



**GENERAL FISHERIES COMMISSION FOR  
THE MEDITERRANEAN**

**COMMISSION GÉNÉRALE DES PÊCHES  
POUR LA MÉDITERRANÉE**



**GENERAL FISHERIES COMMISSION FOR THE MEDITERRANEAN**

**TASK FORCE TO IMPROVE AND MODERNIZE THE LEGAL AND  
INSTITUTIONAL FRAMEWORK OF GFCM**

**SECOND SUB-REGIONAL MEETING OF THE TASK FORCE FOR THE  
EASTERN MEDITERRANEAN SUB-REGIONS**

**BEIRUT, LEBANON, 6<sup>TH</sup> -7<sup>TH</sup> MARCH 2012**

WORKING DOCUMENT WITH GENERAL ORIENTATIONS

**Opening of the meeting**

The meeting of the Task Force for the Eastern Mediterranean sub-region was held in Beirut, Lebanon, on 6<sup>th</sup>-7<sup>th</sup> March 2012. The meeting was attended by 15 participants from 4 GFCM Members, including representatives of the GFCM Bureau, GFCM Secretariat and FAO regional projects. The list of participants and the agenda of the meeting are attached hereto under Annex A and Annex B respectively.

The meeting was called to order by: Ms Marie Louise Hayek on behalf of the FAO Representative in Lebanon; Mr Haydar Fersoy, Co-Chairperson of GFCM Bureau; and Mr Abdellah Srour, GFCM Executive Secretary. In their interventions, they warmly thanked Lebanon for hosting the meeting and its excellent organization. They then noted the efforts made by FAO in support to fishermen in the region and they acknowledged the important contribution by GFCM and FAO regional project Eastmed to the promotion of sustainable fisheries and aquaculture in the Eastern Mediterranean sub-region.

Mr Hassan Atwi, Advisor to the Minister of Agriculture of Lebanon, welcomed the participants and expressed Lebanese satisfaction for having the opportunity to host the second sub-regional meeting of the Task Force in Beirut. Also, he recalled that Lebanon has always been

supportive of GFCM whilst underlining that his country was among the first to ratify its constitutive agreement. He then stated that Lebanon is looking forward to actively contributing to the process of improvement and modernization of the legal and institutional framework of GFCM within the framework of the FAO Constitution. In this connection, he singled out several challenges and threats to the development of fisheries and aquaculture in the Eastern Mediterranean, encouraging the Task Force to adequately address them within the remit of its work.

### **General outcomes of the discussions**

The meeting seconded the innovative approach to the improvement and the modernization of the legal and institutional framework of GFCM through the Task Force, noticing that this approach is comparatively different from that chosen by other Regional Fisheries Management Organizations that have reviewed their performances. The GFCM Executive Secretary clarified that, consistent with its Terms of Reference - as reproduced in Appendix H of the Report of the 35<sup>th</sup> Session of the Commission -, the Task Force endeavors to provide all GFCM actors with the right to access all the discussions and debates relating to the improvement and modernization of the legal and institutional framework of GFCM. Consequently, and similar to the outcomes of the first sub-regional meeting of the Task Force (Rabat, Morocco, 13-14 February 2012), he indicated that a set of general orientations which emerged during the meeting would be provided. The participants took note of the ongoing consultation process and expressed their willingness to actively contribute to it.

With regard to the various actors of the GFCM Area, the meeting recognized that finding means to better involve the fishermen, fish farmers, aquaculture and fisheries industry in the work of the Commission in the future should constitute a priority for the Task Force. It was suggested to ensure this through, *inter alia*, appropriate coastal zone management for the Eastern Mediterranean as well as through mechanisms for technical assistance. Two presentations were delivered by GFCM Secretariat which focused in particular on procedures in place for the amendment of the GFCM Agreement and associated rules. The meeting noted that these procedures might be lengthy due to national requirements relating to the acceptance of amendments to the GFCM Agreement and the consequent involvement of national Parliaments, especially when these amendments entail new obligations. It was underlined that it would be important to elaborate, in the sole text of the GFCM Agreement - should an amendment occur as a result of the work of the Task Force - riders pertaining to the amendment procedure, including the 2/3 majority necessary when new obligations are involved.

