

## **Recommendation GFCM/41/2017/4**

### **on a multiannual management plan for turbot fisheries in the Black Sea (geographical subarea 29)**

The General Fisheries Commission for the Mediterranean (GFCM),

*CONSIDERING* 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 level, of marine living resources in the GFCM area of application;

*RECALLING* that, in giving effect to the objective of the GFCM Agreement, the GFCM shall adopt recommendations on conservation and management measures aimed at ensuring the long-term sustainability of fishing activities, in order to preserve marine living resources and the economic and social viability of fisheries and that, in adopting such recommendations, the GFCM shall give particular attention to measures to prevent overfishing and minimize discards as well as to the potential impacts on small-scale fisheries and local communities;

*RECALLING* that in giving effect to the objective of the GFCM Agreement, the GFCM shall foster, as appropriate, a subregional approach to fisheries management and aquaculture development in order to better address the specificities of the Mediterranean and the Black Sea;

*CONSIDERING* that the GFCM shall adopt management measures based on an ecosystem approach to fisheries to guarantee the maintenance of stocks above levels which can produce maximum sustainable yield (MSY);

*CONSIDERING* that all measures formulated by the GFCM shall be based on the best scientific advice available, taking into account relevant environmental, economic and social factors;

*CONSIDERING* that the GFCM shall apply the precautionary approach in accordance with the Code of Conduct for Responsible Fisheries of the Food and Agriculture Organization of the United Nations (FAO);

*RECALLING* that the Bucharest Declaration towards enhanced cooperation on Black Sea fisheries and aquaculture calls upon Black Sea riparian countries to enhance multilateral cooperation and implement actions to improve the sustainability of resources, particularly with regard to scientific advice, sustainable small-scale fisheries, monitoring, control and surveillance (MCS), capacity-building, as well as actions emanating from a regional plan of action to fight illegal, unreported and unregulated (IUU) fishing;

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

*RECALLING* Recommendation 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;

*RECALLING* Recommendation GFCM/41/2017/7 on a regional plan of action to combat illegal, unreported and unregulated fishing in the GFCM area of application;

*RECALLING* Decision GFCM/37/2013/2 on a roadmap to fight illegal, unreported and unregulated fishing in the Black Sea;

*RECALLING* Decision GFCM/36/2012/1 on guidelines on a general management framework and presentation of scientific information for multiannual management plans for sustainable fisheries in the GFCM area of application;

*NOTING* that, for turbot in geographical subarea (GSA) 29, the Working Group on the Black Sea (WGBS) concluded, at its fifth session (Romania, June 2016) that the stock is overexploited and in overexploitation with some signs of recovery in the European Union (EU) waters and advised to implement a recovery plan;

*CONSIDERING* that fishing mortality should be kept below safe thresholds to ensure long-term high yields while limiting the risk of stock collapse and guaranteeing stable and more viable fisheries;

*NOTING* that, for turbot and associated species in GSA 29, the WGBS underlined in 2017 that there is a high level of IUU catches;

*CONSIDERING* the socio-economic importance of fisheries exploiting turbot and the need to ensure their sustainability;

*CONSIDERING* that certain fisheries management measures need to be revised and adapted to the evolution of both the status of exploited stocks and scientific knowledge, and that an appropriate method to this end shall be established;

*ADOPTS*, in conformity with Articles 5 b), 8 b), and 13 of the GFCM Agreement, the following recommendation:

## **PART I**

### **General objectives, scope and definitions**

#### ***General objectives of the multiannual plan and transitional measures***

1. A multiannual management plan for turbot fisheries in GSA 29 shall be developed, consistent with the precautionary approach. This plan shall be designed to produce high long-term yields consistent with the MSY and to guarantee a low risk of stock collapse while maintaining sustainable and relatively stable fisheries.
2. Contracting parties and cooperating non-contracting parties (CPCs) whose vessels have been actively fishing turbot in GSA 29 agree to implement such a multiannual management plan for the fisheries concerned, in accordance with the general and specific objectives and measures set by this recommendation.
3. A set of transitional precautionary management measures for the Black Sea shall be developed in order to ensure that pending scientific advice by the WGBS, the stocks and fisheries are kept at biologically sustainable levels.
4. The multiannual management plan for fisheries exploiting turbot shall also pursue the reduction of IUU fishing activities in GSA 29.
5. CPCs whose vessels have been actively fishing for turbot in GSA 29 agree to implement actions established under Decision GFCM/37/2013/2 on a roadmap to fight illegal, unreported and unregulated fishing in the Black Sea.

