

Recommendation GFCM/44/2021/5

on the establishment of a fisheries restricted area in the Gulf of Lion (geographical subarea 7) to protect spawning aggregations and deep-sea sensitive habitats, repealing Recommendation GFCM/33/2009/1

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;

CONSIDERING the advice of the Scientific Advisory Committee on Fisheries (SAC) indicating that certain demersal stocks, in particular European hake, are severely overexploited in the Gulf of Lion;

FURTHER CONSIDERING the GFCM 2030 Strategy for sustainable fisheries and aquaculture in the Mediterranean and the Black Sea in particular its Output 1.3 “Efficient area-based conservation measures, technical and nature-based solutions strengthened to conserve biodiversity and enhance the productivity of marine living resources” that identifies “new fisheries restricted areas and, once established, enhances their efficiency and monitoring in order to manage the significant adverse impacts of fisheries on vulnerable species, ecosystems and essential fish habitats”;

VALUING the important social, economic and employment dimensions of the fishing activities carried out in the area and fishing fleets involved;

REAFFIRMING its commitment to further the selectivity of demersal fisheries as an important tool, according to scientific evidence, to improve the protection of juveniles and reduce discards;

CONSIDERING that spatial closures are a necessary balanced complement to improved gear selectivity, in particular to limit fishing effort in spawning aggregation areas and to protect both spawners and juveniles;

CONSIDERING the management measures established by certain contracting parties and cooperating non-contracting parties (CPCs) in the Gulf of Lion;

NOTING that the SAC advice to ban towed gear, fixed gear and longlines targeting demersal resources in an area on the continental shelf and slope of the eastern Gulf of Lion should be updated in light of recent scientific advances;

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

PART I General objective and scope

General objective and scope

1. This recommendation establishes a fisheries restricted area (FRA) in the eastern Gulf of Lion, (geographical subarea 7) with a view to protecting spawning aggregations and deep-sea sensitive habitats.

2. For the purpose of this recommendation, the FRA established under paragraph 1 shall be divided in Zone A and Zone B and bounded by the lines joining the geographical coordinates defined in Annex 1.

Definitions

3. For the purpose of this recommendation, the following definitions shall apply:

- a) “Fisheries restricted area” or “FRA” means a geographically-defined area in which some specific fishing activities are temporarily banned or restricted in order to improve the exploitation and conservation of demersal stocks.
- b) “Recreational fishing” means non-commercial fishing activities exploiting marine living resources, including leisure, sport, underwater and charter fisheries.
- c) “Designated landing point” means ports, or places close to the shore, designated by the contracting parties and cooperating non-contracting parties (CPCs) according to 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, 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.
- d) “Fishing authorization” means entitlement other than fishing licence and issued by CPCs to engage in fishing activities with specific fishing gear, during a specified period and in a given area or for a given fishery under specific conditions.
- e) “Authorized vessel” means fishing vessel in possession of a specific fishing authorization.
- f) “Fishing day” means any continuous period of 24 hours, or part thereof, during which a vessel 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.

PART II

Management and monitoring of fishing capacity and fishing effort in the Gulf of Lion FRA

Zone A

4. With a view to contributing to the protection of VMEs and essential fish habitats for demersal stocks such as European hake, any professional fishing vessels targeting demersal stocks and using towed nets, bottom and mid-water longlines and bottom-set nets shall be prohibited in Zone A.

5. Any recreational fishing activity shall be prohibited in Zone A.

Zone B

6. Fishing activities targeting demersal stocks and using towed nets, bottom and mid-water longlines as well as bottom-set nets shall be prohibited in Zone B from 1 November to 30 April of each year.

7. Following an assessment by the SAC in 2023, the geographical coordinates of Zone A shall be updated considering socio-economic and environmental impacts and adopted at the following annual session of the GFCM.

8. The annual fishing effort (days at sea) exerted on demersal stocks by vessels authorized to fish in the FRA using towed nets, bottom and mid-water longlines and bottom-set nets shall not exceed the level of fishing effort exerted in the reference period (set to the year 2008).

