



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



GENERAL FISHERIES COMMISSION FOR THE MEDITERRANEAN

Second session of the Compliance Committee

Rome, Italy, 25-26 February 2008

**REPORT OF THE FIRST SESSION OF THE COMPLIANCE
COMMITTEE**

OPENING AND ARRANGEMENT OF THE SESSION

1. The first session of the Compliance Committee of the General Fisheries Commission for the Mediterranean (GFCM) was held at FAO Headquarters, Rome, Italy on 9 and 11 January 2007.
2. The Session was attended by delegates from 19 Members of the Commission.
3. The meeting was called to order by Mr Hajdali Salem Mohamed, Chairperson of GFCM, who welcomed the delegates and gave the floor to Mr Alain Bonzon, Executive Secretary of GFCM. Mr Bonzon, referring to the GFCM Rules of Procedure under which the Executive Secretary serves as Chair in the absence of a Chair and Vice-Chair of a Committee, introduced the Provisional Agenda. The Agenda shown in Annex A to this report was adopted.

ELECTION OF THE BUREAU AND FUNCTIONING OF THE COMMITTEE

4. Noting the importance of the Committee to the work of GFCM and the decisive role it will play to improve management, the Committee acclaimed the delegate from Algeria, Mr Mohamed Saleh Smati, as Chairperson. Mr Smati thanked the delegates, referring to the many issues the Committee would be called upon to examine to ensure compliance and promote the effectiveness of GFCM management measures. The Committee acclaimed the delegate from Monaco, Mr Patrick Van Klaveren as First Vice-Chairperson and the delegate from Bulgaria, Mr Krassimir Kostov as Second Vice-Chairperson. The Committee wished the newly elected Bureau success, noting the major tasks that lie ahead.

STATUS OF THE IMPLEMENTATION OF RECENT MANAGEMENT MEASURES BY MEMBERS

5. The Executive Secretary introduced this item on the basis of document GFCM:COC/1/2007/2, "Implementation of the GFCM Recent Recommendations". He recalled that the main responsibility of the Committee was to review compliance with conservation and management measures of the Commission. To this end the Commission had requested, at its 30th Session, each Member to inform the Commission on actions taken intersessionally to implement the decisions and recommendations of the Commission, both in national law and operational action.

6. The Secretariat had compiled and analyzed, with the support of the MedFisis project, all information received concerning vessels above 15 meters authorized to operate in the GFCM area (white list), taking into account the necessary data validation and confidentiality requirements. A format for the transmission of data was made available on the GFCM website, following the guidance provided in Recommendation GFCM/2005/2.

7. The Executive Secretary reported on the status of the data, noting certain discrepancies in the information received, including the uneven provision of required information regarding vessel characteristics, codification for fishing gear data, vessel type data that is not homogeneous or standardized and multiple data sources for the same data where some Members' reports were submitted both by the EC and some of its member States.

8. However, he reported that of the 6969 vessels currently reported in the GFCM white list database, about half belong to the 18-24 meter class, and 42 per cent are trawlers, both being classifications to which many GFCM management measures relate.

9. The Executive Secretary invited the Committee to consider the need to improve the quality of the data submitted and ensure all Members provide the data as agreed.

10. The EC delegate thanked the Secretariat for the useful summary and stated that information should be submitted in a more detailed manner and in accordance with a national reporting system that would oblige each GFCM Member to report one to two months in advance of the annual GFCM meeting. To this end, the delegate proposed that the Secretariat prepare a Resolution for consideration by the Committee, requiring Members to submit information in advance of the annual meeting and according to a format that will ensure standardized reporting. The Secretariat was requested to provide a format for this purpose that is based on models used by other RFMOs. Based on the preliminary analysis performed, the Secretariat sought guidance from the Committee regarding confidentiality of the data.

11. The EC delegate also informed the meeting that a Community Regulation adopted by the Council of Ministers on 21 December 2006 provides that only the EC, and not a member country, is now allowed to convey to GFCM a list of authorized vessels fishing in the GFCM area of competence. The EC will henceforth summarize all national reports from EC member states and convey such lists to the GFCM Secretariat.

