



**GENERAL FISHERIES COMMISSION FOR
THE MEDITERRANEAN
COMMISSION GÉNÉRALE DES PÊCHES
POUR LA MÉDITERRANÉE**



Eighth session of the Compliance Committee (CoC)

FAO HQs, Rome, Italy, 19-24 May 2014

**Report of the seventh session of the Committee of Compliance (CoC)
Split, Croatia, 14 May 2013**

OPENING OF THE SESSION

1. The seventh session of the Compliance Committee (CoC) of the General Fisheries Commission for the Mediterranean (GFCM) was held in Split, Croatia, on 14 May 2013. The session was attended by delegates of 21 Members, 1 non Member (Russian Federation) and representatives of several intergovernmental and non-governmental organizations.
2. The meeting was called to order by the Chairman, Mr Samir Majdalani, who welcomed participants and presented the intersessional activities of CoC on the basis of document COC:VII/2013/2.
3. The Chairman drew the attention of the meeting on the statement of competence and voting rights by the EU and its Member States (document COC:VII/2013/Inf.4).

ADOPTION OF THE AGENDA AND ARRANGEMENTS FOR THE SESSION

4. The meeting adopted the agenda without changes, as reproduced in Annex A.
5. The documents before the committee are listed under Annex B.

STATUS OF IMPLEMENTATION OF GFCM DECISIONS BY MEMBERS

6. Mr Federico De Rossi, from the GFCM Secretariat, introduced document COC:VII/2013/Inf.5 and noted that 13 national reports (Albania, Algeria, Croatia, Cyprus, Egypt, EU, Japan, Lebanon, Libya, Montenegro, Morocco, Tunisia, Turkey) on the status of implementation of GFCM decisions had been received, corresponding to 54 percent of the Members. He underlined that this represented an improvement compared to the previous year. In spite of the progress recorded, the implementation of GFCM decisions by Members was deemed to be uneven. Difficulties would remain in particular for the implementation of recommendation relating to monitoring, control and surveillance (MCS).
7. In this respect, the delegate of Egypt confirmed that MCS remained a problematic area for his

country, with specific regard to the establishment of a vessel monitoring system (VMS) due to various constraints. However, he reported that enhanced controls would result in empowering fishermen and in assisting national administrations for the sake of responsible management of fisheries. He also reported that Egypt was testing alternative technologies to VMS with local engineers and the assistance of the Secretariat in order to develop a national control system.

8. The delegate of the EU indicated that the issue of submitting national reports to the Secretariat was being addressed through a process of internal review. The EU would inform the Secretariat before next session of CoC in order to indicate the way that the EU and its Member States would submit the report.

IDENTIFICATION OF CASES OF NON-COMPLIANCE WITH GFCM DECISIONS IN REFERENCE TO THE RECOMMENDATION GFCM/34/2010/3

Status of data and information submissions by Members

9. A presentation on the status of submission of data and information based on document COC:VII/2013/Inf.7 was delivered by the GFCM Secretariat. It was recalled that a summary table describing the different frameworks for the submission of data and information requirements was available on the GFCM web site. Although there was a quantitative and qualitative increases in reported data, an additional of effort in reporting was deemed necessary, particularly for fleet related data and Task 1. The progress made was attributed to the network of focal points appointed within the remit of the FWP.

10. The delegate of EU pointed out that data submission was sometimes linked to the transposition of relevant GFCM decisions into national legislation. There were cases whereby this exercise was self-executing whereas other cases required enacting additional measures. The latter scenario would not imply altogether non-compliance as a more time consuming procedure could be necessary to implement GFCM decisions.

11. It was explained that national reports were the appropriate means to submit data as they gave Members the possibility to inform therein on possible constraints and special situations which might hinder data submission. Data submitted would be used to obtain information on action taken at national level to ensure implementation with GFCM decisions and to advise the Commission on selected matters (e.g. data on fleet would inform on appropriate measures on fishing capacity). Attention was drawn on the development of the DCRF which would facilitate data related tasks.

12. It was proposed that CoC should meet during the intersession to make the necessary recommendations as to how ensuring timely data submission.

Format for identification letters

13. As the status of data and information submitted by Members hinted at possible cases of non-compliance, the Executive Secretary introduced two identification letters formats of cases of non-compliance for Members and non-Members. He recalled relevant provisions in Recommendation GFCM/34/2010/3 which, together with the mandate of CoC, justified the adoption of said letters.

14. The committee agreed that Recommendation GFCM/34/2010/3 had to be observed so that action could be taken in order to elicit compliance of Members and non-Members. It was indicated that the recommendation applied specifically to lack of implementation of GFCM management decisions, whereas obligations linked to data collection would not automatically be followed by an identification process.

15. Because the transmission of a letter of identification to a Member would imply lack of compliance with GFCM decisions, it was noted that this might give a negative impression despite possible efforts to ensure implementation. A proposal was made to defer the transmission of the letter of identification to governments by the Executive Secretary on behalf of the Commission through usual diplomatic channels, as foreseen by the recommendation.

16. The Committee insisted on the importance of setting up a network of national focal points in charge of overseeing matters linked to CoC. This would allow the Secretariat to appraise the status of implementation of GFCM decisions and would facilitate communication when data were not accurate or lacking. In light of the key role of to be played by said national focal points, the Secretariat was invited to make the necessary arrangements for governments to proceed with nominations.

