

REC.CM-GFCM/39/2015/3

on the establishment of a set of measures to prevent, deter and eliminate illegal, unreported and unregulated fishing in turbot fisheries in the Black Sea

The General Fisheries Commission for the Mediterranean (GFCM),

RECALLING that the objective of the Agreement for the establishment of the General Fisheries Commission for the Mediterranean (GFCM Agreement) is to ensure the conservation and sustainable use, at the biological, social, economic and environmental levels, of living marine resources in the GFCM area of application;

RECALLING the Johannesburg Declaration on Sustainable Development of 2002 and in particular its Plan of Implementation;

REAFFIRMING the principles of the Code of Conduct for Responsible Fisheries of the Food and Agriculture Organization of the United Nations (FAO) and recalling the precautionary and ecosystem approach to fishery management;

REAFFIRMING the GFCM roadmap to fight illegal, unreported and unregulated (IUU) fishing in the Black Sea endorsed at the thirty-seventh session of the GFCM (Croatia, May 2013);

REAFFIRMING the grave concerns about the continuation of IUU fishing and its detrimental effects upon fish stocks, marine ecosystems and the livelihoods of legitimate fishers, as well as the increasing need for food security;

RECALLING Recommendation GFCM/37/2013/2 on the establishment of a set of minimum standards for bottom-set gillnets fisheries for turbot and conservation of cetaceans in the Black Sea;

RECALLING Recommendation GFCM/32/2008/1 on a regional scheme on port state measures to combat illegal, unreported and unregulated fishery activities in the GFCM area of application;

NOTING that for turbot in the geographical subarea (GSA) 29, the GFCM Scientific Advisory Committee on Fisheries (SAC) concluded at its seventeenth session (FAO headquarters, March 2015) that the stock is in overfishing and considered as a priority the setting of measures to prevent, deter and eliminate IUU fishing activities, together with the adoption of control measures in view of implementing a recovery plan in the near future;

NOTING that, for turbot in GSA 29 the SAC also concluded at its seventeenth session that the setting of measures to prevent, deter and eliminate IUU fishing activities together with the adoption of control measures shall be drafted on the basis of the agreement of the Black Sea riparian states at the fourth meeting of the GFCM Working Group on the Black Sea (WGBS) held in Tbilisi, Georgia, in March 2015;

RECOGNIZING that fishing operations carried out in turbot fisheries shall be consistent with the sustainable exploitation and conservation of the fish species targeted;

RECOGNIZING that measures that could facilitate the fight against IUU fishing for turbot should be a priority in any future management and/or recovery plan;

AIMING to provide a series of elements for the reduction of IUU fishing;

ADOPTS, in conformity with the provisions of Articles 5 (b), 8 (b) and 13 of the GFCM Agreement, that:

PART I

Scope

1. The contracting parties and cooperating non-contracting parties of the GFCM (CPCs) shall adopt as a priority appropriate control measures to evaluate, prevent, deter and, to the extent possible, eliminate IUU fishing for turbot in the Black Sea.

PART II

Definitions

2. For the purposes of this recommendation, the following definitions shall apply:
 - a) “Illegal, unreported and unregulated fishing” (IUU fishing), means the activities set out in paragraph 3 of the 2001 FAO International Plan of Action to Prevent, Deter and Eliminate Illegal, Unreported and Unregulated Fishing (IPOA-IUU);
 - b) “Black Sea” means the GFCM GSA 29 as defined in Resolution GFCM/33/2009/2;
 - c) “Turbot” means fish pertaining to the species *Psetta maxima* (synonym: *Scophthalmus maeoticus* [Pallas]);
 - d) “Bottom-set gillnet” means any net made up of a single piece of net held vertically in the water by floats and weights fixed or capable of being fixed by any means to the bottom of the sea and maintaining the gear in place either close to the bottom or floating in the water column;
 - e) “Designated landing point” means ports, or places close to the shore, designated by the CPCs according to Recommendation GFCM/32/2008/1 on port State measures, including offshore terminals and other installations for landing, transshipping, packaging, processing, refuelling or resupplying of fishing vessels, where landings, transshipments, packaging and/or processing operations of fishery products are permitted;
 - f) “Authorized vessel” means fishing vessel in possession of a fishing authorization entitling it to carry out specific fishing activities during a specified period, in a given area or for a given fishery under specific conditions;
 - g) “Fisheries restricted area” (FRA) means a geographically-defined sea area in which all or certain fishing activities are temporarily or permanently banned or restricted in order to improve the exploitation and conservation of living marine resources or the protection of marine ecosystems;