12. Many delegates described measures they had taken to implement the Recommendations of the 30th Session of GFCM. It was agreed that this information should be set out clearly in an Annex, and to that end the Committee requested each delegation to provide the relevant details, which appear in Annex C. The Committee concurred, and entrusted the preparation of the Annex to the Secretariat. The delegate from Egypt noted that their details would be submitted after Parliament meets in mid-January. At the request of the delegate from the EC, the Secretariat undertook to provide a table showing the status of implementation of GFCM Recommendations by all Members.

13. The delegate from the EC proposed the adoption of joint illegal, unreported and unregulated fishing (IUU) vessel lists with the International Commission for the Conservation of Atlantic Tunas (ICCAT), noting precedent elsewhere. In this situation, a list of IUU vessels approved by ICCAT would be submitted to the GFCM Compliance Committee for consideration and vice-versa.

14. The EC delegate stated that they considered the GFCM Recommendations to be obligatory for all Members, even if they do not have any involvement in a fishery to which they apply or if activities do not take place in their waters, in light of comments made by other delegations and requested confirmation from the Secretariat. She also considered that, consequently, Members should transpose these Recommendations in their national laws. The Secretariat undertook to seek advice from the FAO Legal Service on this issue. It was noted by the delegate from Libya that agreement on the definition of terms described in document COC/1/2007/3, Report on Compendium of GFCM Recommendations and Resolutions, would be helpful to Members in determining which decisions of GFCM must be implemented in national laws.

FOLLOW-UP TO THE GFCM CONTROL AND ENFORCEMENT SCHEME

15. The delegate from the EC tabled a proposal for a Recommendation Concerning Minimum Standards for the Establishment of a Vessel Monitoring System in the GFCM Area, which is shown in Annex D. In doing so, reference was made to the goals in the Venice Declaration, the similarity to systems established by other regional fishery management organizations and the existence of such systems in EC and ICCAT Member Countries. A phased implementation period was envisioned. Several delegates stated that, although it is an important proposal, further study would be needed of the technical, legal, financial and security implications. It was agreed that the issue would be re-examined at the next meeting of the Committee.

COMPENDIUM OF THE GFCM RECOMMENDATIONS AND RESOLUTIONS

16. The Deputy Executive Secretary of GFCM, Mr Abdellah Srour, introduced this item on the basis of Document COC/1/2007/3, "Report on the Compendium of GFCM Recommendations and Resolutions"; and COC/1/2007/Inf.4, "Compendium of GFCM Recommendations and Resolutions". He drew attention to the decision of the 29th Session of GFCM to prepare and maintain a compendium of GFCM recommendations and resolutions to enable GFCM to better monitor implementation of GFCM decisions and measures. This was followed by the decision of the 30th

Session that the document and its database should cover decisions taken from 1956 and should be kept up to date. The Secretariat highlighted the lack of rigour by the Commission in standardizing decisions and the need to define the implications and binding nature of Recommendations, Resolutions and other decisions, and invited the Committee to examine general criteria and identify subsequent actions for the compendium to be used and to determine its nature.

17. Several delegations thanked the Secretariat for the excellent work that had been done, and emphasized the indispensable nature of the document. Delegates referred to the value of accessing information by themes and species, and including clear definitions of relevant terms. It was suggested that definitions could also be incorporated in the Rules of Procedure.

18. The Executive Secretary reinforced the nature of the Compendium as a databank with an index which would allow searches by control, data, or other headings. He invited delegates to reflect on the suggestion of adding definitions of GFCM categories of decision to Article 1 of the Rules of Procedure.

19. The Committee agreed that a small group should be set up promptly to reflect on these issues, and to generally consider and enhance the Compendium. The Executive Secretary noted that the group should be small but open to all Members. The Chairperson invited delegates to express their interest in participating in the group, and the delegates from Monaco and the EC indicated that they would participate. It was agreed that the group would develop its terms of reference once it is established.

OTHER MATTERS

20. The Committee agreed that a workshop on port State measures should be convened by FAO for the benefit of GFCM Members, mindful of international fisheries instruments, recent developments in international fora and the desirability of strengthening controls, based on the FAO Model Scheme on Port State Measures.

21. The Chairperson closed the meeting, and thanked all delegates who took part in the inaugural session of the GFCM Compliance Committee.

ADOPTION OF THE REPORT

22. The Report was adopted on 11 January 2007. The Committee agreed that it should be annexed to the Report of the 31st Session of the GFCM because it was an inaugural meeting, but acknowledged that it may be issued as a separate GFCM Committee Report in the future.