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GENERAL FISHERIES COMMISSION FOR THE MEDITERRANEAN



Report of the thirty-eighth session

FAO headquarters, Rome, 19–24 May 2014

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REPORT OF THE THIRTY-EIGHTH SESSION
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PREPARATION OF THIS DOCUMENT

This document is the final version of the report adopted in Rome during the thirty-eighth session of the General Fisheries Commission for the Mediterranean on 24 May 2014.

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ABSTRACT

The thirty-eighth session of the General Fisheries Commission for the Mediterranean (GFCM), including the fifth session of the Committee on Administration and Finance (CAF) and the eighth session of the Compliance Committee (CoC), was attended by representatives from 22 Members, 3 non-Members, 15 intergovernmental and non-governmental organizations.

In the light of the outcomes of its third extraordinary session (Greece, April 2014), the Commission endorsed its amended Agreement, which sets ambitious goals based on principles such as the subregional approach, multiannual management and stakeholders' involvement.

In recognition of the importance attached by the Commission to cooperation with partner organizations, three memoranda of understanding were officially entered into with the World Wide Fund for Nature (WWF), the International Union for Conservation of Nature – Centre for Mediterranean Cooperation (IUCN-Med) and the Centre for Marketing Information and Advisory Services for Fishery Products in the Arab Region (INFOSAMAK).

This session was also the occasion to progress in the fight against illegal, unreported and unregulated (IUU) fishing through the adoption of guidelines relating to vessels monitoring systems (VMS), a roadmap to fight IUU fishing in the Mediterranean Sea and a GFCM IUU vessel list to be widely disseminated. Important decisions, such as a recommendation concerning the identification of non-compliance, were also taken to ensure better compliance with GFCM decisions, in particular within the clarification process expected to result, in 2015, in the identification of cases on non-compliance by both Members and non-Members.

Regarding the management of fisheries, the measures adopted by the Commission include a recommendation on precautionary and emergency measures for 2015 on small pelagic stocks in GSA 17. The Commission also endorsed guidelines for the management of Mediterranean red coral populations, practical guidelines for artificial reefs in the Mediterranean and Black Sea and the new GFCM Data Collection Reference Framework (DCRF). Acknowledging the crucial role of small-scale fisheries in the region and the need to develop governance in this sector, the Commission also supported the launch of the first regional cooperative programme for the promotion of sustainable small-scale fisheries.

In the field of aquaculture, the Commission recalled the need to support its sustainable development in the region and welcomed the launch of a new Aquaculture multi-stakeholder platform (AMShP) as well as guidelines for the sustainable management of coastal lagoons. Moreover, it acknowledged the key elements for guidelines on a harmonized environmental monitoring programme (EMP) for marine finfish cage farming in the Mediterranean and Black Sea.

Finally, the Commission decided to reconduct Mr Abdellah Srour as Executive Secretary of the GFCM from June 2016 until 2021. It adopted its 2014 autonomous budget, amounting to USD 2 245 916, and discussed the possibility of shifting to the adoption of a triennial budget in the future. The programme of work for the intersession, including under the first GFCM Framework Programme, was also approved.

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OPENING OF THE SESSION

1. The General Fisheries Commission for the Mediterranean (GFCM) held its thirty-eighth session as well as the fifth session of its Committee on Administration and Finance (CAF) and the eighth session of its Compliance Committee (CoC) at the FAO headquarters, Rome, Italy, from 19 to 24 May 2014. It was attended by participants from 22 Members, 3 non-Members, 15 intergovernmental and non-governmental organizations, the FAO and its regional projects, the Bureaus of the Commission, Scientific Advisory Committee (SAC), Committee on Aquaculture (CAQ), CoC and CAF and the GFCM Secretariat. The list of delegates and observers is provided under Appendix B.

2. The session was called to order by Mr Stefano Cataudella, Chairperson of the Commission, who thanked FAO for hosting the session. He gave the floor to Mr Árni M. Mathiesen, Assistant Director General (ADG) – FAO Fisheries and Aquaculture Department, who addressed participants and welcomed them on behalf of the FAO Director General, Mr José Graziano da Silva, acknowledging the constructive synergies built with GFCM in the light of the FAO Blue Growth initiative and underlining its flagship role as Article XIV body of the FAO.

3. Subsequently, the Chairperson recalled the importance of the ongoing amendment process of the GFCM legal and institutional framework, multilateral cooperation and scientific research to address challenges lying ahead.

4. In her statement, Ms Carla Montesi, European Union's delegate, highlighted the significant efforts made towards the management of fisheries, the conservation of marine living resources and the fight against illegal, unreported and unregulated (IUU) fishing. She welcomed the progress made since the last session of the Commission towards the new GFCM Agreement and insisted on the importance of scientific work as a basis for the adoption of conservation measures. She renewed the strong commitment and support of the European Union (EU) to GFCM actions.

5. The full text of opening speeches by the FAO ADG and the GFCM Chairperson is provided in their original language in Appendix D.

ADOPTION OF THE AGENDA AND ARRANGEMENTS FOR THE SESSION

6. The Chairperson referred to the Statement of Competence and Voting Rights by the EU and its Members as provided in document GFCM:XXXVIII/2014/Inf.3.

7. After presenting the agenda, which was adopted by the Commission with minor changes as attached in Appendix A(a), the GFCM Executive Secretary, Mr Abdellah Srouf, introduced delegations and observers and informed about the arrangements for the meeting.

8. The documents before the Commission are listed in Appendix C(a).

COOPERATION WITH INTERNATIONAL PARTY ORGANIZATIONS, INCLUDING THE SIGNATURE OF MEMORANDA OF UNDERSTANDING

9. The Executive Secretary announced that three Memoranda of Understanding (MoU) had been concluded, and an official signing took place with the following organizations: the Centre for Marketing Information and Advisory Services for Fishery Products in the Arab Region (Infosamak), the International Union for Conservation of Nature-Mediterranean (IUCN-Med) and the World Wide Fund for Nature (WWF).

10. The Commission welcomed the signature of MoUs and encouraged cooperation with relevant actors involved in the field. The MoU signatories, supported by other partners, expressed their

satisfaction for the high quality of the exchange and for this opening of new perspectives as well as hope for increased collaboration.

11. In particular, IUCN-Med underlined the importance of the MoU to strengthen governance and launch joint actions to preserve natural resources in the GFCM area, while WWF pointed out that the critical state of resources called for stronger institutional links, expressing wishes for an increased cooperation towards a more sustainable use of marine resources in the Mediterranean and the Black Sea. The statements by these organizations are included in Appendix D.

12. Declarations by the Network of Marine Protected Areas Managers in the Mediterranean (MedPAN), the United Nations Environment Programme Mediterranean Action Plan (UNEP-MAP), the Agreement on the Conservation of Cetaceans of the Black Sea, Mediterranean Sea and contiguous Atlantic Area (ACCOBAMS), Eurofish, the International Centre for Advanced Mediterranean Agronomic Studies (CIHEAM) and the Regional Advisory Council for the Mediterranean (RAC-MED) followed recalling recent positive achievements in several fields such as small-scale fisheries, marine protected areas, ecological objectives within the ecosystem approach, impacts of fisheries on endangered species, aquaculture, communications activities and publications, training, etc.

INTERSESSIONAL ACTIVITIES 2013–2014, INCLUDING WITHIN THE FRAMEWORK PROGRAMME (FWP) AND COOPERATION WITH THE FAO REGIONAL PROJECTS

13. Mr Henri Farrugio and Mr François René, Chairpersons of SAC and CAQ respectively, and Mr Simion Nicolaev, coordinator of the Working Group on the Black Sea (WGBS), presented the activities of their committees and related expert groups on the basis of documents GFCM:XXXVIII/2014/2, GFCM:XXXVIII/2014/3, GFCM:XXXVIII/2014/Inf.5 and GFCM:XXXVIII/2014/Inf.6.

14. The delegate of Morocco appraised the comprehensive work done by the committees and the advice provided to the Commission. He highlighted the importance of efforts made by the GFCM in developing tools to ensure the sustainability of Mediterranean fisheries and aquaculture, in particular those related to the management of the sectors.

15. The Commission thanked the SAC and CAQ Chairpersons and the coordinator of the WGBS for their dedicated work and appraised their extensive efforts in implementing the mandate of the Commission as well as the recommendations of the performance review.

16. It took note of the important initiatives proposed in the next intersession, in particular the first regional programme on small-scale fisheries, the Aquaculture Multi-stakeholder Platform (AMShP) and the high-level conference on aquaculture to be organized with Italy within the framework of the EU Italian Presidency semester.

17. The GFCM Secretariat presented the activities carried out within the first phase of the GFCM Framework Programme (FWP), on the basis of documents GFCM:XXXVIII/2014/2, GFCM:XXXVIII/2014/3, GFCM:XXXVIII/2014/9, GFCM:XXXVIII/2014/Inf.7 and GFCM:XXXVIII/2014/Inf.17, highlighting the achievements made related to: i) data collection; ii) fight against IUU fishing; iii) status of marine populations; iv) implementation of management plans; v) sustainable development of small-scale fisheries; vi) sustainable aquaculture; vii) cooperation with other organizations and viii) modernization of GFCM information technologies services.

18. The Commission acknowledged the achievements of the first phase of the FWP and the work done by the Secretariat as well as the important contribution of donors and Members in the implementation of the FWP.

19. The major activities and achievements of the FAO regional projects (AdriaMed, CopeMed, MedSudMed, EastMed) during the intersession were illustrated by Mr Enrico Arneri, on behalf of the regional projects, on the basis of document GFCM:XXXVIII/2014/Inf.10.

20. Delegates conveyed their strong support to the activities implemented within the regional projects. The Commission expressed gratitude to the donors (namely EU, Italy, Spain and Greece) for allowing the FAO regional projects to carry out their work and stressed the relevance of enhanced coordination and synergies between the regional projects and the GFCM.

FIFTH SESSION OF THE COMMITTEE ON ADMINISTRATION AND FINANCE

21. The CAF was called to order by its Chairperson, Mr Hachemi Missaoui, who referred to the Statement of competence and voting rights by the European Union and its Member States as provided in CAF:V/2014/Inf.4 and introduced the agenda, which was adopted without changes (Appendix A(b)).

22. The CAF Chairperson introduced the first part of the report of the Secretariat on administrative and financial issues (CAF:V/2014/2), focusing on the activities and functioning of the Secretariat. He informed that, during the intersession, the Secretariat had coordinated the organization of the activities and meetings agreed by the Commission in addition to several workshops, based on the extrabudgetary funds of its Framework Programme (FWP). He highlighted that contacts with both Members and non-Members had been constant during the intersession on matters of cooperation and concerning ad hoc activities both in the Mediterranean and the Black Sea. The upgrades of information technology (IT) services within the Secretariat were also mentioned as improvements aimed at facilitating the processing of data submitted and developing a comprehensive GFCM knowledge management system for the Members. The formal recognition of the Commission's differentiated nature as FAO Article XIV body had also positively impacted the implementation of GFCM activities through confirmed operational autonomy.

23. The Executive Secretary summarized the financial situation, indicating that the annual contributions received from Members amounted to 89 percent of the adopted budget and that – despite a little amount received out of the arrears – the working capital fund was still weak, at USD 65 896.00 as of 31 December 2013. In detailing the overall expenditures incurred in 2013 together with the projects funded through extrabudgetary resources, he explained that the negative balance in the professional staff category was due to post adjustment fluctuations related to the EUR–USD exchange rate, inflation as well as other factors.

24. The delegate of Morocco requested information about the working capital fund. In this regard, the Executive Secretary underlined that the absence of a significant working capital had always been a problem for the Commission, especially in the case of delayed or unpaid contributions and due to the need to cover expenses from January until approval of the budget (at the annual session, in May). So far, the financial deficit had been covered by FAO.

Provisional GFCM budget and Members contributions for 2014–2016

25. The Executive Secretary recalled the recommendation put forth by the Commission during its third extraordinary session (Greece, April 2014) to develop a triennial budget approach in order to better plan the activities of the Commission and mobilize the necessary financial resources for the proposed work plan. In fact, it was noted that the present budget formulation presented serious limitations and compromised the smooth running of the Secretariat as well as the functioning of the Commission. The budget approach would, additionally, foresee the identification of GFCM strategic activities along with a financial forecast for their implementation, to be funded by extrabudgetary sources.

26. Subsequently, he introduced the proposal of GFCM budget and Members contributions for 2014 (CAF:V/2014/3) following the new triennial approach, based on an estimate of the Secretariat administrative and operational costs. Such approach would imply that contributions be paid after 30 days of budget endorsement. The budget would be discussed in euros whereas annual contributions would still be paid in United States dollars. Each year, the Secretariat would formulate a three-year proposal for the Commission with a firm budget for the first two years and a tentative budget for the third year, to be finalized or readjusted the following year.

27. The delegate of Lebanon expressed concern about the proposed 15 percent increase for 2014 compared with the previous year. In this regard, the Executive Secretary pointed out that this increase stemmed from a higher cost of total salaries. Furthermore, he emphasized the need to adopt a new triennial approach based on the actual financial needs of the Commission in order to carry out planned activities, rather than approving a budget on the basis of a growth percentage compared to the previous financial year.

28. The EU delegate regarded the triennial budget positively since it provided a forecast for its administration about the expenditure foreseen for the given period. However, he proposed to only adopt the budget for 2014 assuming that further reflection would be made on the effective implementation of the triennial approach.

29. The Executive Secretary explained the need to approve the budget for 2014 and 2015 and take the 2016 forecast as a tentative budget. Contributions for the current year were expected to be paid a month after this session, while those relating to 2015 should be received from January till one month after the thirty-ninth session of the Commission.

30. The delegate of Romania explained that the delay in the contribution of his country, expected to be sent presently, was caused by changes in the local administration.

31. The Tunisian delegate expressed interest in the strategic activities of the FWP and requested further financial allocations for the identified activities. The Executive Secretary highlighted the support obtained so far from the EU, France, Italy, Spain and Turkey and invited the Commission Members to adhere to the FWP with additional funds.

32. In connection with the pending contribution of Serbia prior to its withdrawal from the GFCM in 2007, the Commission decided to write off the outstanding amount.

33. Mr Matthew Camilleri, from FAO, informed the Commission about the Part VII Fund – Support for the implementation of the UN Fish Stocks Agreement. He pointed out that requests could be made by a regional fisheries management organization (RFMO) such as GFCM, on behalf of one or more of its Members, for the organization of a technical meeting. The fund, established in 2005 and managed by FAO, aimed at providing financial assistance to developing States adhering to the UN Fish Stocks Agreement for activities relating to the implementation of such agreement. The Commission welcomed this initiative and asked for additional information, including on the procedure for the request of assistance and the possibility for GFCM Members to take advantage of the fund in relation to technical activities.

EIGHTH SESSION OF THE COMPLIANCE COMMITTEE

Opening of the session and adoption of the agenda

34. The eighth session of the Compliance Committee (CoC) was called to order by its Chairperson, Mr Samir Majdalani, who welcomed participants and highlighted the progress made by the committee during the intersession, as summarized in document COC:VIII/2014/2.

35. The meeting adopted the agenda with a few amendments, as reproduced in Appendix A(c).

Intersessional activities of the Compliance Committee

36. The Chairperson presented the executive summary of CoC and summarized the achievements relating to the activities carried out during the intersession. In particular, he mentioned the process of clarification and identification of possible cases of non-compliance, the proposal for a GFCM illegal, unreported and unregulated (IUU) vessel list, the implementation of a vessel monitoring system (VMS) and related control systems in the GFCM area, the Compendium of GFCM decisions and national legislations as well as the ongoing collaboration between FAO and GFCM on the FAO Global Record. The Chairperson concluded his presentation by encouraging CoC to continue the process of clarification and identification of cases of non-compliance in 2014–2015.

Status of implementation of GFCM decisions by Members

37. The GFCM Secretariat summarized the status of implementation of GFCM decisions by Members on the basis of documents COC:VIII/2014/Inf.5 and COC:VIII/2014/Inf.7. It was underlined that 23 out of 24 Members had lodged information with the GFCM Secretariat in response to requests for clarifications and a significant increase in the data reported occurred in turn. In addition to providing a clear snapshot on efforts made by Members to ensure the implementation of GFCM decisions, the work done by CoC during the intersession also highlighted some areas requiring additional commitments.

38. Several Members noted that there could be GFCM decisions not properly implemented due to a lack of resources and the need for technical assistance and capacity-building. CoC proposed that, in the future, the GFCM Secretariat should not just evaluate the implementation of GFCM decisions Member by Member but also perform a critical analysis of those decisions which appear to be more difficult to implement. In this respect, reference was made to Recommendation GFCM/33/2009/7 on VMS and to the good work done since 2012 to facilitate its implementation by GFCM Members. As for GFCM decisions reported to be “not applicable”, the GFCM Secretariat would assess their degree of relevance for each Member concerned.

Identification process relating to possible cases of non-compliance by GFCM non contracting Parties

39. On the basis of document COC:VIII/2014/Inf.7, the GFCM Secretariat presented the available information on presumed fishing activities by non-Members in the GFCM area.

40. For the Black Sea, sound cooperation was in place and CoC welcomed the efforts made by Georgia, the Russian Federation and Ukraine to work with the Commission. Reference was made, in particular, to the national report submitted by the Russian Federation. CoC agreed on the need to further encourage the three Black Sea non-Members to become cooperating non-contracting Parties or Members.

41. In the case of the Mediterranean Sea, information was provided on Bosnia and Herzegovina, the People’s Republic of China, Portugal and the Republic of Korea. Short of the first non-Member, vessels flying the flag of the others were spotted in the Mediterranean Sea.

42. During the debate, the EU delegate clarified that Portugal, as a Member State, was bound by all EU regulations, including those which transpose GFCM decisions in force. The EU stood ready to keep cooperating with CoC following the preliminary information it submitted to the GFCM Secretariat in response to a letter relating to presumed fishing activities by Portugal. CoC acknowledged that Portugal had also provided Task 1 data to the GFCM Secretariat although some gaps remained.

43. In the ensuing discussions, Members expressed the view that a strategy should be devised in order to ensure that foreign vessels fishing in the Mediterranean abide by GFCM decisions as well as

to limit overfishing and prevent IUU fishing. In this respect, it was proposed that an alert system be put in place that would enable the GFCM Secretariat to immediately contact Members, possibly through CoC focal points, when foreign vessels were reported in the Mediterranean.

44. IUU fishing activities were frowned upon and CoC urged the operationalization of an IUU vessel list in accordance with Recommendation GFCM/33/2009/8. Reference was made to the list submitted by the EU and to the need to work in the future in order to also include therein foreign vessels fishing in the Mediterranean Sea. To this end, cooperation with other RFMOs, including the International Commission for the Conservation of Atlantic Tunas (ICCAT), was encouraged. The information collected by the GFCM on foreign fishing vessels should be made available to ICCAT in light of the fact that such vessels might not be in the ICCAT record of vessels.

45. The delegate of the Republic of Korea thanked the GFCM Secretariat for the letter sent to inform about the work being done by CoC as well as for invitation to attend the session. She welcomed cooperation with GFCM Members, as reported in her declaration (Appendix D), and informed that her country would consider becoming a cooperating non-contracting Party.

46. With regard to the joint operations being carried out between the Republic of Korea and Libya under ICCAT rules, the GFCM Secretariat reported that it had no additional information than those provided to ICCAT and that, at this stage, it could not evaluate whether or not there was non-compliance with GFCM decisions. However, it welcomed the participation of the Republic of Korea and requested it to keep on sharing information of relevance to the work of CoC, including in relation to the implementation of GFCM decisions.

47. The GFCM Secretariat pointed out that no response had been received to the letters sent to Bosnia and Herzegovina and the People's Republic of China. CoC recommended that further attempts be made to establish contact with relevant non-Members and that the cooperating non-contracting Party status could be an option for ensuring compliance with GFCM decisions.

48. As for the next steps in the identification process and that of clarification associated to it, CoC agreed that an additional request for clarification, through the communication channels already chosen by CoC at its seventh session, would be sent to Members that had reported the following statuses of GFCM decisions: "not implemented", "not reported", "partly implemented", "implementation in progress". Clarifications would have to be provided on all GFCM decisions adopted up until 2012 (included). This would also allow Members to inform the GFCM Secretariat of any needs for technical assistance arising out of the implementation of GFCM decisions.

49. Members agreed that the intersessional meeting of CoC should be convened in January 2015 with a view to examining the replies of GFCM Members to clarifications requests. Relevant non-Members would also be concerned by this process. In addition to the responsibilities already entrusted to this meeting, as included in the terms of reference adopted by the thirty-seventh session of the Commission, the Committee requested to the Commission that the mandate of the meeting also include the following responsibilities: (i) identify non-complying Members and non-Members, (ii) send identification letters to identified States, according to the format agreed at the thirty-seventh session of the Commission, and (iii) examine corrective measures that could be taken regarding identified States, both Members and non-Members.

Draft revised Recommendation GFCM/34/2010/3 concerning the identification of non-compliance

50. The text of Recommendation GFCM/34/2010/3 on the identification of cases of non-compliance was reviewed by CoC and adopted with a few changes as Recommendation GFCM/38/2014/2 (Appendix H).

Proposal for a GFCM IUU vessel list

51. The GFCM Secretariat introduced the provisional GFCM IUU vessel list on the basis of document COC:VIII/2014/Inf.10. In this regard, Recommendation GFCM/33/2009/8 was recalled with all the steps to be taken in order to establish a list of vessels presumed to have carried out IUU fishing in the GFCM area.

52. The delegate of Morocco highlighted the efforts made by his country to fight IUU fishing, a threat jeopardizing the sustainability of fisheries, and he reiterated full support to GFCM.

53. Following amendments proposed by the EU and Morocco, it was decided to remove previous flags from the column “Flag State or Flag Territory (according to a RFMO)”. Also, it was agreed to delete two fishing vessels and to include another three. The Committee further endorsed the GFCM IUU vessel list, as provided under Appendix K. It was decided that the GFCM Secretariat would publish the list on the GFCM website in line with Article 15 of Recommendation GFCM/33/2009/8. As all fishing vessels listed had been identified by other RFMOs, CoC reiterated its call to work in the future towards integrating in the IUU list fishing vessels operating in the GFCM competence area. To this end, it was decided that the GFCM Secretariat would send a letter to Members in order to draw their attention to those vessels presumed to carry out IUU activities, for which reliable information had been presented to CoC, so that Members could monitor their activities and corroborate whether fishing was occurring.

Progress in the establishment of vessel monitoring systems

54. The GFCM Secretariat presented the progress made on VMS during the intersession. The outcomes of the CoC Working Group on VMS (Tunisia, October 2013) were listed, including the decision to keep up with the phased development of VMS in the GFCM towards a centralized system. To this end, the main elements of a feasibility study that would be carried out by the GFCM Secretariat were described.

55. The delegate of Egypt saluted the progress made in the implementation of VMS and related control systems. He recalled in particular the pilot study undertaken in Egypt with the technical assistance of the GFCM Secretariat and informed CoC that his country was now ready to develop its national control system. In this regard, it was explained that a system of incentives had been envisaged to encourage fishers to install satellite transponders on board of their vessels. This initiative would build awareness and improve monitoring, control and surveillance (MCS) in Egypt.

56. The delegates of Tunisia, Algeria and Lebanon welcomed the work done by CoC on VMS and recognized the importance it had at the national level to establish VMS. Compared to a few years ago, national legislations were being passed, national administrations were being involved and bids to equip given segments of the fleets were being published.

57. CoC endorsed the launching of a feasibility study, consistent with the technical elements presented in document CoC:VIII/2014/Inf.9, and recommended to adopt as a GFCM resolution the guidelines on VMS and control system (Resolution GFCM/38/2014/1 in Appendix F), already presented to the thirty-sixth session of the Commission (Morocco, May 2012). Furthermore, it was decided to convene during the intersession the CoC Working Group on VMS where technical assistance needs for concerned Members *inter alia* would be discussed.

58. The GFCM Secretariat delivered a presentation on a database on national legislations in the region which was set up thanks to recent IT developments. Background information regarding the cloud-based services and infrastructures powering this initiative was also provided.

59. The Commission was also briefed on the efforts made by the Secretariat towards the modernization of GFCM services and infrastructures, in particular through the set-up of instruments

such as SharePoint and Azure. The Commission acknowledged this important achievement aiming at bringing cooperation and knowledge sharing among Members to a new level, and requested the Secretariat to further progress in this perspective and to fully exploit modern and cost-effective IT systems in order to support the GFCM mandate, including its challenging objectives.

60. Following the eighth session of the Compliance Committee, the Commission endorsed the decision to entrust the intersessional meeting of CoC with the mandate to identify non-complying Members and non-Members and send them identification letters according to the format agreed at the thirty-seventh session.

AMENDMENT OF THE GFCM LEGAL AND INSTITUTIONAL FRAMEWORK

61. The Commission resumed discussions on pending articles in the revised GFCM Agreement as submitted to it by the third extraordinary session (Greece, April 2014), including the resumed extraordinary session (FAO HQ, May 2014) based on document GFCM:XXXVIII/2014/Inf.11.

62. On the occasion of the adoption of the amended GFCM Agreement, the EU Commissioner for Maritime Affairs and Fisheries, Ms Maria Damanaki, addressed the Commission acknowledging the great efforts of the GFCM in the Mediterranean and the Black Sea, a geographical area considered as a priority by the EU. She expressed concern regarding the number of stocks subject to overfishing and unregulated fishing activities in the Mediterranean and the Black Sea and shared the idea that all countries had the power to reverse this negative trend. She underlined that the endorsed amended Agreement would trigger a more modern, competent and efficient body that would play a key role in the whole area, in particular for small-scale fisheries. The full statement of the Commissioner is included in Appendix D.

63. The delegate of Morocco stressed that the GFCM had worked at a steady pace to provide its Members with the necessary tools to manage Mediterranean and Black Sea fisheries.

64. The delegate of Algeria took the floor pointing out that Mediterranean countries share a common history and a common sea and that the protection of the livelihood of fishing communities depending on the Mediterranean Sea should be ensured. He also highlighted that both aquaculture and small-scale fisheries, together with human-related aspects of fishing activities, should be central in the GFCM and invited the Commissioner to participate in the Second Regional Symposium on Sustainable Small-Scale Fisheries in the Mediterranean and the Black Sea to be held tentatively in Algeria in 2015.

65. The delegate of Montenegro thanked the EU Commissioner and the GFCM and renewed the commitment of his country towards responsible fisheries and sustainable aquaculture following an ecosystem approach, also in view of its accession process to the EU. Despite being a relatively small country, Montenegro was making significant efforts to meet the goals set by the GFCM as well as those under the EU Common Fisheries Policy. In this regard, he acknowledged the support received from GFCM and the AdriaMed project.

66. The Commission thanked the EU Commissioner for her presence and for the strong support provided by the EU to the FWP as well as the FAO regional projects.

67. Following extensive consultations on the pending articles, agreement was reached on the final text of the amended GFCM Agreement.

68. The Commission endorsed by consensus the amended Agreement and decided to submit it to the FAO Committee on Constitutional and Legal Matters (CCLM) and to the FAO Council for consideration and final endorsement. A copy of the amendments to the GFCM Agreement endorsed by the Commission is provided in Appendix E.

69. The delegate of Turkey welcomed the amended Agreement while indicating that, at the national level, the necessary procedures would have to be followed to ensure its acceptance. The delegates of the EU and of Algeria joined the statement made by Turkey.

70. The delegate of Algeria indicated that, although his country stood ready to adopt the amended GFCM Agreement, he had to consult with the national relevant authorities to lift the reservation expressed on Article 19 of the amended Agreement.

71. The Commission recalled that, as agreed at the third extraordinary session (Athens, Greece, April 2014), a specific meeting should be organized to finalize the GFCM Rules of Procedure and the Financial Regulations in the light of the principles put forth in the amended Agreement.

RENEWAL OF THE GFCM EXECUTIVE SECRETARY MANDATE

72. A meeting of the heads of delegations of GFCM Members to the thirty-eighth session was convened. In accordance with the GFCM Rules of Procedure, Appendix H/Annex 1, the renewal of the term of office of the Executive Secretary was placed on the agenda of this session.