In their declarations relating to the implementation of and compliance with the GFCM body of law, participants from GFCM Members *inter alia* noted the following constraints to said implementation and compliance: (i) the existence of a technical and financial gap; (ii) the lack of communication between policy makers on the one side and fishermen and stakeholders on the other; (iii) the need for support from GFCM and FAO, including its regional projects, as well as any potential donors to national administrations; (iv) problems in carrying out stock assessments and collecting data and (v) the high number of meetings held by GFCM as well as the necessity for a system that facilitates the designation of focal points at national level.

Having noted in particular requests pertaining to technical assistance, the GFCM Secretariat introduced the first GFCM Framework Programme (FWP) to inform the meeting of the direction chosen by the Commission to improve the functionality of GFCM as a result of the establishment of the Task Force. The meeting welcomed this initiative, noting that it has the potential to enhance technical assistance to GFCM Members and that it is in line with the workplan of FAO regional projects. The meeting enquired into areas that might be included within the remit of the FWP, including emergency situations and compliance and enforcement, and the GFCM Executive Secretary explained that there is ample time to take any suggestions into account before the FWP is finalized. He added that, as in the case of the Task Force, this instrument is at an initial phase of development and that adequate consideration will be given to it by GFCM Members at the 36<sup>th</sup> Session of the Commission. Extensive discussions then followed under the topics below, which mirror the areas of intervention identified in the Terms of Reference of the Task Force. More precisely, the meeting noted the following general orientations:

#### **A. General GFCM Objectives**

- Given that aquaculture is as central as marine capture fisheries for the future of the GFCM, its importance is to be adequately reflected in the text of the GFCM Agreement in view of its possible amendment. In this regard, marine aquaculture would deserve particular consideration.
- The GFCM Agreement should be amended in a manner that its objectives include more environmental considerations (i.e. not those relating to pollution *per se*, but to those relating human activities relating to fishing and aquaculture activities that have a direct impact on marine environment). Mentioning endangered marine species and marine protected areas in the GFCM Agreement, thus developing an environmental component in the work of the Commission, should be considered.
- “New generation” approaches should set apart GFCM in the future (e.g. establishing a Mediterranean wide fisheries and aquaculture society backed up by GFCM). In order for the Commission to be closer to the fisheries and aquaculture sectors, the GFCM Agreement should ensure a more direct involvement of stakeholders and civil society (which are related to fisheries and aquaculture), including the scientific community in the GFCM Area. In this connection, it would be necessary to develop a clear system for the appointment of national focal points and the establishment of a link between national focal points and national experts so that GFCM can launch initiatives, such as meetings at national level with experts identified in collaboration with national focal points, to ensure that its pool of experts is broadened. Universities and research institutions should be considered in particular as fora to provide experts that could reinforce the technical work of GFCM.
- The Commission should be clearly endowed by the GFCM Agreement with the responsibility of entering into cooperative agreements, such as Memoranda of

Understanding, with competent international organizations that have a sectoral competence over the Mediterranean and the Black Sea and according to applicable FAO rules.

## **B. Conservation Issues**

- Shared stocks and straddling stocks which are of particular importance to GFCM Members, and which would have to be identified by SAC and other competent international organizations, should call for specific conservative efforts.
- Geographical Sub-regional Areas (GSAs) should be revised, in particular for the purpose of defining limits for biological stocks. At the same time, GSAs should not serve only data collection purposes but also other purposes, such as scientific and management purposes. Any amendment to the GFCM Agreement should hence build upon the current scope of GSAs, bearing in mind that their boundaries might require further adjustments in light of developments in the governance of marine spaces in the Mediterranean.
- Endangered species, including those identified as such by other international organizations, should be a priority in view of any short-term conservative efforts. In the medium and long term on the other hand, conservational efforts should be consistent with the scientific advice by SAC and other competent international organizations.
- The decision making process is currently not efficient enough, having considered that not all scientific advice emanating from SAC is transposed into management measures. Consequently, this process should be enhanced, including by establishing a mechanism to ensure that the work by SAC is properly considered by the Commission when adopting management measures or by giving SAC the power to submit proposals regarding draft decisions to the Commission for consideration and possible adoption.

