

Recommendation GFCM/44/2021/21

on vessel sightings

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 the GFCM 2030 Strategy for sustainable fisheries and aquaculture in the Mediterranean and the Black Sea, in particular its Output 2.3 “Monitoring, control and surveillance centralized at the regional level”;

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 of 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;

RECALLING the conclusions of the second meeting of the Working Group on Fishing Technology (online, April 2021) on advances in fishing gear technology to improve the selectivity and ensure the rational exploitation of fisheries in the Mediterranean and Black Sea;

NOTING the conclusions of the fourteenth session of the Compliance Committee (online, May 2021) and of the Working Group on Vessel Monitoring Systems and Related Control Systems (online, May 2021);

AWARE that efforts shall be informed and supported by an effective mechanism for contracting parties and cooperating non-contracting parties (CPCs) as well non-contracting parties and their flagged vessels to gather and report information on the sightings of foreign-flagged vessels or vessels with undetermined or without nationality that may be operating in the GFCM area of application in a manner contrary to GFCM conservation and management measures;

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

1. Contracting parties and cooperating non-contracting parties shall collect, through enforcement and surveillance operations conducted by their competent authorities in the GFCM area of application, as much information as possible whenever a foreign-flagged vessel or vessel with undetermined or without nationality is sighted as engaged in fishing or fishing-related activities (e.g. transshipment) that are presumed to be illegal,

unreported, and unregulated, as defined under paragraph 1 of Recommendation GFCM/44/2021/19 on the establishment of a list of vessels presumed to have carried out illegal, unreported and unregulated fishing, repealing Recommendation GFCM/33/2009/8.

2. An indicative list of information shall be collected and reported in the sighting information sheet provided in the annex to this recommendation, which should be used for communicating information on vessel sightings to the GFCM Secretariat, as specified hereafter.

3. When a vessel is sighted pursuant to paragraph 1, the sighting CPC shall, without delay, notify and provide the sighting information sheet as well as any recorded images of the vessel to the competent authorities of the flag CPC or flag non-contracting party of the sighted vessel, and:

- a) if the sighted vessel is flagged to a CPC, the flag CPC shall, without delay, take appropriate action with respect to the vessel in question. Both the sighting CPC and the flag CPC of the sighted vessel shall provide, as appropriate, information on the sighting to the GFCM Secretariat, including details of any follow-up actions taken;
- b) if the sighted vessel is flagged to a non-contracting party, is of indeterminate flag, or is without nationality, the sighting CPC shall, without delay, provide to the GFCM Secretariat all appropriate information related to the sighting.

4. When a vessel is sighted pursuant to paragraph 1 and there are reasonable grounds to suspect that the vessel is without nationality, a CPC may board the vessel to confirm its nationality. If the vessel is confirmed to be without nationality, a competent authority of the CPC is encouraged to inspect the vessel, consistent with international law and, if evidence so warrants, the CPC is encouraged to take such action as may be appropriate, in accordance with international law. Any CPC conducting a boarding of a vessel operating without nationality shall notify the GFCM Secretariat without delay.

5. The CPCs are encouraged, upon the consent of the flag state, to board and inspect vessels of non-contracting parties conducting fishing or fishing-related activities on species covered by GFCM fisheries management measures, in waters beyond national jurisdiction in the GFCM area of application. Relevant information collected from such boardings shall be reported to the GFCM Secretariat.

6. Fishing and support vessels of CPCs operating in the GFCM area of application shall collect and report relevant information to their appropriate domestic authorities to support the vessel sighting process set forth in this recommendation.

7. The GFCM Secretariat shall promptly forward to all CPCs any information received pursuant to this recommendation and report it to the next annual session of the GFCM.

8. The CPCs are encouraged to notify their contacts to the GFCM Secretariat in order to facilitate cooperation and other appropriate actions under this recommendation. The GFCM Secretariat shall publish this information on the GFCM website, in a manner that is consistent with GFCM data confidentiality policy and procedures.

SIGHTING INFORMATION SHEET				
1. Date of sighting:	Time	Day	Month	Year
2. Position of vessel sighted:	Latitude		Longitude	
3. Name of the vessel sighted:				
4. Flag state:				
5. Port (and country) of registry:				
6. Type of vessel:				
7. International Radio Call Sign:				
8. Registration number:				
9. GFCM fleet register number:				
10. IMO number:				
11. Estimated length overall and gross tonnage:		m	GT	
12. Fishing gear description (if applicable):		Estimated quantity (units)		
Type:				
13. Nationality of captain:	Officer:	Crew:		
14. Vessel situation (Please check):				
<input type="checkbox"/> Fishing	<input type="checkbox"/> Cruising	<input type="checkbox"/> Drifting		
<input type="checkbox"/> Supplying	<input type="checkbox"/> Transshipping	<input type="checkbox"/> Other (specify)		
15. Type of activities of the vessel sighted (please describe):				
16. Description of vessel and fishing gear identified:				
17. Other relevant information:				
18. List of attached documents (such as photos etc.):				

19. The above information was collected by:

Name: Title:

Means of sighting (including vessel/aircraft name and position, where appropriate):

Date: (day) (month) (year) Signature:

