



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



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**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, aggravates overfishing and by-catch of unwanted or protected species, creates chronic management problems, and weakens 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 an 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, 2002, 2003, 2004, 2005, 2006, 2007, 2008 and 2009 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 sub-areas;

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 data base at least at the beginning of each calendar year followed by updates as appropriate;

3. Definitions

For the purpose of this RPOA-Capacity the following definitions shall apply.

“Capacity” may be defined both as an input-based estimate (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 TAC or 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 or TAC.

“Excess capacity” is the difference between what a production facility could produce if fully utilized and what is produced by the owners, given the prices of inputs and outputs. It is a common, short run, self-correcting phenomenon in all types of industries at different points in time.

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 sub-areas.

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 precautionary approach to fisheries is of importance for sustainable exploitation of fisheries in 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 – the Members of the GFCM should endeavour to apply a results 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 sub-regional Actions – There is need to recognize the role of regional and sub-regional cooperation projects and initiatives and the importance of taking into account the specifics of sub-zones.

National Actions – Formulation of national plans of action for management of the fishing capacity should take into account management strategies of the different fisheries in neighbouring countries in 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 an example for larger management initiatives.

6.2 *Tools and Instruments*

Action must be accompanied with clear timeframes 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 with public funds shall not in any circumstance lead to an increase in the catch capacity or the power of fishing vessel's engine. 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.

Financial mechanisms and subsidies¹ designed to help fleets shrink, such as ‘vessel buy-back’ or decommissioning schemes, may have been successful in addressing the reduction of nominal capacity but they have often failed to counteract the contemporary increase in the fishing power of the remained capacity (technological creep).

Financial investments/assistance with 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 reported in Table 1.

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 used for detecting fish;

¹ Further detail could 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. <http://www.fao.org/docrep/007/y5424e/y5424e00.HTM>

- 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.

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 overcapacity.
- To ensure that the tonnage and power of a new vessel be 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:

- Freeze fishing capacity at current levels based on and with reference to the GFCM fleet vessel record as defined in the resolution GFCM 35/2022/1; CPCs who have not yet submitted relevant data in accordance with this resolution are urged to do so.
- Where there is evidence of overcapacity, and consistent with the application of the precautionary approach, CPCs are urged to undertake capacity reduction programs.
- CPCs shall use the agreed regional fishing capacity measure unit as established in the 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/sub-region 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 larger than 15 metres 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 15m and under LOA 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 rights-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 programs and impacts of the RPOA every 3 years.
- The RPOA will be updated by the Commission every 3 years on the basis of the above and considering any additional management measures adopted by the GFCM during the preceding period.