

**EU PROPOSAL FOR GFCM RECOMMENDATION
ON FISHERIES MANAGEMENT MEASURES FOR CONSERVATION OF SHARKS,
SKATES 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 of for the Conservation and the management of 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 organizations 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 gears

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. Members and Cooperating non-Members of GFCM 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. Members and Cooperating non-Members of GFCM 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 and skates, which are a constituent part of ray/skate 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. Members and Cooperating non-Members of GFCM 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) Members and Cooperating non-Members of GFCM shall ensure that fishing activities carried out with trawl nets are prohibited within 3 nautical miles of the coast 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 flag State 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

and

- c. have no significant impact on the marine environment

C) Members and Cooperating non-Members 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) Members and Cooperating non-Members 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.
- F) Elasmobranches 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. Members and Cooperating non-Members of GFCM shall ensure a high protection from fishing activities to elasmobranches 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.

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.

7. Members and Cooperating non-Members of GFCM shall ensure that catches of tope shark 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

8. Members and Cooperating non-Members of GFCM shall ensure that:
- a) information on fishing activities, incidental taking, release and/or discarding events for sharks species listed in Annex II of the SPA/BD protocol must be recorded by the ship-owners, in the logbook or equivalent document, for vessels equal to or greater than 10 m of length overall irrespective of the quantities of each species caught.
 - b) information on fishing activities, catch data and/or discarding events for sharks species listed in Annex 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/34/2010/1 establishing the GFCM logbook as amended by Recommendation GFCM/35/2011/1.
 - c) This information must be reported to the national authorities for notification to GFCM Secretariat within the annual national reporting to SAC and through the TASK1.
9. As appropriate, the GFCM and its Members and Cooperating non-Members 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.

10 The provisions referred to in Paragraphs 4, 5, 6, 7 and 8 are without prejudice to stricter rules implemented by Members and Cooperating non-Members.