



**GENERAL FISHERIES COMMISSION FOR THE
MEDITERRANEAN**

**COMMISSION GÉNÉRALE DES PÊCHES POUR
LA MÉDITERRANÉE**



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**GFCM Recommendations on Mediterranean fisheries management
(no Resolutions)**

- Recommendation GFCM/2006/1 on the management of certain fisheries exploiting demersal and small pelagic;
- Recommendation GFCM/2006/2 on the establishment of a closed season for the dolphinfish fisheries based on fishing aggregation devices (FADs);
- Recommendation GFCM/2006/3 on the establishment of fisheries restrictive areas in order to protect the deep sea sensitive habitats;
- Recommendation GFCM/2006/4 on the establishment of a list of vessels presumed to have carried out illegal, unreported and unregulated fishing activities in the GFCM area;
- Recommendation GFCM/2006/5 on the criteria for obtaining the status of Cooperating non-contracting party in the GFCM area;
- Recommendation GFCM/2006/6 on the terms of reference for the GFCM Compliance Committee
- Recommendation GFCM/2006/7 on data confidentiality policy and procedures;
- Recommendation GFCM/2006/8 concerning selected ICCAT Recommendations:
 - Recommendation [05-04] to amend the Recommendation [04-06] on Bluefin Tuna Farming (GFCM/2006/8 (A));
 - Recommendation [05-05] to amend the Recommendation [04-10] concerning the conservation of Sharks caught in association with fisheries managed by ICCAT (GFCM/2006/8 (B));
 - Recommendation [05-06] establishing a program for transshipment by large-scale longline fishing vessels (GFCM/2006/8 (C));

RECOMMENDATION GFCM/2006/1

MANAGEMENT OF CERTAIN FISHERIES EXPLOITING DEMERSAL AND SMALL PELAGIC

The General Fisheries Commission for the Mediterranean (GFCM),

RECALLING that the objectives of the Agreement establishing the General Fisheries Commission for the Mediterranean (GFCM) are to promote the development, conservation, rational management and proper utilisation of living marine resources;

RECALLING the Declaration of the Ministerial Conference for the Sustainable Development of the Fisheries in the Mediterranean held in November 2003 in Venice;

CONSIDERING that in the advice for 2001, 2002, 2003, 2004 and 2005 the SAC considered that certain stocks are overexploited, some with a high risk of recruitment overfishing, and that sustainable management requires that measures aimed at controlling or reducing the fishing effort;

RECALLING Recommendation GFCM/2002/1 which urges the control of fishing effort and the improvement of the exploitation pattern of demersal fisheries, as well as limiting catches of juveniles of small pelagic species;

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

Management of fishing effort for certain demersal fisheries

1. GFCM shall develop a management programme of the fishing effort concerning in particular demersal trawling fisheries exploiting inter alia, the following species: hake (*Merluccius merluccius*), blue and red shrimp (*Aristeus antennatus*), red mullet (*Mullus barbatus*), Striped mullet (*Mullus surmuletus*), red shrimp (*Aristaeomorpha foliacea*) and Norway lobster (*Nephrops norvegicus*) in the following geographic sub-areas : Northern and Southern Alboran Sea (GSA 1 and 3), Northern Spain (GSA 6), Balearic Islands (GSA 5), Gulf of Lions (GSA 7), Corsica Island (GSA 8), Ligurian and North Tyrrhenian Sea (GSA 9), South and Central Tyrrhenian Sea (GSA 10), Sardinia (GSA 11), South of Sicily (GSA 16), Northern Adriatic Sea (GSA 17), Southern Adriatic Sea (GSA 18), Western Ionian Sea (GSA 19), Eastern Ionian Sea (GSA 20), Aegean Sea (GSA 22) as well as in the adjacent sub-areas, if relevant.

Management of fishing effort for certain small pelagic fisheries

2. GFCM shall develop a management programme of the fishing effort concerning in particular pelagic trawling and purse seines in the pelagic fisheries exploiting, inter alia, the following species : anchovy (*Engraulis encrasicolus*), sardine (*Sardina pilchardus*) and sprat (*Sprattus sprattus*) in particular in the following geographic sub-areas (GSAs) : Northern and Southern Alboran Sea (GSAs 1 et 3), Northern Spain (GSA 6), Gulf of Lions (GSA 7), Northern Adriatic Sea (GSA 17), South of Sicily (GSA 16) and Aegean Sea (GSA 22), as well as in the adjacent sub-areas, if relevant.
3. In order to develop management programmes of the fishing effort referred to in paragraph 1 and 2, the SAC shall in 2006 identify:
 - The reference year

- The operational units
- The parameters to measure the fishing effort both in terms of capacity, fishing activity and, if relevant, number and dimension of fishing gears.

The SAC shall transmit to the Commission in 2006 the results of this identification.

RECOMMENDATION GFCM/2006/2

ESTABLISHMENT OF A CLOSED SEASON FOR THE DOLPHIN FISH FISHERIES USING FISHING AGGREGATION DEVICES (FADS)

The General Fisheries Commission for the Mediterranean (GFCM),

RECALLING that the objectives of the Agreement establishing the General Fisheries Commission for the Mediterranean (GFCM) are to promote the development, conservation, rational management and proper utilisation of living marine resources;

RECALLING the Declaration of the Ministerial Conference for the Sustainable Development of the Fisheries in the Mediterranean held in November 2003 in Venice;

NOTING that the Scientific Advisory Committee (SAC) recommends that fisheries exploiting dolphin fish (*Coryphaena hippurus*) and using fish aggregating devices (FADs), could operate, in all geographical sub-areas (GSAs), only between 15 August and 31 December of each year;

NOTING that SAC has considered that this type of measure can significantly contribute to the reduction of the catches of small specimen of dolphin fish and contribute to the sustainability of this stock;

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

1. In order to protect the dolphin fish (*Coryphaena hippurus*), in particular small fish, exploited by fleets flying the flag of Members, the dolphin fish fisheries using fish aggregating devices (FADs) shall be prohibited from 1 January to 14 August of each year, in all geographical sub-areas.

