

**Recommendation GFCM/33/2009/6**  
**concerning the establishment of a GFCM record of vessels over 15 metres**  
**authorized to operate in the GFCM area of application, amending**  
**Recommendation GFCM/29/2005/2**

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

*RECALLING* Resolution GFCM/21/1995/2 on the reporting of activities of fishing vessels operating in the Mediterranean Sea whereby it is agreed to set a minimum length of 15 metres for the application of the Agreement to Promote Compliance with International Conservation and Management Measures by Fishing Vessels in the High Seas, Resolution GFCM/21/1995/4<sup>1</sup> concerning the preparation of a list of fishing boats in operation from national ports in the Mediterranean and the exchange of information on vessels and Resolution GFCM/22/1997/2<sup>2</sup> on the activities of non-contracting parties, as well as the decision adopted by the GFCM at its twenty-seventh session (FAO headquarters, November 2002) to establish a fleet segmentation for the vessels operating in the Mediterranean;

*RECALLING* that the Council of the Food and Agriculture Organization of the United Nations (FAO) adopted, on 23 June 2001, an International Plan of Action to Prevent, Deter and Eliminate Illegal, Unreported and Unregulated Fishing, which stipulates that regional fisheries management organizations (RFMOs) should take action to strengthen and develop innovative ways, in conformity with international law, to prevent, deter and eliminate illegal, unreported and unregulated (IUU) fishing and, in particular, to establish records of vessels authorized to operate and records of vessels engaged in IUU fishing;

*CONSIDERING* the conclusions of the Ministerial Conference on the Sustainable Development of Fisheries in the Mediterranean, held in Venice in 2003;

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

1. The Commission shall establish a GFCM record of fishing vessels more than 15 metres in length overall (LOA) authorized to fish in the GFCM area of application (GFCM Authorized Vessel List [GFCM-AVL]). For the purpose of this recommendation, vessels more than 15 metres LOA that are not entered into the record are deemed not to be authorized to fish for, retain on board, transship or land species covered by the Commission.
2. Contracting parties and cooperating non-contracting parties (CPCs) shall submit to the GFCM Secretariat, by the end of May of each calendar year, the list of their vessels that are authorized to operate in the GFCM area of application, followed by updates as appropriate. The list of data fields, with the related confidentiality status, is included in Annex 1.
3. Each CPC shall promptly notify the GFCM Secretariat of any addition to, any deletion from and/or any modification of the GFCM-AVL any time such changes occur.

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<sup>1</sup> This recommendation has been repealed in the context of the revision of the Compendium of GFCM decisions.

<sup>2</sup> This recommendation has been repealed in the context of the revision of the Compendium of GFCM decisions.

4. The GFCM Secretariat shall maintain the GFCM-AVL database and make it available through its online channels in a manner consistent with the provisions established under Recommendation GFCM/30/2006/7 on data confidentiality policy and procedures.

5. The flag CPCs of the vessels in the record shall:

- a) authorize their vessels to operate in the GFCM area of application only if they are able to fulfil, in respect of these vessels, the requirements and responsibilities under the GFCM 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-AVL keep on board valid certificates of registration and valid authorization to fish and/or transship;
- d) ensure that their vessels on the GFCM-AVL have no history of IUU fishing activities or, if those vessels have such history, that 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-AVL are not engaged in or associated with fishing activities conducted by vessels not entered into the GFCM-AVL in the GFCM area of application;
- f) take necessary measures to ensure, to the extent possible under domestic law, that the owners of the vessels on the GFCM-AVL are citizens or legal entities of the flag CPC so that any control can effectively be made or any punitive action can effectively be taken against them; and
- g) keep consistency between the GFCM-AVL and International Commission for the Conservation of Atlantic Tunas (ICCAT) record of vessels.

6. CPCs 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 on the results of the review to the Commission at its 2007 session and annually thereafter. In consideration of the results of such review, the Commission shall, if appropriate, request the flag CPC of vessels in the GFCM-AVL to take further action to enhance compliance by those vessels to GFCM conservation and management measures.

7. CPCs 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 of application by vessels more than 15 metres LOA which are not entered into the GFCM-AVL.

8. Each CPC shall notify the GFCM Secretariat of any factual information showing that there are reasonable grounds for suspecting vessels not included in the GFCM-AVL to be engaged in fishing and/or transshipment in the GFCM area of application.

9. a) If a vessel mentioned in paragraph 8 is flying the flag of a CPC, the GFCM Executive Secretary shall request that the CPC take necessary measures to prevent the vessel from fishing in the GFCM area of application.

b) If the flag of a vessel mentioned in paragraph 8 cannot be determined or is of a non-contracting party, the GFCM Executive Secretary shall compile such information for future consideration by the Commission.

10. The Commission and the CPCs concerned shall communicate with each other and make the best efforts with FAO and other relevant RFMOs 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

*Recommendation GFCM/33/2009/6*

excessive fishing pressure resulting from a shift of the IUU vessels from the Mediterranean and the Black Sea to other seas or oceans.

The below list encompasses all the compulsory data fields on fishing vessels in the GFCM record of fishing vessels larger than 15 metres in length overall authorized to fish in the GFCM area of application (GFCM-AVL) to be reported to the GFCM following the guidance provided by relevant GFCM subsidiary bodies through the technical manual of the GFCM Data Collection Reference Framework (DCRF). These variables are a subset of the GFCM regional fleet register which has to be considered as a reference for the fields description and any optional data applicable to the GFCM-AVL. In line with the GFCM data confidentiality policy and procedures, the “data confidentiality status” identifies the access-level criteria for the sake of data dissemination: public (P), semi-private (S) and private (R).

<b>DATA FIELDS</b>	<b>DATA CONFIDENTIALITY STATUS</b>
Country	P
Reference year	P
Registration authority	P
Vessel name (if any) in Latin characters	P
National registration number	P
Vessel registration number	P
International radio call sign (IRCS) (if applicable)	P
Maritime mobile service identity (MMSI) (if applicable)	P
IMO number (if applicable)	P
Operational status (activity indicator)	P
Port of registration	P
Year of entry into fishing activity (if any)	P
Authorization to fish (license indicator)	P
GSA (main geographical fishing area)	P
Secondary fishing statistical area (GSA) (if any)	P
Tertiary fishing statistical area (GSA) (if any)	P
Main fishing gear used	P
Secondary fishing gear (if any)	P
Third fishing gear (if any)	P
Length overall (LOA)	P
Gross tonnage (GT)	P
Construction year	P
Power of the main engine (kW)	P
Owner (name and address)	R
Operator (name and address) if different from owner	R
Minimum number of the crew	R
Maximum number of the crew	R
Vessel monitoring system (VMS) indicator (presence/absence)	P