



**GENERAL FISHERIES COMMISSION FOR  
THE MEDITERRANEAN**

**COMMISSION GÉNÉRALE DES PÊCHES  
POUR LA MÉDITERRANÉE**



**Terms of the reference for a task force towards a possible revision of the  
GFCM Agreement, of the rules of procedure and the financial rules**

Having regard to the performance review of the General Fisheries Commission for the Mediterranean and Black Sea (GFCM:XXXV/2011/Inf.8) the GFCM agreed to set up an ad hoc task force to identify the main elements necessary to assist the Commission in the identifying the necessary modifications to the GFCM Agreement and associated procedural and financial Rules in view of making this organization more effective by addressing functional and structural issues.

This revision, which may be achieved either through a new Agreement or by amending the existing one, shall allow GFCM to fulfil, in an efficient and effective manner, its obligations to deliver the "long-term conservation and optimum utilization" (i.e. sustainable exploitation) and production of the marine living resources within a precautionary and ecosystem approach to fisheries management, including relevant compliance and enforcement mechanisms, while taking into account in particular:

- The 1992 Convention on Biological Diversity (Rio Summit);
- The Reykjavik Declaration on Responsible Fisheries in the Marine Ecosystem of 2001;
- The Johannesburg Declaration on Sustainable Development of 2002 and in particular Article 31a in its Plan of Implementation;
- The Declaration of the Ministerial Conference for Sustainable Development of the Fisheries in the Mediterranean held in Venice on 2003;
- The FAO Code of Conduct for Responsible Fisheries adopted by the 28th Session of the Conference of the Food and Agriculture Organisation of the United Nations in October 1995;
- The Agreement to Promote Compliance with International Conservation and Management Measures by Fishing Vessels on the High Seas, 1993;
- 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;
- 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 Specially Protected Areas and biological diversity in the Mediterranean and the Protocol on Integrated Coastal Zone Management;

- The International Commission for the Conservation of Atlantic Tunas (ICCAT);
- The 1979 Convention on the conservation of migratory species and animals (also known as the Bonn Convention);
- The Convention on the Protection of the Black Sea against pollution and “best practices” and experiences of other Regional Fisheries Management Organizations.

The task force:

- will be under the guidance of the Chair and will include members of the Bureau as well as the Executive Secretary.
- will use all the electronic means to create an interactive, permanent and transparent network in order to be able to carry out its duties in a timely and efficient manner.
- Will provide all GFCM members with the right to access all the discussions and debates. All GFCM members will therefore be allowed to contribute to the proceedings and to the consultation process and will be asked to designate one focal point.
- will organise, before the next Annual session, the necessary consultations with all the other parties, including observers and partner organisations, so as to ensure that the conclusions of the work can be validated by a wide range of stakeholders and be presented 3 months before the next annual session.

Particular attention will have to be given to the budgetary constraints of the organization and costs will be reduced as much as possible.

The work of the task force will address in particular the following issues:

## **I. GFCM Basic framework**

### **GFCM GENERAL OBJECTIVES**

- Qualification of the terms: (1) sustainable exploitation both in terms of long-term conservation and optimum utilisation, (2) sustainable aquaculture production, (3) precautionary approach, (4) ecosystem approach to fisheries management and aquaculture.
- Indicators, either model based or empirical, required for measuring the above.
- Methodology to be used in applying these indicators (single indicator, multiple indicators including, inter alia, traffic light approach, etc.).

- Definition of reference points to establish an operational and adaptive precautionary framework using target, precautionary thresholds and conservation limit reference points.
- Taking into account data availability, identify suitable technical reference points for the evaluation of the state of different stocks and for measuring the pressure from fisheries.
- Typology (issues and areas) of interaction of capture fisheries and aquaculture with other human activities in marine areas with the aim of contributing to integrated management of the marine space.

## **II. Conservation issues**

- Methodology and identification, on the basis of the current information, of: (1) Shared stocks, fisheries and countries concerned (2) Straddling stocks and their location (3) Technical interactions and potential mobility of fishing fleets from territorial waters to High Seas (4) Habitats and marine living resources for which a coordinated management action is advisable, also in relation to the development of an ecosystem approach to fisheries management.
- Taking into account the mobility of vessels amongst fisheries, distribution of marine living resources, and governance of the marine space, the relevance for GFCM of focusing on a limited and identified number of stocks rather than the broader spectrum of Mediterranean species.
- Applicability and implications, for GFCM's work, of the concept of Large Marine Ecosystems in the Mediterranean and Black Sea.
- Evaluation of whether the current geographical division of the Mediterranean and Black Sea space (GSAs, FAO divisions, statistical grid etc.) usually also used as assessment units, actually correspond to meaningful biological units and are adequate and flexible enough to accommodate adaptive fisheries management measures, i.e. that are dependent on the ongoing definition of stocks unit and fisheries management areas.