By way of derogation, if a Member can demonstrate that due to bad weather, fishermen of this Member were unable to utilise their normal fishing days (notified in advance to the Executive Secretary), then the Member can carry over days lost by this fleet in FAD fisheries until 31 January of the following year.

The Member shall notify these measures to the Executive Secretary, who will circulate the information to all the Members.

2. Each Member involved by the fishery referred to in paragraph 1 shall take the necessary measures to ensure the respect of the measure referred to in paragraph 1.
3. Each Member shall adopt the necessary measures to ensure the reporting of their total landings and transhipments of dolphin fish carried out by the vessels that fly their flag. Each Member shall also expand, or maintain, an appropriate system of collection and treatment of fisheries catch and effort data.
4. The Commission requests SAC to analyse for the first time in 2010, the impact of this measure on the stocks and to recommend any change that may be deemed necessary to

improve its effectiveness, in order to evaluate possible modifications to the closure and/or to propose additional management measures.

Members involved by the fishery referred to in paragraph 1 will submit an Annual Report on their implementation to the Secretariat. The Executive Secretary shall report to the Commission.

RECOMMENDATION GFCM/2006/3

ESTABLISHMENT OF FISHERIES RESTRICTED AREAS IN ORDER TO PROTECT THE DEEP SEA SENSITIVE HABITATS

The General Fisheries Commission for the Mediterranean (GFCM),

RECALLING that the objectives of the Agreement establishing the General Fisheries Commission for the Mediterranean (GFCM) are to promote the development, conservation, rational management and proper utilisation of living marine resources;

RECALLING the Declaration of the Ministerial Conference for the Sustainable Development of the Fisheries in the Mediterranean held in November 2003 in Venice;

RECALLING the Resolution 59/25 of the United Nation General Assembly and in particular paragraph 66 and 67 calling the regional fisheries management organizations to adopt appropriate conservation and management measures in order to protect vulnerable marine ecosystems;

RECALLING the Recommendation GFCM/2005/1 on the management of certain fisheries exploiting demersal and deepwater species;

CONSIDERING that integration of environmental concerns in fisheries management is a way to protect the structure and functioning of the marine ecosystems that are in turn fundamental to the overall production of the seas, including the exploited resources and to the benefit of sustainable fisheries;

CONSIDERING that also human activities other than fisheries should care of the structure and functioning of the marine ecosystems to the benefit of healthy environment and sustainable fisheries;

NOTING that the Scientific Advisory Committee recommends to ban bottom trawling activity in the deep water coral reefs located in international waters (referred to as Lophelia reef off Capo Santa Maria di Leuca) in order to protect the coral;

NOTING that the Scientific Advisory Committee has indicated that the area referred to as “The Nile Delta area cold hydrocarbon seeps” is characterised by an exceptional concentration of cold hydrocarbon seeps which had favoured the development of a unique living community and recommends that the area should be given a full protection status by avoiding demersal fishing practices;

NOTING that the Scientific Advisory Committee recommends to ban trawling activities in the area referred to as “The Eratosthenes Seamount” located in the Eastern Mediterranean between the Levantine Platform to the south and the Cyprus margin to the north near the subduction zone of the African plate, in order to protect the deep sea sensitive habitat;

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

1. Fishing with towed dredges and bottom trawl nets shall be prohibited in the areas bounded by lines joining the following coordinates:

a) Deep Sea fisheries restricted area “Lophelia reef off Capo Santa Maria di Leuca”

39° 27.72' N, 18° 10.74' E
 39° 27.80' N, 18° 26.68' E
 39° 11.16' N, 18° 04.28' E
 39° 11.16' N, 18° 32.58' E

b) Deep Sea fisheries restricted area “The Nile delta area cold hydrocarbon seeps”

31° 30.00' N, 33° 10.00' E
 31° 30.00' N, 34° 00.00' E
 32° 00.00' N, 34° 00.00' E
 32° 00.00' N, 33° 10.00' E

c) Deep Sea fisheries restricted area “The Eratosthemes Seamount”

33° 00.00' N, 32° 00.00' E
 33° 00.00' N, 33° 00.00' E
 34° 00.00' N, 33° 00.00' E
 34° 00.00' N, 32° 00.00' E

2. For the same areas, Members shall call the attention of the appropriate authorities in order to protect these areas from the impact of any other activity jeopardizing the conservation of the features that characterize these particular habitats.

RECOMMENDATION GFCM/2006/4

ESTABLISHMENT OF A LIST OF VESSELS PRESUMED TO HAVE CARRIED OUT ILLEGAL, UNREPORTED AND UNREGULATED FISHING ACTIVITIES IN THE GFCM AREA

The General Fisheries Commission for the Mediterranean (GFCM),

RECALLING that the FAO Council adopted on June 23, 2001 an International Plan of Action to Prevent, Deter and Eliminate Illegal, Unreported and Unregulated Fishing (IPOA-IUU). This Plan stipulates that the identification of the vessels carrying out IUU activities should follow agreed procedures and be applied in an equitable, transparent and non-discriminatory way;

CONCERNED by the fact that IUU fishing activities in the GFCM area continue, and these activities diminish the effectiveness of the GFCM conservation and management measures;

FURTHER CONCERNED that there is evidence of a high number of vessel owners engaged in such fishing activities which have re-flagged their vessels to avoid compliance with GFCM management and conservation measures;

DETERMINED to address the challenge of an increase in IUU fishing activities by way of counter-measures to be applied in respect to the vessels without prejudice to further measures adopted in respect of flag States under the relevant GFCM instruments;

CONSIDERING the results of the Third Ministerial Conference on the Sustainable Development of Fisheries in the Mediterranean which was held in Venice from 25 to 26 November 2003;