9. The CPCs shall not authorize vessels to fish in the FRA if they were not authorized to do so during the reference period. The CPCs shall ensure that fishing vessels operating in the FRA respect their obligations in force in relation to the maximum time of daily fishing activity, the maximum number of days at sea and the legally compulsory timing to exit from and return to the registered port.

10. The CPCs shall not transfer effort between vessels authorized to fish in the FRA that are of differing gear.

PART III Control measures

11. From the adoption of this recommendation onwards, the CPCs shall maintain a register of the vessels authorized to fish in the FRA.

12. Not later than 30 May 2022, the CPCs shall communicate to the GFCM Secretariat the list of vessels flying their flag authorized to fish in the FRA. For each vessel, the list shall contain the information detailed in Annex 2.

13. The CPCs shall communicate to the GFCM Secretariat, not later than 30 May 2022, the legal conditions, as in force on 31 December 2021, regarding the maximum duration of a fishing day.

14. The CPCs shall ensure that the fishing vessels operating in the FRA comply with the obligations under paragraphs 12 and 13.

PART IV Final provisions

15. Contracting parties and cooperating non-contracting parties shall call the attention of the relevant national and international authorities in order to protect the Gulf of Lion FRA from the impacts of any other human activity jeopardizing the conservation of the features that characterize this particular habitat as an area of aggregation of spawners.

16. In 2023, the twenty-fourth session of the SAC shall evaluate the implementation of this recommendation, review the scientific information available and advise the GFCM on further or alternative management measures aiming at addressing the overexploitation of demersal stocks, in particular European hake, and protecting juveniles and spawners in the Gulf of Lion. The SAC shall evaluate the fishing effort regime and its reference period, the socio-economic and environmental impacts of the measures put in place by this recommendation as well as any additional measure consistent with the objectives of the FRA, including a modification of the current closures, in time, geographical extension or gear use, taking into account the characteristics of the fisheries, developments affecting gear selectivity, the implementation of the European multiannual plan for demersal stocks in the western Mediterranean Sea as well as the marine renewable energy context.

17. At its forty-sixth session, in 2023, upon receipt of advice from the SAC, the GFCM shall decide on further or alternative management measures.

18. The provisions contained in this recommendation are without prejudice to additional or stricter measures adopted or that may be adopted by the CPCs.

19. This recommendation repeals and replaces Recommendation GFCM/33/2009/1 on the establishment of a fisheries restricted area in the Gulf of Lion to protect spawning aggregations and deep-sea sensitive habitats.

**Geographical coordinates of the fisheries restricted area in the Gulf of Lion
(geographical subarea 7)**

| Zone A | |
|------------------|-----------------|
| Longitude | Latitude |
| 43°00' N | 4°49,35' E |
| 43°00' N | 4°53,7' E |
| 42°55,896' N | 4°53,7' E |
| 42°55,896' N | 4°49,35' E |

| Zone B | |
|------------------|-----------------|
| Longitude | Latitude |
| 42°40' N | 4°20' E |
| 42°40' N | 5°00' E |
| 43°00' N | 4°20' E |
| 43°00' N | 5°00' E |

Annex 2

The list referred to in paragraph 7 shall contain for each vessel the following information:

- vessel name;
- national registration number (code assigned by CPCs);
- vessel registration number (country ISO 3-alpha code + 9 digits, e.g. xxx000000001);
- previous name (if any);
- previous flag (if any);
- previous details of deletion from other registers (if any);
- international radio call sign (if any);
- type of vessel, length overall and gross tonnage and/or gross registered tonnage;
- name and address of owner(s) and operator(s);
- main type(s) of gear used to fish in the FRA;
- seasonal period authorized for fishing in the FRA; and
- number of fishing days exerted by each vessel in the previous year and number of fishing days exerted in the FRA by year and by gear.