#### ***Geographical scope***

6. The multiannual management plan established by this recommendation shall apply in GSA 29 (Black Sea).

## ***Definitions***

7. For the purpose of this recommendation, the following definitions shall apply:
- a) “Black Sea” means GSA 29 as defined in Resolution GFCM/33/2009/2 on the establishment of geographical subareas in the GFCM area of application, amending Resolution GFCM/31/2007/2;
  - b) “vessel actively fishing for turbot” means any vessel equipped with bottom-set gillnets and in possession of a valid fishing authorization for turbot;
  - c) “fishing day” means any continuous period of 24 hours, or part thereof, during which a vessel is present in GSA 29 and is searching for fish, shooting, setting, towing, hauling a fishing gear, taking catch on board, transshipping, retaining on board, processing on board, transferring and landing fish and fishery products;
  - d) “turbot” means fish pertaining to the species *Psetta maxima*;
  - e) “illegal, unreported and unregulated fishing” or “IUU fishing” means the activities mentioned in paragraph 3 of the 2001 FAO International Plan of Action to Prevent, Deter and Eliminate Illegal, Unreported and Unregulated Fishing;
  - f) “designated landing point” means ports, or places close to the shore, designated by the CPCs in accordance with recommendations GFCM/40/2016//1 on a regional scheme on port state measures to combat illegal, unreported and unregulated fishing activities in the GFCM area of application and 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, 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;
  - g) “authorized vessel” means any fishing vessel in possession of a fishing authorization entitling it to carry out specific fishing activities during a specific period, in a given area or for a given fishery under specific conditions;
  - h) “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; and
  - i) “fishing authorization” means special fishing authorization entitling a vessel to engage in fishing activities for turbot during a specified period in the given area.

## **PART II**

### **Specific objectives of the multiannual management plan and transitional measures in GSA 29**

8. The operational objective of the multiannual management plan shall be to maintain fishing mortality for turbot within agreed precautionary reference points, with a view to achieving or maintaining fishing mortality at MSY level, in accordance with the objectives described in Part I of this recommendation.
9. Based on the advice of the WGBS, the Commission shall establish the specific objectives of the multiannual management plan, at the latest at its forty-third session.
10. The objective of the transitional measures for turbot in GSA 29 is to start preparing the ground for a future management plan while reducing the risk that, in the absence of relevant scientific

assessment, the biomass level of the stock could drop below biologically sustainable level values with negative consequences also on the economic viability of the fisheries concerned.

11. Pending the identification of target reference points in line with the MSY, the general objectives of the multiannual management plan set out in paragraph 1 shall be attained while maintaining the fishing fleet capacity or fishing effort at the levels authorized and applied in recent years for the exploitation of turbot in GSA 29.

12. For the years 2018–2019, a total allowable catch (TAC) shall be set to 644 tonnes with the following temporary allocation:

Countries	EU	Turkey	Georgia	Ukraine	Russia
Quotas (tonnes)	114	374	5	101	50

13. This shall be without prejudice to the discussions to take place in the context of the working group referred to under paragraph 15 of this recommendation.

14. In case the WGBS advice provided for 2018 does not confirm a continuation of the constructive evolution of fishing mortality towards the restoration of the size of the Black Sea turbot stock, the TAC and quotas referred in paragraph 12 may be revisited by the GFCM.

15. A working group shall be established by the GFCM in 2019, within thirty calendar days following the 2019 WGBS session, in order to:

- a) establish a fair and equitable allocation scheme of the TAC of Black Sea turbot, taking into consideration the efforts made by CPCs to manage turbot fisheries and the amount of historical catches, and apply in some cases stricter rules than those defined in this recommendation, also based on socio-economic considerations; and
- b) establish the mechanism to manage the TAC, including a reduction mechanism of the TAC, if appropriate.

16. The approach specified under paragraph 12 shall continue to apply until a mutually agreed TAC allocation is adopted through a supplementary recommendation.

17. The WGBS shall, upon the availability of updated data, regularly assess the state of the turbot stock and, in particular, establish the level of current fishing mortality and provide the GFCM with the necessary elements for setting target reference points.

18. The GFCM, on the basis of the WGBS advice, shall review annually the target fishing mortality ( $F_{\text{target}}$ ).

19. Each CPC shall establish, each year, a closure period of at least two months during the spawning season of turbot (i.e. from April to June).

