

Recommendation GFCM/41/2017/8
on an international joint inspection and surveillance scheme outside the waters under national jurisdiction in the Strait of Sicily (geographical subareas 12 to 16)

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, in giving effect to the objective of the GFCM Agreement, the GFCM shall adopt recommendations on conservation and management measures aimed at ensuring the long-term sustainability of fishing activities, in order to preserve marine living resources and the economic and social viability of fisheries and that, in adopting such recommendations, the GFCM shall give particular attention to measures to prevent overfishing and minimize discards as well as to the potential impacts on small-scale fisheries and local communities;

RECALLING that, in giving effect of the objective of the GFCM Agreement, the GFCM shall foster, as appropriate, a subregional approach to fisheries management and aquaculture development in order to better address the specificities of the Mediterranean and the Black Sea;

NOTING that the Scientific Advisory Committee on Fisheries (SAC) has recurrently considered that the stocks of European hake and deep-water rose shrimp are in overexploitation in the geographical subareas (GSAs) 12, 13, 14, 15 and 16;

CONSIDERING that the status of stocks as assessed by the SAC requires the development and adoption of management measures aimed at ensuring the conservation of demersal stocks in the above GSAs;

RECALLING Recommendation GFCM/40/2016/4 establishing a multiannual management plan for the fisheries exploiting European hake and deep-water rose shrimp in the Strait of Sicily (geographical subareas 12 to 16);

RECALLING that, in accordance with this recommendation “the contracting parties and cooperating non-contracting parties (CPCs), through the GFCM, shall establish, before 2018, an observation and inspection programme to ensure compliance with the conservation and management measures contained in this recommendation”;

CONSIDERING the results of the dedicated pilot project approved by the CPCs at the eleventh session of the Compliance Committee (CoC) (FAO headquarters, June 2017) and implemented from 15 July to 15 September 2017 by the CPCs with the assistance of the European Fishery Control Agency (EFCA) and the GFCM Secretariat.

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

PART I
Scope and general principles

1. This recommendation shall establish an international joint inspection and surveillance scheme (hereafter “the scheme”), the scope of which is limited to the provisions of Recommendation GFCM/40/2016/4 that cover inspection and surveillance activities outside the waters under national jurisdiction of GSAs 12, 13, 14, 15 and 16 (Strait of Sicily).

2. Each CPC decides to participate to inspections on a voluntary basis. Inspections shall be carried out by inspectors designated by the CPCs. Each CPC shall, no later than 1 December of each year, notify

to the GFCM Secretariat the list of the names of inspectors authorized to perform inspection and surveillance in the GFCM area of application. The full list of inspectors shall be published and maintained by the GFCM Secretariat on its secured and password-protected online portal.

3. Inspectors shall carry appropriate identity documentation issued by the authorities of the flag state, which shall follow the template provided in Annex 1.

4. The names of the vessels and aircrafts used for inspection and surveillance shall be notified by participating CPCs to the GFCM Secretariat, by 15 December of the previous year or as soon as possible before the commencement of inspection activities. The GFCM Secretariat shall make available to all CPCs information related to designated inspection vessels and aircrafts, including by posting it on a password-protected online portal.

5. Vessels carrying out boarding and inspection duties in accordance with the scheme shall fly a special flag or pennant, as described in Annex 2, approved by the Commission and issued by the GFCM Secretariat.

6. The GFCM Secretariat shall ensure that the information referred to above is automatically made available to all CPCs.

7. A CPC may, by mutual agreement with another CPC, deploy inspectors it has assigned to the scheme to an inspection platform of this other CPC. It shall notify the GFCM Secretariat in advance of such deployment.

8. Each CPC shall ensure that every inspection platform entitled to fly its flag operating in the GFCM area of application maintains secure contact, in a daily manner where possible, with every other inspection platform operating in the GFCM area of application, to exchange information necessary to coordinate their activities.

9. Each CPC with an inspection presence in the GFCM area of application shall seek to ensure that its inspectors treat vessels operating in the GFCM area of application on an equal footing by avoiding a disproportionate number of inspections on vessels entitled to fly the flag of any other CPC.

10. Each CPC with an inspection or surveillance presence in the GFCM area of application shall provide to each inspection platform, upon its entry into the GFCM area of application, a list of sightings, boardings and inspections it has conducted over the previous ten-day period, including the dates, coordinates and any other relevant information.

