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Main features, obligations and benefits under the
***Agreement for the Establishment of the General Fisheries Commission for the
Mediterranean (as last amended in 2014)***

OVERVIEW

The sustainable management and conservation of migratory fish and associated species, which move across different maritime zones, within and beyond national jurisdiction, greatly relies on interstate cooperation. States cooperate directly or through regional fishery bodies (RFBs) for the development and adoption of conservation and management measures. Globally, about 50 RFBs have been established. These include regional fisheries management organizations (RFMOs) that have competence to adopt legally binding conservation and management measures.

In the Mediterranean and in the Black Sea region, the competent RFMO is the General Fisheries Commission for the Mediterranean (GFCM). The [Agreement for the Establishment of the GFCM](#) (the “GFCM Agreement”) was developed after World War II to strengthen cooperation on marine scientific research in order to achieve sustainable fisheries in the Mediterranean region. The GFCM Agreement was approved by the FAO Conference at its Fifth session in 1949 and entered into force on 20 February 1952. The GFCM Agreement was amended in 1963, 1976, 1997 and 2014. Over the years, its scope has broadened to address the Black Sea and aquaculture development. There are currently 23 Members of the GFCM. There are also six cooperating non-contracting parties of the Commission.

OBJECTIVES

The GFCM Agreement’s main objective is to ensure the conservation and sustainable use of living marine resources and the sustainable development of aquaculture in all marine waters of the Mediterranean Sea and the Black Sea (the “GFCM Area of Application”). This is achieved through the functions performed by the Commission, including the review and assessment of the state of living marine resources concerned, the development and recommendation of conservation and management measures, the adoption of management plans, the taking of actions to prevent, deter and eliminate illegal, unreported and unregulated (IUU) fishing, and the promotion of the sustainable development of aquaculture.

MAIN ELEMENTS

The Agreement contains 28 Articles, including the following core obligations for each Contracting Party:

- Duty to give effect to the recommendations adopted by the Commission – Articles 8(b) and 14(1) – in relation to:
 - conservation and management of living marine resources found in the GFCM Area of Application;
 - minimizing impacts for fishing activities on such resources and their ecosystems;
 - adoption of multiannual management plans based on the ecosystem approach to fisheries;
 - establishing fisheries restricted areas for the protection of vulnerable marine ecosystems;
 - ensuring the regular collection, submission, verification, storing and dissemination of data and information;
 - taking action to prevent, deter and eliminate IUU fishing;
 - resolving situations of non-compliance.
- Duty to transpose adopted recommendations into national laws and regulations, and report annually to the Commission indicating how they have implemented or transposed the recommendations – Article 14 (2).

POTENTIAL BENEFITS FOR PARTIES

On becoming a Contracting Party to the GFCM Agreement and implementing its provisions effectively, a State stands to gain numerous benefits, including:



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A. PARTICIPATING IN THE SUSTAINABLE MANAGEMENT OF FISHERIES RESOURCES IN THE GFCM AREA OF APPLICATION

Contracting Parties can improve the conservation and management of fisheries resources as well as of the dependent and associated species, marine ecosystems and marine biodiversity in the GFCM Area of Application, with the effective implementation of the conservation and management measures adopted by the Commission through their direct involvement, ensuring that the fishing vessels flying their flags comply with such measures. With better information about marine living resources in the GFCM Area of Application, details about what is caught and landed, transshipped, protected and conserved, there are more opportunities for cross-checking data with those of other Contracting Parties, and ensuring that fishing is carried out sustainably in the Mediterranean and Black Sea.

B. PROMOTING THE SUSTAINABLE DEVELOPMENT OF AQUACULTURE IN THE GFCM AREA OF APPLICATION

Contracting Parties can ensure that aquaculture is developed and strengthened in a sustainable manner, in line with relevant international and regional instruments and guidance. With the sharing of information, and good practices in sustainable aquaculture development promoted by the GFCM, the Contracting Parties can ensure that this sector strives and effectively contributes to food security and nutrition in the region, while ensuring genetic diversity is conserved and adverse impacts on the environment and local communities are minimized.

C. ECONOMIC BENEFITS

Contracting Parties can demonstrate to the international community that they are committed to their responsibilities to implement conservation and management measures in the GFCM Area of Application. Contracting Parties can attract the interest of market States that buy fish and/or fisheries products landed or transshipped legally and sustainably, owing to their commitment to combat overfishing and IUU fishing. Consequently, Contracting Parties and their associated industries activities can benefit from increased income generated in more favorable market States through fishing in the GFCM Area of Application. In addition, income for fishing and aquaculture activities and fishing related activities carried out in the GFCM Area of Application, can be also generated as the GFCM promotes dialogue with business entities.

D. ATTRACTING FOREIGN INVESTMENT IN THE FISHERIES AND MARITIME SECTORS

If Contracting Parties are seen as lawful, transparent, reliable and cooperative actors, their reputation can attract foreign investment in their fisheries, aquaculture, and maritime sectors, including through the formulation and development of projects through the GFCM.

E. IMPROVED GOVERNANCE OF THE FISHERIES AND AQUACULTURE SECTORS IN THE GFCM AREA OF APPLICATION

Ensuring the implementation of conservation and management measures adopted by the Commission can significantly enhance fisheries and aquaculture governance in the GFCM Area of Application, through improved centralized coordination in monitoring, control, and surveillance of fishing vessels operations, and consequently boosting transparency in decision-making for the adoption of such measures.

F. GREATER SOLIDARITY THROUGH COOPERATION WITH DEVELOPING STATES TO IMPLEMENT THE GFCM AGREEMENT

Article 17 of the GFCM Agreement establishes that developing countries can request assistance for identified needs to implement its provisions. The Commission has the duty to give full recognition to the special requirements of developing States which are Contracting Parties and cooperate in this regard.

FOR MORE INFORMATION on the GFCM Agreement, model instruments for adherence to the GFCM Agreement and treaty processes in FAO, please contact: treaties@fao.org.



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