73. The Commission noted that the current Executive Secretary, Mr Abdellah Srour, had been elected as GFCM Executive Secretary during the thirty-fifth sessions of the Commission (FAO HQ, May 2011) for a term of five years and, accordingly, appointed by the FAO Director General, effective 1 June 2011. The Commission was reminded by the FAO Legal Office of the relevant provisions contained in Appendix H/Annex 1 of the GFCM Rules of Procedure and of the contents of paragraph 32 of the report of the thirty-fifth session of the Commission. Regarding more specifically the term of office of the Executive Secretary, the rules and the report provide that the five-year term of an Executive Secretary can be renewed once for a second term of the same period. The Commission also noted that the Rules of Procedure further specified that the issue would have to be addressed at the third regular session after the one during which the Executive Secretary was elected.

74. All contracting Parties participating in the session unanimously commended the work carried out by the Executive Secretary during his first mandate. The positive evolution of the GFCM in recent years was attributed *inter alia* to his commitment and hard work at the head of the Secretariat. In particular, the Commission made reference to the remarkable results achieved under his mandate, such as the reform of the GFCM legal and institutional framework, the reinforcing of cooperation at different levels and the promotion of a stronger GFCM role in the fields of fisheries management and sustainable aquaculture development. The enhanced action of GFCM at subregional level, in particular in the Black Sea area, was also praised.

75. Taking the above into consideration, the Commission decided by general consensus not to launch a procedure for the selection of a new candidate to the post of Executive Secretary for the period 2016–2021. Therefore, the term of office of Mr Abdellah Srour as GFCM Executive Secretary was extended for another five-year period starting from 1 June 2016. In this respect, the Commission asked the GFCM Chairperson to propose to the FAO Director General to appoint Mr Abdellah Srour as GFCM Executive Secretary for a second term of five years, from 2016 until 2021.

MANAGEMENT OF MEDITERRANEAN FISHERIES AND AQUACULTURE

Fisheries

76. The SAC Chairperson presented the main conclusions and advice emanating from the SAC and its subsidiary bodies on the basis of document GFCM:XXXVIII/2014/2. He cautioned the Commission that 80 percent of demersal stocks and 75 percent of small pelagic stocks were in overfishing status and that all demersal stocks assessed in the Black Sea were subject to some degree of overexploitation.

77. The Commission thanked the SAC and its Chairperson for his dedication and acknowledged the quality of the scientific work carried out as well as the extent of the advice provided.

78. The delegates of Morocco and Algeria insisted on the importance of providing advice on socioeconomic aspects connected to fisheries, including implications of management measures. Moreover, the delegate of Albania stressed the need to incorporate estimates of IUU catches in stock assessments.

79. The EU delegate expressed the wish that SAC advice be given sufficiently in advance of the session so that recommendations could be tabled based on the information provided. In this respect, the SAC and Commission calendars should be adapted appropriately.

80. The GFCM Secretariat then summarized new proposals of recommendations on fisheries management presented by the EU, Tunisia and Algeria. The EU proposals included: (i) amendment to Recommendation GFCM/37/2013/1 on small pelagic fisheries in the Adriatic Sea; (ii) set of harmonized management measures for bottom trawl fisheries in the Strait of Sicily, and (iii) management plan of turbot fisheries in the Black Sea. The proposal tabled by Tunisia consisted in the establishment of a three-month closing season for trawlers in GSA 14.

81. The delegate of Algeria proposed to establish a decision-making mechanism to facilitate the preparation of recommendations to be submitted to the Commission. In this respect, the Commission fully agreed with such principle, which would surely improve its functioning. Gratitude was expressed to Algeria for such proposal and it was agreed that the issue be further discussed in connection with the ongoing amendment of the GFCM Rules of Procedure. Consequently, the delegate of Algeria withdrew the proposal pending the conclusions of such discussions.

82. Furthermore, other technical documents prepared by the SAC were submitted to the consideration of the Commission, namely: a) guidelines for artificial reefs (based on document GFCM:XXXVIII/2014/Inf.14); b) draft management plan for red coral (based on document GFCM:XXXVIII/2014/4); c) roadmap to fight IUU fishing in the Mediterranean (as included in Appendix J); and d) GFCM Data Collection Reference Framework (DCRF) (based on document GFCM:XXXVIII/2014/9).

83. Concerning the EU proposal on the management of Black Sea turbot fisheries, the delegate of Turkey suggested that the proposal be further discussed by all Black Sea riparian States within the WGBS, so that consensus be mustered on the management plan during the consultations. The delegate of the EU stated that the proposal put forth was fully consistent with SAC advice and mentioned that the Commission was the executive body where decisions should be agreed upon. The EU delegate regretted that this proposal could not be discussed during the session. The draft proposal submitted by the EU is reproduced in Appendix M.

84. No decision was taken regarding this proposal but the Commission agreed to dedicate particular attention, during the next intersession, to its technical contents within the framework of the WGBS. In this respect, the Commission suggested tentative terms of reference to be taken into consideration within relevant activities of this working group as follows:

- Collect and analyse all available information and data referring to turbot and its associated species caught by means of gillnets, trawler or any other fishing gear targeting turbot. Thus, where appropriate, advise on minimum conservation sizes;
- Identify, based on existing knowledge, the stock boundaries for turbot species in the Black Sea, and, if not possible, identify gaps and needs for scientific data and evaluate the way forward to define the distinct biological boundaries;
- Update the existing data and stock assessment methodology, including the identification of the most suitable model to be applied;

- Update the reference points for F and provide intermediate F targets with different scenarios and achievable timeframes;
- Carry out a socioeconomic impact assessment of the possible measures and/or scenarios to be applied;
- Evaluate the possible measures/modifications that could be taken/made in order to improve the selectivity of the fishery;
- Collect and analyse all available information and data that would allow estimating the proportion of by-catch, discard and IUU catches;
- Evaluate the effectiveness of the measures already applied at the national level and advise on whether these measures could be applicable to the entire GSA 29.

85. After extensive discussions, the Commission adopted the Recommendation GFCM/38/2014/1, amending Recommendation GFCM/37/2013/1, as included in Appendix G. In line with such Recommendation, the Commission suggested that technical elements for the management of small pelagic fisheries in the Adriatic Sea be addressed during the next intersessional period, with the aim to:

- Identify the most suitable model to be applied respectively for the stock assessment of sardine and anchovy in GSA 17;
- Provide reference points consistent with the model used to perform stock assessments for both sardine and anchovy in GSA 17;
- Carry out a socioeconomic impact assessment of possible measures and/or scenarios to be applied;
- Identify gaps and evaluate ways to strengthen the working methodology when performing acoustic surveys. Thus, propose alternatives to reduce the amount of time between the acoustic survey and the availability of data for stock assessment;
- Identify gaps and needs regarding scientific data and evaluate the way forward to obtain a complete stock assessment of sardine and anchovy for the whole Adriatic Sea (i.e. including GSA 18). Depending on the results and, to the extent possible, a working programme for the Subcommittee on Stock Assessment shall be developed. If a lack of data preventing a formal stock assessment is noted, the subcommittee shall list the necessary steps to tackle the issue.

86. The Commission took note of the proposals of recommendations submitted by Tunisia for GSA 14 and by the European Union for GSA 12–16 and decided to suspend their discussion and adoption. Due to the importance of establishing measures for relevant stocks in the area, SAC was requested to analyse them for its next session, including in coordination with the FAO MedSudMed project, in order to provide GFCM with advice on the measures to be developed. Such measures would include spatio-temporal and fleet management measures in view of establishing a GFCM multiannual management plan for demersal species in the Strait of Sicily, taking into account the national measures adopted by GFCM Members. The original proposals are included as Appendix L and N respectively, for future reference and guidance on technical elements to be further discussed at the next SAC session.

87. The representative of Oceana highlighted that her organization was looking forward to future developments towards management plans in the Strait of Sicily, and that these could become an example of the commitment of GFCM for the sustainable management of Mediterranean and Black Sea fisheries and ecosystems.

88. The Commission also decided to endorse the Guidelines for artificial reefs based on document GFCM:XXXVIII/2014/Inf.14 and the Roadmap to fight IUU in the Mediterranean as included in Appendix J.

89. With respect to the elements for the management of red coral, the Commission acknowledged the importance of this resource for the livelihood of populations in the whole Mediterranean, and

agreed that efforts should continue towards the set-up of a management plan to regulate the exploitation of this resource and to promote the conservation of the species. The delegate of the EU reiterated the need to improve knowledge on the status of red coral populations in the Mediterranean, underlining the difficulty to implement a management plan until further information would be available. The technical work prepared by SAC was endorsed and a number of comments were raised by delegates as summarized below.

90. The delegate of Algeria informed the Commission about the substantial progress made over the last years to set up a national plan that could allow to re-open the fisheries after a period of closure. He offered to share this experience with other Members and to collaborate in the preparation of a regional plan taking stock of good practices at the national level.

91. The representative of IWMC expressed concerns about the implementation pace of management plans for red coral and encouraged the Commission to keep the momentum and set up an adaptive management plan, starting with the enforcement of current measures to be possibly adjusted once there is a better knowledge on the status of red coral populations.

92. Furthermore, the delegate of Tunisia stressed the need to advance towards the establishment of a research programme on red coral. He recalled that emphasis had to be placed on data collection and research in order to improve knowledge on this resource and he highlighted that financial support would be needed to develop a programme dealing with this aspect.

93. In this respect, the Executive Secretary recalled that following the various meetings held with experts at the international level to advance towards a management plan for red coral, a proposal for a research programme had been elaborated and could represent a good basis for a cooperation programme within the framework of the FWP.

94. The Commission agreed that the main priority was to ensure compliance with the existing recommendations on red coral GFCM/35/2011/2 and GFCM/36/2012/1 as well as to collect and analyse data within this framework. Moreover, the Guidelines for the management of Mediterranean red coral populations were endorsed as reproduced in Appendix I.

95. Finally, the Commission validated the SAC Data Collection Reference Framework (DCRF) and gave mandate to the GFCM Secretariat to develop the required technical manuals and online submission plan during the next intersession.

Aquaculture

96. The CAQ Chairperson presented the main conclusions and advice on aquaculture management on the basis of document GFCM:XXXVIII/2014/3. He mentioned that important issues had been tackled by the Committee during the intersession, in particular with regard to: i) interactions between aquaculture and environment, ii) restocking activities, iii) better management practices, iv) aquaculture statistics, v) the Aquaculture Multi-stakeholder Platform, vi) coastal lagoons management.

97. The Commission thanked the CAQ Chairperson for his dedicated efforts and praised the work done by CAQ to promote the sustainable development of a sector that is receiving increasing attention in many GFCM countries. It was recalled, in particular, that knowledge outputs and management tools produced by CAQ were extremely important since they were used by the countries *inter alia* for the preparation of their policies, national development plans, and for their technical work. In this respect, the interactive work between CAQ and GFCM Members was praised.

98. Several delegations emphasized that aquaculture was a priority in their countries and expressed hopes for increased attention and initiatives through the Commission, capitalizing on the existing expertise and knowledge in the region, at various levels. They also acknowledged the

importance of spatial planning to ensure the sustainability of this sector through a balanced use of resources. In particular, the delegate of Algeria informed that his country was promoting a specific strategy to foster the role of aquaculture as a key sector in socioeconomic development and a valid alternative to counterbalance the shortcomings of the capture fisheries sector.

99. The delegates of Albania, Egypt, Montenegro and Tunisia expressed their interest in topics such as restocking and diversification of aquaculture production in a broad sense and in terms of species and technologies, including freshwater aquaculture. They also welcomed the elements for guidelines for restocking activities produced by CAQ in the light of the need for tools to guide countries in their national capacity-building and in the definition of appropriate policies, expressing the wish that such guidelines be also produced in more than one language.

100. The delegate of Morocco, supported by other delegations, suggested that attention be also given to the development of shellfish culture.

101. The Commission praised the elaboration of the *Guidelines for the sustainable management of coastal lagoons in the Mediterranean and the Black Sea*, as reproduced in document GFCM:XXXVIII/2014/Inf.15 and agreed that consideration be given to these guidelines, which should also be made available in French, during the next session.

102. It also acknowledged the *Key elements for guidelines on a harmonized environmental monitoring programme (EMP) for marine finfish cage farming in the Mediterranean and Black Sea* (as reproduced in document GFCM:XXXVIII/2014/Inf.8), envisaging the possibility to produce this document as GFCM publication.

103. The Commission acknowledged the valuable progress undertaken in launching the AMShP in support of the activities of CAQ and stressed that such initiative was a good framework to ensure the effective development of aquaculture within four fora, namely: i) regulatory framework; ii) environment and disease management; iii) quality and market of aquaculture products and iv) technology and feed production. The involvement of all stakeholders, including farmers and farmers' organizations, research institutions, administrations and the private sector, was highly appreciated.

104. The Commission endorsed the proposed course of action and invited potential donors to support the development of the platform. In this regard, the delegate of France confirmed the intention of his country to ensure financial support to this activity.

PROGRAMME OF WORK FOR THE INTERSESSIONAL PERIOD 2014–2015

Scientific Advisory Committee

105. The SAC Chairperson presented the work plan of his Committee for the next intersession on the basis of document GFCM:XXXVIII/2014/2.

106. The Commission took note of the numerous activities planned and agreed on the need to identify priorities as well as a precise calendar that would allow Members to adequately prepare for recommendations to be submitted to the thirty-ninth session of the Commission. In this respect, the Commission agreed that the possibility to organize some of the meetings on a two-year basis should be further investigated. The Commission highlighted priority topics for the SAC work plan, namely: second meeting of the Working Group on Marine Protected Areas; research programme on red coral; training for socioeconomic specialists; follow-up activities towards the implementation of management plans; and workshop on fishing technology and activities towards the reduction of IUU fishing. The technical actions as proposed by SAC and its subsidiary bodies, based on document GFCM:XXXVIII/2014/Inf.5, were endorsed.

107. The Commission acknowledged the ambitious work plan, expressing concern for the large amount of activities considering in particular the very limited time available to carry out intersessional activities. It was also mentioned that the work plan should incorporate the new principles of the amended GFCM Agreement, including the subregional approach, multiannual activities and the involvement of different stakeholders in the management of resources.

108. Regarding small-scale fisheries, the Secretariat presented a proposal for a first regional cooperation programme as reproduced in document GFCM:XXXVIII/2014/Inf.17. Details were also provided on the FAO Technical Guidelines for Securing Sustainable Small-Scale Fisheries.

109. The delegate of Egypt drew the attention of the Commission to the linkages between small-scale fisheries and the livelihood of coastal communities in his country. As small-scale fisheries represented the vast majority of the fishing sector in Egypt, he was fully in favour of the proposal for a regional cooperation programme and hoped that relevant case studies to be examined could also encompass those of importance to Egypt.

110. The Commission expressed full support to this initiative that addressed crucial issues for a sector which is regarded as a pillar against the FAO objectives of poverty eradication and fight against hunger. Delegates and observers acknowledged the socioeconomic dimension of small-scale fisheries and recognized that the proposed approach would be instrumental to develop governance and improve the availability of data.

111. The delegate of Algeria renewed the proposal of his country to host the Second Regional Symposium on Sustainable Small-Scale Fisheries in the Mediterranean and the Black Sea and ensure financial support, while WWF and CIHEAM expressed their willingness to collaborate in its organization.

Committee on Aquaculture

112. The Commission acknowledged the proposal introduced by the Secretariat relating to a regional Aquaculture Multi-Stakeholder Platform (AMShP) based on the concept note presented in document GFCM:XXXVIII/2014/Inf.16. It advocated for an active participation of Members in the AMShP. The participation of national aquaculture farmers' organizations (AFOs), mirror platforms or equivalent committees/networks was also mentioned as a possible interface with the AMShP in each country, to ensure links between national and regional commitments and priorities.

113. In this respect, the Commission acknowledged the need for close collaboration with the Government of Italy, in the context of its EU Presidency semester in 2014, for the organization of a high-level regional conference on aquaculture in the Mediterranean and the Black Sea. This event would boost the effective launching of the platform and offer an important opportunity to deal with both policy and technical issues related to the sustainable development of aquaculture in the GFCM area and to its strategic implications for food security and economic growth.

114. The Commission thanked the Government of Italy for this initiative, supported by the GFCM, and endorsed the proposal, taking note of the availability of several partner organizations to cooperate.

115. The Commission also noted the comments raised by some delegations regarding knowledge gaps in technology for the reproduction of mullets (e.g. *Mugil cephalus*), an important species for aquaculture in many countries. The Chairperson recalled that there was expertise on the artificial reproduction and propagation of mullets in the region and motioned for the preparation of a technical document to sum up existing transferable regional knowledge, possibly without further budget implications.

116. The Commission emphasized the need to address the social and economic components of capture fisheries and aquaculture, stressing that the proposed programme on small-scale fisheries and the AMShP would offer such opportunity.

117. Moreover, the Commission recognized the opportunities offered by the EU Horizon 2020 programme on research and innovation encompassing many important aspects for the region. It welcomed the participation of GFCM Members in this initiative to ensure a level playing field and balanced involvement.

118. Furthermore, after a presentation by the CAQ Chairperson based on document GFCM:XXXVIII/2014/3, the Commission also agreed on the following activities:

- Disseminate the results and outcomes on the use of indicators, including through pilot studies;
- Finalize the work on indicators for shellfish culture and land-based marine aquaculture;
- Carry on the work on environmental quality standard (EQS) and focus on site specificity (e.g. bathymetry, marine currents, type of sea bottom);
- Identify regional priorities for the quality and safety of products, markets and consumers in connection to aquaculture products;
- Cooperate with farmers and farmers' organizations (AFOs) to promote better management practices;
- Within the collaboration with the Coordinating Working Party on Fishery Statistics (CWP) and in collaboration with Eurostat, revise the standard aquaculture questionnaires used by CWP members and work on the development of guidelines.

Working Group on the Black Sea

119. The Coordinator of the WGBS presented the work plan of his working group for the next intersession, based on documents GFCM:XXXVIII/2014/2 (capture fisheries) and GFCM:XXXVIII/2014/3 (aquaculture).

120. The delegate of the Russian Federation appraised the importance for the Black Sea of the work carried out by WGBS.

121. The Commission recognized the quality and extent of the work of WGBS since its inception and highlighted important challenges ahead for the Black Sea, including those linked to management plans for the main Black Sea fisheries, fish restocking, inventory of aquaculture and production centres. The cooperation of the WGBS in the organization of the International Symposium on Fisheries and Aquatic Science (Turkey, September 2014) was acknowledged. The technical actions proposed by WGBS as referred to in document GFCM:XXXVIII/2014/Inf.5 were endorsed.

Programme of work of the Compliance Committee and of the Committee of Administration and Finance

122. The CoC Chairperson presented the work programme for the 2014–2015 intersession, as reproduced in document COC:VIII/2014/2.

123. The Commission agreed that the CoC intersessional meeting be held back-to-back with the working group on the amendment of the GFCM Rules of Procedure and Financial Regulations and decided that these meetings would be funded through the 2015 regular budget and would foresee simultaneous interpretation.

124. The Executive Secretary proposed the two Bureaus of CoC and CAF to meet every year before the annual session of the Commission to discuss administrative and financial aspects as well as compliance issues. The Commission welcomed this initiative.

Meetings planned for the intersessional period 2014–2015

125. The Commission approved the following meetings, some of which would be subject to the availability of funds.

Meetings planned for the intersessional period 2014–2015

(1) covered by the autonomous budget and open to extrabudgetary funds to facilitate attendance

(2) minimum extrabudgetary funds already secured

(3) subject to the availability of extrabudgetary funds

CATEGORY	MEETING	DATE	VENUE	BUDGET
SAC	Working groups on Stock Assessment of Demersal and Small Pelagic Species (including assessment of red coral populations) [5 days]	27–31 October 2014	GFCM HQ	(1)
SAC	EIFAAC/GFCM/ICES Working Group on Eel (WGEEL)	4–10 November 2014	Tunis, Tunisia	(3)
SAC	Meeting of the Subregional Group on Stock Assessment in the Black Sea, including harmonization of methodologies and analysis of data for surveys at sea [3 days]	10–12 November 2014	Constanta, Romania	(2)
	Ad hoc meeting of the Working Group on the Black Sea on turbot fisheries [2 days]	13–14 November 2014		(3)
SAC	MedSuit regional workshop	November 2014	TBD	(2)
SAC/CAQ	Concerted action for Lebanon	November 2014	Beirut, Lebanon	(2)
SAC	16 th session of the Subcommittee on Stock Assessment [3 days]	1–3 December 2014	GFCM HQ	(3)
	15 th session of the Subcommittee and Social and Economic Sciences [2 days]			(3)
	SAC intersessional meeting on Adriatic management plan [2 days]	4–5 December 2014		(3)
SAC	Workshop on the conservation of elasmobranchs [3 days]	8–10 December 2014	Sète, France	(2)
CAQ	Aquaculture Multi-Stakeholder Platform meeting [2 days]	9–11 December 2014	Italy	(3)
	Regional conference on sustainable aquaculture [1 day]			
SAC	Workshop on the implementation of the DCRF in the Mediterranean and the Black Sea [3 days]	15–17 December 2014	Madrid, Spain	(2)

CATEGORY	MEETING	DATE	VENUE	BUDGET
COM	Working Group on the Amendment of GFCM Rules of Procedures and Financial Regulations [3 days]	26–28 January 2015	FAO HQ	(1)
	CoC Intersessional meeting (including a session on legislation) [2 days]	29–30 January 2015		
SAC	Follow-up workshop for the implementation of management measures in selected case studies [3 days]	3–5 February 2015	TBD	(2)
CAQ	9th session of the Committee on Aquaculture including SIPAM [3 days]	24–26 February 2015	Marrakech, Morocco	(1)
SAC/CAQ	4 th meeting of the Working Group on the Black Sea [3 days]	9–11 March 2015	Georgia	(1)
SAC	17th session of the Scientific Advisory Committee [4 days]	24–27 March 2015	FAO HQ	(1)
SAC	Second Regional Symposium on Sustainable Small-Scale Fisheries in the Mediterranean and the Black Sea [4 days]	4–6 May 2015	Algeria	(3)
CoC	Working group on VMS and related control systems in the GFCM area [2 days]	20–24 April 2015	Morocco	(2)
CoC	Follow-up workshop on the implementation of the IUU roadmap [3 days]			(2)
CAQ	Pilot study in Albania in support to the development of AZA and on the use of indicators for aquaculture development [2 days]	April 2015	Albania	(3)
COM	39th session of GFCM [5 days]	25–29 May 2015	FAO HQ	(1)
SAC	Second meeting of the Working Group on Marine Protected Areas (possibly back-to-back with the RAC/SPA meeting on SPAMIs) [3 days]	First half of June 2015	Tunisia	(3)

126. The attention of the Commission was drawn to the fact that the implementation of the work plan could be hampered since most of the activities foreseen did not have a secured financing for the time being. This applied also to activities usually covered by the regular programme (such as the Working Groups on Stock Assessment of Demersal and Small Pelagic Species) that had already taken place in 2014 and could not therefore be financed again under the current budget. Proper solutions should be identified in order to avoid this situation.

127. The Commission took note of the kind offer by some Members to host different meetings of subsidiary bodies, subject to confirmation by the relevant authorities in their countries.

128. The delegate of Tunisia supported the concerted action for Lebanon initiative and encouraged the Commission to consider similar initiatives for other Members.

BUDGET AND MEMBERS CONTRIBUTIONS 2014–2015

129. The Executive Secretary recalled the main chapters of the proposed budget for the financial period 2014–2016 as presented at the fifth session of CAF and detailed each line of the proposed budget for 2014 together with the Members' contributions for the same year. He informed the Commission that, because of the unexpected costs incurred by the amendment of the GFCM Agreement with the holding of the extraordinary session, in particular its second meeting held outside of FAO working days, the proposed budget would not allow for the organization of any new activity in 2014 unless extrabudgetary funds were provided.

130. He also underlined the importance of establishing the post of Liaison Officer (P-2) starting from November 2015, insisting on the necessity to ensure that such a position, which had been thus far covered through extrabudgetary funded consultancies, become permanent within the Secretariat. The Commission was in favour of bringing this matter again to its attention at its thirty-ninth session.

131. Clarifications were requested in particular in relation to budget lines pertaining to staffing compared to the previous year, for which the Executive Secretary provided the necessary explanations. He recalled that the Legal and Institutional Officer (P-3) and the Office Assistant (G-3) had been recruited during the last quarter of 2013, whereas the budget for 2014 reflected the full yearly expenses for those posts.

132. In relation to the post of Administrative Clerk which could become vacant due to personal reasons, the Commission agreed to fill the position at G-3/G-4 level, depending on the skills required to effectively cover the expected duties.

133. The Commission decided to adopt the budget proposed for the current year and to address the issue of the proposed triennial budget at its next session. It asked to ensure there would be no variation in the total number of posts in the "staff" chapter in the 2015 budget.

134. Accordingly, the Commission adopted the budget for 2014 for a total amount of **USD 2245 916 (EUR 1 632 781)** as included in Appendix O as well as the contributions of Members to the GFCM budget (Appendix P).

ENDORSEMENT OF THE ELECTION OF THE SAC BUREAU

135. The Commission paid special tribute to the members of the outgoing SAC Bureau, Mr Henri Farrugio (France), Mr Othman Jarboui (Tunisia) and Mr Atig Huni (Libya), respectively Chairperson, first and second Vice-Chairperson, for their outstanding work and dedication during their mandate. All scientists having contributed to the works of the Committee over the years were gratefully acknowledged.

136. The Executive Secretary referred to Articles 7 and 8 of the GFCM Rules of Procedures related to the election and functions of the SAC Bureau and the Commission endorsed the election of Mr Othman Jarboui (Tunisia) as SAC Chairperson and of Mr Ali Cemal Gücü (Turkey) and Ms Capucine Mellon (France) as first and second Vice-Chairperson respectively.

ANY OTHER MATTER

137. The Commission thanked FAO for hosting the thirty-eighth session of the GFCM and for the support provided to ensure the proper functioning of the GFCM.

138. Gratitude was expressed to the GFCM Secretariat for the excellent work done and the efforts made in the preparation of and during the session. Since it was noted that the decision to have a

paperless meeting did not hamper the functioning of the session, the Commission acknowledged that this practice should be encouraged in the future.

139. Mr Fabrizio Donatella, from the EU delegation, made a statement on behalf of ICCAT to express gratitude to the GFCM for the invitation and stress the importance of present and future cooperation in the Mediterranean between both organizations regarding matters of mutual interest, including through the exchange of expertise, experiences and information. He added that such cooperation should take into account the prerogatives of each organization.

140. Finally, the Commission agreed on a new cover format for its annual session report.

DATE AND PLACE OF THE THIRTY-NINTH SESSION

141. As per usual practice, in the absence of an invitation to host the annual session, the thirty-ninth session of GFCM could be convened at the FAO headquarters in May 2015.

