

**RECOMMENDATION GFCM/34/2010/2
ON THE MANAGEMENT OF FISHING CAPACITY**

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 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;

RECALLING 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;

CONSIDERING 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;

NOTING 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;

CONSIDERING 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;

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

CONSIDERING 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;

RECALLING 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.

RECALLING 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;

NOTING 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;

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

RECALLING 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;

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

1. In order for the GFCM to be able to develop an action plan to manage fishing capacity at regional level (Regional Plan Of Action), including actions to monitor and manage fishing capacity and, where appropriate, measures to tackle overcapacity based on scientific advice shall be taken.
2. For the purpose of this recommendation, '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).
3. 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.
4. All Members and Cooperating entities shall submit to the Secretary and via the electronic tools available on the GFCM web-site an updated list of their respective vessels greater than 15 metres LOA that were entitled to fish in the GFCM area of Competence in 2007, 2008 or 2009, before the 35th annual session.

These lists shall contain the following information for each vessel:

- Name of vessel
- Registration number
- GFCM unique identifier
- Previous flag
- Previous details of deletion from the other registries
- International radio call sign
- Vessel type, length overall, gross tonnage and/or gross registered tonnage and engine power expressed in kW
- Name and address of owner, and/or charterer, and/or operator
- Main target species
- Main gears used and fleet segment allocation and Operational Unit as identified in the GFCM TASK 1 statistical matrix
- Geographical sub-area/areas (GSAs) where fishing occurred.

5. Sub-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 referred to under paragraph 1.

6. The levels of fishing capacity of vessels larger than 15 metres LOA referred to in paragraph 4 shall be without prejudice to the transferability of fishing capacity from the one Member to another Member provided that overall fishing capacity of Members or Cooperating non-members concerned and authorised and licensed to fish in the GFCM area does not increase.

7. The overall level of fishing capacity shall not be exceeded when vessels are replaced.

8. The existing fishing capacity management plans shall be transmitted to the GFCM secretariat 30 days before each annual session, at the latest.

9. The provisions of this Recommendation shall not affect more detailed or stricter obligations adopted and implemented by Members or other RFMOs.