CONSCIOUS of the need to address, as a matter of priority, the issue of large-scale fishing vessels conducting IUU fishing activities;

NOTING that the situation must be addressed in the light of all relevant international fisheries instruments and in accordance with the relevant rights and obligations established in the World Trade Organization (WTO) Agreement;

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

1. For the purposes of this recommendation the fishing vessels flying the flag of a non-Contracting Party are presumed to have carried out illegal, unreported and unregulated fishing activities in the GFCM Convention Area, *inter alia*, when a Contracting Party or Cooperating non-Contracting Party, presents evidence that such vessels:
 - a) Harvest species in the GFCM Area and are not registered on the GFCM list of vessels authorized to fish species in the GFCM Area;
 - b) Harvest Tuna or Tuna like species in the Convention Area, whose flag State is without quotas, catch limit or effort allocation under relevant GFCM conservation and management measures
 - c) Do not record or report their catches made in the GFCM Area, or make false reports;
 - d) Take or land undersized fish in contravention of GFCM conservation measures;
 - e) Fish during closed fishing periods or in closed areas in contravention of GFCM conservation measures;
 - f) Use prohibited fishing gear in contravention of GFCM conservation measures;
 - g) Tranship with vessels included in the IUU list;
 - h) Harvest species in the waters under the national jurisdiction of the coastal States in the GFCM Area without authorization and/or infringes its laws and regulations, without prejudice to the sovereign rights of coastal States to make measures against such vessels;
 - i) Are without nationality and harvest species in the GFCM Area and/or
 - j) Engage in fishing activities contrary to any other GFCM conservation and management measures.
2. Contracting Parties and Cooperating non-Contracting Parties, shall transmit every year to the Executive Secretary before July 15, the list of vessels flying the flag of a non-Contracting Party presumed to be carrying out IUU fishing activities in the GFCM Area during the current and previous years, accompanied by the supporting evidence concerning the presumption of IUU fishing activity.

This list shall be based on the information collected by Contracting Parties and Cooperating non-Contracting Parties.
3. On the basis of the information received pursuant to paragraph 2, the GFCM Executive Secretary shall draw up a draft IUU list and shall transmit it together with all the evidence provided to Contracting Parties and Cooperating non-Contracting Parties, as well as to non-Contracting Parties whose vessels are included on these lists before August 15 of each year. Contracting Parties and Cooperating non-Contracting Parties, shall transmit their comments, as appropriate, including evidence showing that the listed vessels neither have fished in contravention to GFCM conservation and management measures nor had the possibility of fishing species in the GFCM Area, before September 30 to GFCM.

Upon receipt of the draft IUU list, Contracting Parties and Cooperating non-Contracting Parties, shall closely monitor these vessels included in the draft IUU list in order to determine their activities and possible changes of name, flag and/or registered owner.

4. On the basis of the information received pursuant to paragraph 3, the GFCM Executive Secretary shall draw up a provisional list that he shall transmit 2 weeks in advance of the Commission Session to the Contracting Parties and Cooperating non-Contracting Parties, together with all the evidence provided.
5. Contracting Parties and Cooperating non-Contracting Parties, may at any time submit to the GFCM Executive Secretary any additional information, which might be relevant for the establishment of the IUU list. The GFCM Executive Secretariat shall circulate the information at latest before the annual Commission Session to the Contracting Parties and Cooperating non-Contracting Parties, and to the non-Contracting Parties concerned, together with all the evidence provided.
6. The GFCM Compliance Committee shall examine, each year, the provisional list, as well as the information referred to in paragraphs 3 and 5. The GFCM Compliance Committee shall remove a vessel from the provisional list if the flag State demonstrates that:
 - a) The vessel did not take part in any IUU fishing activities describes in paragraph 1, or
 - b) Effective action has been taken in response to the IUU fishing activities in question, including, *inter alia*, prosecution and imposition of sanctions of adequate severity.
7. Following the examination referred to in paragraph 6, the GFCM Compliance Committee shall submit to the Commission for approval, the provisional list of the vessels identified as carrying out IUU fishing activities in the GFCM Area.
8. On adoption of the list, the Commission shall request non-Contracting Parties, whose vessels appear on the IUU list:
 - to notify the owner of the vessel identified on the IUU list of its inclusion on the list and the consequences which result from being included on the list, as referred to in paragraph 9;
 - to take all the necessary measures to eliminate these IUU fishing activities, including if necessary, the cancelling of the registration or of the fishing licenses of these vessels, and to inform the Commission of the measures taken in this respect.
9. Contracting Parties and Cooperating non-Contracting Parties, shall take all necessary measures, under their applicable legislation:
 - a) So that the fishing vessels, the mother ships and the cargo vessels flying their flag do not participate in any transshipment with vessels registered on the IUU list;
 - b) So that IUU vessels that enter ports voluntarily are not authorized to land or tranship therein;
 - c) To prohibit the chartering of a vessel included on the IUU list;
 - d) To refuse to grant their flag to vessels included in the IUU list, except if the vessel has changed owner; and the new owner has provided sufficient evidence demonstrating the previous owner or operator has no further legal, beneficial or financial interest in, or control of, the vessel, or having taken into account all relevant facts, the flag Contracting Party or Cooperating non-Contracting Party, determines that granting the vessel its flag will not result in IUU fishing;
 - e) To prohibit the imports, or landing and/or transshipment, of any species from vessels included in the IUU list;
 - f) To encourage the importers, transporters and others sectors concerned, to refrain from transaction and transshipment of any species caught by vessels included in the IUU list;
10. The GFCM Executive Secretary shall take any necessary measure to ensure publicity of the IUU vessels list adopted by GFCM pursuant to paragraph 8, in a manner consistent with any

applicable confidentiality requirements, and through electronic means, by placing it on the GFCM Web site. Furthermore, the GFCM Executive Secretary shall transmit the IUU vessels list to other regional fisheries organizations for the purposes of enhanced cooperation between GFCM and these organizations in order to prevent, deter and eliminate illegal, unreported and unregulated fishing.