## **C. Management Issues**

- Long-term management plans should be carried out at national level whereas GFCM should facilitate their harmonization throughout its area of competence. These plans should take into consideration biological, scientific and socio and economic factors.
- Multilateral surveys would be needed in order to carry out long-term management plans. These plans being adaptive in their objectives, once they are agreed upon, they should be considered as being long term whereas the actions required for their implementation should be adjusted depending on existing needs and priorities. In this connection, the existence of a north-south gap in the GFCM Area should always be borne in mind.
- Sound management is to rely on scientific advice and on an efficient information system. In this respect, there would be a need to identify through GFCM those data which are essential

to manage fisheries so that GFCM Members can concentrate on collect and transmit them. In view of a possible amendment of GFCM Agreement, there would be a need for enforcing clear provisions relating to submission of communication and submission of data for conservation and management related, capacity related and scientific related purposes. Technical assistance should be provided by the GFCM Secretariat to this end, including through future FWPs.

#### **D. Specific Aspects related to Aquaculture**

- Sustainability of aquaculture should be further improved through the amendment of the GFCM Agreement, including by envisaging the possibility of roadmaps that also provide technical assistance to GFCM Members.
- The role of CAQ should be strengthened, including by providing advice to the Commission. From an institutional point of view, the structure of CAQ should allow the committee to coordinate the activities of the various projects relating to aquaculture developed by GFCM and to conduct pilot studies to cover the current status of aquaculture. The opportunity to employ the FWP for coordination purposes in relation to aquaculture should be considered.
- The GFCM Agreement is to account for the progressive development of aquaculture into business and to adequately recognize the interests of the private sector towards aquaculture activities. To this end, strengthening the GFCM Secretariat, including through the funding of the FWP, will be necessary so that additional work by GFCM can be done in support to GFCM Members.

#### **E. Compliance and Enforcement**

- Until present, the GFCM has been adopting several conservation and management measures, while compliance and enforcement are lacking. This undermines the work of the Commission and requires the utmost attention of GFCM Members in view of the possible amendment of GFCM Agreement.
- Compliance and enforcement have to be decidedly boosted to the extent that GFCM Members abide by conservation and management measures in place. In this regard, the possibility of developing a penalty scheme could be considered for the future work of CoC. For instance, the possibility of paying penalties could be considered for those GFCM Members found to be in non-compliance with said measures as well as that of envisaging a joint inspection scheme at regional level.
- The overall compliance and enforcement structure of GFCM has to be enhanced both in accordance with modern international fisheries instruments as well as by proposing

innovative solutions so that the role of the Commission can have a more significant impact on the conservation and management of fisheries.

- It was noted that major changes could be required in the GFCM Agreement in order to further empower the Commission in the field of compliance and enforcement. At the same time, the role of CoC should not be limited to presenting a report to the Commission on the status of implementation of conservation and management measures by GFCM Members. The role of this committee should be reconsidered and its mandate clearly stated in the GFCM Agreement.
- Better monitoring, control and surveillance at regional level is needed in the GFCM Area, particularly, *inter alia*, via the development of VMS, which should become centralized at GFCM Secretariat level.
- Market-related measures should be envisaged, including prohibition of trade and marketing of products from IUU fishing, to discourage illegal practices.
- A meeting of the bureau of CoC should take place at least once every year prior to the Session of the Commission to consider matters pertaining to compliance and enforcement as well as to the role of the committee.
- The mandate of CoC should be broadened so that the committee could also become a mediation forum in the event GFCM Members need advice to settle potential divergences of views. Conversely, CoC should not be used for dispute settlement purposes but only to provide, as necessary, technical expertise to GFCM Members that might consult it to avoid entering into a dispute.
- It might be useful to elaborate dispute settlement mechanisms, including in case of bilateral disputes, taking into consideration the provisions of relevant international agreements as well as any dispute settlement mechanism that might be pertinent.

#### **F. Financial and Administrative Issues**

- The current scale of contributions to determine the autonomous budget of the Commission appears to be fair, equitable and based on objective parameters.
- GFCM should explore possibilities to support its extra budgetary means in support of its activities, including through the possibility to be part of relevant initiatives, such as call for tenders.