20. Operational objectives in terms of fighting against IUU fishing activities which are relevant for the turbot fisheries shall be developed as defined in part VII of this recommendation.

### **PART III**

#### **Scientific monitoring, adaptation and revision of the multiannual management plan**

21. CPCs shall ensure annually an adequate scientific monitoring of the status of turbot and associated species in GSA 29.
22. The WGBS shall provide, on an annual basis as from 2018, advice on the status of the stock of turbot in GSA 29, including specific objectives to maintain fishing mortality within agreed precautionary fishing mortality reference points and to restore the size of the Black Sea turbot stock at levels which can produce MSY in accordance with the objectives set out in paragraph 1.
23. The WGBS shall assess the biological, economic and social implications of implementing several management scenarios with the objective of restoring and maintaining the turbot population above levels which can produce the MSY.
24. Based on the WGBS advice, the GFCM may review the content of the multiannual management plan.
25. Whenever the GFCM, on the basis of advice from the WGBS, finds that the fishing mortality level to be specified as per paragraph 9 is no longer appropriate to achieve the objectives specified in paragraph 1, it shall revise those parameters accordingly. Whenever WGBS advice indicates that the general or specific objectives of the multiannual management plan are not being met, the GFCM shall decide additional and/or alternative management measures to contribute to achieving those objectives.
26. Where by any reason (e.g. lack of appropriate data), the WGBS is not in a position to provide an accurate advice on the status of the turbot and its exploitation level, the GFCM shall decide on the most appropriate management measures to ensure the sustainability of the fisheries. These measures shall be based on WGBS advice in accordance with the precautionary approach and take into consideration environmental and socio-economic elements in a way that guarantees the sustainability of the fisheries.
27. In 2018, the WGBS shall evaluate the effectiveness of the measures already applied at the national level and advise on whether these measures could be applicable to the entire GSA 29.
28. For the purpose of providing advice for the development of the multiannual management plan, the WGBS shall organize adequate workshops. For this purpose, the WGBS shall promote scientific cooperation and a harmonized approach among all Black Sea riparian countries.

### **PART IV**

#### **Fleet management measures**

29. Vessels authorized to fish turbot in GSA 29 shall be indicated in a special valid fishing authorization for turbot established by the CPCs, which shall specify the technical conditions under which fishing for turbot can be carried out. In the absence of such authorization a vessel shall not catch, retain on board, tranship, land, store or sell turbot.
30. CPCs shall maintain an updated register of those fishing authorizations. CPCs shall communicate to the GFCM Secretariat, not later than 31 January of each year, the list of active vessels for which such a fishing authorization has been issued for the current year or forthcoming years. This list shall include, for each vessel, the information referred to in Annex 1 of Recommendation GFCM/39/2015/3.
31. Authorized vessels shall comply with the obligations established in Recommendation GFCM/37/2013/2 and provide a detailed report of their fishing activities to national authorities,

including as minimum requirements the operating days, the operating area and the total catch of turbot. This information shall be provided to the GFCM Secretariat at least quarterly.

32. CPCs may designate additional spatial/temporal restrictions, with respect to those already established, in which fishing activities may be banned or restricted in order to protect aggregation areas of juveniles of turbot. Where applicable, CPCs shall notify to the GFCM Secretariat, by 1 January 2018, the list of these areas and the restrictions applied.

33. In addition to the provisions defined for bottom-set gillnets in Recommendations GFCM/37/2013/2 and GFCM/39/2015/3, CPCs shall cooperate to harmonize their legislation regarding the maximum length and height of gillnets in order to achieve common standards as from 2018.

## **PART V**

### **Management of fishing effort**

34. CPCs shall communicate to the GFCM Secretariat, not later than 31 January 2019, the list of all vessels authorized to fish for turbot.

35. Such list shall contain, for each vessel, the information referred to in Annex 1 of Recommendation GFCM/39/2015/3.

36. Any fishing vessel not included in the list established under paragraph 34 shall not be allowed to fish for, retain on board or land turbot if the vessel is engaged on a fishing trip in GSA 29.

37. CPCs shall promptly notify the GFCM Secretariat of any addition to, deletion from and/or any modification of the fishing fleets for turbot, as identified under paragraph 29, at any time such changes may occur.

38. The GFCM Secretariat shall maintain and update the list of fishing vessels authorized to fish for turbot and publish it on the GFCM website in a manner consistent with GFCM data confidentiality policy and procedures.