11. This recommendation shall apply initially to large-scale fishing vessels over 24 metres LOA, flying the flag of non-Contracting Parties. The Commission shall, in future annual meetings, review and, as appropriate, revise this recommendation with a view to its extension to other types of IUU fishing activities of non-Contracting Party vessels and, to Contracting Party, Cooperating non-Contracting Party.
12. Without prejudice to the rights of flag Contracting Parties or Cooperating non-Contracting Parties, and coastal states to take proper action consistent with international law, the Contracting Parties, Cooperating non-Contracting Parties, shall not take any unilateral trade measures or other sanctions against vessels provisionally included in the draft IUU list, pursuant to paragraph 3, or which have been already removed from the list, pursuant to paragraph 6, on the grounds that such vessels are involved in IUU fishing activities.
13. A non-Contracting Party whose vessel appears on the IUU list may request the removal of this vessel from the list during the intersessional period by providing the following information:
 - it has adopted measures so that this vessel respects all GFCM conservation measures;
 - it will be able to assume effectively its responsibilities with respect to this vessel in particular as regards the monitoring and control of the fishing activities executed by this vessel in the GFCM Agreement Area;
 - it has taken effective action in response to the IUU fishing activities in question including prosecution and imposition of sanctions of adequate severity, if relevant;
 - the vessel has changed ownership and that the new owner can establish the previous owner no longer has any legal, financial or real interests in the vessel or exercises control over it and that the new owner has not participated in IUU fishing, if relevant.
14. The non-Contracting Party shall send its request for the removal of the identified vessel from the IUU list to the GFCM Executive Secretary accompanied by the supporting information referred to in paragraph 13.
15. On the basis of the information received in accordance with paragraph 13, the GFCM Executive Secretary will transmit the removal request, with all the supporting information to the Contracting Parties within 15 days following the notification of the removal request.
16. The Contracting Parties will examine the request to remove the vessel and arrive at a conclusion on either the removal from, or the maintenance of the vessel on the IUU list by mail within 30 days following the notification by the Executive Secretariat. The result of the examination of the request by mail will be checked by the Executive Secretary at the end of the 30-day period following the date of the notification by the Executive Secretary referred to in paragraph 15. If a Contracting Party does not reply the notification from the Executive Secretary, it will be considered as an abstention from the vote and part of the quorum for the decision-making.
17. The Executive Secretary will communicate the result of examination of the removal request as of the end of the 30-day period following the date of the notification referred to in paragraph 15 to all Contracting Parties.
18. If the result of the exercise indicates that there is a two-thirds majority of the Contracting Parties in favour of removal of the vessel from the IUU list, the President of the GFCM, on

behalf of the GFCM, will communicate the result to all the Contracting Parties and to the non-Contracting Party which requested the removal of its vessel from the IUU list. In the absence of a two-thirds majority, the vessel will be maintained on the IUU list and the Executive Secretary will inform the non-Contracting Party accordingly.

19. The Executive Secretary of the GFCM will take the necessary measures to remove the vessel concerned from the GFCM IUU vessels list, as published on the GFCM Web site. Moreover, the Executive Secretary of the GFCM will forward the decision of removal of the vessel to other regional fishery organisations.

RECOMMENDATION GFCM/2006/5

CRITERIA FOR OBTAINING THE STATUS OF COOPERATING NON-CONTRACTING PARTY IN GFCM AREA

The General Fisheries Commission for the Mediterranean (GFCM),

NOTING the imperative international responsibility concerning the conservation of the living marine resources in the Mediterranean Sea for the needs of present and future generations;

NOTING that the sustainability can be ensured only if all the Parties which fish for marine resources cooperate with the Commission, which is the competent international body for the conservation and management of these marine resources within its area of competence;

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

1. Each year, on the basis of information supplied to GFCM by Members, the Secretary shall contact all non-Contracting Parties known to be fishing in the GFCM Area for species under GFCM competence to urge them to become a Contracting Party to GFCM in accordance with the provisions of the GFCM Agreement, or attain the status of a Co-operating non-Contracting Party. In doing so, the Secretary shall provide a copy of all relevant Recommendations and Resolutions adopted by the Commission;
2. Any non-Contracting Party requesting the status of a co-operating non-Contracting Party shall apply to the Secretary. Requests must be received by the Executive Secretary no later than ninety (90) days in advance of an Annual Session of the Commission, to be considered at that meeting;
3. Non-Contracting Parties requesting the status of Co-operating non-Contracting Party shall provide the following information in order to have this status considered by the Commission:
 - a) where available, data on its historical fisheries in the GFCM Area, including nominal catches, number/type of vessels, name of fishing vessels, fishing effort and fishing areas;
 - b) all the data that Contracting Parties have to submit to GFCM based on the recommendations and resolutions adopted by GFCM;
 - c) details on current fishing presence in the GFCM Area, number of vessels and vessel characteristics and;
 - d) information on any research programmes it may have conducted in the GFCM Area and the information and the results of this research.
4. An applicant for Co-operating non-Contracting Party shall also:

- a) confirm its commitment to respect the Commission's conservation and management measures and;
 - b) inform GFCM of the measures it takes to ensure compliance by its vessels of GFCM conservation and management measures.
5. The Compliance Committee shall be responsible for reviewing requests for co-operating status and for recommending to the Commission whether or not an applicant should receive co-operating status. In this review, the Compliance Committee shall also consider information regarding the applicant available from other Regional Fisheries Management Organizations (RFMOs) as well as data submission of the applicant. Caution shall be used so as not to introduce into the GFCM Area the excessive fishing capacity of other regions or IUU fishing activities by granting cooperating status to the applicant;
6. Co-operating non-Contracting Parties status shall be annually reviewed and renewed unless revoked by the Commission due to non-compliance with GFCM conservation and management measures.

