



منظمة الأغذية
والزراعة
للأمم المتحدة

联合国
粮食及
农业组织

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pour
l'alimentation
et
l'agriculture

Organización
de las
Naciones
Unidas
para la
Agricultura
y la
Alimentación

GENERAL FISHERIES COMMISSION FOR THE MEDITERRANEAN

Twenty-eighth Session

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STATUS OF RATIFICATION OF THE AMENDMENTS TO THE GFCM AGREEMENT AND RELATED ISSUES

INTRODUCTION

1. Like many other Regional Fisheries Management Organizations, GFCM amended its constitutive Agreement, including relevant provisions of its internal rules and regulations, with a view to undertaking the structural and operational reforms needed to meet the new requirements embodied in the recently adopted international legal instruments. The set of reforms and related amendments to the GFCM Agreement were adopted by the Commission at its Twenty-second session (Rome, October 1997) and subsequently approved by the FAO Council in November 1997.

2. Among the amendments adopted was the establishment of an autonomous budget of the Commission to be supported by contributions from its Members and thus entailing new obligations for them. Under the provisions of Article X of the GFCM Agreement, any amendment that involves new obligations for Members must be formally accepted by them and only come into force after acceptance by two-thirds of the Members, which today is sixteen (16). Moreover, any such amendment is binding with respect to each Member only upon acceptance of it by that Member.

SCALE OF CONTRIBUTION

3. Following an Extraordinary Session of GFCM (Spain, July 1999), dedicated to the operation of the autonomous budget, the Commission at its Twenty-fifth session (Malta, September 2000), adopted the modalities for determining the budget ceiling, particularly the scale of contributions for each Member.

4. The financial implications of the scale of contribution was illustrated using a hypothetical autonomous budget of US\$ 750 000 as an example. The contributions would consist of a basic fee for Membership (10%), a charge related to: i) national wealth (35%) and ii) fish production (55%).

5. The result of this exercise was published in a table that was attached to the report of the Twenty-fifth Session of GFCM. At its Twenty-seventh session, the Commission stressed the need to update the wealth and catch components of the scale of contributions which vary overtime¹. An updated table, based on the average figures for the period 1999-2001 and taking care of new GFCM Member (i.e, Serbia and Montenegro) is attached for information as Appendix A of this document.

STATUS OF ACCEPTANCE OF THE AUTONOMOUS BUDGET

6. Since 1998, the matter of the autonomous budget has been an Agenda item of the sessions of the Commission. At the request of the GFCM, the Secretariat has been regularly requested to invite Members to ratify the amendment.² At its Twenty-seventh Session, the Commission again urged Members to accelerate the necessary national procedures in order to deposit their Instrument of Acceptance. It further requested the Secretariat of GFCM to directly approach the relevant Authorities of concerned countries, including through travelling and meeting with, these respective Authorities, to further explain the important contribution that GFCM could make to responsible fisheries management and sound aquaculture development in the Mediterranean, if the Commission had an autonomous budget. Therefore, during the intersessional period, the Secretariat had continued to invite the GFCM Members to expedite the procedure for the ratification of the amendments to the Agreement and had visited accordingly five countries which had not yet ratified the amendments.

7. At the time of the preparation of this document (September 2003), eleven (11) GFCM Members (Cyprus, European Community, France, Greece, Italy, Malta, Monaco, Serbia and Montenegro, Spain, Tunisia and Turkey) out of twenty-four had deposited instruments of acceptance of the amendments relative to the autonomous budget³. It is expected that the number of acceptance will have increased by the Twenty-eighth session.

8. It should be noted, however, that, if the required *quorum* of two thirds of acceptance by the Members is not attained, GFCM will continue operating in a transitional way.

9. During the present “transitional period”, the Commission regularly acknowledged the efforts made by its Subsidiaries to promote responsible fisheries in the Mediterranean. It also recognized that this implied an increasing workload from national administrations and research institutions as well as from the Secretariat. In the absence of an autonomous budget, these efforts are being made without additional human and financial means, with the exception of the support generously provided by some Members for hosting meetings of the Commission and the financing

¹ Paragraph 55 of the Report of the Twenty-seventh Session.