ADOPTION OF THE REPORT AND CLOSURE OF THE SESSION

142. The report, including its appendixes, was adopted on Saturday 24 May 2014.

LIST OF APPENDICES

- A) Agendas**
 - a. Agenda of the thirty-eighth session of the Commission
 - b. Agenda of the fifth session of the Committee on Administration and Finance
 - c. Agenda of the eighth session of the Compliance Committee
- B) List of participants**
- C) List of documents**
 - a. List of documents before the thirty-eighth session of the Commission
 - b. List of documents before the fifth session of the Committee on Administration and Finance
 - c. List of documents before the eighth session of the Compliance Committee
- D) Statements pronounced at the thirty-eighth session of the Commission**
- E) Endorsed amended Agreement for the Establishment of the General Fisheries Commission for the Mediterranean**
- F) Resolution GFCM/38/2014/1 on Guidelines on VMS and related control systems in the GFCM area of competence**
- G) Recommendation GFCM/38/2014/1 amending Recommendation GFCM/37/2013/1 and on precautionary and emergency measures for 2015 on small pelagic stocks in the GFCM GSA 17**
- H) Recommendation GFCM/38/2014/2 amending and repealing Recommendation GFCM/34/2010/3 concerning the identification of the non-compliance**
- I) Guidelines for the management of Mediterranean red coral populations**
- J) Roadmap for fighting IUU in the Mediterranean Sea**
- K) GFCM IUU vessel list**
- L) Draft European Union proposal for a GFCM recommendation on the establishment of a set of minimum standards for bottom trawling fisheries on demersal stocks in the Strait of Sicily pending the development and adoption of a multiannual management plan**
- M) Draft European Union proposal for a GFCM recommendation on a multiannual management plan for fisheries on turbot and associated demersal species in the GFCM-GSA 29 (Black Sea)**
- N) Draft Tunisia proposal for a GFCM recommendation on the establishment of a closing season in GSA 14**
- O) GFCM autonomous budget for 2014**
- P) Contributions to the GFCM autonomous budget for 2014**

Agenda of the thirty-eighth session of the Commission

1. Opening and arrangements of the session
2. Cooperation with international party organizations, including the signature of Memoranda of Understanding
3. Report on the intersessional activities 2013–2014
4. Fifth session of the Committee on Administration and Finance (CAF)
5. Eighth session of the Compliance Committee (CoC)
6. Follow-up on the process of amendment of the GFCM legal and institutional framework
7. Management of Mediterranean fisheries and aquaculture
8. Programme of work for the intersessional period 2014-2015, including the FWP
9. Adoption of the report of the eighth session of the Compliance Committee (CoC)
10. Adoption of the report of the fifth session of the Committee on Administration and Finance (CAF)
11. GFCM budget and Members contributions for 2014 and 2015
12. Endorsement of the election of the SAC Bureau
13. Any other matter
14. Date and place of the thirty-ninth session
15. Adoption of the report and closure of the session

APPENDIX A(b)**Agenda of the fifth session of the Committee on Administration and Finance**

1. Opening of the session
2. Adoption of the agenda and arrangements for the session
3. Reports from the Secretariat on administrative and financial issues
4. Work programme of the Committee on Administration and Finance
5. Any other matter
6. Date and venue of the sixth session
7. Adoption of the report and closure of the session

Agenda of the eighth session of the Compliance Committee

1. Opening of the session
2. Adoption of the agenda and arrangements for the session
3. Report of the intersessional activities of the Compliance Committee
4. Status of implementation by Members of decisions adopted at the thirty-seventh session of the Commission
5. Identification process relating to possible cases of non-compliance by Members consistent with the status of implementation with GFCM decisions
6. Identification process relating to possible cases of non-compliance by GFCM non Members
7. Draft revised Recommendation GFCM/34/2010/3 concerning the identification of non-compliance
8. Proposal for a GFCM IUU vessel list
9. Progress on the implementation of a vessel monitoring system and related control systems in the GFCM area
10. Review of the Compendium of GFCM decisions
11. Work programme of the Compliance Committee, including the establishment of a regional database of national legislations
12. Any other matter
13. Date and venue of the ninth session
14. Adoption of the report and closure of the session

List of participants

MEMBERS OF GFCM

ALBANIA

Vojo BREGU*
General Secretary
Ministry of Agriculture, Rural Development
and Water Administration
Blv. "Deshmoret e Kombit", Nr.2, kp.1001,
Tirana

Lauresha GREZDA
Director
Directorate for Agriculture Production and
Trade Policies
Ministry of Agriculture, Rural Development
and Water Administration
Blv. "Deshmoret e Kombit", Nr.2, kp.1001,
Tirana
Tel.: +355 4 22 23 825
Mob.: +355 69 20 63 272
E-mail: lauresha.grezda@bujqesia.gov.al

Mimoza COBANI
Fishery and Aquaculture specialist
Fishery Directorate
Ministry of Agriculture, Rural Development
and Water Administration
Blv. "Deshmoret e Kombit", Nr.2, kp.1001,
Tirana
Tel.: +355 672055778
E-mail: cobanimimi@yahoo.com

ALGERIA

Hamid BENDERRADJI*
Chargé d'études et de synthèse
Ministère de la Pêche et des Ressources
Halieutiques
Rue des quatre canons
Alger
E-mail: h.benderradji@mpeche.gov.dz

Ramdane OUSSAID
Directeur du Développement de l'Aquaculture
Ministère de la Pêche et des Ressources
Halieutiques
Alger

Mohamed MELLAH
Conseiller
Ambassade de la République algérienne
démocratique et populaire
Via Bartolomeo Eustachio, 12
00161 Rome

Karima AMEUR
Secrétaire des Affaires Étrangères
Ambassade de la République algérienne
démocratique et populaire
Via Bartolomeo Eustachio, 12
00161 Rome
E-mail: bob.karima@hotmail.fr

BULGARIA

H.E. Lubomir IVANOV
Ambassador of the Republic of Bulgaria to FAO
Permanent Representation of the Republic
of Bulgaria to FAO
Via Pietro Paolo Rubens, 21
00197 Rome

Martin SIMOV *
Head
European and International Activities
Department
Executive Agency for Fisheries and
Aquaculture (EAFA)
Ministry of Agriculture and Food
17 Hristo Botev Blvd
1606 Sofia
Tel.: +359 885 111 806
Fax: +359 2 805 1686
E-mail: martin.simov@iara.government.bg

CROATIA

Josip MARKOVIĆ *
 Head of service
 Sector for Management, Planning and
 Development of Fisheries
 Service for Fishing Management
 Directorate of Fisheries
 Ministry of Agriculture
 10000 Zagreb
 Tel.: + 385 1 6443189
 E-mail: josip.markovic@mps.hr

Petar BARANOVIĆ
 MP/Zastupnik
 10000 Zagreb
 Trg Sv. Marka 6
 Phone: +385 1 4569 536
 Fax: +385 1 4569473
 E-mail: Petar.Baranovic@sabor.hr;
pbaranovic2@gmail.com

Lav BAVČEVIĆ
 Head of department
 Agricultural Advisory Service
 Mazuraniceva 30/I
 Tel.: + 385 (0) 23 213 635
 Fax: + 385 (0) 23 213 635
 E-mail: lav.bavcevic@savjetodavna.hr

Neda SKAKELJA
 First Secretary (Fisheries)
 Permanent Representation of Croatia to the
 European Union
 Avenue des Arts 50,
 1000 Brussels
 Tel: +32 25075473
 Fax: +32 26465664
 E-mail: neda.skakelja@mvep.hr

CYPRUS

H.E. George F. POULIDES *
 Ambassador
 Permanent Representative of the Republic of
 Cyprus to FAO
 Embassy of the Republic of Cyprus
 Piazza Farnese, 44
 00186 Rome

Lavrentios VASILIADES
 Fisheries Officer
 Fisheries Licenses and Statistics
 Department of Fisheries and Marine
 Research Department of Fisheries and
 Marine Research
 Vithleem 101 Street
 Nicosia 1416
 Tel.: +357 99478348
 Fax: +357 22775955
 E-mail: lvasilides@dfmr.moa.gov.cy

Spyridon ELLINAS
 Agricultural attaché
 Alternate Permanent Representative
 of the Republic of Cyprus to the UN Agencies
 Piazza Farnese 44
 00186 Rome
 Tel.: +39 06 6865758
 Fax: +39 06 6868038
 E-mail: faoprcyp@tin.it

EGYPT

Madani Ali MADANI
 Head
 International Agreements Department
 General Authority for Fish Resources
 Development (GAFRD)
 4, Tayaran st., Nasr City
 Cairo
 Tel.: +202 22620117 / 22620118
 Fax: +202 22620117 / 22620130
 E-mail: madani_gafrd@yahoo.com

Nasser AREF KHALIL
 Head
 Central Department of Projects and
 Development
 General Authority for Fish Resources
 Development (GAFRD)
 4, Tayaran st., Nasr City
 Cairo

Ahmed SHALABY
 Deputy Permanent Representative of Egypt to
 UN Agencies in Rome
 Head of Agricultural Office
 Embassy of the Arab Republic of Egypt
 Rome
 Tel.: +39 06 8548956
 Fax: +39 06 8542603
 E-mail: egypt@agrioffegypt.it

**EUROPEAN UNION – MEMBER
ORGANISATION/UNION EUROPÉENNE –
ORGANISATION MEMBRE**

Maria DAMANAKI
European Commissioner for Maritime Affairs
and Fisheries
European Commission

Carla MONTESI
Acting Director
Directorate D: Mediterranean and Black Sea
Directorate General for Maritime Affairs and
Fisheries
European Commission of the European Union
Rue Joseph II, 99
1049 Bruxelles

Fabrizio DONATELLA
Head of Unit D2
Fisheries Conservation and Control in the
Mediterranean and Black Sea
Directorate General for Maritime Affairs and
Fisheries
European Commission of the European Union
200 rue de la Loi – J 99
1049 Bruxelles
Tel.: +32 2 29968038
E-mail: fabrizio.donatella@ec.europa.eu

Anna MANOUSSOPOULOU
Policy Adviser
Fisheries Conservation and Control in the
Mediterranean and Black Sea
Directorate General for Maritime Affairs and
Fisheries
European Commission of the European Union
200 rue de la Loi
1049 Bruxelles
E-mail: Anna.Manoussopoulou@ec.europa.eu

Mirko MARCOLIN
Policy Adviser
Fisheries Conservation and Control in the
Mediterranean and Black Sea
Directorate General for Maritime Affairs and
Fisheries
European Commission of the European Union
200 rue de la Loi
1049 Bruxelles
E-mail: mirko.marcolin@ec.europa.eu

Amanda PEREZ PERERA
Fisheries Conservation and Control in the
Mediterranean and Black Sea
Directorate General for Maritime Affairs and
Fisheries
European Commission
Rue Joseph II 99 - 1049 Brussels, Belgium
E-mail: Amanda.PEREZ-PERERA@ec.europa.eu

FRANCE

Philippe MARAVAL*
Chargé de mission affaires internationales
Direction des pêches maritimes et de
l'aquaculture
Ministère de l'Écologie et du Développement
Durable
1 Place des degrés, La Défense
Paris
Tel.: +33 1 40818936
E-mail: philippe.maraval@developpement-durable.gouv.fr

François RENÉ
Station expérimentale de l'Ifremer
Chemin de Maguelone
34110 Palavas les Flots
Tel.: +33 63266901
Fax: +33 4 67682885
E-mail: francois.rene@ifremer.fr

Caroline MANGALO
Chargée de mission
Comité national des pêches maritimes et des
élevages marins
134 avenue Malakoff
75116 Paris
Tel.: +33 1 72 71 18 14
Fax: +33 1 72 71 18 50
E-mail: cmangalo@comite-peches.fr

GREECE

Dimitra SAVVOPOULOU*
Acting Director of Marine Fisheries
General Directorate of Fisheries
Ministry of Rural Development and Food
150 Sygrou Avenue
17671 Athens
Tel.: +30 2109287179
Fax.: +30 2109287110
E-mail: svg022@minagric.gr

Alexandros KOLLIOPOULOS
Deputy legal adviser
Special Legal Department
Ministry of Foreign Affairs
10, Zalokosta street
Athens
Tel.: +30 2103683648
E-mail: kollio@mfa.gr

Nike-Ekaterini KOUTRAKOU
Deputy Permanent Representative of Greece to
the FAO
Embassy of Greece in Rome
Tel: +39 068537551
Fax: +39 068415927

Panagiotis TSACHAGEAS
Acting Head of Unit
Directorate of Marine Fisheries
General Directorate of Fisheries
Ministry of Rural Development and Food
Tel.: +30 2109287177
E-mail: syg013@minagric.gr

Michael CHATZIEFSTATHIOU
Ichthyologist
Directorate of Marine Fisheries
General Directorate of Fisheries
Ministry of Rural Development and Food
Tel.: +30 2109287173
E-mail: syg094@minagric.gr

Jan LINDEMANN
General Secretariat
Council of the EU
Directorate-General B IIIA - Fisheries
Rue de la Loi 175, JL 40 40 GH 19
1048 Brussels
Tel.: +32 2 281 6317
Fax: +32 2 281 6031
E-mail: Jan.Lindemann@consilium.europa.eu

ISRAEL

H.E. Naor GILON *
Ambassador
Permanent Representative of
the State of Israel to the UN Agencies
Embassy of the State of Israel
Via Michele Mercati, 14
00197 Rome

Tamar ZIV
Deputy Permanent Representative of
the State of Israel to the UN Agencies
Embassy of the State of Israel
Via Michele Mercati, 14
00197 Rome
E-mail: economy@roma.mfa.gov.il

ITALY

Riccardo RIGILLO *
Direttore Generale
Direzione Generale della Pesca e
dell'Acquacultura
Ministero per le Politiche Agricole, Alimentari
e Forestali
Viale dell'Arte 16
00144 Rome
E-mail: pemac.direttore@mpaaf.gov.it

Mauro BERTELLETTI
Dirigente Affari Generali e Ricerca Scientifica
(Pemac I)
Direzione Generale della Pesca e
dell'Acquacultura
Ministero per le Politiche Agricole, Alimentari
e Forestali
Viale dell'Arte, 16
00144 Rome
E-mail: m.bertelletti@mpaaf.gov.it

Mauro COLAROSSO
Ministero per le Politiche Agricole, Alimentari
e Forestali
Viale dell'Arte 16
00144 Rome
Tel.: +39 3497645360
E-mail: m.colarossi@mpaaf.gov.it

Isabella VERARDI
Dirigente Rapporti Internazionali (Pemac II)
Direzione Generale della Pesca e
dell'Acquacultura
Ministero per le Politiche Agricole, Alimentari
e Forestali
Viale dell'Arte, 16
00144 Rome

Corrado PICCINETTI
Professore
Laboratorio di Biologia Marina e Pesca
Università di Bologna
E-mail: corrado.piccinetti@unibo.it

JAPAN

Masanori WADA *
 Senior Deputy Director
 Fishery Division
 Ministry of Foreign Affairs
 Tokyo
 E-mail: masanori.wada@mofa.go.jp

Ryo OMORI
 First Secretary
 Alternate Permanent Representative to FAO
 Embassy of Japan in Italy
 Tel.: +39 06 487 99411
 E-mail: ryo.omori@mofa.go.jp

LEBANON

Samir MAJDALANI *
 Head
 Department of Fisheries and Wildlife
 Ministry of Agriculture
 Embassies Street, Bir Hassan
 Beirut
 Tel.: +961 3384421
 E-mail: sem@cyberia.net.lb
smajdalani@agriculture.gov.lb

LIBYA**MALTA**

Andreina FENECH FARRUGIA *
 Director General
 Department of Fisheries and Aquaculture
 Ministry for sustainable development, the
 environment and climate change (MSDEC)
 Ghammieri, Ngiered Road
 Marsa MRS 3303
 E-mail: andreina.fenech-farrugia@gov.mt

Maya SCHEMBRI
 Alternate Permanent Representative of the
 Republic of Malta to the FAO
 Embassy of Malta
 Lungotevere Marzio, 12
 00186 Rome
 Italy
 Tel.: +39 066 879990
 E-mail: maya.schembri@gov.mt

Corinne CASHA
 Alternate Permanent Representative of the
 Republic of Malta to the FAO
 Embassy of Malta
 Lungotevere Marzio, 12
 00186 Rome,
 Italy
 E-mail: corinne.casha@gov.mt

MONACO

Jean-Philippe BERTANI *
 Deputy Permanent Representative of Monaco
 to the FAO
 Embassy of Monaco in Italy
 Via Antonio Bertoloni 36
 00197 Rome
 Italy
 Tel.: +39 3388513413
 E-mail: jbertani@gouv.mc

MONTENEGRO

Aleksandar JOKSIMOVIC *
 Director
 Institute of Marine Biology
 Dobrota bb
 85330 Kotor
 Tel.: +282 32 344 569
 E-mail: acojo@ac.me

MOROCCO

Youssef OUATI *
 Chef de division de la coopération
 Direction de la coopération et des affaires
 juridiques
 Département de la pêche maritime
 Ministère de l'Agriculture et de la Pêche
 Maritime
 Tel.: + 212 5 37 68 81 62
 E-mail: y.ouati@mpm.gov.ma

Hicham GRICHAT
 Chef du service de l'application de la réglementation et de la police administrative
 Direction des pêches maritimes et de l'aquaculture
 Département de la pêche maritime
 Ministère de l'Agriculture et de la Pêche Maritime
 B.P 476 Quartier Administratif Agdal Rabat
 Tel.: +212 537688115
 Fax: +212 537688089
 E-mail: grichat@mpm.gov.ma

Mohamed Malouli IDRISSE
 Chef du département des ressources halieutiques
 INRH - Centre régional de Tanger
 BP 5268 Dradeb
 90000 Tanger
 Tel./Fax: +212 39325139
 E-mail: malouliinrh@yahoo.fr

Farida SARF
 Chef de service des plans d'aménagement
 Agence Nationale pour le Développement de l'Aquaculture (ANDA)
 Avenue Annakhil, Immeuble les Patios
 Rabat
 E-mail: f.sarf@anda.gov.ma

Brahim KARFAL
 Chef de service réglementations et autorisations
 Agence Nationale pour le Développement de l'Aquaculture (ANDA)
 Avenue Annakhil, Immeuble les Patios
 Rabat
 E-mail: b.karfal@anda.gov.ma

ROMANIA

Constantin STROIE *
 Counsellor
 National Agency for Fisheries and Aquaculture
 Bucharest
 Tel.: +40 21 6344429
 E-mail: constantin.stroie@anpa.ro

Larissa BURU
 Permanent Representative of Romania to the European Union - Agriculture, Fisheries and Rural Development
 Belgium
 Tel: +32 2 7000202
 E-mail: larissa.buru@rpro.eu

SLOVENIA

Roman ČIČMIRKO *
 Senior Counsellor
 Ministry of Agriculture and the Environment
 Dunajska cesta 22
 1000 Ljubljana
 Tel.: +386 41356573
 E-mail: roman.cicmirko@gov.si

SPAIN

Encarnación BENITO REVUELTA *
 Jefa de Area
 SG Caladero Nacional, Aguas Comunitarias y Acuicultura
 Dirección General de Recursos Pesqueros y Acuicultura
 Secretaría General de Pesca
 Ministerio de Agricultura, Alimentación y Medio Ambiente
 C/ Velázquez 144 - 28071 Madrid
 Tel. / Fax: +34 913476161 / 6046
 E-mail: ebenitor@magrama.es

Santiago MENÉNDEZ DE LUARCA
 Consejero
 Representante Alterno de España ante la FAO
 Embajada de España
 Via di Parione, 12
 00186 Rome
 E-mail: smenendez@magrama.es

SYRIAN ARAB REPUBLIC

TUNISIA

Hachemi MISSAOUI *
 Directeur Général de la pêche et de
 l'aquaculture
 Ministère de l'agriculture et des ressources
 hydrauliques
 30 rue Alain Savary
 1002 Tunis Belvédère
 Tel.: +216 71 892253
 Fax: +216 71 799401
 E-mail: missaoui.hechmi@inat.agrinet.tn

Ridha M'RABET
 Directeur Général
 Institut National des Sciences et Technologies
 de la Mer (INSTM)
 28 rue 2 mars 1934
 2025 Salammbô
 Tel.: + 216 71730548
 Fax: +216 71732622
 E-mail: ridha.mrabet@instm.rnrt.tn

Othman JARBOUI
 Directeur du laboratoire sciences halieutiques
 Institut National des Sciences et Technologies
 de la Mer (INSTM)
 Centre de Sfax - BP 1035
 3018 Sfax
 Tel.: + 216 74 497117
 Fax: + 216 497989
 E-mail: othman.jarbouï@instm.rnrt.tn

TURKEY

Çınar ERGIN
 First Counsellor
 Alternate Permanent Representative of the
 Republic of the Turkey to UN-RBAs
 Embassy of the Republic of Turkey
 Via Palestro 28
 00185 Rome
 Italy
 Tel.: +39 06 44594227

Hilmi Ergin DEDEOGLU
 Counsellor
 Alternate Permanent Representative of the
 Republic of the Turkey to UN-RBAs
 Embassy of the Republic of Turkey
 Via Palestro 28
 00185 Rome
 Italy
 Tel.: +39 06 44594227
 Fax: +39 06 4941526
 E-mail: hilmi.ergin@tarim.gov.tr

OBSERVERS FROM NON GFCM MEMBER NATIONS**REPUBLIC OF KOREA**

Eun Jeong LEE
 First Secretary
 Alternate Permanent Representative of the
 Republic of Korea to FAO
 Embassy of the Republic of Korea in Italy
 Via Barnaba Oriani 30
 00197 Rome
 Italy
 Tel.: +39 06 802461
 Fax: +39 06 80246259
 E-mail: eunjeonglee@gmail.com

RUSSIAN FEDERATION

Vladimir KUZNETSOV
 Minister Counselor
 Deputy Permanent Representative
 Permanent Mission of the Russian Federation
 to FAO
 Via Gaeta, 5
 00185 Rome
 Italy
 E-mail: vkuznetsov@mail.ru

Oleg KOBIAKOV
 Counselor
 Alternate Permanent Representative
 Permanent Mission of the Russian Federation
 to FAO
 Via Gaeta, 5
 00185 Rome
 Italy
 E-mail: kobiakov@hotmail.com

Alexander OKHANOV
 Counselor
 Permanent Mission of the Russian Federation
 to FAO
 Via Magenta 16
 00198 Rome
 Italy
 Tel.: +39 06-90235744
 Fax: +39 06-90235730
 E-mail: rusfishfao@mail.ru

UKRAINE

Alexander KAPUSTIN
 First Secretary
 Alternate Permanent Representative of
 Ukraine in FAO
 Embassy of Ukraine
 Via Guido d'Arezzo, 9
 00198 Rome
 Italy
 E-mail: a.kapustin@mfa.gov.ua

OBSERVERS FROM INTERGOVERNMENTAL ORGANIZATIONS

ACCOBAMS

Chedly RAIS
 ACCOBAMS consultant
 Jardin de l'UNESCO
 Les Terrasses de Fontvieille
 MC 98000 Monaco
 E-mail: chedly.rais@okianos.org

Massimo ZUCCARO
 Consultant for the Fishing Mediterranean
 Sector
 Mediterranean Agronomic Institute of Bari
 (CIHEAM-IAMB)
 Via Ceglie, 9 70010 Valenzano, Bari
 Italy
 E-mail: zuccaro@iamb.it

CIHEAM

Bernardo BASURCO
 Administrator
 Fisheries and Aquaculture
 Mediterranean Agronomic Institute of
 Zaragoza (CIHEAM-IAMZ)
 Avenida de Montañana 1005
 50059 Zaragoza
 Spain
 Tel.: + 34 976 716006
 E-mail: basurco@iamz.ciheam.org

EUROFISH

Aina AFANASJEVA
 Director
 H.C Andersens Boulevard 44-46
 1553 Copenhagen
 Denmark
 Tel: + 45 333 777 68
 Fax: + 45 333 777 56
 E-mail: aina.afanasjeva@eurofish.dk

ICCAT

Fabrizio DONATELLA
 Head of Unit D2
 Directorate General for Maritime Affairs and
 Fisheries
 European Commission of the European Union
 200 rue de la Loi – J 99
 1049 Bruxelles
 Belgium
 Tel.: +32 2 29968038
 E-mail: fabrizio.donatella@ec.europa.eu

INFOSAMAK

Abdellatif BELKOUCH
 Managing Director
 Centre for Marketing Information & Advisory
 Services for Fishery Products in the Arab
 Region
 71, Bd Rahal El Meskini
 Casablanca 20000
 Morocco
 Tel.: + 212 22 54 08 56
 Fax: + 212 522 54 08 55
 E-mail: Abdellatif.belkouch@infosamak.org

IUCN

Antonio TROYA
 Director
 IUCN Centre for Mediterranean Cooperation
 Parque Tecnológico de Andalucía, Calle Marie
 Curie 22 – Campanillas
 29590 Málaga
 Spain
 Tel: +34 952 02 84 30
 E-mail: antonio.troya@iucn.org

Alain JEUDY DE GRISSAC
 Marine Conservation Programme Manager
 IUCN Centre for Mediterranean Cooperation
 Parque Tecnológico de Andalucía, Calle Marie
 Curie 22 – Campanillas
 29590 Málaga
 Spain
 Tel.: +34 952 028 451
 E-mail: alain.jeudy@iucn.org

MEDPAN

Purificacio CANALS
 President
 48, rue Saint-Suffren
 13006 Marseille
 France
 Tel.: +33 645733383
 E-mail: pcanals@tinet.org

RAC MED

Rosa CAGGIANO
 Executive Secretary
 Via Nazionale 243
 00184 Rome
 Italy
 Tel.: +39 06 48913624
 Fax: +39 06 4820696
 E-mail: r.caggiano@racmed.eu

Gian Ludovico CECCARONI
 Coordinatore gruppo di lavoro riforma
 PCP (scarti e regionalizzazione)
 Via Nazionale 243
 00184 Rome
 Italy
 E-mail: ceccaroni.g@confcooperative.it

UNEP-MAP

Atila URAS
 Programme Officer
 United Nations Environment Programme
 Barcelona Convention Secretariat
 Coordinating Unit for the Mediterranean
 Action Plan
 Vassileos Konstantinou 48
 Athens 11635
 Greece
 Tel.: +30 210 7273140
 Fax: +30 210 7253196
 E-mail: atila.uras@unepmap.gr

UNEP/MAP– RAC SPA

Atef OUERGI
 Programme Officer
 Regional Activity Centre for Specially
 Protected Areas (RAC/SPA)
 Bd. du Leader Yasser Arafat – BP 337
 1080 Tunis Cedex
 Tunisia
 E-mail: atef.ouerghi@rac-spa.org

OBSERVERS FROM NON-GOVERNMENTAL ORGANIZATIONS**CIPS**

Paola ALTOBELLI
 Confédération Internationale Pêche Sportive
 Viale Tiziano, 70
 00196 Rome
 Italie
 Tel: +39 06 8798 0514
 Fax: +39 06 8798 0087
 E-mail: segreteriainternazionale@fipsas.it

IWMC – WORLD CONSERVATION TRUST

Marco PANI
 Vice-President for Europe
 Piazza dei Mercanti 2
 Rome
 Italy
 Tel.: +39 347 3741260
 E-mail: pani.marco@gmail.com

MEDREACT

Domitilla SENNI
 Senior Policy Adviser
 Via Urbana 143
 00184 Rome
 Tel.: +39 349 822 54 83
 E-mail: domitilla.senni@medreact.org

Serena MASO
 Outreach Coordinator
 Via Urbana 143
 00184 Roma
 Tel: +39 349 0079579
 Email: serena.maso@medreact.org

MSC - MARINE STEWARDSHIP COUNCIL

Margaux FAVRET
 Chargée partenaires et pêcheries
 Marine Stewardship Council
 Tel.: +33 1 83 64 68 18
 E-mail: margaux.favret@msc.org

OCEANA

Maria José CORNAX
 Fisheries Campaigns Manager
 Leganitos 47
 28013 Madrid
 Spain
 Tel.: + 34 911 440 880
 Fax: + 34 911 440 890
 E-mail: mcornax@oceana.org

Pilar MARIN
 Marine Scientist and MedNet Project
 Coordinator
 Leganitos 47
 28013 Madrid
 Spain
 Tel.: + 34 911 440 880
 Fax: +34 911 440 890
 E-mail: pmarin@oceana.org

Ilaria VIELMINI
 Marine scientist
 Leganitos, 47
 28013 Madrid,
 Spain
 Tel.: + 34 911 440 880
 Fax: +34 911 440 890
 E-mail: ivielmini@oceana.org

WWF MEDITERRANEAN

Demetres KARAVELLAS
Leader
WWF Mediterranean Initiative
21 Lempesi street, 117 43 Athens
Greece
Tel.: +30 210 3314893
E-mail: d.karavellas@wwf.gr

Susana SAINZ-TRAPAGA
Fisheries Advocacy Officer
WWF Mediterranean Programme Office
Carrer Canuda, 37 3er
08002 Barcelona
Spain
Tel.: +34 93 3056252
Fax: +34 93 2788030
E-mail: ssainztrapaga@atw-wwf.org

Sergi TUDELA
Head of Fisheries
WWF Mediterranean Programme Office
Carrer Canuda, 37 3er
08002 Barcelona
Spain
Tel.: +34 93 305 6252
E-mail: studela@atw-wwf.org

GFCM Bureau

Stefano CATAUDELLA
 Chairperson
 Università di Tor Vergata
 Via Orazio Raimondo, 8
 00173 Rome
 Tel: +39 06 72595954
 Fax: +39 06 2026189
 E-mail: stefano.cataudella@uniroma2.it

Chairperson of the Scientific Advisory Committee (SAC)

Henri FARRUGIO
 7, impasse de la Trémie
 34140 Bouzigues
 France
 Tel.: +33 6 87165530
 E-mail: farrugio.fisheries@gmail.com

Chairperson of the Committee on Aquaculture (CAQ)

François RENÉ
 Station expérimentale de l'Ifremer
 Chemin de Maguelone
 34110 Palavas les Flots
 Tel.: +33 6 63266901
 Fax: +33 4 67682885
 E-mail: francois.rene@ifremer.fr