RECOMMENDATION GFCM/2006/6

TERMS OF REFERENCE FOR THE GFCM COMPLIANCE COMMITTEE

The General Fisheries Commission for the Mediterranean (GFCM),

ESTABLISHES, in accordance with Article VII (1) of the Agreement creating the GFCM, a Compliance Committee.

The functions of the Compliance Committee shall be to:

- a) Review compliance with conservation and management measures adopted by the Commission and make such recommendations to the Commission as may be necessary to ensure their effectiveness;
- b) Review the implementation of measures of monitoring, control, surveillance, and enforcement adopted by the Commission as may be necessary to ensure their effectiveness;
- c) Define, develop and make recommendations to the Commission concerning the phased development and implementation of the GFCM Control and Inspection scheme;
- d) Monitor, review and analyze information pertaining to the activities of Non-Contracting Parties and their vessels which undermine the objectives of the Agreement including, in particular, IUU fishing, and recommend actions to be taken by the Commission to discourage such activities;
- f) Perform such other tasks as directed by the Commission.

The Compliance Committee will meet during the annual Commission Session.

RECOMMENDATION GFCM/2006/7

DATA CONFIDENTIALITY POLICY AND PROCEDURES

The General Fisheries Commission for the Mediterranean (GFCM),

RECOGNISING the need for confidentiality at the commercial and organisational levels for data, reports and messages submitted to GFCM, the following policy and procedures on confidentiality of data will apply;

ADOPTS, in accordance with paragraph 1 (h) of Article III and with Article V of the GFCM Agreement that:

1. Field of application

The provisions set out below shall apply to all data, reports and messages (electronic and of other nature) transmitted and received pursuant to GFCM recommendations

2. General Provisions

- a) The Executive Secretary and the appropriate authorities of the Contracting Parties and Cooperating Non-Contracting Parties, transmitting and receiving data, reports and messages shall take all necessary measures to comply with the security and confidentiality provisions set out in sections 3 and 4.
- b) The Executive Secretary shall inform all Contracting Parties and Cooperating non-Contracting Parties of the measures taken in the secretariat to comply with these security and confidentiality provisions.
- c) The Executive Secretary shall take all the necessary steps to ensure that the requirements pertaining to the deletion of data, reports and messages handled by the Secretariat are complied with.
- d) Each Contracting Party and Cooperating non-Contracting Party shall guarantee the Executive Secretary the right to obtain as appropriate, the rectification of data, reports and messages the processing of which does not comply with the provisions of the GFCM Agreement.
- e) The Commission may instruct the Executive Secretary not to make available the data, reports and messages received by a Contracting Party and Cooperating non-Contracting Party, where it is established that the Contracting Party and Cooperating non-Contracting Party in question has not complied with these security and confidentiality provisions.

3. Provisions on Confidentiality

Data, reports and messages shall be used only for purposes stipulated in GFCM recommendations.

4. Provisions on Security

- a) Contracting Parties and Cooperating Non-Contracting Parties and the Executive Secretary shall ensure the secure treatments of data, reports and messages, in particular where the processing involves transmission over an electronic network. Contracting Parties and Cooperating Non-Contracting Parties and the Executive Secretary must implement appropriate technical and organisational measures to protect data, reports and messages against

accidental or unlawful destruction or accidental loss, alteration, unauthorised disclosure or access, and against all inappropriate forms of processing

The following security issues must be addressed from the outset:

- System access control :

The system has to withstand a break-in attempt from unauthorised persons.

- Authenticity and data access control:

The system has to be able to limit the access of authorised parties to a predefined set of data only

- Communication security :

It shall be guaranteed that data, reports and messages that enter the system are securely communicated.

- Data security:

It shall be guaranteed that data, reports and messages that enter the system are securely stored for the required time and that they will not be tampered with.

- Security procedures:

Security procedures shall be designed addressing access to the system, system administration and maintenance, backup and general use of the system

Having regard to the state of the art and the cost of their implementation, such measures shall ensure a level of security appropriate to the risks represented by the processing of the data, reports and messages.

b) Data Security

Access limitation to the data shall be secured via a flexible user identification and password mechanism. Each user shall be given access only to the data necessary for his task.

c) Security Procedures

Each Contracting Party and Cooperating Non-Contracting Party and the Executive Secretary shall nominate a security system administrator. The security system administrator shall review the log files generated by the software, properly maintain the system security, restrict access to the system as deemed needed and act as a liaison with the Executive Secretary in order to solve security matters.

RECOMMENDATION GFCM/2006/8

CONCERNING SELECTED ICCAT RECOMMENDATIONS

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,

ADOPTS in conformity with the provisions of paragraph 1 (h) of Article III and Article V of the GFCM Agreement the following Recommendations of the International Commission for the Conservation of Atlantic Tunas (ICCAT):

GFCM/2006/8 (A)

**RECOMMENDATION [05-04] BY ICCAT TO AMEND THE RECOMMENDATION [04-06]
ON BLUEFIN TUNA FARMING**

TAKING INTO ACCOUNT the increasing development of bluefin tuna farming activities, especially in the Mediterranean;

RECALLING the conclusions of the 6th Ad Hoc GFCM/ICCAT Joint Working Group Meeting on Stocks of Large Pelagic Fishes in the Mediterranean Sea relative to the effects of the bluefin tuna farming and on the solutions that could be studied to regulate this activity;

CONSIDERING the advice of the 2001 Standing Committee on Research and Statistics (SCRS) on effects of bluefin tuna farming in the Mediterranean on the collection of data and consequently on stock assessment procedures;

DESIRING to gradually implement effective management measures that permit the development of bluefin tuna farming in a responsible and sustainable manner in relation to the management of bluefin tuna;

NOTING the potential advantages of the use of underwater video monitoring in estimating the number of fish,