PART III

Specific measures to address illegal, unreported and unregulated fishing in turbot fisheries in the Black Sea

Section 1: authorized vessels

3. Active vessels operating in the GFCM GSA 29 targeting turbot shall be authorized to carry out specific fishing activities only insofar as they are indicated in a valid fishing authorization, which shall specify the technical conditions under which those activities could be exerted (see Annex I).

4. The CPCs shall maintain an updated register of those fishing authorizations and communicate to the GFCM Secretariat, no later than 31 January of the year, the list of all vessels using bottom-set gillnets authorized to fish for turbot. For each vessel, the list shall contain the information referred to in Annex I.
5. Upon request, the CPCs shall report information on the fishing vessels authorized to engage in a fishing activity in a given period. In particular, the CPCs shall report the names of the fishing vessels concerned, their external identification number and the fishing opportunities allocated to each of them.
6. Authorized vessels shall comply with the obligations established in Recommendation GFCM/37/2013/2 provide a detailed report of their fishing activities, including as minimum requirements: operating days, operating area and total catch of turbot. This information shall be provided to the GFCM Secretariat at least quarterly.
7. The CPCs that require a transitional period to fully implement the provisions of Section 1 shall duly inform the GFCM Secretariat by 31 December 2015. Such information shall also specify the duration of this transitional period, which shall not exceed 24 months from the entry into force of this recommendation. In such case, the deadline for submission foreseen in paragraph 4 shall be adapted accordingly.

Section 2: Marking and identification of bottom-set gillnets

8. The CPCs shall progressively ensure that all bottom-set gillnets operating in the turbot fishery are clearly identified. A database of the common codifications used by all riparian states shall be created.
9. It shall be prohibited to carry out fishing activities with gillnets used in turbot fisheries which are not identifiable.
10. It shall be prohibited to carry out fishing activities with gillnets used in turbot fisheries for which marker and intermediary buoys are not identifiable.
11. Unmarked abandoned gillnets used in turbot fisheries and found at sea shall be collected by the competent authorities in whose exclusive economic zone the net is found.
12. Unmarked abandoned gillnets used in turbot fisheries and found at sea shall either be seized until the owner is duly identified or destroyed if the owner cannot be identified.

Section 3: Designated landing points

13. Each CPC shall take the necessary measures to designate, where possible, landing points in which landings of turbot in GSA 29 shall take place.
14. For a landing point to be considered as a designated port, the following conditions shall be met: (a) established landing and transshipping times and places; and (b) full inspection coverage during all landing and transshipping times and at all landing and transshipping places.
15. The CPCs shall communicate to the GFCM Secretariat, by no later than 30 November of each year, a list of designated landing points in which landings of turbot in GSA 29 shall take place.
16. It shall be prohibited to land or transship from fishing vessels any quantity of turbot fished in GSA 29 at any other place than the landing points designated by the CPCs, in accordance with paragraphs 13 and 14.
17. The CPCs shall engage to cooperate in the fight against IUU fishing activities, in particular by sharing information and gathering intelligence to fight against organized crime.

