

Recommendation GFCM/45/2022/15 on an international joint inspection and surveillance scheme outside the waters under national jurisdiction in the Strait of Sicily (geographical subareas 12 to 16), amending Recommendation GFCM/41/2017/8 and repealing Recommendation GFCM/42/2018/6

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, 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 to 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;

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;

RECALLING 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);

NOTING the adoption of Recommendation GFCM/45/2022/4 on a multiannual management plan for the sustainable exploitation of demersal stocks in the Strait of Sicily (geographical subareas 12 to 16), repealing Recommendations GFCM/44/2021/12 and GFCM/42/2018/5;

NOTING the adoption of Recommendation GFCM/45/2022/5 on a multiannual management plan for the sustainable exploitation of giant red shrimp and blue and red shrimp stocks in the Strait of Sicily (geographical subareas 12 to 16), repealing Recommendations GFCM/44/2021/7 and GFCM/43/2019/6;

CONSIDERING that it is appropriate to align the duration of the international joint inspection and surveillance scheme outside the waters under national jurisdiction in the Strait of Sicily to the provisions of Recommendations GFCM/45/2022/4 and Recommendation GFCM/45/2022/5;

CONSIDERING 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” and its action plan that foresees agreeing upon common procedures for the exchange of inspectors and inspection reports, and promoting the conclusion of agreements among contracting parties and cooperating non-contracting parties (CPCs) for the deployment of joint surveillance and inspection schemes at the regional and subregional levels;

RECALLING that Resolution GFCM/44/2021/11 on the follow-up of the second GFCM performance review calls for establishing new and implementing current international joint inspection schemes to ensure adequate monitoring;

NOTING the recommendation from the fifteenth session of the Compliance Committee (CoC) and the Working Group on illegal, unreported and unregulated fishing , including a session on the clarification process (Cyprus, May 2022) to further the execution of joint inspection schemes in the context of subregional multiannual management plans;

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

Amendment of Recommendation GFCM/41/2017/8

1. Paragraph 1 of Recommendation GFCM/41/2017/8 shall be modified as follows:

“This recommendation establishes an international joint inspection and surveillance scheme (hereafter “the scheme”), the scope of which is limited to the provisions of Recommendation GFCM/45/2022/4 and Recommendation GFCM/45/2022/5, which cover inspection and surveillance activities outside the waters under national jurisdiction in the Strait of Sicily (GSAs 12 to 16).”

2. Paragraph 14 of Recommendation GFCM/41/2017/8 shall be modified as follows:

“Inspectors shall limit their enquiries to ascertaining the observance of Recommendation GFCM/45/2022/4 and Recommendation GFCM/45/2022/5 in relation to the flag state of the vessel concerned. In completing 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.”

3. Paragraph 18 of Recommendation GFCM/41/2017/8 shall be modified as follows:

“For the purpose of these procedures, an infringement means the following violations observed under the provisions of Recommendation GFCM/45/2022/4 and Recommendation GFCM/45/2022/5:

- 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 the investigation of a violation;
- h) committing multiple violations, which, taken together, constitute a serious disregard of applicable measures;
- i) obstructing, intimidating, interfering with or otherwise preventing authorized inspectors from performing duties; and
- j) interfering with the satellite monitoring system and/or operating without a vessel monitoring system (VMS).”

4. Paragraph 24 of Recommendation GFCM/41/2017/8 shall be modified as follows:

“The authorities of CPCs shall consider and act on inspection reports (Annex 4), sighting information sheets, as provided in the annex of Recommendation GFCM/44/2021/21, and statements resulting from documentary inspections of foreign inspectors under these arrangements on a similar basis as the reports of national inspectors established in accordance with their national legislation.”

5. Paragraph 26 of Recommendation GFCM/41/2017/8 shall be modified as follows:

“This recommendation shall be implemented at least until the end of 2030.”

6. Annex 5 of Recommendation GFCM/41/2017/8 shall be deleted.