THE INTERNATIONAL COMMISSION FOR THE CONSERVATION OF ATLANTIC TUNAS (ICCAT) RECOMMENDS THAT:

1. Contracting Parties, Cooperating non-Contracting Parties, Entities or Fishing Entities (hereafter referred to as CPCs) whose flag vessels fish or transfer quantities of bluefin tuna to cages for farming, shall undertake the necessary measures:
 - a) to require that the captains of vessels (including tugs and towing vessels) carrying out transfer operations of bluefin tuna for caging maintain vessel logs and report the quantities transferred and the number of fish as well as the date, place of harvest and name of the vessel and of the company responsible for the caging. This detailed information shall be entered into a register which shall contain details of all the transshipments carried out during the fishing season. This register shall be kept onboard and be accessible at any time for control purposes;
 - b) to require the reporting of the total amount of the transfers of bluefin tuna for fattening and farming, carried out by their flag vessels, and include this information in the Task I data;
 - c) to set up and maintain a list of their flag vessels that fish for, provide or transport bluefin tuna for farming purposes (name of the vessel, flag, license number, gear type), i.e., fishing boat, transport vessel, vessels with pools, etc;
 - d) these tugs and towing vessels must also be equipped with an operational satellite tracking and monitoring system (VMS).

2. The CPCs under whose jurisdiction the farms for bluefin tuna are located in the Convention area shall adopt the necessary measures to:

- a) ensure that a caging declaration is presented by the operator in accordance with the ICCAT format in the attached Annex, on each fishing or transport vessel that participated in the transfer of tuna to cages for fattening, including the quantities of bluefin tuna destined for farming. This declaration shall include information relative to the quantities (in t) of fish transferred to the cages, the number of fish, the date, the place, the location of the harvest, the name of the vessel, as well as its flag and license number;
- b) ensure that the tuna farms and the national scientific institutes obtain data as specified in the following paragraph on the size composition of the fish caught as well as the date, time and area of catch and the fishing method used, in order to improve statistics for stock assessment purposes;

To this end, establish a sampling program for the estimation of the numbers-at-size of the bluefin tuna caught which requires notably that size sampling at cages must be done on one sample (= 100 specimens) for every 100 t of live fish, or on a 10% sample of the total number of the caged fish. Size samples will be collected during harvesting¹ at the farm, following the ICCAT methodology for reporting Task II. The sampling should be conducted during any harvesting, covering all cages. Data must be transmitted to ICCAT, by 31 July² for the sampling conducted the previous year.

- c) ensure the reporting of the quantities of bluefin tuna placed in cages and of estimates of the growth and mortality while in captivity and of the amounts sold (in t);
- d) set up and maintain a registry of the farming facilities under their jurisdiction;
- e) each CPC referred to in this paragraph shall nominate a single authority responsible for coordinating the collection and verification of information on caging activities and for reporting to and cooperating with the CPC whose flag vessels have fished the caged tuna.

This single authority shall submit, to the CPCs whose flag vessels have fished the caged tuna, a copy of each caging declaration referred to in paragraph 2a, within one week after the completion of the transfer operation of bluefin tuna into cages.

3. CPCs referred to in paragraphs 1 and 2 shall take the appropriate measures to verify the accuracy of the information received and shall cooperate to ensure that quantities caged are consistent with the reported catches (logbook) amount of each fishing vessel.
4. The CPCs that export farmed bluefin tuna products shall ensure that the description of these products includes "Farming" in the ICCAT Bluefin Tuna Statistical Document (BTSD) or the ICCAT Bluefin Tuna Re-exportation Certificate (refer to the *2003 Recommendation by ICCAT Concerning the Amendment of the Forms of the ICCAT Bluefin/Bigeye/Swordfish Statistical Documents* [Rec. 03-19]).
5. The CPCs shall transmit, each year, to the Executive Secretary, prior to 31 August:
 - the list of flag vessels provided for in paragraph 1c),
 - the results of the program referred to in paragraph 2 b),
 - the quantities of bluefin tuna caged during the previous year,
 - the quantities marketed during the previous year.

¹ For fish farmed more than one year, other additional sampling methods should be established.

² For 2006 (transmission of data relative to 2005), this date is advanced to 31 May.

6. The CPCs referred to in this recommendation as well as the Contracting Parties that import bluefin tuna shall cooperate, particularly through the exchange of information.
7. The Commission shall request non-Contracting Parties that farm bluefin tuna in the Convention area to cooperate in the implementation of this recommendation.
8. Based on the information referred to in paragraph 4 on the BTSD reports and the Task I data, the Commission shall review the effectiveness of these measures.
9.
 - a) The Commission shall establish and maintain an ICCAT record of farming facilities authorized to operate for farming of bluefin tuna caught in the Convention area (hereafter referred to as FFBs). For the purposes of this recommendation, FFBs not entered into the record are deemed not to be authorized to operate for farming of bluefin tuna caught in the Convention area.
 - b) Each CPC under whose jurisdiction FFBs are located shall submit electronically, where possible, to the ICCAT Executive Secretary by 31 August 2004 the list of its FFBs that are authorized to operate for farming of bluefin tuna. This list shall include the following information:
 - name of the FFB, register number,
 - names and addresses of owner (s) and operator (s),
 - location,
 - farming capacity (in t)
 - c) Each CPC shall notify the Executive Secretary, after the establishment of the ICCAT record of FFBs, of any addition to, any deletion from and/or any modification of the ICCAT record of FFBs at any time such changes occur.
 - d) The ICCAT Executive Secretary shall maintain the ICCAT record of FFBs, and take any measure to ensure publicity of the record through electronic means, including placing it on the ICCAT Web site, in a manner consistent with confidentiality requirements noted by CPCs.
 - e) The CPCs under whose jurisdiction FFBs are located shall take the necessary measures to ensure that their FFBs comply with the relevant ICCAT measures.
 - f) To ensure the effectiveness of ICCAT conservation and management measures pertaining to bluefin tuna:
 - i) CPCs under whose jurisdiction FFBs are located shall validate Bluefin Tuna Statistical Documents only for the farms on the ICCAT record of FFBs;
 - ii) CPCs shall require farmed bluefin tuna, when imported into their territory, to be accompanied by statistical documents validated for FFBs on the ICCAT record of FFBs and;
 - iii) CPCs importing farmed bluefin tuna and the States that authorize the FFB shall cooperate to ensure that statistical documents are not forged or do not contain misinformation;
 - iv) The CPCs under whose jurisdiction FFBs are located shall exclude from the ICCAT record the FFBs that do not respect the sampling requirements mentioned in paragraph 2b.