PART II

Conduct of inspections

11. Each CPC with an inspection presence shall ensure that its inspectors:

- a) notify the fishing vessel, prior to boarding, of the name of the inspection vessel;
- b) display on the inspection vessel and boarding vessel, the pennant described in Annex 2;
- c) ensure that, during boarding, the inspection vessel remains at a safe distance from fishing vessels;
- d) do not require the fishing vessel to stop or manoeuvre when towing, shooting or hauling fishing gear; and
- e) limit each inspection team to a maximum of three inspectors.

12. Upon boarding the vessel, inspectors shall produce the identity card as described in Annex 1 to the master of the fishing vessel. Inspections shall be conducted in one of the official languages of the GFCM and, where possible, in the language spoken by the master of the fishing vessel.

13. Inspectors shall conduct inspections in accordance with international regulations, procedures and practices relating to the safety of the vessel being inspected and its crew, shall minimize interference with fishing activities or stowage of products and, to the extent practicable, avoid actions which would adversely affect the quality of the catch on board.

14. Inspectors shall limit their enquiries to ascertaining the observance of Recommendation GFCM/40/2016/4 in relation to the flag state of the vessel concerned. In making the inspection, inspectors may ask the master of the fishing vessel for any assistance they may need. Inspectors shall draw up a report of the inspection using the form contained in Annex 4.

15. Inspectors shall sign the inspection report in the presence of the master of the vessel, who shall sign the report too and shall be entitled to add any observations to it which he or she may think suitable.

16. Copies of the report shall be given to the master of the vessel and to the government of the inspection party, which shall transmit copies to the appropriate authorities of the flag state of the inspected vessel and to the GFCM Secretariat.

17. The size of the inspection party and length of the inspection shall be determined by the commanding officer of the inspection vessel taking into account relevant circumstances. In general the inspection party should complete its tasks in the shortest possible time.

PART III Infringements

18. For the purpose of these procedures, an infringement means the following violations observed under the provisions of Recommendation GFCM/40/2016/4:

- a) fishing without a valid license, permit or authorization issued by the flag CPC;
- b) failing to maintain sufficient records of catch and catch-related data in accordance with GFCM data reporting requirements, or significantly misreporting such catch and/or catch-related data;
- c) fishing in a closed area;
- d) fishing during a closed season;
- e) using prohibited fishing gear;
- f) falsifying or intentionally concealing the markings, identity or registration of a fishing vessel;
- g) concealing, tampering with or disposing of evidence relating to investigation on a violation;
- h) committing multiple violations which, taken together, constitute a serious disregard of applicable measures;
- i) obstructing, intimidating, interfering with or otherwise preventing authorised inspectors from performing duties; and
- j) interfering with the satellite monitoring system and/or operating without a vessel monitoring system (VMS).

19. In the case of any boarding and inspection of a fishing vessel during which the inspectors observe an activity or condition that would constitute a violation, as defined above, the authorities of the flag state of the inspection vessel shall immediately notify the flag state of the fishing vessel directly as well as through the GFCM Secretariat. In such situation, the inspector should also inform any inspection ship of the flag state of the fishing vessel known to be in the vicinity.

20. GFCM inspectors shall register the inspections undertaken and infringements detected (if any) in the fishing vessel logbook.

21. The inspected flag state CPC shall ensure that, following the inspection referred to above, the fishing vessel concerned ceases all fishing activities. The flag state CPC shall require the fishing vessel to proceed within 72 hours to a port it has designated, where an investigation shall be initiated.

22. In the case where an inspection has detected an activity or condition that would constitute a violation, the actions and follow-up taken by the flag CPC shall be notified to their national authorities as well as the GFCM Secretariat, to be reviewed by the CoC.

23. Resistance to inspectors or failure to comply with their directions shall be treated by the flag state of the inspected vessel in a manner similar to resistance to a national inspector or failure to comply with his directions.

24. The authorities of CPCs shall consider and act on inspection reports (Annex 4), sighting information sheets (Annex 5) and statements resulting from documentary inspections of foreign inspectors under these arrangements on a similar basis as reports of national inspectors in accordance with their national legislation.

