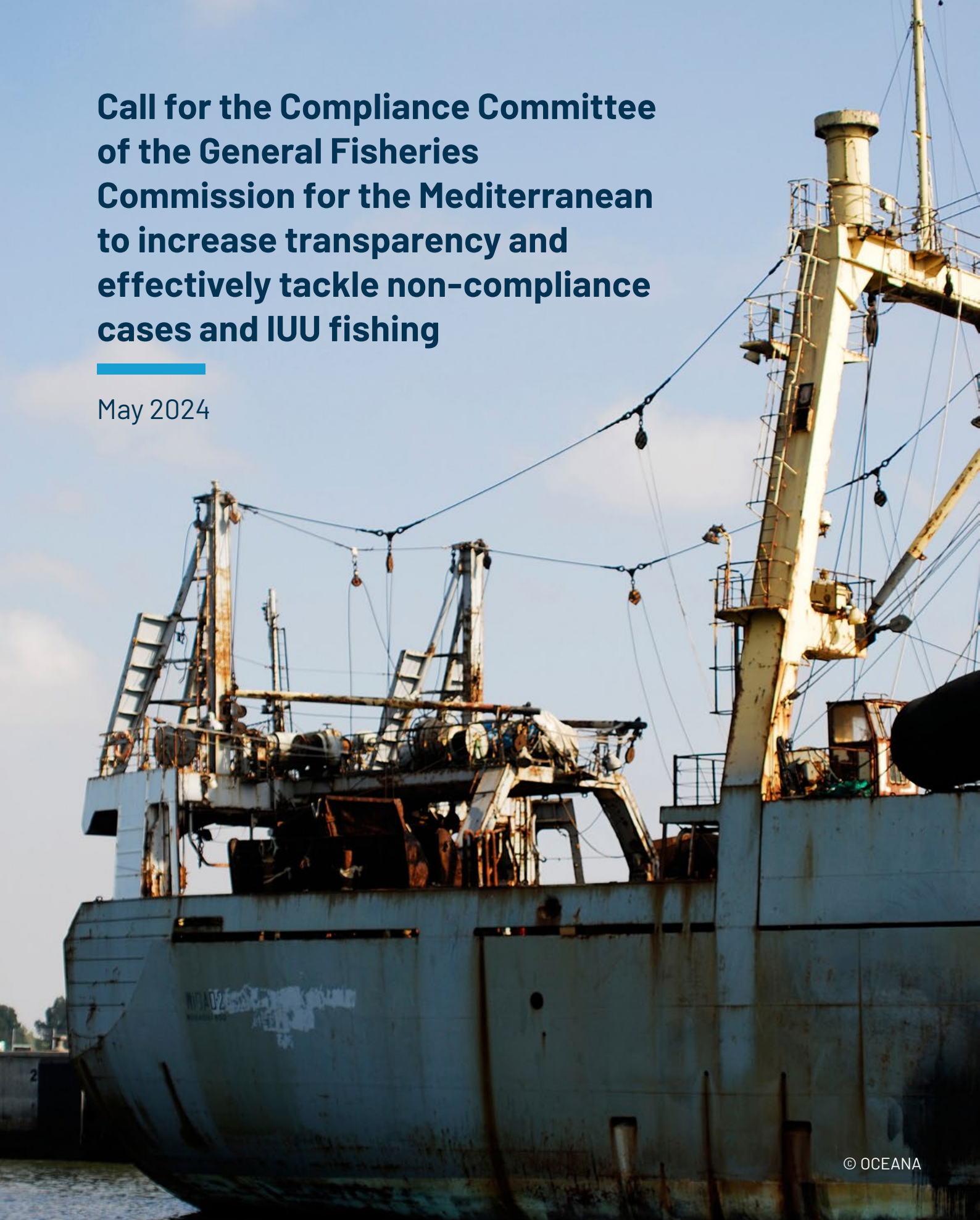


Call for the Compliance Committee of the General Fisheries Commission for the Mediterranean to increase transparency and effectively tackle non-compliance cases and IUU fishing