## **Agenda**

- 1. Opening and Welcome Address**
- 2. The Task Force: background, objective, work programme**
- 3. Outcomes of the work of the Task Force thus far**
- 4. Amendment Procedures: GFCM Agreement, Rules of Procedure and Financial Regulations**
- 5. Declarations by Members in relation to the implementation of and compliance with the GFCM body of law**
  
- 6. Open Discussion related to the main areas of the Task Force**
  - General GFCM objectives**
  - Conservation issues**
  - Management issues**
  - Specific aspects related to aquaculture**
  - Compliance and Enforcement**
  - Financial and Administrative Issues**
  
- 7. Open Discussion related to the main areas of the Task Force (continued)**
  
- 8. Conclusion of the meeting and final outcomes**





## List of Participants

### EGYPT

Madani Ali MADANI  
G.D.of the International Agreements Dept.  
General Authority for Fish  
Resources Development (GAFRD)  
4 Tayaran st. , Nasr City  
Cairo  
Tel.: +202 22620117 / 22620118  
Fax:+20222620117 / 22620130  
Email: [madani\\_gafrd@yahoo.com](mailto:madani_gafrd@yahoo.com)

Khaled Abdul Aziz Ahmed EL HASSANI

### LEBANON

Hassan ATWI  
Ministry of Agriculture  
Embassies Street  
Bir Hassan  
Beirut

Dahej EL MOKDAD  
Ministry of Agriculture  
Embassies Street  
Bir Hassan  
Beirut  
Tel: +961 3602794  
E-mail: [dmokdad@agriculture.gov.lb](mailto:dmokdad@agriculture.gov.lb)

Samir MAJDALANI  
Ministry of Agriculture  
Embassies Street  
Bir Hassan  
Beirut  
Tel:+961 3384421  
E-mail: [sem@cyberia.net.lb](mailto:sem@cyberia.net.lb)

Imad LAHOUD  
Ministry of Agriculture  
Embassies Street  
Bir Hassan  
Beirut  
Tel:+ 961 3330462  
E-mail: [ilahoud@agriculture.gov.lb](mailto:ilahoud@agriculture.gov.lb)

Hussein NASSAR  
Ministry of Agriculture  
Embassies Street  
Bir Hassan  
Beirut  
Tel: +961 71153441  
E-mail: [hassar@agriculture.gov.lb](mailto:hassar@agriculture.gov.lb)

### SYRIA

Nedal HAIDAR  
Tel: +963 993 153661  
Fax: + 963 11 54499389  
E-mail: [nedalhaidar@gmail.com](mailto:nedalhaidar@gmail.com)

Yasser SAKER  
Tel: + 963 994 257708  
E-mail: [yassarsaker77@yahoo.com](mailto:yassarsaker77@yahoo.com)

### TURKEY

Hasan Alper ELEKON  
Fisheries & Control Department,  
General Directorate of Fisheries and Aquaculture  
Ministry of Food, Agriculture and Livestock  
Ankara  
Tel:  
E-mail: [hasanalper.elekon@tarim.gov.tr](mailto:hasanalper.elekon@tarim.gov.tr)

Mehmet GUNDOGDU  
[mehmet.gundogdu@tarim.gov.tr](mailto:mehmet.gundogdu@tarim.gov.tr)

## **FAO**

Konstantina KARLOU-RIGA  
FAO EastMed Project  
1 Androu str., 112  
57 Athens, Greece  
Tel: +302108847960  
E-mail: [konstantina.riga@fao.org](mailto:konstantina.riga@fao.org)

Marie Louise HAYEK  
Programme Clerk  
FAO Regional Office for the Near East  
Tel: +05924005/6/7  
E-mail: [marielouise.hayek@fao.org](mailto:marielouise.hayek@fao.org)

Adel N. CORTAS  
Advisor  
FAO Regional Office for the Near East  
Tel: +009611397525  
E-mail: [acortas@dm.net.lb](mailto:acortas@dm.net.lb)

## **GFCM BUREAU**

Haydar FERSONY  
Ministry of Food, Agriculture and Livestock  
Eskisehir Yolu 9 km, Lodumlu  
Ankara, Turkey  
Tel: +903123079542  
E-mail: [haydarf@kkgm.gov.tr](mailto:haydarf@kkgm.gov.tr)

## **GFCM SECRETARIAT**

Abdellah SROUR  
GFCM Executive Secretary  
Fisheries and Aquaculture Economics and  
Policy Division  
FAO Fisheries and Aquaculture Department  
Tel.: +39 06 57055730  
Fax: +39 06 57055827  
E-mail: [abdellah.srou@fao.org](mailto:abdellah.srou@fao.org)

Nicola FERRI  
Legal Consultant  
Fisheries and Aquaculture Economics and  
Policy Division  
FAO Fisheries and Aquaculture Department  
Tel.: +39 06 570 55766  
E-mail: [nicola.ferri@fao.org](mailto:nicola.ferri@fao.org)