Chairperson of the Compliance Committee (CoC)

Samir MAJDALANI
 Head
 Department of Fisheries and Wildlife
 Ministry of Agriculture
 Embassies Street
 Bir Hassan, Beirut
 Tel.: +961 3384421
 E-mail: sem@cyberia.net.lb
smajdalani@agriculture.gov.lb

Chairperson of the Committee on Administration and Finance (CAF)

Hachemi MISSAOUI
 Directeur Général de la pêche et de
 l'environnement
 Ministère de l'agriculture et des ressources
 hydrauliques
 30 rue Alain Savary
 1002 Tunis Belvédère
 Tel.: +216 71 892253
 Fax: +216 71 799401
 E-mail: missaoui.hechmi@inat.agrinet.tn

Coordinator of the Working Group on the Black Sea (WGBS)

Simion NICOLAEV
 Director
 National Institute for Marine Research and
 Development "Grigore Antipa"
 Blv. Mamaia 300
 900581 Constanta,
 Tel.: +4 0241 543288
 Fax: +4 0241 831274
 E-mail: nicolaev@alpha.rmri.ro

FAO
Viale delle Terme di Caracalla
00153 Rome, Italy

Árni M. MATHIESEN
 Assistant Director General
 Fisheries and Aquaculture Department
 Food and Agriculture Organization of the
 United Nations (FAO)
 Viale delle Terme di Caracalla, 1
 00153 Rome
 Italy
 Tel.: +39 06 570 56423
 E-mail: FI-ADG@fao.org

Annick VAN HOUTTE
 Senior Legal Officer
 Legal Office
 Food and Agriculture Organization of the
 United Nations (FAO)
 Viale delle Terme di Caracalla, 1
 00153 Rome
 Italy
 Tel.: +39 06 57054287
 Fax.: +39 06 57054408
 E-mail: annick.vanhoutte@fao.org

Matthew CAMILLERI
 Fishery Liaison Officer
 Policy, Economics and Institutions Service
 Fisheries and Aquaculture Policy and
 Economics Division
 Food and Agriculture Organization of the
 United Nations
 Viale delle Terme di Caracalla
 00153 Rome
 Italy
 Tel: +39 0657056435
 E-mail: matthew.camilleri@fao.org

FAO REGIONAL PROJECTS

AdriaMed/MedSudMed

Enrico ARNERI
 Project Coordinator
 Fisheries and Aquaculture Resources Use and
 Conservation Division (FIRF)
 Fisheries and Aquaculture Department
 Viale delle Terme di Caracalla, 1
 00153 Rome
 Italy
 Tel.: + 39 06 57056092
 Fax: + 39 06 570 53020
 E-mail: enrico.arneri@fao.org

Luca CERIOLA
 Fisheries and Aquaculture Resources Use
 and Conservation Division (FIRF)
 Fisheries and Aquaculture Department
 Viale delle Terme di Caracalla, 1
 00153, Rome
 Italy
 Tel.: +39 06 570 54492
 Fax: +39 06 570 53020
 E-mail: luca.ceriola@fao.org

Nicoletta MILONE
 Fisheries and Aquaculture Resources Use
 and Conservation Division (FIRF)
 Fisheries and Aquaculture Department
 Viale delle Terme di Caracalla, 1
 00153, Rome
 Italy
 Tel.: +39 06 570 55467
 Fax: +39 06 570 53020
 E-mail: nicoletta.milone@fao.org

GFCM SECRETARIAT
Palazzo Blumenstihl
Via Vittoria Colonna 1
00193, Rome, Italy

Abdellah SROUR
 Executive Secretary
 General Fisheries Commission for the
 Mediterranean
 Fisheries and Aquaculture Department
 Food and Agriculture Organization of the
 United Nations
 Tel.: +39 06 57055730
 Fax: +39 06 57055827
 E-mail: abdellah.srou@fao.org

Fabio MASSA
 Senior Aquaculture Officer/CAQ Technical
 Secretary
 General Fisheries Commission for the
 Mediterranean
 Fisheries and Aquaculture Department
 Food and Agriculture Organization of the
 United Nations
 Tel.: +39 06 57053885
 Fax: +39 06 57055827
 E-mail: fabio.massa@fao.org

Miguel BERNAL
 Fishery Resources Officer
 General Fisheries Commission for the
 Mediterranean
 Fisheries and Aquaculture Department
 Food and Agriculture Organization of the
 United Nations
 Tel.: +39 06 57056537
 E-mail: miguel.bernal@fao.org

Nicola FERRI
 Legal and Institutional Officer
 General Fisheries Commission for the
 Mediterranean
 Fisheries and Aquaculture Department
 Food and Agriculture Organization of the
 United Nations
 Tel.: +39 06 57055766
 E-mail: nicola.ferri@fao.org

Pilar HERNANDEZ
 Information Management Officer
 General Fisheries Commission for the
 Mediterranean
 Fisheries and Aquaculture Department
 Food and Agriculture Organization of the
 United Nations
 Tel.: +39 06 57054617
 E-mail: pilar.hernandez@fao.org

Federico DE ROSSI
 Data Compliance Officer
 General Fisheries Commission for the
 Mediterranean
 Fisheries and Aquaculture Department
 Food and Agriculture Organization of the
 United Nations
 Tel.: +39 06 57053481
 E-mail: federico.derossi@fao.org

Dominique BOURDENET
 Scientific Editor/Translator
 General Fisheries Commission for the
 Mediterranean
 Fisheries and Aquaculture Department
 Food and Agriculture Organization of the
 United Nations
 Tel.: +39 06 57056557
 E-mail: dominique.bourdenet@fao.org

Claudia ESCUTIA
 Programme Associate
 General Fisheries Commission for the
 Mediterranean
 Fisheries and Aquaculture Department
 Food and Agriculture Organization of the
 United Nations
 Tel.: +39 06 57054055
 E-mail: claudia.escutia@fao.org

Roberto EMMA
 Systems Analyst
 General Fisheries Commission for the
 Mediterranean
 Fisheries and Aquaculture Department
 Food and Agriculture Organization of the
 United Nations
 Tel.: +39 06 57056242
 E-mail: roberto.emma@fao.org

Merième IHIRI
 Administrative Assistant
 General Fisheries Commission for the
 Mediterranean
 Fisheries and Aquaculture Department
 Food and Agriculture Organization of the
 United Nations
 Tel.: +39 06 57054646
 E-mail: merieme.ihiri@fao.org

Paolo CARPENTIERI
 Consultant
 General Fisheries Commission for the
 Mediterranean
 Fisheries and Aquaculture Department
 Food and Agriculture Organization of the
 United Nations
 E-mail: paolo.carpentieri@fao.org

Davide FEZZARDI
 Consultant
 General Fisheries Commission for the
 Mediterranean
 Fisheries and Aquaculture Department
 Food and Agriculture Organization of the
 United Nations
 Tel.: +39 06 57055459
 E-mail: davide.fezzardi@fao.org

Aurora NASTASI
 Consultant
 General Fisheries Commission for the
 Mediterranean
 Fisheries and Aquaculture Department
 Food and Agriculture Organization of the
 United Nations
 Tel.: +39 06 57052054
 E-mail: aurora.nastasi@fao.org

Margherita SESSA
 Consultant
 General Fisheries Commission for the
 Mediterranean
 Fisheries and Aquaculture Department
 Food and Agriculture Organization of the
 United Nations
 Tel.: +39 06 57052827
 Fax: +39 06 57055827
 E-mail: margherita.sessa@fao.org

Marcelo VASCONCELLOS
 Consultant
 General Fisheries Commission for the
 Mediterranean
 Fisheries and Aquaculture Department
 Food and Agriculture Organization of the
 United Nations
 E-mail: marcelo.vasconcellos@fao.org

Stella BARTOLINI CAVICCHI
 Intern
 General Fisheries Commission for the
 Mediterranean
 Fisheries and Aquaculture Department
 Food and Agriculture Organization of the
 United Nations
 E-mail: stella.bartolinicavicchi@fao.org

Olimpia SERMONTI
 Intern
 General Fisheries Commission for the
 Mediterranean
 Fisheries and Aquaculture Department
 Food and Agriculture Organization of the
 United Nations
 E-mail: olimpia.sermonti@fao.org

**List of documents
before the thirty-eighth session of the Commission**

GFCM:XXXVIII/2014/1	Agenda and timetable
GFCM:XXXVIII/2014/2	Report on fisheries intersessional activities in 2013–2014, recommendations and work plan for 2014–2015
GFCM:XXXVIII/2014/3	Report on aquaculture intersessional activities in 2013–2014, recommendations and work plan for 2014–2015
GFCM:XXXVIII/2014/4	Elements for a regional management plan for red coral
GFCM:XXXVIII/2014/5	Report of the GFCM Committee on Administration and Finance
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GFCM:XXXVIII/2014/7	Report of the Secretariat on administrative and financial issues
GFCM:XXXVIII/2014/8	GFCM budget and Members contributions for 2014–2016
GFCM:XXXVIII/2014/9	GFCM Data Collection Reference Framework (DCRF)
GFCM:XXXVIII/2014/Inf.1	List of documents
GFCM:XXXVIII/2014/Inf.2	Current Agreement for the establishment of the General Fisheries Commission for the Mediterranean, Rules of Procedures and Financial Regulations
GFCM:XXXVIII/2014/Inf.3	Statement of competence and voting rights by the European Union and its Member States
GFCM:XXXVIII/2014/Inf.4	Report of the thirty-seventh session of the GFCM (Split, Croatia, 13–17 May 2014)
GFCM:XXXVIII/2014/Inf.5	Report of the sixteenth session of the Scientific Advisory Committee (SAC) (St Julian's, Malta, 17–20 March 2014)
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GFCM:XXXVIII/2014/Inf.7	Conclusions of the ad hoc meeting to launch the GFCM Aquaculture Multi-stakeholder Platform (AMShP) including strategic areas for aquaculture development (Izmir, Turkey, 12–13 December 2013) (available only in English)
GFCM:XXXVIII/2014/Inf.8	Key elements to develop guidelines on a harmonised environmental monitoring programme (EMP) for marine finfish cage farming in the Mediterranean and the Black Sea (available only in English)
GFCM:XXXVIII/2014/Inf.9	GFCM framework for cooperation and arrangements with party organisations (available only in English)
GFCM:XXXVIII/2014/Inf.10	Report on major activities and ongoing developments of the FAO projects in the Mediterranean (available only in English)

- GFCM:XXXVIII/2014/ Inf.11 Report of the GFCM Extraordinary session (Athens, Greece, 7–9 April 2014) (available only in English)
- GFCM:XXXVIII/2014/ Inf.12 Report of the Task Force Working Group on the amendment of the GFCM legal framework (Istanbul, Turkey, 19–21 February 2014) (available only in English)
- GFCM:XXXVIII/2014/ Inf.13 Framework for describing stock status and providing management advice in relation to reference points
- GFCM:XXXVIII/2014/ Inf.14 Practical Guidelines for Artificial Reefs in the Mediterranean and Black Sea (available only in English)
- GFCM:XXXVIII/2014/ Inf.15 Guidelines for sustainable management of coastal lagoons in the Mediterranean and Black Sea (available only in English)
- GFCM:XXXVIII/2014/ Inf.16 Concept note for a project to support the "start-up and functioning of the Aquaculture Multi-Stakeholder Platform (AMShP)" (available only in English)
- GFCM:XXXVIII/2014/ Inf.17 Concept note for the 'First regional programme on small-scale fisheries' (available only in English)
- GFCM:XXXVIII/2014/Dma.1 Age determination of elasmobranchs, with special reference to Mediterranean species: A technical manual (by Campana S.). Studies and Reviews. General Fisheries Commission for the Mediterranean. No. 94
- GFCM:XXXVIII/2014/Dma.2 Mediterranean coastal lagoons: sustainable management and interactions among aquaculture, capture fisheries and environment. Studies and Reviews. General Fisheries Commission for the Mediterranean. No 95. Rome, FAO. 2014. (by Cataudella S., Crosetti D. and Massa F., eds.)
- GFCM:XXXVIII/2014/Dma.3 Proposal for a new cover for GFCM annual session reports

**List of documents
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CoC:VIII/2014/Inf.3	Report of the seventh Session of the Compliance Committee
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CoC:VIII/2014/Inf.6	Status of the Compendium of GFCM decisions
CoC:VIII/2014/Inf.7	Identification of cases of non-compliance with GFCM decisions in accordance with recommendation GFCM/34/2010/3 (available only in English)
CoC:VIII/2014/Inf.8	Report of the CoC working group on VMS (Tunis, Tunisia, 1–2 October 2013) (available only in English)
CoC:VIII/2014/Inf.9	Launching of a feasibility study for the establishment of a GFCM centralized Vessel Monitoring System and related control systems (available only in English)
CoC:VIII/2014/Inf.10	Provisional GFCM IUU vessel list (available only in English)
CoC:VIII/2014/Inf.11	Report of the CoC Working Group on compliance (FAO HQ, Rome, Italy, 28–29 January 2014) (Available only in English)
CoC:VIII/2014/Inf.12	Guidelines for a technical cooperation programme in the monitoring of fishing vessels in the GFCM area of competence

**Statements pronounced at the thirty-eighth session of the Commission
(in the original language)**

Árni M. Mathiesen, Assistant Director General, Fisheries and Aquaculture Department, FAO

Stefano Cataudella, Chairperson, GFCM

Maria Damanaki, Commissioner for Maritime Affairs and Fisheries, European Commission

Ms Eun Jeong Lee, Alternate Permanent Representative to FAO and IFAD, Embassy of the Republic of Korea in Italy

**Opening statement by
Mr Árni M. Mathiesen
FAO Assistant Director-General
Fisheries and Aquaculture Department**

GFCM Chairperson,
Mr Cataudella,
GFCM Executive Secretary,
Distinguished Delegates,
Excellencies,
Ladies and Gentlemen,

On behalf of the Director-General of FAO, Mr José Graziano da Silva, it is with great pleasure that I welcome you to FAO Headquarters for the opening of the thirty-eighth session of the General Fisheries Commission for the Mediterranean of the FAO (GFCM), which includes also the eighth session of the Compliance Committee and the fifth session of the Committee on Administration and Finance.

Less than a month ago, I was at the Global Oceans Action Summit for Food Security and Blue Growth, held in The Hague and hosted by the Government of the Netherlands with the support of the FAO, the World Bank Group and several countries. This Summit, as I am sure you are aware, brought together global leaders, ocean practitioners, business, science, civil society and international agencies to share experiences and demonstrate how combined action in partnerships for healthier and productive oceans can drive sustainable growth, including blue growth, and shared prosperity while preserving the natural capital of the oceans for present and future generations.

The bold vision of the Summit was aptly described with the motto “from courage to action”. From my part, I emphasized the central role of the oceans for sustainable development, as recognized in the Rio+20 Conference and in view of sustainable development goals to be set further in the post-2015 sustainable development agenda. Let me recall the FAO’s commitment to and a vision of sustainable growth, including food security and poverty eradication, which ultimately led to the creation of the FAO Blue Growth Initiative. This initiative will provide a global framework through which FAO will assist countries to develop and implement their Blue Economy agendas. The initiative aims to, among other things, foster partnerships and act as a catalyst for policy development, investment and innovation in support of sustainable development. A strong pillar of this initiative will be the work towards improvements in the state of fisheries. With and through its Members, including at the next COFI session in June, FAO will tackle in particular improved fisheries governance with a focus on supporting and strengthening regional fishery bodies. The performance of these bodies is crucial to a better management and conservation of fish stocks.

This inevitably directs my train of thought to the GFCM. GFCM is not only one of the existing regional fishery bodies, but it is actually one of those bodies created directly by the FAO under Article XIV of its Constitution. Throughout the years, GFCM has stepped up to the challenges of fisheries and aquaculture by underpinning at the regional level, that is, in the Mediterranean and the Black Sea, all strategies devised by the Organization. Tomorrow, we will witness a historical event when you will hopefully adopt the amended GFCM Agreement which has been negotiated within the remit of an extraordinary session of the Commission. My first impression of this agreement is that it perfectly mirrors the “blue growth-oriented” governance of fisheries sought by the international communities. I have little doubt that, as soon as this amended agreement will be in force, GFCM will

be even more efficient, dynamic and adaptive. The pace has been set by now towards a broader vision whereby ambition is coupled with pragmatism. Against this background, the GFCM will continue to cooperate with the FAO Fisheries and Aquaculture Department and to participate in relevant initiatives, including at the global level. It is worth mentioning, incidentally, that I personally requested Mr Abdellah Srour to participate in the Global Ocean Summit last month as I deemed the presence of the GFCM in The Hague to be of great significance, both for the Commission as well as for the Organization.

Mr Chair,

Strengthening regional governance inevitably implies efforts to endow regional fishery bodies with the means necessary for them to play a paramount role in the management of living marine resources and in the elimination of IUU fishing. In this respect, I am compelled to underline that IUU fishing is evolving as fast as fisheries governance is. The level of illegal activities, including pirate activities and fisheries related crimes, is unparalleled and, without state of the art compliance with the conservation measures of regional fishery bodies, all efforts we are expected to deploy could prove to no avail. I thus urge you to work within GFCM and its Compliance Committee for the sake of enhanced transparency and by sharing all available intelligence on IUU fishing with other relevant institutions and bodies. Together we are stronger and GFCM can be a hub to foster synergies and build on commonalities.

This is also the case of small-scale fisheries. The upcoming FAO COFI will report on the progress made in the development of the FAO Guidelines on Sustainable Small-Scale Fisheries as well as on all related initiatives that the Organization is trying to promote. We will hear in the upcoming days on the regional programme for sustainable small-scale fisheries that GFCM intends to launch in close liaison with the actions envisaged by FAO on the subject. I welcome this plan which will result in greater involvement of GFCM, FAO, the FAO regional projects and relevant partners in taking issues of relevance to small-scale fisheries to a next level. All things considered, this seems to be the leitmotiv of this thirty-eighth session.

With regards to the political, institutional and technical role of GFCM in the Black Sea, I am pleased to acknowledge that the Commission has taken steps by adopting a roadmap to fight IUU fishing, putting in place a set of measures to preserve turbot and cetaceans and progressing in the discussions for a possible management plan in the basin. Also, in light of the GFCM amendment process, I have little doubt that said role of GFCM in the Black Sea will be further enhanced. The presence at this session of high-level representatives, such as the EU Commissioner of Maritime Affairs, attests to the support that the GFCM enjoys in this respect, despite the challenging times we live in.

I am eager to listen also to discussions that will take place on the future GFCM–FAO regional projects cooperation as well as on related developments. It is evident that huge steps forwards were made in a very short time and I am delighted for the constructive approach and continuous cooperation that has defined the FAO–GFCM relation in connection with subregional cooperation too.

In concluding, I would like to wish that the thirty-eighth session of the Commission will meet the high expectations so that the GFCM can remain the flagship Article XIV body of the FAO.

Thank you very much for your attention,

**Opening Statement by
Stefano Cataudella
Chairperson
General Fisheries Commission for the Mediterranean**

Excellencies,
Distinguished Delegates,
FAO ADG, Mr Mathiesen,
GFCM Executive Secretary, Mr Srour,
Observers,
Ladies and Gentlemen,

Today we inaugurate the thirty-eighth session of the GFCM, which also includes the eighth session of the Compliance Committee and the fifth session of the Committee on Administration and Finance. The relevance of this meeting is based on the fact that it will help us in the future to clearly see that today a new departure point was taken in understanding the reality of fisheries and aquaculture in the Mediterranean and the Black Sea, an area of competence characterized by a high degree of complexity. The presence at this session of high-level representatives is an unmistakable token of the importance that States accord to the GFCM as a platform for sound cooperation in the Mediterranean and the Black Sea against the institutional background of the FAO and, more precisely, under the umbrella of Article XIV of the FAO Constitution.

When I was elected Chairperson of this Commission, in 2011, the GFCM was at a juncture. I am sure you will recall that we had just received the report with the performance review of the Commission and that there were several recommendations made therein encouraging the Commission to do more. It suffices to mention that among the areas calling for improvements there was the legal framework of the Commission, reliable scientific advice for efficient fisheries management, compliance with GFCM decisions, the role of the Black Sea and transparency. Fast forward to the present day and we can take stock of the results achieved and the progress that was made.

As a swift and immediate response to renovate the outdated GFCM framework, the Commission decided to establish a Task Force, which began to operate in 2011 already and modernized the methods used to carry out relevant tasks. Of late three years, an unparalleled involvement of various actors from relevant domains (e.g. environment, research, industry, professional associations, etc.) in the work of the Commission was recorded. A bottom-up amendment process of the legal framework was steered by the Task Force and everybody was given the possibility to have a say as to how ameliorate the GFCM. Despite the complex features of this process, a new Agreement has been finalized in a display of forbearance that will remain a milestone to the determination of GFCM Members and all GFCM related actors. During this session, we will hopefully adopt this agreement that lays the ground for a locked-and-loaded Commission up to deal with the current challenges of fisheries and aquaculture in the Mediterranean and the Black Sea. The vision of this agreement is already happening however. I mean that all those proposals that were presented to and examined by the Task Force have already found their way in the activities of the Commission. A new reference framework for data collection has been finalized, discussions are advanced on multiannual management plans at the subregional level as the preferred choice to exploit sustainably the multispecies fisheries in the GFCM area, compliance has been significantly strengthened through a clarification and identification process and tremendous efforts have been made to give the Black Sea the prominence it deserves.

As if the above was not enough, at an administrative level, new headquarters kindly offered by the Government of Italy have been run by the GFCM Secretariat in a fashion that it has already become

our house. The GFCM Secretariat has been endowed with greater autonomy and, despite limited resources, it has succeeded to convene numerous technical meetings, write many papers, reports and technical documents and boost cooperation with other organizations, ultimately leading to the adoption by the Commission of several memoranda of understanding. Allow me to acknowledge the work done by the GFCM Secretariat which has been carrying out its mandate with transparency and commitment to the very goals set by the GFCM Agreement. I do believe they have been serving the Commission with the highest degree of professionalism.

In the list of the achieved results, I would also like to include the large number of observers attending this thirty-eighth session. All the achievements I have cursorily singled out make me more confident when I look at the challenges we are confronted to. The most recent findings by the GFCM Scientific and Advisory Committee concerning the status of stocks in the Mediterranean and the Black Sea are alarming. The majority of them were found to be in overfishing. This situation does not only pose biological problems relating to the conservation of the living aquatic resources and their ecosystems, but also social and economic problems for the livelihood of fishers, coastal communities as well as for the viability of markets, all of them related to sustainability.

This takes me back to my reflection on the broader scope that this Commission will have in the future. We all know that the development of aquaculture can contribute to the achievement of responsible fisheries. But aquaculture, as much as fisheries, should be now seen in a manner that reconciles all aspects of sustainable development, namely environmental, social and economic. To this end, we can turn to the GFCM and rely on the Commission to propel new and modern concepts, such as Blue Growth and marine spatial planning.

The recent developments are definitely encouraging as they seem the by-product of this shift towards a fully encompassing role of the Commission. This is particularly the case of the Aquaculture Multi-stakeholder Platform, the regional programme for sustainable small-scale fisheries, capacity building and technical assistance for Member States in areas such as monitoring, control and surveillance and the setting of good environmental statuses. Let us not forget the critical impact that the GFCM Framework Programme has had in fostering these and other initiatives. A word of gratitude for the donors that supported it thus far, namely the European Union, France, Italy, Spain and Turkey, is in order. In this respect, I would like to also acknowledge the paramount role of the FAO regional projects (Copemed, Adriamed, Medsudmed, Eastmed) which have clearly demonstrated the benefits that we can reap from their support to the GFCM technical bodies. We hope that ongoing reflections on the future of the FAO regional projects could develop into more coordinated work methods and approaches. And of course, the FAO, including its Fisheries Department and Legal Office, will always represent an indefectible technical and institutional support.

Ladies and Gentlemen,

Allow me to stress a point that I have already made on the occasion of the recent extraordinary session: should the GFCM not prove up to fulfil its objectives we will face an institutional failure that would ultimately nullify or cripple the role of multilateral cooperation in the Mediterranean and the Black Sea. For a long time, both the Mediterranean and the Black Sea have been regarded as a big problem, so big that at times we pretended that the problem was not there. We are now moving beyond denial as we stand ready to adopt a set of straightforward, common and equitable rules that will apply to Mediterranean and the Black Sea. For this and other reasons, I am here with you expressing my confidence in this Commission.

Thank you very much for your kind attention.

Maria Damanaki
European Commissioner for Maritime Affairs and Fisheries

Fisheries management in the Mediterranean and the Black Sea: time to go to the next level

President,
Executive Secretary,
Dear Delegates,
Ladies and Gentlemen,

I am very happy to be here today.

First of all, I wish to thank the Food and Agriculture Organization of the United Nations also on behalf of the EU, for hosting this year's General Fisheries Commission for the Mediterranean session.

Originally I had planned to be in Bremen today, for the European Maritime Day, which is a big event for us. But I decided it was important that I come here and share with you my views on the state of the stocks in the Mediterranean and the Black Sea.

I am rather worried to be honest. After more than four years in office, the situation is still a cause of great concern to me. The science is clear: too many species are heavily overfished. Stocks are critically low and in some cases even endangered.

And to make matters worse, we are facing ever more unregulated activities in both sea basins. I would be like to inform you that last week, the European Commission adopted a new initiative to ban in all EU waters and by all the EU operators the use of gears that adversely affect the ecosystem. If this proposal is adopted by our EU Ministers, in the Council, it will have a major positive impact in the Mediterranean. We will also need to discuss with you, our partners, how to bring this to the next level, the international level.

So, it is clear: It is time we went on high alert. It is time to take action.

Science is key in this context. We certainly need to improve our knowledge of the stocks, and I know that GFCM has made great efforts in this direction.

But it is still early days and science is only one part of the equation. The other part is interaction and cooperation between the players. The Mediterranean and the Black Sea very often face similar problems regarding stocks that are in a critical condition. We need a common approach and we need to adopt the same standards for management of resources in these two areas. And we need to translate these standards into real management measures.

Only the consistent and fair implementation of those measures will then guarantee that our resources are properly managed and that our conservation objectives are met.

Now, I admit that things were far from ideal when I took office four years ago. I admit that the Mediterranean and the GFCM were not the highest priority back then.

But today things are different. Today we have a framework that looks for long-term conservation measures, adapts to the different sub-regions, is based on scientific advice and works in synergy with regional organizations. We also have an efficient framework against illegal fishing.

This gives GFCM the right context to gain prominence and take the role it deserves: a modern, competent, effective body that has the power to make history by reversing a negative trend.

I can predict that your role is only bound to grow in the future:

- First of all, because the Mediterranean and the Black sea are coming to the fore of the EU's conservation policies and more efforts of ours will come into your direction.

- Secondly, because Black Sea issues are bound to gain importance within the GFCM. So we must reach out to those who have not joined yet and involve them in all its fields of action. In these troubled times, this should be for them a place to discuss issues in peace and in a constructive manner. So we must keep encouraging them to become full members.

- Thirdly, and most importantly, to translate the good principles of its new legislation onto the ground, the EU needs you.

We want a truly adaptive policy, one that considers subregional issues and does not neglect those coastal communities that depend on local small-scale fisheries both economically and culturally.

The GFCM is essential to that. The small-scale fisheries symposium held in Malta at the end of last year showed that small-scale fishermen are very motivated to preserve their fisheries resources – because their living depends on it. There have been also some promising initiatives in the EU to bring together all stakeholders. I have been recently informed of interesting developments in Sardinia and in Spain, more precisely Cataluña. Fishermen, scientists, NGOs have been working together with the local and national authorities to develop new models of management. Maybe GFCM could look into these experiences and in other similar ones that are happening in other GFCM members. The GFCM can be the *trait-d'union* in this respect and play a precious role of assistance.

The EU is also prepared to help you, for example, if countries want to improve their control capabilities.

So we all need to find better ways to work together and act together. I am not denying that the next few years may be challenging, and I know you have already done a lot, but now it is time to go to the next level.

We need long-term plans for the management of shared stocks, because bringing our marine living resources back to sustainable levels is now essential. And urgent.

Let me remind you that there is not just an environmental imperative, but also an economic one: we must restore the sector's confidence and its economic prospects for the future.

It is in this spirit that we are tabling three proposals this year: two aimed at setting a level playing field and achieving common standards; the other for the Black Sea, which deserves particular attention due to the geopolitical situation.