PART IV **Obligations of the master during inspections**

25. The master of a fishing vessel being inspected shall:

- a) facilitate safe and effective boarding of officials, in accordance with good seamanship, when the appropriate signal of the International Code of Signals is given or when the intention to board is established through radiocommunication by a vessel or helicopter carrying an official;
- b) provide a boarding ladder meeting the requirements of Annex 3 to facilitate safe and convenient access to any vessel which requires a climb of 1,5 metre or more;
- c) facilitate the inspectors' inspection duties, providing assistance when requested and in a reasonable way;
- d) permit inspectors to communicate with the authorities of the flag state, the coastal state and the inspecting state;
- e) alert inspectors to particular safety hazards on board fishing vessels;
- f) provide access by officials to all areas of the vessel, all processed or unprocessed catches, all fishing gear and all relevant information and documents;
- g) facilitate safe disembarkation by inspectors on completion of the inspection;
- h) upon request from the inspector, remove any part of the fishing gear which does not seem to be in compliance with GFCM recommendations in place; and

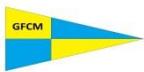
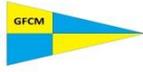
- i) where the inspector has made any entries in the logbooks, provide the inspector with a copy of each page where such entries appear and, upon request by the inspector, sign each page to confirm that it is a true copy.

PART V
Final provisions

26. This recommendation shall be implemented in 2018, in accordance with the capacity of CPCs, and shall be fully implemented by all CPCs concerned in 2019.

27. The CoC shall monitor and report to the Commission on the occasion of its forty-second session, on the implementation of the present scheme. The Commission shall examine any recommendation for improving the implementation of the scheme.

Template of identity card for GFCM inspectors

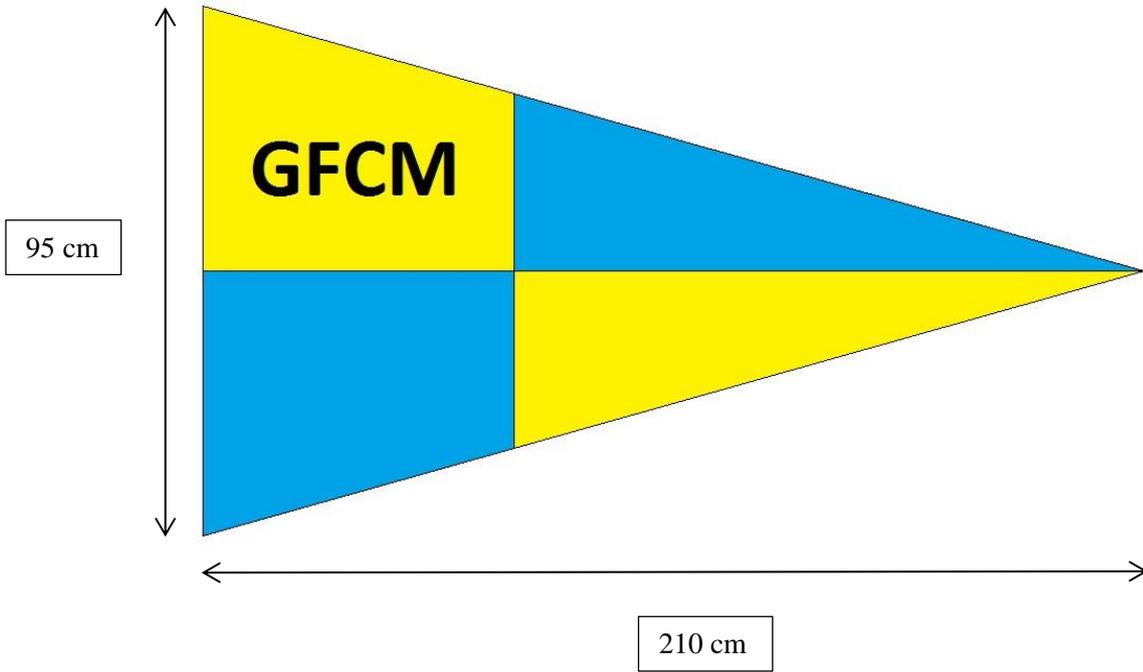
General Fisheries Commission for the Mediterranean (GFCM)			GFCM	
	GFCM	The holder of this inspector identity card is a GFCM inspector duly appointed under the terms of the GFCM Joint Inspection and Surveillance Scheme and has the power to act under the provisions of GFCM rules.		
INSPECTOR IDENTITY CARD				
Photograph	Contracting party			
	Inspector name:			
	Card n°		<p>.....</p> <p>Issuing authority</p> <p>.....</p> <p>Inspector</p>	
	Issue date:	Valid for five years		

Recto

Verso

Dimensions: width 10 cm, height 7 cm.