## **III. Management issues**

- On the basis of current knowledge of fisheries and stocks, the suitability of implementing input (fishing effort and capacity) and/or output (catch limitation and quota allocation) fisheries management measures.
- State of play of the fishing capacity in the different parties by operational unit and fisheries as a basis for discussing GFCM's mandate in terms of fleet capacity.
- State of play, added-value and proposals for a way forward for the different research and capacity-building cooperation frameworks and tools in the Mediterranean and Black Sea on fisheries understanding and management.

#### **IV. Specific aspects related to aquaculture**

- Adequate indicators on reaching sustainable aquaculture both in terms of biological and economic dimensions.
- Assessment of current SIPAM organisation/management with a view to improve CAQ and SIPAM relations, and thereby effectiveness of CAQ.
- Suitability of promoting shellfish aquaculture, in particular shrimps production, and its implications with respect to environmental quality.
- State of play, risks and opportunities in relation to alien species.
- A state of play of coastal lagoon management, related objectives and parameters, including in particular the interaction between capture fisheries and aquaculture (harvesting of wild fry, etc.).
- Advice on (1) Membership to CAQ (open or officially appointed) (2) Lighter operational structure (e.g. ad-hoc working group that is problem-solving oriented and meets back-to-back to other sessions as necessary) (3) Coordination across WGs (4) need for binding vs non-binding measures (5) Suitable mechanism to draft and table proposals for recommendations.

#### **V. Compliance and Enforcement**

- Definition and current usage of the following terms: coastal State, flag State, port State, non-compliant flag state, IUU fishing, cooperating non-members, and non-cooperating non-Members.
- Best practices to strengthen the compliance through port State measures, including the identification of gaps and weaknesses of the GFCM recommendation 2008/1 on a regional scheme for port state measures.
- Overview and best practices of follow-up schemes on infringements of conservation and management measures.
- Innovative elements and procedures to facilitate compliance by the Parties, in particular cooperative mechanisms to detect and deter non-compliance, notably in terms of enhanced accountability.
- Identification of technical and administrative gaps in the capacity of Members to provide the information required by GFCM, together with advice on technical and capacity-building solutions.
- Identification of gaps in the current setting of technical equipments and mechanisms for Monitoring, Control and Surveillance (MCS) as established by GFCM and advice on solutions, including also the use of high seas control and the development of a framework for joint high seas inspections, monitoring programmes and observer programmes.

#### **VI. Financial and Administrative issues**

- A draft roadmap and elements for implementing the financial audit, underlining those aspects of the audit that could entail a review of the GFCM agreement.

- Analysis of impact and added-value of extra-budgetary activities currently being financed.
- List of possible alternative funding mechanisms for extra-budgetary supported activities.

## **VII. Decision-making**

- Advice, on the basis of the conservation needs and human capacity for analysis of the state of stocks and pressure exerted by fisheries, on whether the organisation of a bi-annual session would be more suitable for improving the effectiveness and efficiency of its subsidiary bodies.
- Identification of an optimal mechanism to facilitate consultation with stakeholders.

## **VIII. Dispute settlement**

- A succinct overview of the elements and mechanisms for dispute settlement utilised in other RFMOs/FMOs and in the UN Fish Stock Agreement and
- Proposal for the most suitable mechanism for the region, with accompanying justifications.

## **IX. International Cooperation and interaction with non-Members**

- Advice on mechanisms and procedures required to consolidate the achievements and capitalise on regional cooperation projects on fisheries and marine ecosystem related matters.
- Advice on ways of strengthening cooperation and consistency with other international and intergovernmental organisations and conventions operating on the same geographic area and related subjects (e.g. fisheries-related matters, marine conservation, etc.).
- Ways of addressing interaction with cooperating and non-cooperating non-Members.

## **X. Broad GFCM Administrative Arrangement**

On the basis of the abovementioned elements and reflections, an impact assessment of the different solutions that could be considered together with the advantages and disadvantages of having GFCM maintained as an FAO Article XIV body or as a fully independent RFMO (cost effectiveness, administration costs, interpretation and translation, personnel recruitments, etc.).