



GENERAL FISHERIES COMMISSION FOR THE
MEDITERRANEAN

COMMISSION GÉNÉRALE DES PÊCHES POUR
LA MÉDITERRANÉE



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**Meeting of the Sub-Committees of the Scientific Advisory Committee
11-14 September 2006, Rome**

Relevant GFCM Recommendations adopted in 2005 and 2006

**30th Session, Istanbul, Turkey, 24 – 27 January 2006
(Date of entry into force 20 July 2006)**

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

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.
5. 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 Nations 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 characterized 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 Eratosthemes 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 two 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 described 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 that 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 other 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 the 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 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.

29th Session, Rome, 21–25 February 2005

(Date of entry into force 5 September 2005)

RECOMMENDATION GFCM/2005/1

**ON THE MANAGEMENT OF CERTAIN FISHERIES EXPLOITING
DEMERSAL AND DEEPWATER SPECIES**

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 the Declaration of the Ministerial Conference for the Sustainable Development of the Fisheries in the Mediterranean held in November 2003 in Venice and, in particular, paragraph 4, third indent;

RECALLING that effective management measures aim to curb the decline in stocks identified in the scientific advice, and to improve the exploitation pattern in the fisheries;

RE-AFFIRMING the principles of the FAO Code of Conduct for Responsible Fisheries and recalling the precautionary approach to fisheries management therein and, in particular, in relation to the development of new fisheries;

CONSIDERING that in the absence of any scientific information on the status of fisheries and of the exploited resources a more cautious approach is needed and that suitable information coming from adjacent areas could be used for proper and precautionary management of fisheries;

NOTING that the selectivity of codend mesh sizes currently in use in the various demersal trawl fisheries is not suitable to ensure adequate protection for juveniles of several species, as well as to reduce discarding practices;

CONSIDERING also that in the advice for 2001, 2002, 2003, and 2004 the Scientific Advisory Committee (SAC) considered that certain stocks are overexploited, some with a high risk of collapse, and that sustainable management requires that measures aimed at limiting the capture of juveniles are implemented;

NOTING that the stock assessment conducted by the SAC only concern specific geographical sub-areas corresponding to the data supplied by certain Members and that the assessed stocks may be shared with adjacent GFCM geographical sub-areas (GSAs);

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 GFCM Agreement that:

DEMERSAL FISHERIES

1. The Members of GFCM shall adopt measures aimed at increasing the selectivity of demersal trawlnets, notably by immediate implementation of at least a 40 mm mesh size opening for the whole demersal trawl codend. Members are invited to explore and implement additional measures in order to improve further the selectivity.

DEEPWATER FISHERIES

2. The Members of the GFCM shall prohibit the use of towed dredges and trawlnets fisheries at depths beyond 1 000 m of depth.

GENERAL ASPECTS

3. The Members of GFCM shall notify the Executive Secretary, each year, one month prior to the Plenary Session of the Commission, with a report on the implementation of the management measures adopted.
4. The Scientific Advisory Committee shall evaluate the impact of the implementation of the management measures and shall recommend, if necessary, to the GFCM either possible adjustments or new additional measures.

RECOMMENDATION GFCM/2005/2

**CONCERNING THE ESTABLISHMENT OF A GFCM RECORD
OF VESSELS OVER 15 METRES
AUTHORIZED TO OPERATE IN THE GFCM AREA**

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 marines resources,

RECALLING GFCM Resolution 95/2 concerning the agreement to set a minimum length of 15 meters for the application of the Agreement to Promote Compliance with International Conservation and Management Measures by Fishing Vessels in the High Seas; GFCM Resolution 95/4 concerning the preparation of a list of fishing boats in operation from national ports in the Mediterranean and exchange of information on vessels; and GFCM Resolution 97/2 on activities of non-Contracting Parties, and the decision adopted by GFCM at its Twenty-seventh session to establish a fleet segmentation for vessels operating in the Mediterranean,

RECALLING that the FAO Council adopted on 23 June, 2001 an International Plan of Action (IPOA) aiming to prevent, to deter and to eliminate illegal, unreported and unregulated (IUU) fishing, that this plan stipulates that the regional fisheries management organization should take action to strengthen and develop innovative ways, in conformity with international law, to prevent, deter and eliminate IUU fishing and in particular to establish record of vessels authorized to operate and records of vessels engaged in IUU fishing,