PART IV

National plans for monitoring, control and surveillance (MCS)

18. National MCS plans for the implementation of the provisions of this recommendation shall be established by the CPCs, taking into account the elements listed in Annex II and ensuring, *inter alia*, a proper and accurate monitoring and recording of the monthly catches and/or fishing effort deployed.
19. Such national MCS plans shall be communicated to the GFCM Secretariat, by 31 January of each year. Each year, one month before the annual session, the results of control activities shall be sent to the GFCM Secretariat for information. These results shall be analysed and discussed annually in a special session of the Compliance Committee.
20. The CPCs shall communicate to the GFCM Secretariat the type of sanctions applied when IUU activities are detected as well as global figures for infringements related to IUU activities in turbot fisheries.

PART V

Specific technical measures

21. In 2016 the SAC shall advise on the dimensions of turbot bottom-set gillnets allowed to operate in the fishery (maximum length, maximum height and hanging coefficient). To this end, contracting parties shall provide the SAC, prior to the meeting of the WGBS, with the dimensions of gillnets currently used in their fisheries. The WGBS shall analyse this information and propose the maximum dimensions to be used.
22. The SAC and the WGBS shall jointly provide advice for the technical requirements necessary to implement the provisions contained in Part III, Section 2.

PART VI

Development of information strategies and awareness campaigns related to the progressive reduction of IUU fishing in turbot fisheries

23. Communication and awareness-raising plans related to the fight against IUU fishing in turbot fisheries will be established among stakeholders and the general public in order to make the problems of IUU fishing better known.
24. The effective participation of stakeholders, including women and fisheries organizations, shall be supported through access to information and education. Diversification activities by fishers who seek to engage in non-fishing activities shall be encouraged.
25. The GFCM Secretariat shall facilitate cooperation among the CPCs, including, when necessary, by ensuring that a scientific contribution is obtained from the SAC.

The list referred to in paragraph 3, Section 1 shall contain for each vessel the following information:

- Name of the vessel
- Vessel register number (code assigned by CPCs)
- GFCM registration number (country ISO 3-alpha code + 9 digits, e.g. xxx000000001)
- Port of registration (full name of the port)
- Previous name (if any)
- Previous flag (if any)
- Previous details of deletion from other registers (if any)
- International radio call sign (if any)
- VMS (indicate Y/N)
- Vessel type, length overall (LOA) and gross tonnage (GT) and/or gross registered tonnage (GRT) and engine power expressed in kW
- Name and address of owner(s) and/or charter and/or operator(s)
- Main target species
- Main gear(s) used for turbot and fleet segment allocation and operational unit as identified in the Task 1 statistical matrix
- Time period authorized for fishing with gillnet or any other gear likely to fish turbot (if any of such authorization)

Guidelines for the development of specific monitoring, control and surveillance (MCS) plans for turbot in the Black Sea

Specific MCS shall clearly define the following:

a) Means of control

Description of human, technical and financial means specifically available for the implementation of the plans.

b) Inspection strategy (including inspection protocols)

Inspection and surveillance of fishing activities shall concentrate on fishing vessels likely to catch turbot and associated species. In addition, action plans for the control of markets and transport shall be included.

Definition of inspection tasks and procedures.

Each CPC shall specify and describe which sampling strategy will be applied to verify the weighing of catches at first sale as well as the sampling strategy for vessels that are not subject to logbook/landing declaration rules.

c) Guidelines

Explanatory guidelines for inspectors, producer organizations and fishers regarding the set of rules in place for fisheries likely to catch turbot:

- Rules for the completion of various documents including inspection reports, fishing logbooks, transshipment declarations, landing and take-over declarations, transport documents and sales notes;
- Technical measures in force, including mesh size and/or mesh dimensions, minimum catch size, temporary restrictions, etc.,
- Sampling strategies,
- Cross-check mechanisms.

d) Training of inspectors

National inspectors shall receive all information on authorized vessels, fishing gears and regulations as well as adequate trainings to specifically achieve the objectives of the MCS plan related to turbot. Minimum training requirements are those specified in Recommendation GFCM/32/2008/1 on port state measures.