

**REC.CM-GFCM/33/2009/1**

**On the establishment of a Fisheries Restricted Area in the Gulf of Lions to protect spawning aggregations and deep sea sensitive habitats**

The General Fisheries Commission for the Mediterranean (GFCM),

*RECALLING* that the objective of the Agreement establishing the General Fisheries Commission for the Mediterranean is to promote the development, conservation, rational management and best utilization of living marine resources;

*RECALLING* Recommendation GFCM/29/2005/1 on the management of certain fisheries exploiting demersal and deepwater species and, notably, Article 1 therein;

*CONSIDERING* that the Scientific Advisory Committee (SAC) assesses that several stocks are overexploited, some with a high risk of collapse, and that sustainable management requires that measures aimed at limiting the capture of juveniles are implemented;

*REAFFIRMING* its commitment to further improving the gear selectivity of demersal trawl fisheries beyond what can be achieved by a minimum 40 mm square mesh size with a view to ensure better protection of juveniles of several species as well as to reduce discarding practices in a multispecies context;

*CONSIDERING* that selectivity of some fishing gears cannot go beyond certain level in Mediterranean mixed fisheries and that, in addition to the overall control and limitation of the fishing effort and fleet capacity, it is fundamental to limit the fishing effort in areas in which adults of important stocks aggregate in order to allow these stocks to deliver the necessary recruitment, thus allowing for their sustainable exploitation;

*NOTING* that the SAC advises to ban the use of towed and fixed gears and longlines for demersal resources in an area on the continental shelf and slope of the Eastern Gulf of Lions;

*CONSIDERING* that more scientific information is needed with a view to understand the relevance of other adjacent areas on the continental shelf and slope for the protection of spawners and sensitive habitats as well as to better known the level and spatial distribution of the fishing effort exerted

*PENDING* the delivery of this additional information by the SAC

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

1. The fishing effort for demersal stocks of vessels using towed nets, bottom and mid-water longlines, bottom-set nets shall not exceed the level of fishing effort applied in 2008 in the fisheries restricted area of the eastern Gulf of Lions as bounded by lines joining the following geographic coordinates:

42°40'N, 4°20' E;

42°40'N, 5°00' E;

43°00'N, 4°20' E;  
43°00'N, 5°00' E;

2. Members and cooperating non-Members of GFCM shall communicate to the GFCM Executive Secretary not later than June 2009 the list of vessels that have used towed nets, bottom and mid-water longlines, bottom-set nets in the area referred to in paragraph 1 in the year 2008.
3. The list shall contain the following information for each vessel:
  - Name of vessel
  - Register number
  - GFCM unique identifier (country ISO 3-alpha code + 9 digits, e.g. xxx000000001)
  - Previous name (if any)
  - Previous flag (if any)
  - Previous details of deletion from other registries (if any)
  - International radio call sign (if any)
  - Type of vessel, length overall and gross tonnage (GT) and/or gross registered tonnage (GRT)
  - Name and address of owner(s) and operator(s)
  - Main gear(s) used to fish in the fishery restricted area
  - Seasonal period authorized for fishing in the fishery restricted area
  - Number of fishing days exerted by each vessel in the year 2008 and number of fishing days exerted in the fishery restricted area
4. Members and cooperating non-Members of GFCM shall establish a register of the fishing vessels authorized to fish in the area which ensure that the vessels not having records of fishing in the area prior 31 December 2008 are not authorized to start fishing therein.
5. Members and cooperating non-Members of GFCM shall communicate to the GFCM Executive Secretary not later than September 2009 the legal conditions, as in force at 31 December 2008, as for the maximum time of daily fishing activity, the maximum number of days a vessel can stay at sea as well as the compulsory timing between the exit and return to the registered port of their fishing vessels.
6. Members and cooperating non-Members of GFCM shall ensure that fishing vessels operating in the area respect their obligation as in force at 31 December 2008 as for the maximum time of daily fishing activity, the maximum number of days a vessel can stay at sea as well as the legally compulsory timing to exit and return to the registered port.
7. For the fisheries restricted area referred to in paragraph 1, Members and Cooperating non-Members of GFCM shall call the attention of the appropriate national and international authorities in order to protect this area from the impact of any other human activity jeopardizing the conservation of the features that characterize this particular habitat as an area of spawners' aggregation.
8. Boundaries of the area and conditions to fish therein as referred to in previous paragraphs may change on the basis of SAC advice.