- g) Each CPCs shall take the necessary measures, under their applicable legislation, to prohibit the imports and sale of bluefin tuna from farms not registered in the ICCAT record of farming facilities authorised to operate as well as those that do not respect the sampling requirements foreseen in paragraph 2b and/or do not participate in the sampling programme referred to in paragraph 2 b).
10. a) The Commission shall establish and maintain an ICCAT record of vessels that fish for, provide or transport bluefin for farming, i.e. fishing boats, transport vessels, vessels with pools, etc.

For the purpose of this recommendation the vessels not entered into the record are deemed not to be authorized to fish for, provide or transport bluefin tuna for farming.

- b) Each CPCs shall submit, electronically where possible, to the ICCAT Executive Secretary by 31 August 2006 the list of the vessels that are authorized to operate for farming of bluefin tuna. This list shall include the following information:
- name of the vessel, register number
 - previous flag (if any)
 - previous name (if any)
 - previous details of deletion from other registers (if any)
 - international radio call sign (if any)
 - type of vessels, length and gross registered tonnage (GRT)
 - name and address of owner (s) and operator (s)
 - gear used
 - time period authorised for fishing and/or providing or transporting bluefin tuna for farming
- c) Each CPC shall promptly notify, after the establishment of the initial ICCAT record, the ICCAT Executive Secretary of any addition to, any deletion from and/or any modification of the ICCAT record and any time such changes occur.
- d) The ICCAT Executive Secretary shall maintain the ICCAT record and take any measure to ensure publicity of the record and through electronic means, including placing it on the ICCAT Web site in a manner consistent with confidentiality requirement noted by CPCs.
11. Each CPC shall take the necessary measures so that the FFBs do not receive tuna from vessels that are not included in the ICCAT record (fishing vessels, transport vessels, vessels with pools, etc.)
12. The SCRS shall undertake trials to identify growth rates including weight gains during the fattening or caging period.
13. This recommendation replaces the 2004 Recommendation by ICCAT on Bluefin Tuna Farming [Rec. 04-06].

ICCAT DECLARATION ON CAGING FOR FATTENING

<i>Vessel name</i>	<i>Flag</i>	<i>Registration number</i>	<i>Date of catch</i>	<i>Place of catch</i>	<i>Date of caging</i>	<i>Quantity placed in cage (kg)</i>	<i>Number of fish placed in cage for fattening</i>	<i>Fattening facility</i>

GFCM/2006/8 (B)**RECOMMENDATION BY ICCAT TO AMEND RECOMMENDATION [REC. 04-10]
CONCERNING THE CONSERVATION OF SHARKS CAUGHT IN ASSOCIATION WITH
FISHERIES MANAGED BY ICCAT**

RECALLING that the SCRS concluded that measures to reduce fishing mortality are necessary to improve the status of the North Atlantic shortfin mako shark population;

THE INTERNATIONAL COMMISSION FOR THE CONSERVATION OF ATLANTIC TUNAS (ICCAT) RECOMMENDS THAT:

In point 7 of the *2004 Recommendation by ICCAT Concerning the Conservation of Sharks Caught in Association with Fisheries Managed by ICCAT* [Rec. 04-10], a new paragraph is added:

“Contracting Parties, Cooperating non-Contracting Parties, Entities or Fishing Entities (CPCs) shall annually report on their implementation of this Recommendation. CPCs that have not yet implemented this recommendation to reduce North Atlantic shortfin mako shark (*Isurus oxyrinchus*) mortality, shall implement it and report to the Commission.”

GFCM/2006/8 (C)**RECOMMENDATION BY ICCAT ESTABLISHING A PROGRAMME FOR
TRANSHIPMENT BY LARGE-SCALE LONGLINE FISHING VESSELS**

TAKING ACCOUNT of the need to combat illegal, unregulated and unreported (IUU) fishing activities because they undermine the effectiveness of the conservation and management measures already adopted by ICCAT;

EXPRESSING GRAVE CONCERN that organized tuna laundering operations have been conducted and a significant amount of catches by IUU fishing vessels have been transshipped under the names of duly licensed fishing vessels;

IN VIEW THEREFORE OF THE NEED to ensure the monitoring of the transshipment activities by large-scale longline vessels in the Convention area, including the control of their landings;

TAKING ACCOUNT of the need to collect catch data of such large scale long-line tuna to improve the scientific assessments of those stocks;

THE INTERNATIONAL COMMISSION FOR THE CONSERVATION OF ATLANTIC TUNAS (ICCAT) RECOMMENDS THAT:

INTRODUCTION

1. The Commission establish a program of transshipment which applies initially to large-scale tuna longline fishing vessels (hereafter referred to as the “LSTLVs”) and to carrier vessels authorized to receive transshipment from these vessels.

The Commission shall at its 2008 annual meeting, review and, as appropriate, revise this Recommendation.

2. The flag Contracting Party, Cooperating non-Contracting Party, Entity or Fishing Entity (hereafter referred to as CPCs) of LSTLVs shall determine whether or not to authorize their LSTLVs which fish for tuna and tuna-like species to transship at sea. However, the flag CPC may authorize the at-

sea transshipment by its flag LSTLVs on the condition that such transshipment is conducted in accordance with the procedures defined in Sections A, B and D below.