Model of GFCM inspection pennant



Pennants to be displayed by a GFCM inspection vessel. A boarding vessel shall display one pennant, which may be half-size.

Construction and use of boarding ladders

1. The provisions of this annex shall apply to ensure safe and convenient access to fishing vessels which require a climb of 1,5 metre or more.
2. A boarding ladder shall be provided which shall be efficient for the purpose of enabling inspectors to embark and disembark safely at sea. The boarding ladder shall be kept clean and in good order.
3. The ladder shall be positioned and secured so that:
 - a) it is clear of any possible discharges from the vessel;
 - b) it is clear of the finer lines and as far as practicable in the mid-length of the vessel; and
 - c) each step rests firmly against the vessel's side.
4. The steps of the boarding ladder shall:
 - a) be of hardwood or other material of equivalent properties, made in one piece free of knots; the four lowest steps may be made of rubber of sufficient strength and stiffness, or of other suitable material of equivalent characteristics;
 - b) have an efficient non-slip surface;
 - c) be not less than 480 mm long, 115 mm wide, and 23 mm in thickness, excluding any non-slip device or grooving;
 - d) be equally spaced not less than 300 mm or more than 380 mm apart; and
 - e) be secured in such a manner that they will remain horizontal.
5. No boarding ladder shall have more than two replacement steps which are secured in position by a method different from that used in the original construction of the ladder and any steps so secured shall be replaced, as soon as reasonably practicable, by steps secured in position by the method used in the original construction of the ladder. When any replacement step is secured to the side ropes of the boarding ladder by means of grooves in the side of the step, such grooves shall be positioned in the longer sides of the steps.
6. The side ropes of the ladder shall consist of two uncovered manila or equivalent ropes not less than 60 mm in circumference on each side; each rope shall be left uncovered by any other material and be continuous with no joints below the top step; two main ropes, properly secured to the vessel and not less than 65 mm in circumference, and a safety line shall be kept at hand ready for use if required.
7. Battens made of hardwood, or other material of equivalent properties, in one piece, free of knots and between 1,8 and 2 m long, shall be provided at such intervals as will prevent the boarding ladder from twisting. The lowest batten shall be on the fifth step from the bottom of the ladder and the interval between any batten and the next shall not exceed nine steps.
8. Means shall be provided to ensure safe and convenient passage for inspectors embarking on or disembarking from the vessel between the head of the boarding ladder, or of any accommodation ladder or other appliance provided. Where such passage is by means of a gateway in the rails or bulwark, adequate handholds shall be provided. Where such passage is by means of a bulwark ladder, such ladder shall be securely attached to the bulwark rail or platform and two handhold stanchions shall be fitted at the point of boarding or leaving the vessel not less than 0,70 m or more than 0,80 m apart. Each stanchion shall be rigidly secured to the vessel's structure at or near its base and also at a higher point, shall be not less than 40 mm in diameter, and shall extend not less than 1,20 m above the top of the bulwark.

9. Lighting shall be provided at night so that both the boarding ladder and also the position where the inspector boards the vessel shall be adequately lit. A lifebuoy equipped with a self-illuminating light shall be kept at hand ready for use. A heaving line shall also be kept at hand ready for use if required.
10. Means shall be provided to enable the boarding ladder to be used on either side of the vessel. The inspector in charge may indicate which side he would like the boarding ladder to be deployed.
11. The rigging of the ladder and the embarkation and disembarkation of inspector(s) shall be supervised by a responsible officer of the vessel. The responsible officer shall be in radio contact with the bridge.
12. Where on any vessel constructional features such as rubbing bands would prevent the implementation of any of these provisions, special arrangements shall be made to ensure that inspector(s) are able to embark and disembark safely.

GFCM inspection report

1. INSPECTOR(S)

Name.....Contracting Party.....GFCM Identity Card number.....

Name.....Contracting Party.....GFCM Identity Card number.....