I ask you to consider them with an open mind and to please remember that adopting them is not good enough. We also have to make sure they are implemented. My team is ready to work with you on this in the coming days.

Ladies and Gentlemen,

Of course the reform of the GFCM is a very clear signal in the right direction.

We have come to the crucial moment and I want to congratulate all of you, and especially the President and the Executive Secretary of GFCM, for everything you have done over the last three years to prepare for this moment. I also thank FAO for its invaluable support during this process.

I am delighted to hear that the new text of the new GFCM can now be endorsed by all Members. When that happens, let us start the ratification process straight away and start renewing as from now the way GFCM operates.

It is good to know that the text we have been working on for the new GFCM is now final and it contains a proper system to monitor compliance and enforce the rules.

I know this means strong commitment on behalf of all Members, but common standards and a common approach to compliance is paramount if we are to achieve any conservation goal – and also maintain credibility. We have to make sure that we all play by the same rules and that those rules are properly enforced.

We must also be united in applying the Agreement's principles and rules. Of course there may be cases where a Contracting Party is unable to apply a specific provision, but we should not be too liberal with the opt-out clauses. The text of the Agreement will make sure that those cases remain exceptional and last as little as possible.

Ladies and Gentlemen,

There is no doubt in my mind that GFCM can play a key role in the coming years and I am certain that this reform will lead to a more efficient, more credible and more modern organisation; an organisation that is well-equipped and ready to restore the health of marine resources and to take up a leading role in international fisheries management.

I say let us use this momentum. Let us ride on the wave of a stronger, modern, competent and effective General Commission to look at the wider picture and agree on long-term conservation measures.

Our success will depend on the commitment of all; so the EU remains committed to working with you to meet the challenges ahead and to make this body the main instrument for environmental protection and fisheries management in the Mediterranean and Black Sea.

I wish you every success.

Thank you.

Ms Eun Jeong Lee
Alternate Permanent Representative to FAO and IFAD
Embassy of the Republic of Korea in Italy

The Republic of Korea, in pursuance of ensuring sustainable fisheries, is a Contracting Party of the 1995 United Nations Fish Stocks Agreement (UNFSA) and the United Nations Convention on the Law of the Sea of 10 December 1982 (UNCLOS). Hence, Korea had made significant efforts and closely cooperated with other member States for establishing or amending the conservation management and measures of regional fisheries management organizations (RFMOs). Thus, the Republic of Korea has endeavored to implement such measures which were deemed to be a result of such cooperation.

The Republic of Korea aims at leading, making all necessary efforts, to be a responsible fishing nation at the global level. Along the same lines, the Republic of Korea would like to intend to cooperate with the GFCM in relation to its conservation and management measures.

The Republic of Korea is a member of ICCAT and has been cooperating with Algeria in the construction of aquaculture facilities in the desert for food security and employment of local people. Said facility will be inaugurated this year. Furthermore, the Republic of Korea will continue to extend cooperation with Mediterranean countries in such area of training and knowledge sharing, including in the Republic of Korea.

The Republic of Korea would examine the possibility of becoming a Cooperating Non-Contracting Party to GFCM. This will take time but the Republic of Korea will try to comply with the GFCM Agreement and conservation and management measures in place.

Thank you very much.

Endorsed amended Agreement for the establishment of the General Fisheries Commission for the Mediterranean¹

PREAMBLE

The Contracting Parties,

~~Taking account of the~~ ***Recalling*** international law as reflected in relevant provisions of the United Nations Convention on the Law of the Sea ~~which entered into force on 16 November, 1994 (hereafter referred to as the United Nations Convention) and which requires all members of the international community to cooperate in the conservation and management of the living marine resources of 10 December 1982,~~

Further recalling the Agreement for the Implementation of the Provisions of the Law of the Sea of 10 December 1982 relating to the Conservation and Management of Straddling Fish Stocks and Highly Migratory Fish Stocks of 4 December 1995, the Agreement to promote Compliance with International Conservation and Management Measures by Fishing Vessels on the High Seas of 24 November 1993, as well as other relevant international instruments concerning the conservation and management of living marine resources,

~~Noting also the objectives and purposes stated in Chapter 17 of Agenda 21 adopted by the United Nations Conference on Environment and Development, 1992 and~~ ***Taking into account*** the Code of Conduct for Responsible Fisheries adopted by the Food and Agriculture Organization Conference **at its twenty-eighth session on 31 October 1995, and related instruments adopted by the Food and Agriculture Organization Conference,** ~~Noting also that other international instruments have been negotiated concerning the conservation and management of certain fish stocks,~~

Having a mutual interest in the development and the proper utilization of the living marine resources in the Mediterranean and the Black Sea ~~and connecting waters~~ (hereafter referred to as the **“Area of Application”** ~~“the Region”~~),

Acknowledging the specificities of the different sub-regions in the Area of Application,

Determined to ensure the long-term conservation and sustainable use of living marine resources and marine ecosystems in the Area of Application,

Recognizing the economic, social and nutritional benefits deriving from the sustainable use of living marine resources in the Area of Application,

Further recognizing that under international law States are required to cooperate in the conservation and management of living marine resources and the protection of their ecosystems,

Affirming that responsible aquaculture reduces stress on living marine resources and plays an important role in the promotion and better use of aquatic living resources, including food security,

¹ Note to the reader. In this document:

- (i) text in normal font comes from the GFCM Agreement currently in force. It is proposed to retain it;
- (ii) text which appears in ~~strike through~~ is found in the GFCM Agreement currently in force. It is proposed to delete it;
- (iii) text which appears in **bold and underlined** is new as opposed to the GFCM Agreement currently in force. It is proposed to include it.

Conscious of the need to avoid adverse impacts on the marine environment, preserve biodiversity and minimize the risk of long-term or irreversible effects of use and exploitation of living marine resources,

~~Recognizing the importance of fisheries conservation and management in the Region and of promoting cooperation to that effect,~~

Mindful that effective conservation and management must be based on the best scientific information available and on the application of the precautionary approach,

Aware of the importance of coastal fishing communities and of the need to involve fishers and relevant professional organizations and civil society organizations in decision-making processes,

Determined to cooperate effectively and take action to prevent, deter and eliminate illegal, unreported and unregulated fishing,

Recognizing the special requirements of developing States to assist them to participate effectively in the conservation, management and farming of living marine resources,

Convinced that the conservation and sustainable use of the living marine resources in the Area of Application and the protection of the marine ecosystems in which those resources occur, plays a major role in the context of blue growth and sustainable development,

~~desiring to further the attainment of their objectives through international cooperation which would be furthered by the establishment of a **Recognizing** the need to establish for these purposes the General Fisheries Commission for the Mediterranean (**whose acronym shall be “GFCM”**) within the framework of Food and Agriculture Organization, under Article XIV of its Constitution,~~

Have agreed as follows:

Article 1 (USE OF TERMS)

1. For the purposes of this Agreement:

- (a) **“1982 Convention” means the United Nations Convention on the Law of the Sea of 10 December 1982;**
- (b) **“1995 Agreement” means the Agreement for the Implementation of the Provisions of the United 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 of 4 December 1995;**
- (c) **“aquaculture” means the farming of aquatic living resources;**
- (d) **“Contracting Party” means any State and regional economic integration organization comprising the Commission pursuant to Article 4;**
- (e) **“Cooperating non-Contracting Party” means a Member or Associate Member of the Organization and such non-member States as are members of the United Nations or any of its specialized agencies not formally associated as a Contracting Party with the Commission which abides by measures referred to in Article 8(b);**
- (f) **“fishing” means searching for, attracting, locating, catching, taking or harvesting of living marine resources or any activity which can reasonably be expected to result in attracting, locating, catching, taking or harvesting of living marine resources;**

- (g) “fishing capacity” means the maximum amount of fish that could be taken in a fishery or by a single fishing unit (e.g. a fisher, community, vessel or fleet) over a period of time (e.g. season, year), given the biomass and age structure of the fish stock and the present state of the technology, in the absence of any regulated catch limitations and if the means available are fully used;
- (h) “fishing effort” means the amount of fishing gear of a specific type used on the fishing grounds over a given unit of time (e.g. hours trawled per day, number of hooks set per day or number of hauls of a beach seine per day). When two or more kinds of gear are used, the respective efforts must be adjusted to some standard type before being added;
- (i) “fishing related activities” means any operation in support of, or in preparation for fishing activities, including landing, packaging, processing, transshipping or transporting of fish, as well as provisioning of personnel, fuel, gear and other supplies;
- (j) “illegal, unreported and unregulated fishing” refers to the activities set out in paragraph 3 of the 2001 FAO International Plan of Action to Prevent, Deter and Eliminate Illegal, Unreported and Unregulated Fishing;
- (k) “maximum sustainable yield” means the highest theoretical equilibrium yield that can be continuously taken (on average) from a stock under existing (average) environmental conditions without affecting the reproduction process;
- (l) “straddling stocks” means stocks which occurs both within the exclusive economic zones and in an areas beyond and adjacent to the exclusive economic zones;
- (m) “vessel” means any vessel, ship of another type or boat used for, equipped to be used for, or intended to be used for fishing or fishing related activities.

Article 2 (OBJECTIVE)

1. The Contracting Parties hereby establish within the framework of the **Constitution** of the Food and Agriculture Organization (**hereinafter referred to as “the Organization”**) a Commission to be known as the General Fisheries Commission for the Mediterranean (hereinafter referred to as "the Commission"), for the purpose of exercising the functions and discharging the responsibilities set out in this Agreement ~~forth in Article III below.~~

2. ~~The purpose of the Commission shall be to promote the development,~~ **The objective of the Agreement is to ensure** the conservation ~~rational management and best utilization~~ **and sustainable use, at biological, social, economic and environmental level,** of living marine resources, as well as the sustainable development of aquaculture in the ~~Region~~ **Area of Application.**

3. ~~The seat~~ **The Headquarters** of the Commission shall be **in Rome, Italy,** ~~at the headquarters of the Organization in Rome, or such other location as may be determined by the Commission.~~

Article 3 (AREA OF APPLICATION)

1. **The geographical Area of Application of this Agreement comprises all marine waters of the Mediterranean Sea and the Black Sea.**

2. Nothing in this Agreement, nor any act or activity carried out in pursuance of this Agreement, shall constitute recognition of claims or positions of any Contracting Party concerning legal status and extent of waters and zones by any such Contracting Party.

Article 4 (MEMBERSHIP)

1. ~~The Members of~~ **Membership in** the Commission shall be open to ~~such~~ Members and Associate Members of the Organization and such non-member States as are members of the United Nations, any of its Specialized Agencies [~~or the International Atomic Energy Agency~~],

(a) that are:

(i) coastal States or Associate Members situated wholly or partly within the ~~Region~~ **Area of Application**;

(ii) States or Associate Members whose vessels engage in fishing, **or intend to conduct fishing**, in the ~~Region~~ **Area of Application** for stocks covered by this Agreement; or

(iii) regional economic integration organizations of which any State referred to in subparagraphs (i), or (ii) above is a member and to which that State has transferred competence over matters within the purview of this Agreement;

(b) and that accept this Agreement in accordance with the provisions **of Article 23 below**.

~~Article XIII below, it being understood that these provisions shall not affect the membership status in the Commission of such States that are not members of the United Nations, any of its Specialized Agencies or the International Atomic Energy Agency as may have become parties to this Agreement prior to 22 May 1963. As regards Associate Members, this Agreement shall, in accordance with the provisions of Article XIV.5 of the Constitution and Rule XXI.3 of the General Rules of the Organization, be submitted by the Organization to the authority having responsibility for the international relations of such Associate Members.~~

2. For the purposes of this Agreement, the term “whose vessels” in relation to a Contracting Party regional economic integration organization means vessels of a Member State of such Contracting Party regional economic integration organization.

Article 5 (GENERAL PRINCIPLES)

~~The purpose of the Commission shall be to promote the development, conservation, rational management and best utilization of living marine resources, as well as the sustainable development of aquaculture in the Region~~ **In giving effect to the objective of this Agreement, the Commission shall:**

(a) **adopt recommendations on conservation and management measures aimed at ensuring the long term sustainability of fishing activities, in order to preserve the marine living resources, the economic and social viability of fisheries, and aquaculture; in adopting such recommendations, the Commission shall give particular attention to measures to prevent overfishing and minimize discards. The Commission shall also pay particular attention to the potential impact on small-scale fisheries and local communities;**

- (b) formulate, in accordance with Article 8(b), appropriate measures based on the best scientific advice available, taking into account relevant environmental, economic and social factors;
- (c) apply the precautionary approach in accordance with the 1995 Agreement and the Code of Conduct for Responsible Fisheries;
- (d) consider aquaculture, including culture-based fisheries, as a means to promote diversification of income and diet and in so doing ensure that living marine resources are used responsibly, genetic diversity is conserved and adverse impacts on the environment and local communities are minimized;
- (e) foster, as appropriate, a sub-regional approach to fisheries management and aquaculture development in order to better address the specificities of the Mediterranean and the Black Sea;
- (f) take the appropriate measures to ensure compliance with its recommendations to deter and eradicate illegal, unreported and unregulated fishing activities;
- (g) promote transparency in its decision making processes and other activities; and
- (h) carry out such other relevant activities as may be necessary for the Commission to achieve its principles as defined above.

Article 6 (THE COMMISSION)

1. Each Contracting Party shall be represented at sessions of the Commission by one delegate, who may be accompanied by an alternate and by experts and advisers. Participation in meetings of the Commission by alternates, experts, and advisers shall not entail the right to vote, except in the case of an alternate who is acting in the place of a delegate during his absence.
2. Subject to paragraph 3, each Contracting Party shall have one vote. Decisions of the Commission shall be taken by a majority of the votes cast, except as otherwise provided by this Agreement. A majority of the total membership of the Commission shall constitute a quorum.
3. A regional economic integration organization that is a Contracting Party to the Commission shall be entitled to exercise in any meeting of the Commission or of any subsidiary body of the Commission a number of votes equal to the number of its Member States that are entitled to vote in such meeting.
4. A regional economic integration organization that is a Contracting Party to the Commission shall exercise its membership rights on an alternative basis with its member States that are Contracting Parties to the Commission in the areas of their respective competence. Whenever a regional economic integration organization that is a Contracting Party to the Commission exercises its right to vote, its Member States shall not exercise theirs, and conversely.
5. Any Contracting Party to the Commission may request a regional economic integration organization that is a Contracting Party to the Commission or its Member States that are Contracting Parties to the Commission to provide information as to which, as between the Contracting Party regional economic integration organization and its Member States, has competence in respect of any specific question. The regional economic integration organization or the Member States concerned shall provide this information on such request.

6. Before any meeting of the Commission or a subsidiary body of the Commission, a regional economic integration organization that is a Contracting Party to the Commission, or its Member States that are Contracting Parties to the Commission shall indicate which, as between the regional economic integration organization and its Member States, has competence in respect to any specific question to be considered in the meeting and which, as between the regional economic integration organization and its Member States, shall exercise the right to vote in respect of each particular agenda item. Nothing in this paragraph shall prevent a regional economic integration organization that is a Contracting Party to the Commission or its Member States that are Contracting Parties to the Commission from making a single declaration for the purposes of this paragraph, which declaration shall remain in force for questions and agenda items to be considered at all subsequent meetings subject to such exceptions or modifications as may be indicated before any individual meeting.

7. In cases where an agenda item covers both matters in respect of which competence has been transferred to the regional economic integration organization and matters which lie within the competence of its Member States, both the regional economic integration organization and its Member States may participate in the discussions. In such cases the meeting, in arriving at its decisions, shall take into account only the intervention of the Contracting Party which has the right to vote.

8. For the purpose of determining a quorum of any meeting of the Commission, the delegation of a regional economic integration organization that is a Contracting Party to the Commission shall be counted to the extent that it is entitled to vote in the meeting in respect of which the quorum is sought.

9. **The principle of cost-effectiveness shall apply to the frequency, duration and scheduling of sessions and other meetings and activities held under the auspices of the Commission.**

Article 7 (THE BUREAU)

The Commission shall elect a ~~Chairman and two Vice-Chairmen~~ **Chairperson and two Vice-Chairpersons** by a two-third majority. **The three shall constitute the Bureau of the Commission which will operate in accordance with the terms of reference set out in the Rules of Procedure.**

~~The Chairman of the Commission shall normally convene a regular session of the Commission every year unless otherwise directed by a majority of the Members. The site and date of all sessions shall be determined by the Commission in consultation with the Director General of the Organization.~~

Article 8 (FUNCTIONS OF THE COMMISSION)

In accordance with its objectives and general principles, the Commission shall exercise the following functions and responsibilities:

(a) regularly review **and assess** the state of living marine resources; ~~to keep under review the state of these resources, including their abundance and the level of their exploitation, as well as the state of the fisheries based thereon;~~

(b) **formulate and recommend, in accordance with the provisions of Article V Article 13,** appropriate measures, including:

(i) for the conservation and ~~rational~~ management of living marine resources **found in the Area of Application;**

(ii) to minimize impacts for fishing activities on living marine resources and their ecosystems; regulating fishing methods and fishing gear; prescribing the minimum size for individuals of specified species;

(iii) to adopt multiannual management plans applied in the totality of the relevant sub-regions based on an ecosystem approach to fisheries to guarantee the maintenance of stocks above levels which can produce maximum sustainable yield, and consistent with actions already taken at national level;

(iv) to establish open and closed fishing seasons and fisheries restricted areas for the protection of vulnerable marine ecosystems, including but not limited to nursery and spawning areas, in addition to or to complement similar measures that may already be included in management plans;

(v) to ensure, if possible through electronic means, the collection, submission, verification, storing and dissemination of data and information, consistent with relevant data confidentiality policies and requirements;

(vi) to take action to prevent, deter and eliminate illegal, unreported and unregulated fishing, including mechanisms for effective monitoring, control and surveillance;

(vii) to resolve situations of non-compliance, including through an appropriate system of measures. The Commission shall define this system of measures and the way to implement them in its Rules of Procedure;

For the implementation of these recommendations

(c) ~~promote programmes for marine and brackish water~~ the sustainable development of aquaculture and coastal fisheries development and enhancement;

(d) ~~to keep under~~ regularly review the socio-economic aspects of the fishing industry and recommend any measures aimed at its development, including by obtaining and evaluating economic and other data and information relevant to the work of the Commission;

(e) ~~to encourage, recommend, coordinate and, as appropriate, undertake training~~ promote the development of institutional capacity and human resources, particularly through education, training and vocational extension activities in areas of competence of the Commission ~~in all aspects of fisheries;~~

(f) enhance communication and consultation with civil society concerned with aquaculture and fishing;

(g) encourage, recommend, coordinate and, undertake research and development activities, including cooperative projects in the areas of fisheries and the protection of living marine resources;

~~to assemble, publish or disseminate information regarding exploitable living marine resources and fisheries based on these resources;~~

(h) adopt and amend, by a two-thirds majority of its membership, its Rules of Procedure and Financial Regulations and such other internal administrative regulations as may be necessary to carry out its functions;

(i) approve its budget and programme of work and exercise any other function as may be necessary for achieving the objective of this Agreement.

Article 9 (SUBSIDIARY BODIES OF THE COMMISSION)

1. The Commission may establish, as necessary, temporary, special or standing ~~committees~~ **subsidiary bodies** to study and report on matters pertaining to the purposes of the Commission and working parties to study and recommend on specific technical problems. The mandate of established subsidiary bodies shall be set out in the Rules of Procedure by taking in consideration the need for a sub-regional approach. The Commission may also establish specific mechanisms for the Black Sea region which will endeavour to ensure a full participation of all riparian States, in accordance with their status within the Commission, to fisheries management related decisions.

2. ~~The committees~~ **subsidiary bodies** and working parties referred to in paragraph 1 above shall be convened by the ~~Chairman~~ **Chairperson** of the Commission at such times and places as are determined by the ~~Chairman~~ **Chairperson** in consultation with the Director-General of the Organization, as appropriate.

3. The establishment by the Commission of **subsidiary bodies** ~~committees~~ and working parties referred to in paragraph 1 above shall be subject to the availability of necessary funds ~~in the relevant chapter of the approved budget of the Commission and~~, before taking any decision involving expenditure ~~and the recruitment or appointment of specialists~~, the Commission shall have before it a report from the Executive Secretary on administrative and financial implications.

4. Each Contracting Party shall be entitled to appoint one representative to any subsidiary body and working parties who at sessions may be accompanied by alternates, experts and advisers.

5. Contracting Parties shall provide available information relevant to the functioning of each subsidiary body and working party in such a way as to enable them to fulfil their responsibilities.

Article 10 (THE SECRETARIAT)

1. The Secretariat shall be composed of the Executive Secretary and such staff serving the Commission. The Executive Secretary and the staff of the Secretariat shall be appointed and governed in accordance with the terms, conditions and procedures laid down in the Administrative Manual, Staff Regulations and Staff Rules of the Organization, as generally applicable to other staff members of the Organization.

2. The Executive Secretary of the Commission shall be appointed by the Director-General with the approval of the Commission, or in the event of appointment between regular sessions of the Commission, with the approval of the Contracting Parties.

3. The Executive Secretary shall be responsible for ~~implementing~~ **monitoring the implementation of** the policies and activities of the Commission and shall report thereon to the Commission, **according to the terms of reference set out in the Rules of Procedure**. The Executive Secretary shall also act as Executive Secretary to other subsidiary bodies established by the Commission, as required.

~~The Commission shall transmit, after each session, to the Director-General of the Organization, a report embodying its views, recommendations and decisions, and make such other reports to the Director-General of the Organization as may seem to it necessary or desirable. Reports of the~~

~~committees and working parties of the Commission provided for in Article VII of the Agreement shall be transmitted to the Director General of the Organization through the Commission.~~

Article 11 (FINANCIAL ARRANGEMENTS)

~~The Commission may adopt and amend, as required, its own Financial Regulations by a two-thirds majority of the Contracting Parties, which shall be consistent with the principles embodied in the Financial Regulations of FAO. The Financial Regulations and amendments thereto shall be reported to the Finance Committee of FAO which shall have the power to disallow them if it finds that they are inconsistent with the principles embodied in the Financial Regulations of FAO.~~

1. At each regular session, the Commission shall adopt its autonomous budget **for three years, which may be reviewed on a yearly basis at the regular session. The budget will be adopted** by consensus of its Contracting Parties, provided however that if, after every effort has been made, a consensus cannot be reached in the course of that session, the matter will be put to a vote and the budget shall be adopted by a two-thirds majority of its Contracting Parties.

2. Each Contracting Party shall undertake to contribute annually its share of the autonomous budget based on the scale of contributions determined in accordance with a scheme which the Commission shall adopt or amend by consensus. The scheme shall be set out in the Financial Regulations.

3. Any non-member of the Organization that becomes a Contracting Party shall be required to make such contribution towards the expenses incurred by the Organization with respect to the activities of the Commission as the Commission may determine.

4. Contributions shall be payable in freely convertible currencies unless otherwise determined by the Commission with the concurrence of the Director-General of the Organization.

5. The Commission may ~~also~~ accept donations and other forms of assistance from organizations, individuals and other sources for purposes connected with the fulfilment of any of its functions. **The Commission may also accept voluntary contributions generally or in connection with specific projects or activities of the Commission which shall be executed by the Secretariat. Voluntary contributions, donations and other form of assistance received shall be paid into a trust fund to be established and administrated by the Organization in conformity with the Financial Regulations and Rules of the Organization.**

~~Contributions and donations and other forms of assistance received shall be placed in a trust fund administered by the Director General of the Organization in conformity with the Financial Regulations of the Organization.~~

6. A Contracting Party which is in arrears in the payment of its financial contributions to the Commission shall have no vote in the Commission if the amount of its arrears equals or exceeds the amount of the contributions due from it for the two preceding calendar years. The Commission may, nevertheless, permit such a Contracting Party to vote if it is satisfied that the failure to pay was due to conditions beyond the control of the Contracting Party but in no case shall it extend the right to vote beyond a further two calendar years.

Article 12 (EXPENSES)

~~The expenses of delegates and their alternates, experts and advisers occasioned by attendance at sessions of the Commission and the expenses of representatives sent to subsidiary bodies of the Commission shall be determined and paid by the respective Contracting Parties.~~

1. The expenses of the Secretariat, including publications and communications and the expenses incurred by the Chairperson and Vice-Chairpersons of the Commission, when performing duties on behalf of the Commission between sessions of the Commission, shall be determined and paid from the budget of the Commission.
2. The expenses of research and development projects undertaken by individual Contracting Parties, whether independently or upon recommendation of the Commission, shall be determined and paid by the Contracting Parties concerned.
3. The expenses incurred in connection with cooperative research or development projects undertaken, unless otherwise available, shall be determined and paid by the Contracting Parties in the form and proportion to which they shall mutually agree. ~~Contributions for cooperative projects shall be paid into a trust fund to be established by the FAO and shall be administered by the FAO in accordance with the Financial Regulations and Rules of the FAO.~~
4. The expenses of experts invited to attend meetings of the Commission and its subsidiary bodies in their individual capacity shall be borne by the budget of the Commission.

~~The Commission may accept voluntary contributions generally or in connection with specific projects or activities of the Commission. Such contributions shall be paid into a trust fund to be established by the FAO. The acceptance of such voluntary contributions and the administration of the trust fund shall be in accordance with the Financial Regulations and Rules of the FAO.~~

5. The expenses of the Commission shall be paid out of its autonomous budget except those relating to such staff and facilities as can be made available by the Organization. The expenses to be borne by the Organization shall be determined and paid within the limits of the biennial budget prepared by the Director-General and approved by the Conference of the Organization in accordance with the Financial Regulations and Rules of the Organization.
6. Expenses incurred by delegates, their alternates, experts and advisers when attending, as government representatives, sessions of the Commission and its subsidiary bodies, as well as the expenses incurred by observers at sessions, shall be borne by the respective governments or organizations. **In recognition of the special requirements of developing States Contracting Parties, according to Article 17 and subject to the availability of funds, the expenses could be borne by the budget of the Commission.**

Article 13 (DECISION-MAKING)

1. The recommendations referred to in ~~Article III, paragraph 1(b)~~ **Article 8(b)**, shall be adopted by a two-thirds majority of the Contracting Parties of the Commission present and voting. The text of such recommendations shall be communicated by ~~the Chairman of the Commission~~ **the Executive Secretary** to each Contracting Party, **cooperating non-Contracting Party and relevant non-Contracting Party.**

2. Subject to the provisions of this Article, the Contracting Parties of the Commission undertake to give effect to any recommendations adopted under ~~Article III, paragraph 1(b)~~ **Article 8(b)**, from the date determined by the Commission, which shall not be before the period for objection provided for in this Article has elapsed.

3. Any Contracting Party of the Commission may within one hundred and twenty days from the date of notification of a recommendation object to it and in that event shall not be under obligation to give effect to that recommendation. **The objection should include a written explanation of reasons for objecting, and where appropriate, proposals for alternative measures.** In the event of an objection being made within the one hundred and twenty days period any other Contracting Party may similarly object at any time within a further period of sixty days. A Contracting Party may also at any time withdraw its objection and give effect to a recommendation.

4. If objections to a recommendation are made by more than one-third of the Contracting Parties of the Commission, the other Contracting Parties shall be relieved forthwith of any obligation to give effect to that recommendation; nevertheless any or all of them may agree among themselves to give effect to it.

5. ~~The Chairman of the Commission~~ **The Executive Secretary** shall promptly notify each Contracting Party immediately upon receipt of each objection or withdrawal of objection.

6. **In exceptional circumstances, when required by a Contracting Party as determined by the Executive Secretary in consultation with the Chairperson, if urgent matters require Contracting Parties to take decisions between sessions of the Commission any rapid means of communication, including electronic means of communication, may be used for decision-making with respect to procedural and administrative matters of the Commission only, including any of its subsidiary bodies, other than matters relating to the interpretation of and the adoption of amendments to the Agreement or its Rules of Procedure.**

Article 14 (OBLIGATIONS RELATING TO THE IMPLEMENTATION OF DECISIONS BY THE CONTRACTING PARTIES)

1. Subject to the provisions of this Article, the Contracting Parties of the Commission undertake to give effect to any recommendations made by the Commission **under Article 8(b)**, ~~Article III, paragraph 1(b), Article 7(b)~~, from the date determined by the Commission, which shall not be before the period for objection provided for in **Article 13** has elapsed.

2. **Each Contracting Party shall transpose, as appropriate, adopted recommendations into national laws, regulations or appropriate legal instruments of the regional economic integration organization. They shall report annually to the Commission indicating how they have implemented and/or transposed the recommendations, including providing such relevant legislative documents in connection with these recommendations as may be required by the Commission and information on the monitoring and control of their fisheries. The Commission shall use this information to assess whether the recommendations are uniformly implemented.**

3. **Each Contracting Party shall take measures and cooperate to ensure that their duties as flag States and port States are fulfilled in accordance with relevant international instruments to which it is a party and recommendations adopted by the Commission.**

4. The Commission, through a process leading to the identification of cases of non-compliance, will address Contracting Parties which fail to comply with recommendations adopted by the Commission with a view to resolve situations of non-compliance.

5. The Commission shall define through its Rules of Procedure appropriate measures which may be taken by the Commission when Contracting Parties are identified as being in prolonged and unjustified non-compliance with its recommendations.

Article 15 (OBSERVERS)

1. In accordance with the Rules of the Organization, the Commission may invite or, upon their request, allow in observer capacity regional or international governmental organizations and regional or international or other non-governmental organizations, including from the private sector, which have interests and objectives common with those of the Commission or which activities are pertinent to the work of the Commission or its subsidiary bodies.

2. Any member or associate member of the Organization that is not a Contracting Party may, upon its request, be invited as an observer at sessions of the Commission and its subsidiary bodies. It may submit memoranda and participate without vote in discussions.

Article 16 (COOPERATION WITH OTHER ORGANIZATIONS AND INSTITUTIONS)

1. The Commission shall cooperate ~~elose~~ly with other international organizations and institutions in matters of mutual interest.

2. The Commission shall seek to make suitable arrangements for consultation, cooperation and collaboration with other relevant organizations and institutions, including entering into memoranda of understanding and partnership agreements.

Article 17 (RECOGNITION OF THE SPECIAL REQUIREMENTS OF DEVELOPING STATES CONTRACTING PARTIES)

1. The Commission shall give full recognition to the special requirements of developing States Contracting Parties to this Agreement, in accordance with relevant provisions in the 1995 Agreement.

2. The Contracting Parties may cooperate either directly or through the Commission for the purposes set out in this Agreement and provide assistance for identified needs.

Article 18 (NON-CONTRACTING PARTIES)

1. The Commission, through the Secretariat, may invite non-contracting Parties whose vessels engage in fishing in the Area of Application, with particular reference to coastal States, to cooperate fully in the implementation of its recommendations, including by becoming cooperating non-Contracting Parties. The Commission may accept by consensus of its Contracting Parties any application for granting cooperating non-contracting Party status provided however that if, after every effort has been made, a consensus cannot be reached, the

matter will be put to a vote and the cooperating non-Contracting Party status will be granted by a two-thirds majority of its Contracting Parties.

2. The Commission, through the Secretariat, shall exchange information with respect to vessels engaged in fishing or fishing related activities in the Agreement Area that are flying the flags of non-contracting Parties to this Agreement and identify and address, as appropriate, including through the application of sanctions, consistent with international law, which shall be defined in the Rules of Procedure, cases of activities by non-contracting Parties adversely affecting the objective of the Agreement. Sanctions may include non-discriminatory market-related measures.

3. The Commission shall take measures, consistent with international law and with this Agreement, to deter the activities of such vessels which undermine the effectiveness of applicable recommendations, and shall regularly report on any action taken in response to fishing or fishing related activities in the Agreement Area by non-contracting Parties.

4. The Commission shall draw the attention of any non-contracting Parties to any activity which in the opinion of any Contracting Party negatively affects the implementation of the objective of the Agreement.

Article 19 (SETTLEMENT OF DISPUTES ON THE INTERPRETATION AND APPLICATION OF THE AGREEMENT)

1. In the event of a dispute between two or more of Contracting Parties concerning the interpretation or application of this Agreement, the Parties concerned shall consult among each other with a view to seek solutions by negotiation, mediation, inquiry or any other peaceful means of their own choice.

2. If the parties concerned cannot reach agreement in accordance with paragraph 19.1 they may jointly refer the matter to a committee composed of one representative appointed by each of the party of the dispute, **and in addition the Chairperson of the Commission. The findings** by such committee, while not binding in character, shall constitute the basis for renewed consideration by the Contracting Parties concerned of the matter out of which disagreement arose.

3. Any dispute concerning the interpretation or application of this Agreement not resolved under paragraphs 19.1 and 19.2 may, with the consent in each case of all parties to the dispute, be referred for settlement to arbitration. The results of the arbitration procedure shall be binding upon the parties.

4. In cases where the dispute is referred to arbitration, the arbitral tribunal shall be constituted as provided in the Annex to this Agreement. The Annex forms an integral part of this Agreement.

Article 20 (RELATIONSHIP WITH OTHER AGREEMENTS)

References in this Agreement to the 1982 Convention or to other international agreements, do not prejudice the position of any State with respect to signature, ratification, or accession to the 1982 Convention or with respect to other agreements, **nor the rights, jurisdiction and duties of Contracting Parties under the 1982 Convention or the 1995 Agreement.**

Article 21 (OFFICIAL LANGUAGES OF THE COMMISSION)

The official languages of the Commission shall be such official languages of the Organization as the Commission itself may decide. The delegations may use any one of these languages at sessions and for their reports and communications. The use of official languages for simultaneous interpretation and translation of documents in the statutory sessions of the Commission shall be specified in the Rules of Procedure.

Article 22 (AMENDMENTS)

1. The Commission may amend this Agreement by a two-thirds majority of all the Contracting Parties. Subject to paragraph 2 below, amendments shall come into force as from the date of their adoption by the Commission.
2. Amendments involving new obligations for Contracting Parties shall come into force after acceptance by two-thirds of the Contracting Parties and with respect to each Contracting Party only on acceptance of it by that Contracting Party. The instruments of acceptance of amendments involving new obligations shall be deposited with the Director-General of the Organization who shall inform all the Members of the Organization, as well as the Secretary-General of the United Nations, of the receipt of acceptance and the entry into force of such amendments. The rights and obligations of any Contracting Party that has not accepted an amendment involving additional obligations shall continue to be governed by the provisions of this Agreement as they stood prior to the amendment.
3. Amendments to this Agreement shall be reported to the Council of the Organization which shall have the power to disallow any amendment which it finds to be inconsistent with the objectives and purposes of the Organization or the provisions of the Constitution of the Organization. If the Council of the Organization considers it desirable, it may refer the amendment to the Conference of the Organization which shall have the same power.

Article 23 (ACCEPTANCE)

1. This Agreement shall be open to acceptance by Members or associate Members of the Organization.
2. The Commission may, by a two-thirds majority of its membership, admit to membership such other States that are members of the United Nations, any of its specialized agencies or the International Atomic Energy Agency as have submitted an application for membership and a declaration made in a formal instrument that they accept this Agreement as in force at the time of admission.
3. Participation in the activities of the Commission by Contracting Parties which are not Members or associate Members of the Organization shall be contingent upon the assumption of such proportionate share in the expenses of the Secretariat as may be determined in the light of the relevant provisions of the Financial Regulations and Rules of the Organization.
4. Acceptance of this Agreement by any Member or associate Member of the Organization shall be effected by the deposit of an instrument of acceptance with the Director-General of the Organization and shall take effect on receipt of such instrument by the Director-General.
5. Acceptance of this Agreement by non-members of the Organization shall be effected by the deposit of an instrument of acceptance with the Director-General of the Organization membership shall

become effective on the date on which the Commission approves the application for membership, in conformity with the provisions of paragraph 2 of this Article.

6. The Director-General of the Organization shall inform all Contracting Parties of the Commission, all Members of the Organization and the Secretary-General of the United Nations of all acceptances that have become effective.

7. Acceptance of this Agreement **by non-Contracting Parties** may be made subject to reservations which shall become effective only upon **approval by two thirds of** the Contracting Parties. Contracting Parties whose relevant competent authorities have not replied within three months from the date of the notification shall be deemed to have accepted the reservation. Failing such approval, the nation or regional economic integration organization making the reservation shall not become a party to this Agreement. The Director-General of the Organization shall notify forthwith all Contracting Parties of any reservations.

Article 24 (ENTRY INTO FORCE)

This Agreement shall enter into force as from the date of receipt of the fifth instrument of acceptance.

Article 25 (RESERVATIONS)

1. **Acceptance of this Agreement may be made subject to reservations, which shall not be incompatible with the objectives of the Agreement and shall be made in accordance with the general rules of public international law as reflected in the provisions of Part II, Section 2 of the Vienna Convention on the Law of Treaties of 1969.**

2. **The Commission shall regularly assess if a reservation may create issues of non-compliance with the recommendations adopted under Article 8(b) and may consider appropriate measures, as foreseen in its Rules of Procedures.**

~~The Members of the Commission shall, when accepting this Agreement, state explicitly to which territories their participation shall extend. In the absence of such a declaration, participation shall be deemed to apply to all the territories for the international relations of which the Member is responsible. Subject to the provisions of Article XVI below, the scope of the territorial application may be modified by a subsequent declaration.~~

Article 26 (WITHDRAWAL)

1. Any Contracting Party may withdraw from this Agreement at any time after the expiration of two years from the date upon which the Agreement entered into force with respect to that Contracting Party, by giving written notice of such withdrawal to the Director-General of the Organization who shall immediately inform all the Contracting Parties and the Members of the Organization of such withdrawal. Notice of withdrawal shall become effective three months from the date of its receipt by the Director-General of the Organization.

2. A Contracting Party may give notice of withdrawal with respect to one or more of the territories for the international relations of which it is responsible. When a Contracting Party gives notice of its own withdrawal from the Commission it shall state to which territory or territories the withdrawal is to apply. In the absence of such a declaration, the withdrawal shall be deemed to apply to all the

territories for the international relations of which the Contracting Party is responsible, with the exception of associate members.

3. Any Contracting Party that gives notice of withdrawal from the Organization shall be deemed to have simultaneously withdrawn from the Commission, and this withdrawal shall be deemed to apply to all the territories for the international relations of which the Contracting Party concerned is responsible, except that such withdrawal shall not be deemed to apply to an associate member.

Article 27 (TERMINATION)

This Agreement shall be automatically terminated if and when, as the result of withdrawals, the number of Contracting Parties drops below five, unless the remaining Contracting Parties unanimously decide otherwise.

Article 28 (CERTIFICATION AND REGISTRATION)

The text of this Agreement was originally formulated at Rome on the 24th day of September one thousand nine hundred and forty-nine in the French language and [*was amended on (xx)...*] Two copies in the Arabic, English, French and Spanish languages of this Agreement and of any amendments to this Agreement shall be certified by the Chairperson of the Commission and by the Director-General of the Organization. One of these copies shall be deposited in the archives of the Organization. The other copy shall be transmitted to the Secretary-General of the United Nations for registration. In addition, the Director-General shall certify copies of this Agreement and transmit one copy to each member of the Organization and to such non-member of the Organization that are or may become Contracting Parties to this Agreement.

ANNEX RELATING TO ARBITRATION

1. The arbitral tribunal referred to in paragraph 4 of Article 19 shall be composed of three arbitrators who shall be appointed as follows:

(a) The Contracting Party commencing proceedings shall communicate the name of an arbitrator to the other Contracting Party which, in turn, within a period of forty days following such notification, shall communicate the name of the second arbitrator. In disputes between more than two Contracting Parties, parties to the dispute with the same interest shall appoint one arbitrator jointly by agreement. The Contracting Parties shall, within a period of sixty days following the appointment of the second arbitrator, appoint the third arbitrator, who shall not be a national of either Contracting Party and shall not be of the same nationality as either of the first two arbitrators. The third arbitrator shall preside over the tribunal;

(b) If the second arbitrator has not been appointed within the prescribed period, or if the Contracting Parties have not reached agreement within the prescribed period on the appointment of the third arbitrator, that arbitrator shall be appointed, at the request of either Contracting Party, by the Director General of the Organization within two months from the date of receipt of the request.

2. The arbitral tribunal shall decide where its headquarters will be located and shall adopt its own rules of procedure.

3. The arbitral tribunal shall render its decisions in accordance with the provisions of this Agreement and international law.

4. The award of the arbitral tribunal shall be made by a majority of its members, who may not abstain from voting.

5. Any Contracting Party which is not a Party to the dispute may intervene in the proceedings with the consent of the arbitral tribunal.

6. The award of the arbitral tribunal shall be final and binding on Contracting Parties to the dispute and on any Contracting Party which intervenes in the proceedings and shall be complied with without delay. The arbitral tribunal shall interpret the award at the request of one of the Contracting Parties to the dispute or of any intervening Contracting Party.

7. Unless the arbitral tribunal determines otherwise because of the particular circumstances of the case, the expenses of the tribunal, including the remuneration of its members, shall be borne by the Contracting Parties to the dispute in equal shares.

Resolution GFCM/38/2014/1
on Guidelines on VMS and related control systems in the GFCM area of competence

1. GFCM Members recognize, both individually and collectively, their responsibility for the protection and sustainable exploitation of living marine resources in the GFCM area of competence. Furthermore, they recognize GFCM as the competent organization to coordinate and manage the exploitation of living marine resources in the whole area.
2. GFCM will harmonize its operations with other regional fisheries management organizations (RFMOs) around the world and particularly with those that neighbour and overlap with its area of competence, as well as with its Members. This harmonization will also encompass the data formats and protocols used to exchange data between competent authorities and will incorporate such data procedures as currently practiced by the countries of Europe, Northern Africa and Asia that are concerned by Mediterranean and Black Sea fisheries. All technical choices and parameters in the implementation of the GFCM centralized system will consider parallel choices and parameters already established in the region.
3. In the case where GFCM would choose to integrate technical choices and parameters that have not yet been envisaged in the region, consultation between the GFCM and its Members would be established with a view to maintaining compatibility.
4. All GFCM Members will establish a satellite-based national fishing vessel monitoring system (VMS) conforming to the Recommendation GFCM/33/2009/7, such system to be operational by the end of December 2012 (N.B. should existing geopolitical considerations at the time of writing prevent a Member from meeting this deadline, it is understood that the deadline will be modified to the earliest feasible date and in the interim the Member State will make use of the GFCM central fishing monitoring centre (FMC), when operational, see point 6 below).
5. It is of paramount importance that GFCM Members pay due attention to the full development and implementation of their national fishing vessel register systems which will constitute the basis of their VMS system. National register data must also be fed into the GFCM Vessel Records (Resolution GFCM/35/2011/1) so that the GFCM FMC can rely on up-to-date data. The GFCM and its Members are encouraged to take this opportunity to upgrade their national and regional registers so as to be in line with international initiatives to fight illegal, unreported and unregulated (IUU) fishing (which is one of the main reasons for a VMS system to be in place).
6. In order to assure consistent data gathering and sharing throughout the GFCM area of competence, the GFCM Secretariat will establish a central VMS that will play a multi-faceted role. A key function will be to serve as a central repository and source for all GFCM vessel data. In addition, this regional FMC could provide data services to GFCM Members that do not yet have the advantage of their own FMC. In this case, vessels registered in those countries and carrying compatible equipment would report directly to the GFCM FMC. The GFCM, in turn, would provide the fisheries authorities of those States with real-time access to the data.
7. The reporting procedure for the GFCM area of competence will require that all VMS positions be reported, in the first instance, to the flag State authority's FMC. Should any received position fall outside territorial waters or waters under national jurisdiction of the reporting vessel's flag State, such position will be relayed immediately to the GFCM FMC. The GFCM Secretariat will be responsible for forwarding the data to any third party authorized to receive them.

8. Members will determine the most suitable approach for monitoring their small-scale and artisanal fisheries. This exercise will take into account variables such as required data sets and desired reporting frequency. In addition, it will address the question of required vessel reporting equipment based upon criteria such as power supply, geographical coverage, required initial investment and operating costs. Issues such as the use of terrestrial communications systems, like VHF radio, wireless networks, cellular telephony and data transfer in port, will be given attention in due time.

9. Members will make VMS data available to their own monitoring, control and surveillance (MCS) assets as well as, where appropriate, to the MCS assets of other GFCM Members as a way of detecting IUU in the GFCM area of competence.

10. GFCM will establish a commission-wide vessel database for its area of competence including a file for each of the vessels licensed to fish and a report on each confirmed or suspected incident of IUU fishing. This will be done in accordance with the provisions of Recommendation GFCM/33/2009/8 and Recommendation GFCM/32/2008/1.

11. In the case where a GFCM Member, during the exercise of its normal VMS and MCS activities, detects what appears to be IUU fishing activity by a vessel operating under a flag other than its own, it will inform the flag State concerned and the GFCM Secretariat of its findings.

12. The data collected by the GFCM will be included in a single database: vessel records (paragraph 5), VMS data (paragraph 6), IUU incidents (paragraph 10). Direct and unrestricted access to the database will be authorized to designated officers of each Member according to the GFCM data confidentiality policy and procedures.

13. The application of VMS and related technologies in the GFCM will evolve as a function of developments in the state of the art.

**Recommendation GFCM/38/2014/1
amending Recommendation GFCM/37/2013/1 and on precautionary and emergency measures
for 2015 on small pelagic stocks in the GFCM GSA 17**

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 proper utilization of living marine resources;

RECALLING Recommendation GFCM/27/2002/1 on the management of selected demersal and small pelagic species and, notably, Article 2 therein;

RECALLING Recommendation GFCM/30/2006/1 on the management of certain fisheries exploiting demersal and small pelagic and, notably, Articles 2 and 3 therein;

CONSIDERING Recommendation GFCM/37/2013/1 on a multiannual management plan for fisheries on small pelagic stocks in the GFCM GSA 17 (Northern Adriatic Sea) and on transitional conservation measures for fisheries on small pelagic stocks in GSA 18 (Southern Adriatic Sea);

NOTING that for anchovy in GSA 17 the Scientific Advisory Committee (SAC) has recently considered the status of the stock as overexploited and advised to decrease fishing mortality;

NOTING that, following the latest SAC stock assessment, the reference points within Recommendation GFCM/37/2013/1 need to be revised;

CONSIDERING that pending the revision of the reference points, precautionary measures for 2015 have to be taken to reduce fishing mortality for anchovy;

NOTING that temporal restrictions are considered to have a beneficial effect on fisheries, a closed period during the spawning season of anchovy which usually take places from April to August shall be applied;

CONSIDERING that it is appropriate to revise the definition of “fishing day”;

CONSIDERING that it is appropriate to set a maximum number of fishing days per month;

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

Modification of Recommendation GFCM/37/2013/1

1. The definition in paragraph 7(a), Part 1 shall be modified as follows:

"Vessels actively fishing for small pelagic stocks: means any vessels equipped with either trawl nets, purse seiners or other type of surrounding nets where the total catch of small pelagic stocks of sardine and anchovy account for at least 50% of the catch in live weight."

2. The definition in paragraph 7(b), Part I, shall be modified as follows:

*"Fishing day means any continuous period of 24 hours, or part thereof, during which a vessel is present within the GSA 17 and/or GSA 18 and is **searching for fish, shooting, setting, towing, hauling a fishing gear, taking catch on board, transshipping, retaining on board, processing on board, transferring and landing fish and fishery products.**"*

3. Paragraph 27, Part VII, shall be modified as follows:

*"Trawlers and purse seiners for small pelagic stocks as identified in paragraph 22, second paragraph above, irrespective of the vessel's length overall, shall not operate for more than **20 fishing days per month** and shall not exceed 180 fishing days per year."*

Precautionary and emergency measures for 2015

4. For the year 2015, Contracting Parties and Cooperating non-Contracting Parties (CPCs) of the GFCM whose vessels have been fishing small pelagic stocks in GSA 17 shall reduce the fishing effort established under paragraph 27 of Recommendation GFCM/37/2013/1. To this end, by derogation from the provisions of paragraph 27, Part VII, for the year 2015, each fishing vessel targeting anchovy shall not exceed 144 fishing days per year.

5. For the year 2015, in order to protect nursery and spawning areas, CPCs shall apply spatio-temporal closures of no less than 15 continuous days and up to 30 continuous days for vessels fishing small pelagic stocks in GSA 17. These closures shall be designated in waters under their jurisdiction and shall take place between 1 April and 31 August.

6. CPCs shall notify to the GFCM Secretariat, by 30 November 2014, their closure dates and areas.

7. National control programmes established under paragraph 29 of Recommendation GFCM/37/2013/1 shall be adapted accordingly.

Review of the management plan

8. The SAC shall organize a specific intersessional meeting in 2014 to review the reference points of the management plan and to evaluate the measures applied by CPCs, including the closures to be applied by CPCs. The SAC shall assist in identifying further areas that are relevant for temporal closures, either within or outside national waters.

9. For the purpose of paragraph 8, the SAC shall take into consideration socioeconomic elements and consult, where necessary, its Subcommittee on Economic and Social Sciences (SCESS).

10. Based on the SAC advice, the GFCM shall review, and if necessary adapt, the content of the management plan in 2015.

Recommendation GFCM/38/2014/2
amending and repealing Recommendation GFCM/34/2010/3 concerning the identification
of non-compliance

The General Fisheries Commission for the Mediterranean (GFCM),

RECALLING that the objectives of the GFCM 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 that the FAO Council adopted on 23 June 2001 an International Plan of Action (IPOA) aiming to prevent, deter and eliminate illegal, unreported and unregulated (IUU) fishing;

RECALLING the terms of reference for the GFCM Compliance Committee;

CONSIDERING the need for action to ensure the effectiveness of the GFCM objectives;

CONSIDERING the obligation of all Contracting Parties, cooperating non-Contracting Parties and non-Members of GFCM to respect the GFCM conservation and management measures when fishing in the GFCM competence area;

AWARE of the necessity for coordinated and timely actions by all Contracting Parties, Cooperating non-Contracting Parties and non-Members of GFCM to ensure the enforcement of GFCM conservation and management measures, and the need to encourage all Contracting Parties, Cooperating non-Contracting Parties and non-Members of GFCM to abide by these measures when fishing in the GFCM competence area;

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

1. The GFCM, through its Compliance Committee, shall each year:
 - (i) Conduct, consistent with subparagraphs (iii) and (iv), a process of identification of cases of non-compliance by Contracting Parties that have not met their obligations under the GFCM Agreement in respect of the GFCM conservation and management measures, in particular, by not taking the required measures and actions or not exercising effective control according to national rules and regulations to ensure compliance with conservation and management measures by the vessels flying their flag;
 - (ii) Conduct, consistent with subparagraphs (iii) and (iv), a process of identification of cases of non-compliance by Cooperating non-Contracting Parties and non-Members that have failed to discharge their obligations under international law to cooperate with GFCM in the management of living marine resources when fishing in the GFCM competence area, in particular, by not taking measures or exercising effective control according to national rules and regulation to ensure that their vessels do not engage in any fishing or fisheries related activity that undermines the effectiveness of GFCM conservation and management measures;
 - (iii) Review all available information on the status of implementation of GFCM decisions, including for example catch or effort data, trade information etc., on the basis of, as

appropriate: (i) requests for clarifications, (ii) letters of concern and (iii) letters of identification. The standards form of such requests and letters, that will be sent by the Executive Secretary, will be adopted by the Compliance Committee;

- (iv) Consider all other verifiable information available, including information submitted by non-Members on fishing activities by Contracting Parties, Cooperating non-Contracting Parties and non-Members of GFCM. Such information shall reach the GFCM Secretariat at least 60 days before the next annual session. This deadline does not apply to Contracting Parties;
 - (v) Entrust the GFCM Secretariat with the mandate to consult any source of verifiable information and present a preliminary analysis to the Compliance Committee with a view to suggest a course of action to be followed by the Compliance Committee in the identification of cases of non-compliance.
2. The GFCM shall request Contracting Parties, Cooperating non-Contracting Parties and non-Members of GFCM concerned to rectify any act or omission identified so as not to diminish the effectiveness of the GFCM management measures, in accordance with the procedure in paragraph 3.
3. When the Compliance Committee identifies cases of non-compliance, the Executive Secretary shall, 30 working days following the approval of the report of the Compliance Committee when the identification was made, transmit a letter of identification to the relevant Contracting Party, Cooperating non-Contracting Party and non-Member. The Executive Secretary shall seek to obtain confirmation from the relevant Contracting Party, Cooperating non-Contracting Party and non-Member that it received the letter of identification. The letter of identification shall *inter alia* contain the following:
- (a) the reason(s) for the identification with all available supporting evidence and information;
 - (b) the right to respond to the GFCM in writing at the latest 60 days before the next session of the Compliance Committee with regard to the identification and the invitation to provide any relevant information such as, for example, evidence refuting the identification or, where appropriate, a plan of action for improvement and the steps that were taken to rectify the situation; and,
 - (c) in the case of a Cooperating non-Contracting Party and a non-Member, an invitation to participate as an observer at the session of the Compliance Committee where the issue will be considered.
4. Contracting Parties and Cooperating non-Contracting Parties are encouraged jointly and individually to request the Contracting Parties, Cooperating non-Contracting Parties and non-Members concerned to rectify any act or omission identified so as not to diminish the effectiveness of the GFCM management measures. In addition, they shall cooperate to the greatest extent possible throughout the identification process to draw the attention of Contracting Parties, Cooperating non-Contracting Parties and non-Members to the need to implement in good faith the duty to cooperate in the conservation and management of living marine resources, consistent with international law.
5. The Compliance Committee shall evaluate the response of Contracting Parties, Cooperating non-Contracting Parties and non-Members to letters of identification, together with any new information, and propose to the Commission to decide upon one of the following actions:
- (a) the revocation of the identification; or
 - (b) the continuation of the identification status of the Contracting Parties, Cooperating non-Contracting Parties and non-Member. In these cases, the Commission shall recommend

appropriate measures aiming at resolving situations of non-compliance, including non-discriminatory trade measures, to deter non-compliance by identified Contracting Parties/Cooperating non-Contracting Parties/non-Members.

6. The absence of response from the Contracting Parties, Cooperating non-Contracting Parties and non-Member concerned to the letter of identification within the time limit shall not prevent action from the Commission consistent with paragraph 5(b).

Guidelines for the management of Mediterranean red coral populations

BACKGROUND AND SCOPE

1. Following the request of its Members, the GFCM has organized several technical meetings (in 1983, 1988, 2010 and 2011) to analyse the situation of red coral (*Corallium rubrum*) populations in the Mediterranean and to promote consensus on management measures to be applied in order to avoid their overexploitation in the GFCM area. A background document for the preparation of a regional management plan for red coral² was presented and accepted by the GFCM Scientific Advisory Committee (SAC) in 2013. At its thirty-seventh session (Croatia, May 2013), the Commission advised to review in the details some operational aspects of this draft plan and to assess its feasibility in an *ad hoc* Workshop that was held in Belgium in January 2014. At its thirty-eighth session (FAO HQ, May 2014), the Commission agreed to adopt specific “**Guidelines for the management of Mediterranean red coral populations**” based upon the background document.

2. These guidelines have been conceived to facilitate the preparation of a **precautionary, provisional and adaptive regional management plan**. Precautionary in the sense that the guidelines should provide elements to maintain the *status quo* of the resource in the absence of data to perform a formal assessment of the stocks at a regional scale. However, a lack of data does not imply that stocks are unmanageable: a precautionary approach has been used within the framework of adaptive management. Any management plan based on these guidelines should be adaptive in order to be modified according to new information available to the SAC and should be flexible enough to accommodate existing management measures already in place in different countries, provided that they are able to ensure that the main objectives established in the plan are achieved and/or that they are stricter.

3. Geographically, these guidelines apply to the whole Mediterranean basin. Countries that currently develop harvesting activities for red coral should define stock units and limits. The occurrence of red coral is reported along all Mediterranean coasts. In Albania, Algeria, Malta, Monaco and Montenegro, harvesting red coral is prohibited while Croatia, France, Greece, Italy, Morocco, Spain and Tunisia exploit red coral under different national regulatory frameworks. For Cyprus, Egypt, Lebanon, Libya, Slovenia, Syria, and Turkey, harvesting has never been reported to the GFCM.

OBJECTIVES

4. Following the *Guidelines on a general management framework and presentation of scientific information for multiannual management plans for sustainable fisheries in the GFCM area*³, the Guidelines for the management of Mediterranean red coral populations aim to provide elements to maintaining stock size, counteract overfishing (reported to occur in many areas, especially for shallow populations) and prevent it in areas where the resource is not fully exploited, while ensuring long-term sustainable yields.