3. Transshipments by LSTLVs in waters under the jurisdiction of CPCs are subject to prior authorization from the coastal State concerned.

A. RECORD OF VESSELS AUTHORISED TO RECEIVE TRANSHIPMENT IN THE ICCAT AREA

4. The Commission shall establish and maintain an ICCAT Record of Carrier Vessels authorized to receive tuna and tuna-like species in the Convention area from LSTLVs. For the purposes of this Recommendation, carrier vessels not entered on the record are deemed not to be authorized to receive tuna and tuna-like species in transshipment operations.
5. Each CPC shall submit, electronically where possible, to the ICCAT Executive Secretary by 1 July 2006 the list of the carrier vessels that are authorized to receive transshipments from its LSTLVs in the Convention area. This list shall include the following information:
 - The flag of the vessel
 - Name of vessel, register number
 - Previous name (if any)
 - Previous flag (if any)
 - Previous details of deletion from other registries (if any)
 - International radio call sign
 - Type of vessels, length, gross registered tonnage (GRT) and carrying capacity
 - Name and address of owner(s) and operator(s)
 - Time period authorized for transshipping
6. Each CPC shall promptly notify the ICCAT Executive Secretary, after the establishment of the initial ICCAT record, of any addition to, any deletion from and/or any modification of the ICCAT record, at any time such changes occur.
7. The ICCAT Executive Secretary shall maintain the ICCAT record and take measures to ensure publicity of the record and through electronic means, including placing it on the ICCAT Web site, in a manner consistent with confidentiality requirements notified by CPCs for their vessels.
8. Carrier vessels authorized for at-sea transshipment shall be required to install and operate a VMS in accordance with the 2003 Recommendation by ICCAT Concerning Minimum Standards for the Establishment of a Vessel Monitoring System in the ICCAT Convention Area [Rec. 03-14].

B. AT-SEA TRANSHIPMENT

CPCs shall take the necessary measures to ensure that LSTLVs flying their flag comply with the following:

9. Transshipment operations at sea may only be undertaken in accordance with the procedures detailed below.

Flag State authorization

10. LSTLVs are not authorized to transship at sea, unless they have obtained prior authorization from their flag State.

Notification obligations

11. Fishing vessel:

To receive the prior authorization mentioned in paragraph 10 above, the master and/or owner of the LSTLV must notify the following information to its flag State authorities at least 24 hours in advance of the intended transshipment:

- the name of the LSTLV and its number in the ICCAT record of fishing vessels,
- the name of the carrier vessel and its number in the ICCAT record of carrier vessels authorized to receive transshipments in the ICCAT area, and the product to be transshipped,
- the tonnage by product to be transshipped,
- the date and location of transshipment,
- the geographic location of the tuna catches.

The LSTLV concerned shall complete and transmit to its flag State, not later than 15 days after the transshipment, the ICCAT transshipment declaration, along with its number in the ICCAT record of fishing vessels, in accordance with the format set out in **Annex 1**.

12. *Receiving carrier vessel*

The master of the receiving carrier vessel shall complete and transmit the ICCAT transshipment declaration to the ICCAT Secretariat and the flag CPC of the LSTLV, along with its number in the ICCAT record of carrier vessels authorized to receive transshipment in the ICCAT area, within 24 hours of the completion of the transshipment.

13. The master of the receiving carrier vessel shall, 48 hours before landing, transmit an ICCAT transshipment declaration, along with its number in the ICCAT record of vessels authorized to receive transshipment in the ICCAT area, to the competent authorities of the State where the landing takes place.

14. *Regional Observer Program*

Each CPC shall ensure that all carrier vessels transshipping at sea have on board an ICCAT observer, no later than 1 January 2007, in accordance with the ICCAT regional observer program in **Annex 2**. The ICCAT observer shall observe the respect of this Recommendation, and notably that the transshipped quantities are consistent with the reported catch in the ICCAT transshipment declaration.

15. Vessels shall be prohibited from commencing or continuing transshipping in the ICCAT area without an ICCAT regional observer on board, except in cases of ‘force majeure’ duly notified to the ICCAT Secretariat.

C. IN-PORT TRANSHIPMENTS

16. CPCs shall take the necessary measures to ensure that LSTLVs flying their flag comply with the obligations set out in **Annex 3**.

D. GENERAL PROVISIONS

17. To ensure the effectiveness of the ICCAT conservation and management measures pertaining to species covered by Statistical Document Programs:
- a) In validating the Statistical Document, Flag CPCs of LSTLVs shall ensure that transshipments are consistent with the reported catch amount by each LSTLV.
 - b) The Flag CPC of LSTLVs shall validate the Statistical Documents for the transshipped fish, after confirming that the transshipment was conducted in accordance with this Recommendation. This confirmation shall be based on the information obtained through the ICCAT Observer Program.
 - c) CPCs shall require that the species covered by the Statistical Document Programs caught by LSTLVs in the Convention area, when imported into the territory of a Contracting Party, be accompanied by statistical documents validated for the vessels on the ICCAT record and a copy of the ICCAT transshipments declaration.
18. The CPCs shall report annually before 15 September to the Executive Secretary:
- The quantities by species transshipped during the previous year.
 - The list of the LSTLVs registered in the ICCAT record of fishing vessels which have transshipped during the previous year.
 - A comprehensive report assessing the content and conclusions of the reports of the observers assigned to carrier vessels which have received transshipment from their LSTLVs.
19. All tuna and tuna-like species landed or imported into the CPCs either unprocessed or after having been processed on board and which are transshipped, shall be accompanied by the ICCAT transshipment declaration until the first sale has taken place.
20. Each year, the Executive Secretary of ICCAT shall present a report on the implementation of this Recommendation to the annual meeting of the Commission which shall review compliance with this Recommendation.