17. It was recommended that further work was necessary during the intersession to address issues relating to non-compliance, including identification processes. Also, gaps and needs at national level should be examined so that technical assistance to facilitate the implementation of relevant GFCM decisions, including under the FWP, could be deployed.

18. With regard to non-Members, the Committee approved the format letter of identification (Annex C) and requested the Executive Secretary to take the appropriate steps on behalf of the Commission, as foreseen by the recommendation.

19. The delegate of Turkey indicated that in the case of Black Sea riparian States currently non-Members the existence of an advisory group on fisheries within the Black Sea Commission had to be recalled. Said forum could work with GFCM, according to the memorandum of understanding with the Black Sea Commission, to obtain information on fishing activities by Georgia, Russian Federation and Ukraine.

20. The delegate of Russian Federation recognized the importance of the issue for his country and informed the Committee that at national level process was advanced regarding the accession to GFCM. He indicated that in the meantime the Russian Federation was cooperating with GFCM and its experience in MCS and the fight against IUU fishing was regarded as beneficial to GFCM. The Russian Federation stood ready to submit relevant information on its fishing activities in the Black Sea subject to the transmission of an official letter by the Executive Secretary to request such information.

21. After the discussions on identification of cases of non-compliance, the Committee decided to establish an ad hoc informal working group to review information available to the Secretariat and finalize proposals of identification to the Commission. Also, this group was requested to draft the mandate for a possible intersessional meeting of CoC. The outcomes of the discussions were submitted directly to the Commission at its thirty-seventh session for approval (Annex D).

PROGRESS IN THE IMPLEMENTATION OF A VESSEL MONITORING SYSTEM AND RELATED CONTROL SYSTEMS IN THE GFCM AREA

22. The GFCM Secretariat provided a report on the progress on the establishment of VMS and related control systems in the GFCM area through an analysis of the status of the implementation of Recommendation GFCM/33/2009/7. Also, key technical, administrative, legal and financial constraints experienced by coastal States Members were addressed. The need to adopt a capability approach to VMS was advocated and it was underlined that efforts were on-going to assist Members in controlling small scale fisheries.

23. The delegate of Morocco informed the Committee that the national fleet was now under the obligation to have VMS installed for all vessels over 2 TGB and that a legal framework had been developed.

24. The delegate of Tunisia reported that the national legal framework for VMS had been prepared. He called for increased harmonization of national legal frameworks of VMS with Recommendation GFCM/2009/33/7 as countries might rely on technologies other than satellite to ensure controls.

25. The delegate of Algeria underlined the importance of ensuring that all Members could control their fleet.

26. The delegate of EU recalled the difficulties inherent in control issues and encouraged the Secretariat to consider the testing of alternatives to VMS which could be used for small scale fisheries.

27. The committee decided to establish a working group on control within CoC to address issues relating VMS and regional controls. In this respect, the Committee was informed that a specific activity on VMS was envisaged in the FWP thanks to funds provided by Italy.

ELECTION OF THE COC BUREAU

28. The President and first Vice-Chair of the bureau of CoC were re-elected. The proposal by the delegate of Algeria to replace Mr Khaled Fliti with Ms Samia Lounis Abdoun as second Vice-Chair was endorsed.

WORK PLAN OF THE COMMITTEE

29. The Chairperson presented the work plan on the basis of document COC:7/2013/2. It was agreed that the proposed work plan would be adopted by the Commission at its thirty-seventh session.

ANY OTHER MATTER

30. There were no other matters brought to the attention of the CoC.

DATE AND VENUE OF THE EIGHTH SESSION

31. It was agreed that the date and venue of the eighth session would be decided by the Commission at its thirty-seventh session.

ADOPTION OF THE REPORT AND CLOSURE OF THE SESSION

32. This report was adopted on 16th May 2013.

Annex A**Agenda**

1. Opening of the session
2. Adoption of the agenda and arrangements for the session
3. Status of implementation of GFCM decisions by Members
4. Identification of cases of non-compliance with GFCM decisions in reference to the Recommendation GFCM/34/2010/3
5. Progress on the implementation of a Vessel Monitoring System and related control systems in the GFCM area
6. Review of the Compendium of GFCM decisions
7. Harmonization of fishery legislations in the GFCM area of competence
8. Work programme of the Compliance Committee
9. Election of the CoC Bureau
10. Any other matter
11. Date and venue of the eighth session
12. Adoption of the report and closure of the session

List of documents

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| COC:VII/2013/1 | Agenda and timetable |
| COC:VII/2013/2 | Executive report on selected issues before the Compliance Committee |
| COC:VII/2013/Inf.1 | List of documents |
| COC:VII/2013/Inf.2 | Terms of reference of the Compliance Committee |
| COC:VII/2013/Inf.3 | Report of the sixth session of the Compliance Committee |
| COC:VII/2013/Inf.4 | Statement of Competence and Voting Rights by the European Union and its Member States |
| COC:VII/2013/Inf.5 | Status of implementation of GFCM decisions by Members |
| COC:VII/2013/Inf.6 | Compendium of GFCM decisions |
| COC:VII/2013/Inf.7 | Identification of cases of non compliance with GFCM decisions in accordance with recommendation GFCM/34//2010/3 |
| COC:VII/2013/Inf.8 | Progress on the implementation of a Vessel Monitoring System and related control systems in the GFCM area |
| COC:VII/2013/Inf.9 | Harmonization of fisheries legislations in the GFCM area of competence |
| COC:VII/2013/Dma.1 | Interactive e-compendium of GFCM decisions (CD Rom) (in English only) |