CONSIDERING the conclusions of the Third Ministerial Conference on the Sustainable Development of Fisheries in the Mediterranean,

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

1. The Commission shall establish and maintain a GFCM record of fishing vessels larger than 15 metres in length overall authorized to fish in the GFCM Area. For the purpose of this Recommendation, the vessels larger than 15 metres in length overall not entered into the record are deemed not to be authorized to fish for, retain on board, tranship or land species covered by the Commission.
2. Each Contracting Party shall submit electronically to the GFCM Executive Secretary possibly by 1 July 2006, the list of its vessels that are authorized to operate in the GFCM Area. This list shall include the following information:
 - 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 (if any)
 - Type of vessels, length and gross registered tonnage (GRT)
 - Name and address of owner(s) and operator(s)
 - Gear used
 - Time period authorized for fishing and/or transshipping
3. Each Contracting Party shall promptly notify, after the establishment of the initial GFCM record, the GFCM Executive Secretary of any addition to, any deletion from and/or any modification of the GFCM record at any time such changes occur.
4. The GFCM Executive Secretary shall maintain the GFCM record, and take any measure to ensure publicity of the record including through electronic means and placing it on the GFCM website, in a manner consistent with confidentiality requirements noted by Members.
5. The flag Contracting Party of the vessels on the record shall:
 - a) authorize their vessels to operate in the GFCM Area only if they are able to fulfill in respect of these vessels the requirements and responsibilities under the Agreement and its conservation and management measures;
 - b) take necessary measures to ensure that their vessels comply with all the relevant GFCM conservation and management measures;
 - c) take necessary measures to ensure that their vessels on the GFCM record keep on board valid certificates of vessel registration and valid authorization to fish and/or transship;
 - d) ensure that their vessels on the GFCM record have no history of IUU fishing activities or that, if those vessels have such history, the new owners have provided sufficient evidence demonstrating that the previous owners and operators have no legal, beneficial or financial interest in, or control over those vessels, or that having taken into account all relevant facts, their vessels are not engaged in, or associated with, IUU fishing;
 - e) ensure, to the extent possible under domestic law, that the owners and operators of their vessels on the GFCM record are not engaged in, or associated with, fishing activities conducted by vessels not entered into the GFCM record in the GFCM Area;
 - f) take necessary measures to ensure, to the extent possible under domestic law, that the owners of the vessels on the GFCM record are citizens or legal entities within the flag Contracting Party so that any control or punitive actions can be effectively taken against them, and
 - g) keep consistency between the GFCM record and ICCAT record of vessels.
6. The Contracting Parties shall review their own internal actions and measures taken pursuant to paragraph 5, including punitive and sanction actions and in a manner consistent with domestic law as regards disclosure, report the results of the review to the Commission at its 2007

meeting and annually thereafter. In consideration of the results of such review, the Commission shall, if appropriate, request the flag Contracting Party of vessels on the GFCM record to take further action to enhance compliance by those vessels to GFCM conservation and management measures.

7. The Contracting Parties shall take measures, under their applicable legislation, to prohibit the fishing for, the retaining on board, the transshipment and landing of species in the GFCM Area by the vessels larger than 15 metres in length overall which are not entered into the GFCM record.
8. Each Contracting Party shall notify the GFCM Executive Secretary of any factual information showing that there are reasonable grounds for suspecting vessels not on the GFCM record to be engaged in fishing for and/or transshipment in the GFCM Area.
9.
 - a) If a vessel mentioned in paragraph 8 is flying the flag of a Contracting Party, the Executive Secretary shall request that the Contracting Party take measures necessary to prevent the vessel from fishing in the GFCM Area.
 - b) If the flag of a vessel mentioned in paragraph 8 cannot be determined or is of a non-Contracting Party, the Executive Secretary shall compile such information for future consideration by the Commission.
10. The Commission and the Contracting Parties concerned shall communicate with each other, and make the best effort with FAO and other relevant regional fishery management bodies to develop and implement appropriate measures, where feasible, including the establishment of records of a similar nature in a timely manner so as to avoid adverse effects upon fisheries resources in other oceans. Such adverse effects might consist of excessive fishing pressure resulting from a shift of the IUU vessels from the Mediterranean to other seas or oceans.