regional Projects.

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