² These guidelines are based on a more comprehensive background document available at the following link: <http://151.1.154.86/GfcmWebSite/SAC/SCMEE/2014/MgmtPlan-RedCoral/docs.html>

³ Other decisions OTH-GFCM/36/2012/1 in the Compendium of GFCM decisions

Operational objectives:

5. Provisional operational objectives (Oob) should be based on the existing binding recommendations of the GFCM (Rec. GFCM/35/2011/2 and Rec. GFCM/35/2012/1), in particular:

- **Oob1:** To control that the legal size limit for harvesting red coral colonies is enforced at the GFCM level;
- **Oob2:** To maintain the same catch level as that of the three previous years in order to keep the fishery working while waiting for a consistent assessment of red coral populations based on sound scientific information.

INDICATORS, REFERENCE POINTS AND DECISION RULES

6. In order to measure management performance in the achievement of objectives, an indicator and corresponding reference points (RP) should be defined for each Oob.

7. Each RP has three associated values:

- **Target reference point (TRP)**, corresponding to a situation considered as desirable and to be achieved on average;
- **Limit reference point (LRP)**, indicating a situation that is undesirable and to be avoided at all costs;
- **Threshold or Precautionary reference point (PRP)**, i.e. a threshold from which initial actions can be taken to reduce the risk of breaking the limit.

8. Specific actions to be taken in order to keep RPs to sustainable levels or to drive them back to the target, shall be decided by each country.

9. In line with point 9 of the above mentioned GFCM Guidelines, targets, thresholds and limit reference points should be defined along with a range of potential management actions based on available scientific and socioeconomic data on the resource. However, considering the peculiarity of the red coral resource and the structural lack of reliable and up-to-date data on actual yields and populations status in many areas of the distribution range, it is worth pointing out that the reference points that are frequently used in fisheries management (as advised at points 11–13 of the GFCM Guidelines) can hardly be applied to red coral at present. The reference points proposed in these guidelines reflect the paucity of information and should be regarded as provisional ones. A revision could be made on the basis of SAC advice and GFCM discussions.

10. Each Oob is associated to a decision rule. The decision rule serves to trigger a management action. The action to be taken will depend on the position of the indicator that is relevant to the reference point. The current guidelines leaves the selection of those actions up to the countries and advises to use measures that are rated as efficient and take into account the socioeconomic impacts of the proposed measures.

Operational objective 1: To control that the legal size limit for harvesting red coral colonies is enforced at the GFCM level

11. The indicator for this objective is the mean size (basal diameter) of landings. The value of the **target** reference point for **Oob1** is proposed to be defined on the basis of the current size limit set by GFCM Recommendations which foresee a 10 percent allowance in live weight for undersized colonies. The **limit** reference point for **Oob1** could be defined as double of the TRP, which means that 20 percent of live weight of undersized coral colonies in landings is considered as the limit situation to be avoided at all costs. A **threshold** at 15 percent could be established as an early warning, indicating that the values are approaching of the limit and that actions should be triggered in order to reduce the risk of breaking the limit reference point (LRP).

Table 1: Decision control rules and actions for Oob1 of the regional management plan for red coral

Decision control rules	Actions to be triggered
Percentage of undersized colonies = 0%	<ul style="list-style-type: none"> ▪ No action
0% < Percentage of undersized colonies ≤ 10%	<ul style="list-style-type: none"> ▪ Recommend stricter control
10% < Percentage of undersized colonies ≤ 15%	<ul style="list-style-type: none"> ▪ Recommend stricter control ▪ Survey to evaluate the actual size structure
Percentage of undersized colonies > 15%	<ul style="list-style-type: none"> ▪ Recommend stricter control ▪ Survey to evaluate the actual size structure ▪ Control harvesting ▪ Evaluate the possibility of close the fishing

12. The revision made during the Workshop in Brussels (January 2014) led to a proposal to reduce the values of the three reference points. Consensus was reached to modify the values of the target reference point to a 0 percent allowance in weight of colonies under 7 mm basal diameter; the precautionary (or threshold) level has been set to 10 percent and the limit to 15 percent. No action is needed between 0 and 10 percent, but once this value is reached the actions suggested in the proposal should be triggered.

13. Actions should be triggered when the value of the indicator overpasses the target reference point, and that besides those, in cases where the limit (15 percent) is overpassed, additional actions to control harvesting would be suggested before resorting to the extreme of considering the closure of the fishery.

14. The timeframe and geographical scale of the actions to be taken when the threshold or the limit RPs are overpassed shall be decided by the Members provided that in the annual dataset to be transmitted to the GFCM, the country's total landings comply with the 2012 Recommendation (minimum legal size 7 mm with 10 percent tolerance based on total annual weight). Nevertheless, since stocks distribution is patchy and very local, countries should ensure that this average size will be also respected on a daily (or weekly) basis for all fishing grounds through the establishment of a systematic (daily or weekly) control of catches at ports.

Operational objective 2: To keep red coral harvesting at sustainable levels

15. The indicator for this objective is the value of total catches (landings) in the GFCM area, consistent with the GFCM Guidelines on multiannual management plans. The target reference point for Oob2 shall be the average yield of the three previous years, and precautionary and limit reference points shall be established at an increase of 10 percent and 20 percent in total landings. The target had been established assuming that average catches for the three previous years (as reported to the FAO global capture database) were at a sustainable level, but in several occasions it was pointed out the need to base Operational objective 2 on formal stock assessments (e.g. maximum sustainable yield models, etc.) under the supervision of SAC as long as data become available to perform such exercise. Moreover, it was noted that many fisheries were data poor and not ready for such an analysis. In this regard, the urgent need to collect catch data and transmit them to the GFCM Secretariat was recognized. The importance of fisheries independent data coming from scientific surveys that are less affected by a subjective selectivity of fishers towards large colonies was stressed.

16. Given those evidences, the implementation of Oob2 could be adopted at a second stage. The proposed framework for an adaptive revision over a three-year period has been seen as feasible and convenient in order to collect the necessary data and implement, in the future, a more detailed and

efficient management system relying on Oob2 as well. Notwithstanding, it was also recommended that countries adopt it gradually to the shortest delay if scientific data at the national level would allow doing so.

FISHERIES MANAGEMENT MEASURES

17. According to the recommendations in force, the following technical management measures are currently applied in the whole region (Table 2).

Table 2: Technical measures already in force in existing GFCM recommendations

Management tools	Current measures at the regional level
Depth restrictions	Prohibition to collect coral at depths shallower than 50 m
Gear restriction	The only permitted gear is manual hammer by scuba diving
Minimum landing size	7 mm basal diameter (only 10% of tolerance in weight is allowed for undersized colonies)

18. Other potential measures that could be applied are presented in Table 3.

Table 3: Ranking of potential technical measures to be adopted by countries to limit effort and catches

Management tools	At the regional level	Rank effectiveness	Rank feasibility	Comments
Limits to fishing capacity	Licensing systems	High	High	
Limits to catches	Individual annual quotas	High	High	Based on scientific data
	Individual daily quota	High	High	Might force divers to do more trips per year, but allows efficient inspections
Spatial restrictions	License restricted to certain areas	High	High	
	Establish <i>refugia</i> , or permanently closed zones	High	High	Deep populations found in virgin status should be kept as <i>refugia</i> and specific MPAs to protect red coral could be established
Temporal restrictions	Seasonal harvest restriction	High	High	Facilitates control of effort
	Rotation periods in different banks	Medium	Medium	Recovery rates of red coral are low – coral needs 25 to 30 years to reach the minimum legal size – and geographical variation is not well known.

FISHERIES MONITORING, CONTROL AND SURVEILLANCE (MCS)

19. To ensure compliance with the measures to be adopted in the management plan, concerned Members shall be responsible for implementing the adopted management measures in their jurisdictional waters.

20. Control and surveillance should be provided by national authorities. The list of MCS measures assessed in terms of effectiveness and feasibility is presented in Table 4 and may be used as a guidance for national authorities.

Table 4: Ranking of potential MCS measures to be adopted by countries

Potential MCS measures	Proposals	Rank effectiveness	Rank feasibility	Purpose
Logbook	Logbook	High	High	To register the catches and related data by dive on a daily basis
Designation of ports	Designation of ports	High	High	Provide the designated ports with the necessary facilities and personnel
Observers on board	Scientific observers on board	High	Low	To control size, transshipment and sales prior to landing
Patrolling unit		High	Medium	To control depth, licenses, gear, size
	Advance warning	High	High	A phone call to the port when the vessel is approaching
Certification of logbook at landing sites		High	High	Logbook must be certified at landing to verify it contents with the actual landed catches
	Tracking device on board	High	Medium	To control that harvest takes place only at appropriate sites
	Use of videos of authorized underwater devices	Medium	Low	Inspection of videos and images taken to better locate the colonies and to assess the effects of fishing
Traceability mechanisms	Sales note with details of the seller, the buyer and a code for each lot sold	Medium	Medium	To control the origin (legal and geographical) of corals, and address poaching. Certified coral from legal fisheries might have added value.

SCIENTIFIC MONITORING

21. The Scientific Advisory Committee (SAC) of the GFCM should be responsible for advice on status of stocks and economic indicators of the fishery.

22. An adequate annual scientific monitoring of this fishery at the national level should be ensured so that SAC is in a position to provide scientific advice. To this end, an *ad hoc* entry tool in Excel format has been created to facilitate the transmission of data collected on an annual basis. The file is available at this address:

<https://gfcmsitestorage.blob.core.windows.net/contents/ReportingTools/GFCM-RedCoral-DataReportingSystem.zip>

23. As stipulated in Recommendation GFCM36/2012/1, Members should compile data collection forms provided by the Secretariat and return the filled-in forms by **31 January** of each year, starting with the 2013 harvesting season.

IMPLEMENTATION AND ENFORCEMENT MECHANISMS

24. Members should take measures to ensure that the provisions of any management plan for red coral are covered under their national legislation. The implementation and rule enforcement mechanisms of the management plan should be defined through legislation and regulations at the national level, taking into account the specificities of the national legal frameworks as well as economic, social, and cultural aspects.

RESEARCH PRIORITIES

25. It has been widely recognized in several forums that scientific studies and research topics should focus on:

Demography

- Population density
- Colony growth rate assessment
- Population size structure
- Population reproductive structure and larval output
- Recruitment and mortality assessment (including infection by boring sponges)

Stock assessment

- Methodologies for slow-growing species and data-poor fisheries

Surveys at sea

- Large and small-scale bathymetric surveys to map Mediterranean red coral populations through standardized methodologies

Population genetics

- Extending the study to all the geographical areas where red coral is present (including the eastern and southern Mediterranean coasts)
- Developing new effective markers for DNA microsatellite analysis of different populations
- Genetic variability and connectivity assessment

Stock recovery and restoration

- Development of restoration techniques

Development of alternative deep harvesting

- Evaluation of the effects of remote operating vehicles (ROV) and submersibles used for harvesting not only on red coral populations but also on the ecosystem.

REVIEW OF THE MANAGEMENT PLAN

26. According to the GFCM Guidelines on management plans, the contents of the management plan should be periodically reviewed in order to accommodate changes in the fisheries system. This review should be carried out by the SAC as follows:

- Status of stocks assessed yearly, on the basis of mandatory submission by countries of fishery data to the SAC
- Status of the fishery (e.g. economic indicators)
- Reference points should be proposed by SAC once indicators are available
- Once reference points are established, SAC should propose a review period for them

27. According to these indications, SAC should provide **possibly each year** – or at a longer time scale depending on the surveyed stocks and the availability of data – advice on the status of exploited stocks and on the pressure exerted by fishing activities. It should also monitor the achievement of the operational objectives in order to propose, if necessary, adjustments or revisions (point 15 of the GFCM Guidelines). The revision should take place **over 3 years**, or at shorter intervals if new data and/or urgent matters require a more timely intervention.

28. Furthermore, on the basis of SAC advice, should the GFCM find out that some relevant indicators are no longer appropriate to achieve the objective(s) of the plan, the reference levels should be revised in line with point 17 of the GFCM Guidelines.

29. If SAC advice indicated that specific targets as established in the plan are not being met, GFCM should decide to revise management measures in order to ensure a sustainable exploitation of the resource (point 18). This review should be based on all information gathered in the annual reports prepared by Members and on the compilation of all available data on red coral from different sources (official data entry forms, scientific community, society, industry, fishers, etc.).

30. Upon receipt of this information – which should include management technical measures as adopted at the national level – the GFCM Secretariat will take action and inform the SAC so that the questions raised in the working agenda of competent subcommittees and working groups can be timely addressed. The final decision whether to accept modifications to the reference points relies upon the Commission (based on SAC advice).

COMPLIANCE WITH THE PLAN

31. Management actions, modifications to the plan and compliance with it should be reported to the GFCM within the national report submitted yearly to the GFCM. The Compliance Committee of the GFCM should review these reports and take necessary actions.

Roadmap to fight IUU fishing in the Mediterranean Sea

ASPECTS TO BE ADDRESSED	PROPOSED ACTIONS TO FIGHT IUU FISHING IN THE MEDITERRANEAN SEA	OBJECTIVES/METHODOLOGY
<i>Institutional aspects at the regional and subregional level</i>	Set up a working group of the Compliance Committee on IUU fishing and MCS	With a view to constantly collecting, updating and analysing information on the nature and the extent of IUU fishing and on available means to fight it, an ad hoc forum in the GFCM should be devoted to address these issues
	Strengthen mechanisms to facilitate sharing of knowledge and cooperation among Mediterranean riparian States, including through the GFCM and other existing relevant organizations	The GFCM should create a repository of information on the nature and the extent of IUU fishing in the Mediterranean Sea. Members should commit to make relevant information available and to cooperate within the remit of the GFCM
	Establish a network of entities and institutions that could contribute to share knowledge and improve cooperation	Relevant institutions and entities should be identified. The GFCM could establish a platform, including via electronic means, to facilitate exchange of information in the network
	Assess the presence of non GFCM Members in the area of competence of the Commission	All efforts should be done to ensure that non GFCM Members known to fish in the area of competence of the Commission are invited to either become Members or Cooperating non Contracting Parties
<i>Legal aspects</i>	Assist, develop and harmonize the legislations of GFCM Members taking into account their specific needs in the fight against IUU fishing	The GFCM should try to align the legal frameworks of its Members using common benchmarks and acknowledging the different priorities and needs existing at subregional level
	Ensure the timely submission of information relating to IUU fishing to the GFCM Secretariat, according to recommendations in force	GFCM Members should comply with requirements under relevant GFCM recommendations requesting information on IUU fishing (e.g. Recommendation GFCM/2008/32/1, Recommendation GFCM/2009/33/8)

ASPECTS TO BE ADDRESSED	PROPOSED ACTIONS TO FIGHT IUU FISHING IN THE MEDITERRANEAN SEA	OBJECTIVES/METHODOLOGY
	Elaborate a regional plan of action to prevent, deter and eliminate IUU activities based on by scientific and socioeconomic data	GFCM Members should make proposals to set up a plan of action as a main element to fight IUU fishing activities. This should be done by involving stakeholders, fishermen associations and relevant civil society organizations
<i>Scientific research aspects</i>	Develop and agree on standard methodologies to evaluate IUU catches and trade of fishing products in support of scientific advice	GFCM Members should develop studies addressing the main targeted species. A collection of these studies would be necessary as a basis for the work to be done
	Strengthen national statistical systems of Mediterranean riparian States, including through the elaboration of common formats for reporting and evaluation of data on IUU fishing	In order to improve efficiency in the fight against IUU fishing, GFCM Members should consider to shift towards the use of common formats for reporting of data
<i>Technical aspects</i>	Elaborate a catalogue of fishing gears and their technical characteristics mainly used in the Mediterranean Sea for IUU fishing purposes	Available information should be collected by the GFCM through Mediterranean riparian States with a view to enable the marking of fishing gears
	Carry out surveys on the use of illegal fishing gears in the GFCM area	Particular attention should be given in the studies to the trading of these gears between GFCM Members
	Eradicate illegal by-catch, discards and ghost fishing	Illegal practices causing by-catch, discards and ghost fishing should be identified and phased out and selectivity of fishing gear encouraged
	Mitigate the impacts of IUU fishing on cetaceans, seabirds and turtles	In view of mitigating the impacts of IUU fishing on cetaceans in the Mediterranean Sea, projects should be launched together with ACCOBAMS
	Harmonize the following instruments of management in the Mediterranean Sea, including at the sub-regional level and wherever it is possible: fishing seasons, fishing areas, minimum length size of target species and specifications for mesh size	Under the guidance of the Scientific Advisory Committee, Mediterranean Sea riparian States should provide advice to the Commission so that it can formulate and adopt recommendations on the basis of relevant technical elements
<i>Socioeconomic and educational aspects</i>	Launch awareness campaigns for the protection of Mediterranean Sea fisheries against IUU fishing	The establishment of a network of entities and institutions would be instrumental to the undertaking of this action
	Facilitate the involvement of professional associations and fishers in the fight against IUU fishing, including through co-management	The lack of participation of professional associations and fishermen should be regarded as a weakness in the fight

ASPECTS TO BE ADDRESSED	PROPOSED ACTIONS TO FIGHT IUU FISHING IN THE MEDITERRANEAN SEA	OBJECTIVES/METHODOLOGY
	and participatory approaches, in order to foster ownership of measures taken	against IUU fishing and the conservation of the Mediterranean ecosystems and the sustainable use of their resources could benefit from their direct involvement
	Promote research by means of collecting and analyzing socioeconomic data with a view to evaluate their relevance in connection with IUU fishing in the Mediterranean Sea, taking stock of the work of the FAO Regional Projects as well as of that of universities and relevant programmes	In light of the socioeconomic dimension of IUU fishing in the Mediterranean Sea, all relevant data should be collected and analyzed to better understand the root causes of the problem
<i>MCS related aspects</i>	Improve traceability mechanisms and take measures to prevent deter and eliminate the trade in IUU products	A deterrent system to fight IUU fishing would have to ensure that controls are performed from the net to the plate. Work done by the FAO and the GFCM could be taken into account as well as the requirements by EU regulations. Market related measures should be developed, extending beyond the FAO International Plan of Action to Prevent, Deter and Eliminate Illegal, Unreported and Unregulated Fishing (IPOA IUU).
	Adapt tools such as the joint international inspection scheme and observer programmes to GFCM Members, including at the subregional level	Coordination among controlling organs operating at regional level (e.g. coast guard, border guards, financial police and fisheries inspectors) would have to be pursued, including through existing networks of coast guards
	Carry out joint training of fisheries inspectors and other enforcement authorities	The GFCM could organize training sessions with the cooperation of the EU (i.e. the European Fisheries Control Agency), if possible
	Establish a GFCM centralized VMS system and continue providing technical assistance and transfer of technology in the domain of MCS	A GFCM centralized VMS system would significantly facilitate not only the transfer of technology but also the sharing of knowledge among GFCM Members. Without substituting national fishing monitoring centers, it would endow GFCM Members devoid of this center with a much needed MCS tool

GFCM IUU vessel list

IMO ⁴ ship identification number/RFMO Reference	Vessel's name (previous name) ⁵	Flag State or Flag Territory [according to a RFMO] ²	Listed in RFMO ²
20060010 (ICCAT)	ACROS No 2	Unknown (latest known flag: Honduras)	ICCAT
20060009 (ICCAT)	ACROS No 3	Unknown (latest known flag: Honduras)	ICCAT
7306570	ALBORAN II (WHITE ENTERPRISE [NAFO/NEAFC]/WHITE, ENTERPRISE, ENSEMBRE, ATALAYA, REDA IV, ATALAYA DEL SUR [SEAFO])	Panama	NEAFC, NAFO, SEAFO
7424891	ALDABRA (OMOA I)	Tanzania	CCAMLR, SEAFO
7036345	AMORINN (ICEBERG II, NOEMI, LOME)	Unknown	CCAMLR, SEAFO
12290 (IATTC)/20110011 (ICCAT)	BHASKARA No 10	Unknown	IATTC, ICCAT
12291 (IATTC)/20110012 (ICCAT)	BHASKARA No 9	Unknown	IATTC, ICCAT
20060001 (ICCAT)	BIGEYE	Unknown	ICCAT
20040005 (ICCAT)	BRAVO	Unknown	ICCAT
9407 (IATTC)/20110013 (ICCAT)	CAMELOT	Unknown	IATTC, ICCAT
6622642	CHALLENGE (MILA, PERSERVERANCE [CCAMLR]/MILA, ISLA, MONTANA CLARA, PERSEVERANCE [SEAFO])	Panama	CCAMLR, SEAFO
125 (IATTC)/20110014 (ICCAT)	CHIA HAO No 66	Unknown	IATTC, ICCAT
20080001 (ICCAT)	DANIAA (CARLOS)	Republic of Guinea (Conakry)	ICCAT
8422852	DOLPHIN (OGNEVKA)	Unknown	NEAFC, NAFO, SEAFO
6163 (IATTC)	DRAGON III	Unknown	IATTC
8604668	EROS DOS (FURABOLOS)	Panama	NEAFC, NAFO, SEAFO
7355662	FU LIEN No 1	Georgia	WCPFC
20080005 (ICCAT)	GALA I (MANARA II/ROAGAN)	Unknown	ICCAT
6591 (IATTC)	GOIDAU RUEY No 1	Unknown	IATTC
7020126	GOOD HOPE (TOTO, SEA RANGER V)	Nigeria	CCAMLR, SEAFO
6719419	GORILERO (GRAN SOL)	Unknown (latest known flags: Sierra Leone, Panama [NAFO/NEAFC])	NEAFC, NAFO, SEAFO
20090003 (ICCAT)	GUNUAR MELYAN 21	Unknown	IOTC, ICCAT
7322926	HEAVY SEA [CCAMLR]/HEAVY SEAS [SEAFO] (SHERPA UNO, DUERO, KETA)	Panama	CCAMLR, SEAFO
20100004 (ICCAT)	HOOM XIANG 11	Unknown	IOTC,

⁴ International Maritime Organization

⁵ For any additional information consult the websites of the regional fisheries management organisations (RFMOs)

IMO ⁴ ship identification number/RFMO Reference	Vessel's name (previous name) ⁵	Flag State or Flag Territory [according to a RFMO] ²	Listed in RFMO ²
			ICCAT
7322897	HUANG HE 22 (SIMA QIAN BARU 22, DORITA, MAGNUS, THULE, EOLO, RED MOON, BLACK MOON, INA MAKA, GALAXY, CORVUS)	Tanzania [CCAMLR]/Unknown [SEAFO]	CCAMLR, SEAFO
9319856	HUIQUAN (WUTAISHAN ANHUI 44, YANGZI HUA44, TROSKY, PALOMA V [SEAFO 1/CCAMLR])/WUTAISHAN ANHUI 44 (YANGZI HUA 44, PALOMA V, JIAN YUAN, TROSKY [SEAFO 2])	Tanzania	CCAMLR, SEAFO
7332218	IANNIS I (MOANA MAR, CANOS DE MECA [SEAFO])	Panama [NAFO, SEAFO]/Unknown [NEAFC]	NEAFC, NAFO, SEAFO
6803961	ITZIAR II (MARE, NOTRE DAME, GOLDEN SUN, SEABULL 22, CARMELA, GOLD DRAGON)	Mali	CCAMLR, SEAFO
9505 (IATTC)	JYI LIH 88	Unknown	IATTC
7905039	KESHAN (BAIYANGDIAN, PACIFIC DUCHESS [CCAMLR])/BAIYANGDIAN (PACIFIC DUCHESS [SEAFO])	Tanzania [SEAFO]/Mongolia [CCAMLR]	SEAFO, CCAMLR
7905443	KOOSHA 4 (EGUZKIA)	Iran	CCAMLR; SEAFO
9037537	LANA (ZEUS, TRITON-1, KINSHO MARU No 18)	Unknown	CCAMLR, SEAFO
20060007 (ICCAT)	LILA No 10	Unknown (latest known flag: Panama)	ICCAT
7388267	LIMPOPO (ROSS, ALOS, LENA, CAP GEORGE, CONBAROYA, TERCERO [SEAFO]/LENA, ALOS, ROSS [CCAMLR])	Unknown (latest known flags: Togo, Ghana, Seychelles)	CCAMLR, SEAFO
20040007 (ICCAT)	MADURA 2	Unknown	ICCAT
20040008 (ICCAT)	MADURA 3	Unknown	ICCAT
7325746	MAINE (MAPOSA NOVENO, GUINESPA I [SEAFO])	Republic of Guinea (Conakry)	NEAFC, NAFO, SEAFO
20060002 (ICCAT)	MARIA	Unknown	ICCAT
20060005 (ICCAT)	MELILLA No 101	Unknown (latest known flag: Panama)	ICCAT
20060004 (ICCAT)	MELILLA No 103	Unknown (latest known flag: Panama)	ICCAT
7385174	MURTOSA	Unknown (latest known flag: Togo [NAFO/NEAFC]/Portugal [SEAFO])	NEAFC, NAFO, SEAFO
14613 (IATTC)/20110003 (ICCAT)/C-00545 (WCPFC)	NEPTUNE	Georgia	IATTC, ICCAT, WCPFC
20060003 (ICCAT)	No 101 GLORIA (GOLDEN LAKE)	Unknown (latest known flag: Panama)	ICCAT
20060008 (ICCAT)	No 2 CHOYU	Unknown (latest known flag: Honduras)	ICCAT
20060011 (ICCAT)	No 3 CHOYU	Unknown (latest known flag: Honduras)	ICCAT
20040006 (ICCAT)	OCEAN DIAMOND	Unknown	ICCAT
7826233/20090001 (ICCAT)	OCEAN LION	Unknown (latest known flag: Equatorial Guinea)	IOTC, ICCAT
8713392	OCTOPUS 1 (PISCIS, SOUTH BOY,	Mongolia	CCAMLR,

IMO ⁴ ship identification number/RFMO Reference	Vessel's name (previous name) ⁵	Flag State or Flag Territory [according to a RFMO] ²	Listed in RFMO ²
	GALE, ULYSES, THOR 33, YIN PENG, CHU LIM, THE BIRD, PION)		SEAFO
11369 (IATTC)	ORCA	Unknown (latest known flag: Belize)	IATTC
20060012 (ICCAT)	ORIENTE No 7	Unknown (latest known flag: Honduras)	ICCAT
5062479	PERLON (CHERNE, SARGO, HOKING, BIGARO, UGALPESCA)	Unknown (latest known flags: Uruguay, Mongolia, Togo)	CCAMLR, SEAFO
6607666	RAY (KILLY, TROPIC, CONSTANT, ISLA RACIOSA)	Unknown (latest known flags: Belize, Mongolia, Equatorial Guinea, South Africa) [CCAMLR]/Belize [SEAFO]	CCAMLR, SEAFO
95 (IATTC)	REYMAR 6	Unknown (latest known flag: Belize)	IATTC
9042001	SHAANXI HENAN 33 (XIONG NU BARU 33, LIBERTY, CHILBO SAN 33, HAMMER, CARRAN, DRACO-1)	Tanzania	CCAMLR, SEAFO
20080004 (ICCAT)	SHARON 1 (MANARA I/POSEIDON)	Unknown (latest known flags: Libya)	ICCAT
20050001 (ICCAT)	SOUTHERN STAR 136 (HSIANG CHANG)	Unknown (latest known flag: St. Vincent and the Grenadines)	ICCAT
9405 (IATTC)	TA FU 1	Unknown	IATTC
6818930	TCHAW (CONDOR, INCA, VIKING, CISNE AZUL, REX [CCAMLR]/CONDOR, INCA, VIKING, CISNE AZUL, REX, PESCAMEX III, AROSA CUARTO [SEAFO])	Unknown (latest known flags: Belize, Seychelles, Togo)	CCAMLR, SEAFO
13568 (IATTC)	TCHING YE No 6 (EL DIRIA I)	Unknown (latest known flag: Belize)	IATTC
6905408	THUNDER (ARTIC RANGER, RUBIN, TYPHOON-1, KUKO)	Nigeria	CCAMLR, SEAFO
7321374/7325930 (SEAFO)	TRINITY (YUCATAN BASIN, EXEMBRE, FONTENOVA, JAWHARA [NEAFC])/YUCATAN BASIN (ENXEMBRE, FONTE NOVA, JAWHARA [SEAFO/NAFO])	Ghana	NEAFC, NAFO, SEAFO
129 (IATTC)	WEN TENG No 688 (apparently changed to MAHKOIA ABADI No 196)	Unknown (latest known flag: Belize)	IATTC
	YU FONG 168	Taiwan	WCPFC
20090002 (ICCAT)	YU MAAN WON	Unknown (latest known flag: Georgia)	IOTC, ICCAT
20130018 (ICCAT)	FULL RICH	Unknown	ICCAT
20130017 (ICCAT)	FU HSIANG FA	Unknown	ICCAT
20130027 (ICCAT)	SAMUDERA PASIFIK NO. 18	Indonesia	ICCAT

**Draft proposal of the European Union for a GFCM Recommendation
on the establishment of a set of minimum standards for bottom trawling fisheries on demersal
stocks in the Strait of Sicily pending the development and adoption of a multiannual
management plan**

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 proper utilization of living marine resources;

REAFFIRMING the principles of the FAO Code of Conduct for Responsible Fisheries and recalling the precautionary and ecosystem approach to fishery management;

RECALLING the Guidelines on precautionary conservation measures pending the development and adoption of GFCM multiannual management plans for relevant fisheries at the sub-regional level in the GFCM area agreed during its thirty-seventh session;

NOTING that the Scientific Advisory Committee (SAC) has recurrently considered demersal stocks overexploited in GSA 12, 13, 14, 15 and 16;

CONSIDERING that the state of stocks as assessed by the SAC calls for the development and adoption of management measures aimed at ensuring the conservation of demersal stocks in the area with the view of adopting as soon as possible a multiannual plan;

CONSIDERING the conclusions of the SAC Subregional Technical Workshop on Multiannual Management Plans that took place in October 2013;

CONSIDERING the socioeconomic importance of fisheries exploiting demersal stocks and the need to ensure their sustainability;

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

PART I

Scope and geographical area of application

1. In order to ensure adequate conservation of demersal stocks, Members and cooperating non-Members (CPCs) of GFCM shall adopt fisheries management measures or national management plans in the GFCM-GSAs 12, 13, 14, 15, and 16 (hereafter "Strait of Sicily") as defined in Resolution GFCM/33/2009/2
2. CPCs will actively cooperate with a view to establishing the necessary requirements as soon as possible so as to be in position to adopt a management plan at the level of the GFCM, which should therefore draw on the experience of the then existing national management plans.