39. Vessels authorized to fish for turbot in GSA 29, irrespective of the vessel length overall (LOA), shall not exceed 180 fishing days per year.

40. Each CPC shall ensure to set up adequate mechanisms for the recording of each fishing vessel in a national fleet register, for the recording of vessels' catches and fishing effort via both the logbook and remote sensing as well as for the monitoring of fishing vessels activities and landings via catch and effort sampling surveys, according to the rules stipulated by each CPC.

41. The above provisions are without prejudice to Recommendation GFCM/33/2009/7 concerning minimum standards for the establishment of a vessel monitoring system in the GFCM area of application.

## **PART VI**

### **Specific measures to address IUU fishing activities**

42. CPCs shall ensure that turbot in Black Sea waters is only fished using bottom-set gillnets. It shall be prohibited to carry out fishing activities with passive gear which are not identifiable in accordance with Recommendation GFCM/39/2015/3, Part III. For that purpose, passive gear, including its markers and intermediary buoys, shall permanently display the external registration letters and numbers displayed on the hull of the fishing vessel to which it belongs.

43. CPCs shall establish a mechanism to ensure that vessels fishing in GSA 29 declare all catches and bycatch of turbot. The obligation to declare catches shall apply irrespective of the volume of the catch and the gear used.

44. Each CPC shall designate landing points in which landings of turbot in GSA 29 shall take place.
45. For each designated port, the port CPC shall specify permitted landing and transshipping times and places. The port CPC shall also ensure inspection coverage during all landing and transshipping times and at all landing and transshipping places.
46. It shall be prohibited to land or tranship from fishing vessels any quantity of turbot fished in GSA 29 at any place other than landing points designated by CPCs, in accordance with Recommendation GFCM/39/2015/3, Part III.
47. CPCs shall transmit to the GFCM Secretariat, not later than 30 November each year, any changes to the list of the designated landing points in which landings of turbot in GSA 29 may take place.
48. CPCs shall engage to cooperate in the fight against IUU fishing, in particular through sharing information and gathering intelligence to fight against illegal activities.
49. Part VI is without prejudice to Recommendation GFCM/39/2015/3.

## **PART VII**

### **MCS programme**

50. All vessels above 12 metres LOA authorized to fish for turbot shall be equipped with vessel monitoring system (VMS) or any other system of geolocalization allowing control authorities to track their activities.
51. Notwithstanding the provisions of paragraph 1 of Recommendation GFCM/35/2011/1 concerning the establishment of a GFCM logbook, all turbot catches shall be indicated in the logbook irrespectively of the live weight of the catch.
52. Upon request of CPCs, with the assistance of the GFCM secretariat and the European Fishery Control Agency (EFCA), a pilot project shall be established in 2018 with a view to establishing a voluntary observation and inspection programme, in order to ensure compliance with the conservation and management measures in this recommendation.
53. Such observation and inspection programme shall be based on the results of the pilot project and adopted before the end of 2019. It shall comprise, *inter alia*, the following elements:
- a) inspections at sea;
  - b) procedures for an effective investigation of an alleged violation of the conservation and management measures in this recommendation, and for reporting to the GFCM on the actions taken, including procedures for exchanging information;
  - c) provisions for appropriate action to be taken when inspections reveal serious violations as well as the expedient and transparent follow-up of such actions in order to uphold the flag State's responsibility within the intended programme;
  - d) port inspections;
  - e) monitoring of landings and catches, including statistical follow-up for management purposes;
  - f) specific monitoring programmes, including boarding and inspection; and
  - g) observer programmes.

54. A working group shall be established to develop integrated MCS measures, in accordance with this recommendation. The tasks of this working group are defined in annex to this recommendation.

**PART VIII**  
**Final provisions**

55. This recommendation repeals Recommendation 40/2016/6 on the scientific monitoring, management and control of turbot fisheries in the Black Sea (geographical subarea 29).

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**Terms of reference for the Working Group on integrated MCS measures for demersal fisheries targeting turbot in the Black Sea**

The working group referred to in paragraph 54, shall:

- 1) be supported by the GFCM;
- 2) establish a time schedule for the development of its work, and hold at least one meeting during 2018, before the next meeting of the Compliance Committee (CoC);
- 3) invite observers attending GFCM meetings, the FAO, and other regional fisheries management organizations to participate in its meetings; and
- 4) report its conclusions and opinions to the CoC.

The mandate of the working group covers the elements as described in Part VII of this recommendation.