² In this respect, the Director General of FAO sent Two Notes Verbale to the Members in February 1998 and in May 2000. In February 2000, the Chairperson of GFCM convened a meeting with the Permanent Representatives to FAO of the GFCM Members for the same purpose. Circular Letters were further sent in May 2001 and in August 2003 through the Permanent Representatives of GFCM Member Countries whereby the Director General appealed to all concerned Members to take the necessary steps in order to ensure that the GFCM is able to operate on an autonomous budget as soon as possible.

³ Two other States, Albania and Romania, have ratified the Agreement but had not yet deposited the instruments of acceptance as of mid September 2003.

by Spain of COPEMED, by Italy of ADRIAMED and MEDSUDMED and by the EC and FAO of Medfisis.

10. The sustainability of this “transitional period” is to be questioned, especially as : i) projects have limited time span, thematic and/or geographical coverage and cannot replace a core budget for the Commission; ii) less wealthy countries are facing increasing financial, human and technical constraints to meet the new requirements or standards being agreed upon by the Commission; and iii) potential donors may be reluctant to provide extra-budgetary resources in the absence of an operative autonomous budget.

SUGGESTED ACTION BY THE COMMISSION

11. GFCM is invited to assess the status of acceptance of the autonomous budget. The Commission may also wish to evaluate the opportunity of convening an Extraordinary Session to address the legal, technical and procedural matters related to the operational functioning of an autonomous budget and, accordingly identify the main items of the agenda for such a session. Members are also invited to indicate their willingness to support those activities of the programme of work for 2004 for which no offers (financial/hosting) have been yet received.

APPENDIX A
SCALE OF CONTRIBUTION AS AGREED BY THE 25TH SESSION OF GFCM

Member	Basic Fee	Wealth Component		Catch Component*		Total	Total
	US \$	Index	US \$	GFCM mt	US \$	US \$	%
Albania	3 125	0	0	8 600	808	3 933	0.52
Algeria	3 125	1	2 823	164 949	15 493	21 441	2.86
Bulgaria	3 125	1	2 823	19 103	1 794	7 742	1.03
Croatia	3 125	1	2 823	51 093	4 799	10 747	1.43
Cyprus	3 125	10	28 226	15 515	1 457	32 808	4.37
Egypt	3 125	1	2 823	285 210	26 790	32 737	4.36
France	3 125	10	28 226	0	0	31 351	4.18
Greece	3 125	10	28 226	0	0	31 351	4.18
Israel	3 125	10	28 226	23 641	2 221	33 571	4.48
Italy	3 125	10	28 226	0	0	31 351	4.18
Japan	3 125	20	56 452	943	89	59 665	7.96
Lebanon	3 125	1	2 823	9 748	916	6 863	0.92
Libya	3 125	1	2 823	91 000	8 548	14 495	1.93
Malta	3 125	0	0	9 819	922	4 047	0.54
Monaco	3 125	1	2 823	12	1	5 949	0.79
Morocco	3 125	1	2 823	77 599	7 289	13 236	1.76
Romania	3 125	1	2 823	3 663	344	6 292	0.84
Serbia-Montenegro	3 125	0	0	1 362	128	3 253	0.43
Slovenia	3 125	1	2 823	2 611	245	6 193	0.83
Spain	3 125	10	28 226	0	0	31 351	4.18
Syria	3 125	1	2 823	7 761	729	6 677	0.89
Tunisia	3 125	1	2 823	275 305	25 859	31 807	4.24
Turkey	3 125	1	2 823	657 777	61 784	67 732	9.03
EC	3 125	0	0	2 685 902	252 284	255 409	34.05
		93		4 391 613			100.00
US DOLLARS	75 000		262 500		412 500	750 000	

Total Budget US \$	750000
Basic fee in percent	10.0
in US \$	75000
Number of Members	24
Total budget less basic fee	675000
Wealth Component (percent of total budget):	35.0
US \$	262500
Catch Component (percent of total budget)	55.0
US \$	412500

For those four countries that have a GDP smaller than US\$ 5 billion (2001) are applied a GDP category one step below that which would applied according to the above table.

* Catch component (mt) as updated (average 1999-2001) is based on indexed figures (small pelagic = 1; large pelagic, demersal and marine aquaculture = 4)