PART II
Technical conservation measures

3. The establishment of minimum conservation size and appropriate spatial restrictions are of high relevance for the conservation of demersal stocks in the Strait of Sicily.
4. As from the entry into force of this recommendation, deepwater rose shrimp, Norway lobster, hake, red mullet, common pandora and red sea bream smaller than the minimum conservation reference size in total length or carapace length (CL) for crustaceans as reported below and measured to the lowest centimetre, shall not be caught, retained on board, transhipped, transferred, stored, sold, displayed or offered for sale:

Deepwater rose shrimp (<i>Parapenaeus longirostris</i>)	20 mm CL
Norway lobster (<i>Nephrops norvegicus</i>)	20 mm CL
Hake (<i>Merluccius merluccius</i>)	20 cm
Red mullet (<i>Mullus barbatus</i>)	11 cm
Common pandora (<i>Pagellus erythrinus</i>)	15 cm
Red seabream (<i>Pagellus bogaraveo</i>)	33 cm
5. CPCs shall communicate by 31 March 2015 to the GFCM Secretariat the spatial restrictions in the waters under their jurisdiction which they will apply with a view to protecting spawning and nursery areas for deepwater rose shrimp and associated species.

PART III
Fleet management measures

6. CPCs shall maintain an updated register of vessels authorized to operate in the Strait of Sicily targeting demersal stocks.
7. CPCs shall communicate to GFCM Secretariat, no later than 30 November of each year, the list of vessels which have used bottom trawls to fish demersal stocks in the areas referred to in paragraph 1 in the past year.

PART IV
National management plans

8. CPCs shall ensure that the measures outlined in Parts II and III are integrated in their national management.
9. CPCs shall notify to the GFCM, by 31 January 2015, the management measures or management plans adopted at the national level.

PART V
Assessment by the SAC

10. Within the framework of stock assessments in 2016, the SAC shall evaluate the effectiveness of the management measures of this recommendation for the state of the stocks and of any measures applied under national management frameworks.

11. The Compliance Committee shall evaluate the level of implementation of the adopted management measures under this recommendation and provide GFCM with an opinion on their implementation for further consideration.
12. In conducting its evaluation the SAC will take into account the assessment of the Compliance Committee on the implementation of this recommendation.
13. The SAC will continue to work after the stock assessment referred to in paragraph 10 to provide GFCM with advice on the measures to be developed with a view to establishing, at the GFCM level, a multiannual management plan for demersal species in the Strait of Sicily, based on the national measures adopted by the CPCs. This will be done taking into account the opinion expressed by the Compliance Committee referred to in paragraph 11.

**Draft proposal of the European Union for a GFCM Recommendation
on a multiannual management plan for fisheries on turbot and associated demersal species in
the GFCM GSA 29 (Black Sea)**

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 proper utilization of living marine resources;

RECALLING Recommendation GFCM/37/2013/2 on the establishment of a set of minimum standards for bottom-set gillnets fisheries for turbot and conservation of cetaceans in the Black Sea;

RECALLING the Guidelines on a general management framework and presentation of scientific information for multiannual management plans for sustainable fisheries in the GFCM area agreed during its thirty-sixth session;

NOTING that for turbot in GSA 29 the Scientific Advisory Committee (SAC) has concluded at its sixteenth session in 2014 that the stock is in overfishing and advised the adoption of a recovery plan;

CONSIDERING the proposal for a minimum structure of management plan for turbot fisheries in the Black Sea presented to the sixteenth session of the SAC;

CONSIDERING that fishing mortality should be kept below safe thresholds to ensure long-term high yields while limiting the risk of stock collapse and guaranteeing stable and more viable fisheries;

NOTING that for turbot and associated species in GSA 29 the SAC has underlined that there is a high level of illegal, unreported and unregulated catches (IUU);

CONSIDERING that fisheries targeting turbot are multispecies in nature and management decisions should therefore be taken considering also associated species;

CONSIDERING the socioeconomic importance of fisheries exploiting turbot and associated stocks and the need to ensure their sustainability;

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

**PART I
General objectives, scope and definitions**

General objectives of the multiannual plan

1. A multiannual management plan for fisheries exploiting turbot and associated species in GFCM GSA 29 “Black Sea” shall be developed, in line with the precautionary approach, and designed to counteract and/or prevent overfishing (both direct and indirect) with a view to providing high long-term yields consistent with the maximum sustainable yield (hereafter MSY) and to guaranteeing a low risk of stocks collapse while ensuring sustainable and relatively stable fisheries.

2. The conservation objective shall be to achieve fishing mortality at MSY level no later than 2020.

The multiannual management plan for the fisheries exploiting turbot and associated species shall also pursue the reduction in IUU fishing activities in GFCM GSA 29.

3. GFCM Contracting Parties and Cooperating non-Contracting Parties (CPCs) whose vessels have been actively fishing for turbot and associated species in GSA 29 agree to implement such multiannual management plan for the fisheries concerned in accordance with the general and specific objectives and measures set by this recommendation.

4. GFCM Contracting Parties and Cooperating non-Contracting Parties (CPCs) whose vessels have been actively fishing for turbot and associated species in GSA 29 agree to implement actions established in the roadmap for fighting IUU fishing in the Black Sea adopted in 2013.

Geographical scope

5. The multiannual management plan provided by the present recommendation shall apply to GFCM GSA 29 “Black Sea”.

Definitions

6. For the purpose of this recommendation:

- a) “vessel actively fishing for turbot” means any vessel equipped with bottom-set gillnets authorized to fish for turbot;
- b) “fishing day” means any continuous period of 24 hours, or part thereof, during which a vessel is present within GSA 29 and is searching for fish, shooting, setting, towing, hauling of a fishing gear, taking catch on board, transshipping, retaining on board, processing on board, transferring and landing of fish and fishery products;
- c) “Turbot” means fish pertaining to the species *Psetta maxima*;
- d) “associated species” means those species that (i) prey upon the target species, (ii) are preyed on by it, (iii) compete with it for food, living space, etc.; or (iv) co-occur in the same fishing area and are exploited (or accidentally taken) in the same fishery or fisheries, *inter alia*, picked dogfish (*Squalus acanthias*);
- e) “bottom-set gillnet” means any net made up of a single piece of net held vertically in the water by floats and weights fixed or capable of being fixed by any means to the bottom of the sea and maintain the gear in place either close to the bottom or floating in the water column;
- f) “fishing authorization” means entitlement to engage in fishing activities during a specified period, in a given area or for a given fishery.

PART II

Specific objectives of the multiannual management plan for GSA 29

7. The operational objective of this plan shall be to maintain fishing mortality for turbot within agreed precautionary reference points, with a view to achieving Fmsy no later than 2020.

8. Considering the current fishing mortality ($F_{curr} = 0.8$) and the estimated fishing mortality at MSY levels ($F_{msy} = 0.26$) confirmed by the SAC, the target fishing mortality (F_{target}) for the management plan shall be set at an intermediate level of 0.55 for the year 2017. The SAC Working Group for the Black Sea (WGBS) shall be requested to regularly assess this level. The GFCM, on the basis of SAC advice, shall review yearly the target fishing mortality (F_{target}).

9. Operational objectives in terms of fighting against IUU fishing activities which are relevant for turbot and associated species fisheries shall be developed as defined in part VII of this recommendation.

PART III

Scientific monitoring, adaptation and revision of the plan

10. GFCM Contracting Parties and Cooperating non-Contracting Parties shall ensure adequate annual scientific monitoring of the status of turbot and associated species in GSA 29.

11. The SAC shall provide, on annual basis as from 2015, advice on the status of the stocks of turbot and associated species in GSA 29, including specific objectives to maintain fishing mortality within agreed precautionary fishing mortality reference points and to restore the size of Black Sea turbot stock and associated species at levels which can produce the maximum sustainable yield, by 2020 at the latest. The evaluation of the SAC will include a socioeconomic impact assessment.

12. Based on the SAC advice, the GFCM may review the content of the management plan.

13. Whenever the GFCM, on the basis of SAC advice, finds that the fishing mortality level specified according to paragraph 9 is no longer appropriate to achieve the objectives specified in paragraph 1 above, it shall revise those parameters accordingly. Where SAC advice indicates that the general or specific objectives of the multiannual plan are not being met, the GFCM shall decide upon additional and/or alternative management measures to ensure that those objectives are achieved.

14. In 2015, the SAC shall evaluate the effectiveness of the measures already applied at the national level and advise on whether these measures could be applicable to the entire GSA 29.

15. In 2015, the SAC shall collect and analyse all available information and data referring to associated species for turbot fisheries and, where appropriate, advise on minimum conservation sizes.

16. For the purpose of providing advice for the development of this management plan, the SAC shall organize adequate workshops. To this purpose, the SAC, through the Working Group for the Black Sea, shall promote scientific cooperation and a harmonized approach amongst all Black Sea countries.

PART IV

Fleet management measures

17. Vessels authorized to fish turbot in the GSA 29 shall be indicated in a valid fishing authorization, which shall specify the technical conditions under which those activities could be exerted. In the absence of such authorization a vessel shall not catch, retain on board, tranship, land, store or sell turbot.

18. CPCs shall maintain an updated register of those fishing authorizations. CPCs shall communicate to GFCM Secretariat, no later than 30 November of the previous year, the list of active vessels for which such a fishing authorization has been issued for the forthcoming year or years. This list will include the external identification number, the name of the fishing vessels concerned and, if applicable, the individual fishing opportunities allocated to them.

19. Where for whatever reason (e.g. lack of appropriate data) the SAC is not in a position to provide an accurate advice on the state of the turbot stocks and associate species and on the exploitation level, GFCM shall decide on the most appropriate management measures to ensure sustainability of the fishery. These measures should be based on SAC advice taking into consideration socioeconomic elements

PART V

Technical conservation measures

20. In addition to the provisions on minimum size of turbot already defined in Recommendation GFCM/37/2013/2, picked dogfish smaller than the minimum conservation reference size in total length as reported below and measured to the lowest centimetre, shall not be caught, retained on board, transhipped, transferred, landed, stored, sold, displayed or offered for sale:

Picked dogfish	90 cm
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21. Notwithstanding paragraph 21, when due to unavoidable circumstances undersized specimens of picked dogfish have been effectively caught, masters of the catching vessel shall record those catches (estimated weight and numbers) of undersized specimens. CPCs shall establish an adequate mechanism for recording those catches.

22. Without prejudice to provisions foreseen in paragraph 21 and when a system to avoid discards and set obligations to land all catches has been established by a CPC, the master of the fishing vessel will not be allowed to discard those catches and shall therefore land the fish caught independently of the size of the fish caught in line with the provisions stipulated by the CPC. All quantities of undersize fish landed shall be recorded and shall not be displayed, offered for sale or used for human consumption.

23. CPCs implementing a landing obligations scheme shall notify its contents and characteristics to the GFCM Secretariat prior to the subsequent GFCM plenary session with a view to informing the other Parties.

24. The SAC will provide advice in 2015 on appropriate minimum conservation sizes for any other associated species that is relevant to the turbot fishery. On the basis of this advice, the GFCM will define minimum sizes in 2015.

25. CPCs shall designate additional spatial/temporal restrictions, with respect to those already established, in which fishing activities shall be banned or restricted in order to protect aggregation areas of juvenile turbot. CPCs will notify to GFCM by 1 January 2015 the list of these areas and the restrictions applied.

26. In addition of the provisions defined for bottom-set gillnets in Recommendation GFCM/37/2013/2, CPCs shall cooperate to harmonize their legislation regarding maximum length and height of gillnets to achieve common standards as from 2016.

27. The GFCM Secretariat shall facilitate the cooperation between Contracting Parties, including, where necessary, by ensuring that a scientific contribution is obtained from the SAC.

PART VI Management of the fishing effort

28. The CPCs shall communicate to GFCM Secretariat, no later than 30 November 2014, the list of all vessels using bottom-set gillnets authorized to fish for turbot. The list shall contain for each vessel the information referred to in Annex I.

29. Any fishing vessel not included in the list established under point 25 above shall not be allowed to fish for, retain on board or land turbot if the vessel is engaged on a fishing trip in GSA 29.

30. The CPCs shall promptly notify the GFCM Secretariat of any addition to, any deletion from and/or any modification of the fishing fleets for turbot, as identified under point 28 above, at any time such changes occur.

31. The GFCM Secretariat shall maintain updated the list of fishing vessels authorized to fish for turbot and place it on the GFCM website, in a manner consistent with confidentiality requirements noted by Contracting Parties.

32. Trawlers and bottom-set gillnets authorized to fish for turbot in GSA 29, irrespective of the vessel's length overall shall not exceed 180 fishing days per year.

33. Each CPC shall ensure to set up adequate mechanisms in terms of recording each fishing vessel in a national fleet register, of recording vessels' catches and fishing effort via both the logbook and remote sensing, and monitoring of fishing vessels activities and landings via catch and effort sampling surveys according to the rules stipulated by each CPC.

34. The above 1st subparagraph is without prejudice to Recommendation GFCM/33/2009/7 concerning minimum standards for the establishment of a vessel monitoring system in the GFCM area.

PART VII Specific measures to address illegal, unreported and unregulated fishing activities

35. It shall be prohibited to carry out fishing activities with passive gear which are not identifiable. For that purpose, passive gear, including its markers and intermediary buoys, shall permanently display the external registration letters and numbers displayed on the hull of the fishing vessel to which it belongs.

36. CPCs will establish a mechanism to ensure that vessels fishing in GSA 29 will declare all catches and by-catches of turbot. The obligations to declare catches will apply irrespective of the volume of the catch.

37. Each CPC shall designate ports or places close to the shore in which landings of turbot in GSA 29 may take place.

38. For each designated port, the port CPC shall specify permitted landing and transshipping times and places. The port CPC shall also ensure inspection coverage during all landing and transshipping times and at all landing and transshipping places.

39. It shall be prohibited to land or tranship from fishing vessels any quantity of turbot fished in GSA 29 at any place other than ports designated by CPCs in accordance with paragraph 37.

40. CPCs shall transmit to the GFCM Executive Secretary, no later than 30 October 2014, a list of the designated ports in which landings of turbot in GSA 29 may take place. Any subsequent change that may occur to this list shall be promptly notified to the GFCM.

41. CPCs shall engage to cooperate on the fight against IUU activities, in particular through sharing information and gathering intelligence to fight against illegal activities and organized crime.

PART VIII

National programmes for control, monitoring and surveillance

42. National control programmes for the implementation of the provisions of this recommendation shall be established by the concerned Parties through specific plans. These plans shall contain the elements listed in Annex II and ensure, *inter alia*, a proper and accurate monitoring and recording of the monthly catches and fishing effort deployed so that a mechanisms is set up at the national level to avoid inconsistencies and non-compliance with the measures and restrictions adopted by the GFCM.

43. Those national control programmes and plans shall be communicated each year to the GFCM Secretariat, during the last quarter of the previous year and no later than 30 October each year. If the GFCM finds a serious fault in the plan submitted by a CPC and cannot endorse the plan, the GFCM shall decide by mail vote, by 15 December, on the suspension of turbot fisheries for the CPC concerned in the subsequent year. The Compliance Committee shall adopt specific rules and procedures to prepare the necessary examination.

44. CPCs not submitting the plan by the deadline specified in paragraph 42 are not allowed to carry out the turbot fisheries in the area until the plan is submitted and endorsed by the GFCM.

Annex I

The list referred to in [Part VI, Point 23] shall contain for each vessel the following information:

- Name of vessel
- Vessel register number (code assigned by Members)
- GFCM registration number (country ISO 3-alpha code + 9 digits, e.g. xxx000000001)
- Port of registration (full name of the port)
- Previous name (if any)
- Previous flag (if any)
- Previous details of deletion from other registries (if any)
- International radio call sign (if any)
- VMS (indicate Y/N)
- Vessel type, length overall and gross tonnage (GT) and/or gross registered tonnage (GRT) and engine power expressed in kW
- Name and address of owner(s), and/or charter and/or operator(s)
- Main target species
- Main gear(s) used for turbot and fleet segment allocation and Operational Unit as identified in TASK 1 statistical matrix
- Time period authorized for fishing with trawlers, gillnet or any other gear likely to fish turbot (if any of such authorization)

Annex II

Guidelines for the preparation of specific monitoring and control plans for turbot in the Black Sea

Specific monitoring and control plans shall clearly define the following:

a) Means of control

Description of human, technical and financial means specifically available for the implementation of the plans. Particular attention shall be given to the description of the patrol vessels, including details on the bodies managing them as well as their spatial and temporal autonomy and on-board facilities (number of beds, etc.).

b) Annual fishing plans

The details of any system in place for national monitoring and control of the fishing plan. The methodology to ensure compliance to the rules of recording catches (completion/submission of logbooks, landing declarations and sales notes) and the mechanisms established to cross-check and verify information received from different sources.

c) Sampling methodologies

Each country shall specify and describe which sampling strategy will be applied to verify the weighing of catches at first sale as well as the sampling strategy for vessels that are not subject to logbook/landing declaration rules.

d) Inspection protocols

Define inspection tasks and procedures in accordance with inspections and proceedings to ensure in particular the continuity of evidence observed during inspections.

e) Guidelines

Explanatory guidelines for inspectors, producer's organizations and fishermen, regarding the set of rules in place for fisheries that are likely to catch turbot and associated species:

- ✓ Rules of completion of various documents including completion of inspection reports, fishing logbooks, transshipment declarations, landing and take-over declarations, transport documents, sales notes;
- ✓ Technical measures in force, including mesh size and/or mesh dimensions, minimum catching size, temporary restrictions, etc.;
- ✓ Sampling strategies;
- ✓ Cross-check mechanisms.

f) Inspection benchmarks

- ✓ Objective

Each country shall set specific inspection benchmarks in accordance with risk-based methodologies.

- ✓ Strategy

Inspection and surveillance of fishing activities shall concentrate on fishing vessels likely to catch turbot and associated species. In addition to specific benchmarks defined, random inspections of transport and marketing of this species shall be used as a complementary cross-checking mechanism to test the effectiveness of inspection and surveillance. Moreover the strategies and action plans for the control of markets and transport shall be included.

✓ Priorities

When defining risks, different gear types shall be subject to different levels of prioritization, depending on the extent to which the fleets are affected by fishing opportunity limits. For that reason, each country shall set specific priorities.

✓ Target benchmarks

Member countries shall implement their inspection schedules taking account risk-based methodologies and defining specific targets. Minimum benchmarks are defined below.

- Level of inspection in ports
 - As a general rule, the accuracy to be achieved should be at least equivalent to what would be obtained by a simple random sampling method, where inspections shall cover 20 percent of all landings of turbot and associated species by weight in the country.
- Level of inspection of marketing
 - Inspection of 5 percent of the quantities of turbot offered as first sale.
- Level of inspection at sea

Flexible benchmark: to be set after a detailed analysis of the fishing activity in each area by analysing VMS tracks and the results of aerial surveillance. Benchmarks at sea shall refer to the number of patrol days at sea in the management areas.

g) Joint operations

Concerned countries shall define together joint actions at sea and ashore to fight against illegal and unrecorded catches. These joint actions shall be defined in accordance with control and inspection criteria and priorities agreed.

**Draft proposal of Tunisia for a GFCM Recommendation
on the establishment of a closing season in the GFCM GSA 14**

RECOGNIZING the situation of overexploitation of demersal stocks in several GSAs in the Mediterranean, including GSA 14;

TAKING INTO ACCOUNT the scientific advice of the GFCM Scientific Advisory Committee (SAC) on the critical state of the shared stocks in the area;

CONSIDERING the importance of GSA 14 in the Mediterranean in terms of biodiversity, volume of catches and socioeconomic impact and with the objective to preserve demersal stocks in the area;

CONSIDERING the socioeconomic importance of demersal fisheries in GSA 14 and with the aim to ensure their sustainability;

ADOPTS the following measures in accordance with Articles III and V of the GFCM Agreement:

- 1- in order to rationally manage demersal fisheries resources in GSA 14, Contracting Parties and Cooperating non-Contracting Parties (CPCs) shall apply a closing season in GSA 14 by stopping fishing activities by trawlers in the area;
- 2- stopping of fishing activities by trawlers for all countries (members and non-members) in GSA 14 shall be applied over three (3) months during the year (July, August and September).

This measure has been already applied since 2009 by the Tunisian fleet operating in the area, in accordance with SAC recommendation concerning the reduction of fishing effort for demersal stocks in the Mediterranean.

GFCM autonomous budget for 2014

		EUR (€)*	Share of total %
STAFF	Professional staff (8)	963,000	58.98 %
	Administrative staff (5)	247,000	15.13 %
	TOTAL STAFF	1,210,000	74.11 %
FUNCTIONING	Temporary Human Resources (Security Guards, admin. support, Overtime)	51,000	3.12 %
	Consultants (including translators of scientific publications)	20,000	1.22 %
	Travel (Staff, Bureau, Coordinators, Experts' DSA and tickets)	65,000	3.98 %
	Training	4,000	0.24 %
	Expendable procurement (including printing of publications)	9,000	0.55 %
	Non-expendable procurement	4,000	0.24 %
	General Operating Expenses	21,000	1.29 %
	Internal/External services (backcharge)	127,000	7.78 %
	Task force / Framework Programme	18,000	1.10 %
	Interpreters' travel (DSA and ticket)	18,000	1.10 %
	TOTAL FUNCTIONING	337,000	20.64 %
	AUTONOMOUS BUDGET (staff + functioning)	1,547,000	
MISC	Hospitality and Miscellaneous (1% of autonomous budget)	15,470	
	FAO Support Costs (4.5% of total)	70,311	
	TOTAL AUTONOMOUS BUDGET (EUR*)	€ 1,632,781	
	TOTAL AUTONOMOUS BUDGET (US Dollars)	\$ 2,245,916	

* UN rate at 1 April 2014 (1 EUR = 1.3755158 USD) (1 USD = 0.727 EUR)

Contributions to the GFCM autonomous budget for 2014

Member	USD	%	US \$	Index	USD	Weighted Total	USD
Albania	20,442	0.91	9,765	1	5,240	19,226	5,437
Algeria	72,120	3.21	9,765	1	5,240	201,960	57,115
Bulgaria	15,005	0.67	9,765	1	5,240		
Croatia	62,170	2.77	9,765	10	52,405		
Cyprus	62,170	2.77	9,765	10	52,405		
Egypt	90,922	4.05	9,765	1	5,240	268,445	75,917
France	114,574	5.10	9,765	20	104,809		
Greece	62,170	2.77	9,765	10	52,405		
Israel							
Italy	114,574	5.10	9,765	20	104,809		
Japan	114,581	5.10	9,765	20	104,809	25	7
Lebanon	17,705	0.79	9,765	1	5,240	9,545	2,699
Libya	102,175	4.55	9,765	10	52,405	141,462	40,006
Malta	62,170	2.77	9,765	10	52,405		
Monaco	9,765	0.43	9,765				
Montenegro	10,887	0.48	9,765			3,969	1,122
Morocco	36,338	1.62	9,765	1	5,240	75,434	21,333
Romania	15,005	0.67	9,765	1	5,240		
Slovenia	62,170	2.77	9,765	10	52,405		
Spain	114,574	5.10	9,765	20	104,809		
Syrian Arab Republic	17,414	0.78	9,765	1	5,240	8,518	2,409
Tunisia	91,626	4.08	9,765	1	5,240	270,933	76,620
Turkey	242,091	10.78	9,765	1	5,240	802,988	227,086
EC	735,268	32.74	9,765			2,565,419	725,503
		100		150		4,367,925	
	2,245,916		224,592		786,071		1,235,254

Total budget	2,245,916	USD
Basic fee	10%	of total budget
	224,592	USD
Number of Members*	23	
Total budget less basic fee	2,021,325	USD
GDP component	35%	of total budget
	786,071	USD
Catch component	55%	of total budget
	1,235,254	USD

* Members paying their contributions to the autonomous budget

The thirty-eighth session of the General Fisheries Commission for the Mediterranean (GFCM), including the fifth session of the Committee on Administration and Finance (CAF) and the eighth session of the Compliance Committee (CoC), was attended by representatives from 22 Members, 3 non-Members, 15 intergovernmental and non-governmental organizations. In the light of the outcomes of its third extraordinary session (Greece, April 2014), the Commission endorsed its amended Agreement, which sets ambitious goals based on principles such as the subregional approach, multiannual management and stakeholders' involvement. In recognition of the importance attached by the Commission to cooperation with partner organizations, three memoranda of understanding were officially entered into with the Worldwide Fund for Nature (WWF), the International Union for Conservation of Nature – Centre for Mediterranean Cooperation (IUCN-Med) and the Centre for Marketing Information and Advisory Services for Fishery Products in the Arab Region (INFOSAMAK). This session was also the occasion to progress in the fight against illegal, unreported and unregulated (IUU) fishing through the adoption of guidelines relating to vessels monitoring systems (VMS), a roadmap to fight IUU fishing in the Mediterranean Sea and a GFCM IUU vessel list to be widely disseminated. Important decisions, such as a recommendation concerning the identification of non-compliance, were also taken to ensure better compliance with GFCM decisions, in particular within the clarification process expected to result, in 2015, in the identification of cases on non-compliance by both Members and non-Members. Regarding the management of fisheries, the measures adopted by the Commission include a recommendation on precautionary and emergency measures for 2015 on small pelagic stocks in GSA 17. The Commission also endorsed guidelines for the management of Mediterranean red coral populations, practical guidelines for artificial reefs in the Mediterranean and Black Sea and the new GFCM Data Collection Reference Framework (DCRF). Acknowledging the crucial role of small-scale fisheries in the region and the need to develop governance in this sector, the Commission also supported the launch of the first regional cooperative programme for the promotion of sustainable small-scale fisheries. In the field of aquaculture, the Commission recalled the need to support its sustainable development in the region and welcomed the launch of a new Aquaculture multi-stakeholder platform (AMShP) as well as guidelines for the sustainable management of coastal lagoons. Moreover, it acknowledged the key elements for guidelines on a harmonized environmental monitoring programme (EMP) for marine finfish cage farming in the Mediterranean and Black Sea. Finally, the Commission decided to reconstitute Mr Abdellah Srour as Executive Secretary of the GFCM from June 2016 until 2021. It adopted its 2014 autonomous budget, amounting to USD 2 245 916, and discussed the possibility of shifting to the adoption of a triennial budget in the future. The programme of work for the intersession, including under the first GFCM Framework Programme, was also approved.

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