Name.....Contracting Party.....GFCM Identity Card number.....

2. VESSEL CARRYING THE INSPECTOR(S)

2.1 Name and registration

2.2 Flag.....

3. INFORMATION ON VESSEL INSPECTED

3.1 Name and registration.....

3.2 Flag.....

3.3 Captain (name and address).....

3.4 Ship owner (name and address).....

3.5 GFCM record number.....

3.6 Type of vessel.....

4. POSITION

4.1 Position as determined by inspecting vessel’s master atUTC; Lat..... Long.....

4.2 Position as determined by fishing vessel’s master atUTC; Lat..... Long.....

5. DATE AND TIMES THE INSPECTION COMMENCED AND FINISHED

5.1 Date Time arrived on board UTC-Time of DepartureUTC

6. TYPE OF FISHING GEAR ON BOARD

Bottom otter trawl – OTB	
Mid-water otter trawl – OTM	
Shrimp trawls – TBS	
Purse seine – PS	
Gillnets anchored (set) – GNS	
Set longlines – LLS	
Recreational gear – RG	
Other (Specify)	

7. MESH MEASUREMENT - IN MILLIMETRES

7.1 Legal mesh size to be used:mm

7.2 Result of the average mesh size measurement:mm

7.3 Infringement: YES – NO ----- In case of YES, legal reference:

8. INSPECTION OF CATCHES ON BOARD

8.1 Results of the inspection of the fish on board

SPECIES (FAO tri alpha Code)						
Total (Kg)						
Presentation						
Sample inspected						
Percentage of undersize fish						

8.2 Infringement: YES – NO ----- In case of YES, legal reference:

9. INSPECTION OF DOCUMENTS ON BOARD AND VMS

9.1 Fishing Logbook: YES – NO

9.2 Infringement: YES – NO ----- In case of YES, legal reference:

9.3 Fishing license: YES – NO

9.4 Infringement: YES – NO ----- In case of YES, legal reference:

9.3 Specific authorisation: YES – NO

9.4 Infringement: YES – NO ----- In case of YES, legal reference:

9.5 VMS: YES – NO -----in function: YES - NO

9.6 Infringement: YES – NO ----- In case of YES, legal reference:

10. LIST OF VIOLATIONS

- Fishing without a license, permit or authorization issued by the flag CPC – legal reference:
- Failure to maintain sufficient records of catch and catch-related data in accordance with GFCM reporting requirements or significant misreporting of such catch and/or catch-related data – legal reference:
- Fishing in a closed area – legal reference:
- Fishing during a closed season– legal reference:
- Use of prohibited fishing gear – legal reference:
- Falsification or intentional concealment of the markings, identity or registration of a fishing vessel – legal reference:
- Concealment, tampering with or disposing of evidence relating to investigation of a violation – legal reference:

- Multiple violations which taken together constitute a serious disregard of measures in force pursuant to the GFCM
- Assault, resistance, intimidation, sexual harassment, interference with, or undue obstruction or delay of an authorized inspector
- Interference with the satellite monitoring system and/or operates without VMS system – legal reference:

11. LIST OF DOCUMENTS COPIED ON BOARD

.....

12. COMMENTS AND SIGNATURE BY THE MASTER OF VESSEL

.....

Signature of master:

13. COMMENTS AND SIGNATURE BY THE INSPECTOR(S)

.....

Signature of inspector (s):

GFCM sighting report

1. Date of the sightings:/...../..... Time:.....UTC
2. Position of the vessel sighted: Latitude..... - Longitude.....
3. Course:..... – Speed.....
4. Name of the vessel sighted:
5. Flag of the vessel sighted:
6. External number/markings:
7. Type of vessel:
 - Fishing vessel
 - Carrier vessel
 - Freezer vessel
 - Other (specify)
8. International Radio Call Sign:
9. IMO number (where applicable):
10. Activity(ies):
 - Fishing
 - Steaming
 - Drifting
 - Transshipping
11. Radio contact: YES - NO
12. Name and nationality of the captain of the sighted vessel:
13. Number of people on board the sighted vessel:
.....
14. Catches on board sighted vessel:
.....
15. Information collected by:
 - Name of inspector:
 - Contracting Party:
 - GFCM Identity Card number:
 - Name of the patrol vessel: