

Recommendation GFCM/43/2019/7

on information on access agreements in the GFCM area of application

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 the 2017 Malta MedFish4Ever Ministerial Declaration and the 2016 Bucharest Declaration both reflect the strong commitment of the GFCM to fight illegal, unreported and unregulated (IUU) fishing in the Mediterranean and in the Black Sea, respectively;

RECALLING Recommendation 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;

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;

CONCERNED by the continuation of IUU fishing activities in the GFCM area of application and that these activities diminish the effectiveness of GFCM conservation and management measures;

RECOGNIZING that the exchange of information on access agreements greatly facilitates monitoring, control and surveillance (MCS) activities in combating IUU fishing activities, and that there is a need to develop and implement such measures in a fair and non-discriminatory manner;

RECOGNIZING the need to ensure transparency among contracting parties and cooperating non-contracting parties (CPCs) in respect of conditions for accessing the waters of coastal states, in particular to facilitate joint efforts to combat IUU fishing;

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

PART I Access agreements

1. CPCs that allow foreign-flagged vessels to fish in waters under their jurisdiction for species managed by the GFCM in its area of application and CPCs whose vessels fish in waters under the jurisdiction of another CPC or non-contracting party for species managed by the GFCM pursuant to an agreement shall, individually or jointly, notify the GFCM Secretariat, prior to the beginning of fishing activities, of the existence of such agreement and provide the GFCM Secretariat with information concerning these agreements, including:

- a) CPCs, non-contracting parties or other entities involved in the agreement;
- b) time period or periods covered by the agreement;
- c) number of authorized vessels and gear types;
- d) stock or species authorized for harvest, including any applicable catch limits;
- e) CPCs' quota or catch limit to which the catch will be applied;
- f) MCS measures required by the flag CPC and coastal state involved with, for the coastal state, a particular specification of:

- i) the national authority (contact coordinates) responsible for issuing fishing licenses or permits; and
 - ii) the national authority (contact coordinates) responsible for MCS activities;
- g) data reporting obligations stipulated in the agreement, including those between the parties involved, as well as those regarding information that must be provided to the GFCM; and
- h) copy of the written agreement.
2. For agreements in existence prior to the entry into force of this recommendation, the information specified in paragraph 1 shall be provided in advance of the forty-fourth session of the GFCM.
3. When an access agreement is modified in a manner that changes any of the information specified in paragraph 1, such changes shall be promptly notified to the GFCM Secretariat.
4. Consistent with GFCM data reporting requirements, flag CPCs involved in the agreements specified in paragraph 1 shall ensure that all target and incidental catches made pursuant to such agreements are reported.
5. Flag CPCs and coastal CPCs involved in the agreements specified in paragraph 1 shall provide a summary of the activities carried out pursuant to each agreement, including all catches made pursuant to such agreements, in their annual report to the GFCM.
6. In cases where coastal CPCs allow foreign-flagged vessels to fish in waters under their jurisdiction for species managed by the GFCM in its area of application, through a mechanism other than a CPC-to-CPC or CPC-to-non-contracting party agreement, the relevant coastal CPC shall be solely responsible for providing the information required by this recommendation. Flag CPCs with vessels involved in such an agreement shall endeavour to provide the GFCM with relevant information regarding the agreement as indicated in paragraph 1.

PART II

Role of the GFCM

7. The GFCM Secretariat shall develop a form for reporting the information specified in this recommendation and annually compile the submissions of the CPCs into a report to be presented to the Compliance Committee for consideration at its session.
8. All information provided pursuant to this recommendation shall be consistent with domestic confidentiality requirements.