

Recommendation GFCM/43/2019/8

on the establishment of a list of vessels presumed to have carried out illegal, unreported and unregulated fishing in the GFCM area of application, amending Recommendation GFCM/33/2009/8

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

DEEPLY CONCERNED that illegal, unreported and unregulated (IUU) fishing continues to undermine national and regional management of fish stocks, marine ecosystems and the livelihoods of legitimate fishers, and that these activities diminish the effectiveness of the GFCM conservation and management measures;

RECALLING that the 2017 Malta MedFish4Ever Ministerial Declaration and the 2018 Sofia Ministerial Declaration on Black Sea fisheries and aquaculture both reflect the strong commitment of the GFCM to fight IUU fishing in the Mediterranean and the Black Sea, respectively;

DETERMINED to address the challenge of an increase in IUU fishing activities by way of counter- measures to be applied in respect to the vessels, without prejudice to further measures adopted in respect of flag states under the relevant GFCM instruments;

CONSCIOUS of the urgent need to address the issue of fishing vessels as well as other vessels conducting IUU fishing and related activities in support of IUU fishing;

NOTING that the situation must be addressed in the light of all relevant international fisheries instruments and in accordance with the relevant rights and obligations established by other regional fisheries management organizations and the World Trade Organization (WTO);

DESIRING to streamline and improve IUU listing procedures and requirements in previous GFCM recommendations;

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

MODIFICATION OF RECOMMENDATION GFCM/33/2009/8

1. Paragraph 13 of Recommendation GFCM/33/2009/8 shall be modified as follows:

“d) ensure that any of their nationals, whether a natural or legal person subject to their jurisdiction, do not benefit from supporting or engaging in IUU fishing activities (e.g. as operators, effective beneficiaries, owners, logistic and service providers, including insurance providers and other financial service providers)”.

2. The text of Annex 1 is repealed and replaced as follows:

“Information to be included in all IUU lists (draft and final)”

The draft IUU vessel list, provisional IUU vessel list and adopted IUU vessel list shall contain the following details, where available:

- a) name of vessel and previous name(s);
- b) flag of vessel and previous flag(s);
- c) name and address of the vessel owner and previous owners, including beneficial owners;
- d) owners' place of registration;
- e) vessel operator and previous operator(s);
- f) vessel call sign and previous call sign;
- g) IMO number;
- h) maritime, mobile service identity (MMSI) number;
- i) length overall;
- j) photographs of the vessel;
- k) date vessel was first included in the GFCM IUU list;
- l) date of alleged IUU fishing activity;
- m) position of alleged IUU fishing activity;
- n) summary of activities which justify the inclusion of the vessel on the list, together with references to all relevant documents informing and evidencing these activities; and
- o) outcome of any action undertaken.