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Ahead of the 17th session of the Compliance Committee (CoC) of the General Fisheries Commission for the Mediterranean (GFCM) in Rome, Italy, ClientEarth, Environmental Justice Foundation, Oceana, The Pew Charitable Trusts, The Nature Conservancy and WWF, who work together to protect the Mediterranean Sea against the impacts of illegal, unreported and unregulated (IUU) fishing, are calling on the GFCM to take ambitious measures to tackle IUU fishing and all cases of non-compliance with existing GFCM obligations, and to act on evidence of such activities with deterrent sanctions. This is a prerequisite for ensuring the survival of the Mediterranean's unique biodiversity and the communities that rely on marine resources. Ambitious action against IUU fishing, including the proper implementation of and compliance with GFCM recommendations is crucial to rebuild fish stocks in the Mediterranean and Black Seas to sustainable levels, as 58% of Mediterranean fish populations remain subject to overfishing. For the GFCM CoC, we call the GFCM contracting parties (CPCs) to:

1. Strengthen the mandate of the CoC to tackle IUU fishing by proposing the adoption of a permanent scheme to assess compliance, and by proposing the adoption of category B and C non-compliance follow-up measures to complete the compliance mechanism.

We welcome the progress made during the 46th session of the GFCM on the adoption of corrective measures allowing the CoC to act on evidence of cases of continued non-compliance. However, to ensure the new compliance framework effectively fights IUU fishing, CPCs must take further steps:

- The functioning of the CoC and related GFCM processes should improve to ensure the application of actions to address identified compliance failures. This should be achieved through a reform of the CoC, which should be initiated at the 17th session of the CoC meeting. Any reform of the CoC should consider best practices from other multilateral agreements (e.g. International Commission for the Conservation of Atlantic Tuna (ICCAT)) and other expert recommendations¹. For example, the role of the GFCM Secretariat should be reinforced to ensure follow-up actions in cases of identified IUU fishing, as well as explicitly granting non-governmental organisations the right to submit reports on issues of non-compliance to be officially considered by the CoC and other relevant GFCM bodies.
- We welcome the start of a pilot phase to create compliance tables and fulfill reporting obligations in 2024 as agreed in Recommendation GFCM/46/2023/23 that will allow the CoC to assess the compliance (or non-compliance) of CPCs with the GFCM recommendations. CPCs shall actively engage with this process with a view to adopting the Summary Compliance Tables at the upcoming CoC as well as the proposed compliance status and actions to address non-compliance, to be confirmed in the GFCM annual session.

When assessing compliance, the CoC needs to prioritise the assessment of the level of implementation and enforcement of GFCM decisions, over the assessment of their transposition. Following the 2024 pilot phase, we urge the CPCs, through the CoC, to recommend adopting a permanent compliance assessment mechanism using compliance tables and reports to the GFCM Annual meeting.

¹ Such as the toolkit developed by a group of international experts to provide RFMOs with approaches and guidance to strengthen and effectively implement processes to review and improve member compliance (Pew (2023) *How Regional Fisheries Management Organizations Can Strengthen Compliance Processes, A toolkit to help improve management for some of the world's most valuable fish stocks*, available at <https://www.pewtrusts.org/en/research-and-analysis/fact-sheets/2023/05/how-regional-fisheries-management-organizations-can-strengthen-compliance-processes>).

- We call on the CPCs, through the CoC to advise the GFCM Commission to complete the GFCM compliance mechanism by creating appropriate measures to complement Annex III of the Recommendation GFCM/46/2023/22 with measures for the non-compliance categories B (reporting requirements) and C (monitoring, control and surveillance (MCS) measures). In addition, based on the example of ICCAT (Recommendation 06-13) the GFCM should consider introducing trade-restrictive measures as part of its sanctioning regime. Following the entry into force of the compliance mechanism in 2025, if non-compliance is identified the application of correspondent corrective measures is a must.

2. Improve implementation of Conservation and Management Measures (CMM) and compliance by reducing the complexity of the CMM database and making information on control efforts public.

To support CMM implementation by CPCs, the Secretariat should consider synthesising CMMs with amendments into a single text. The current system, whereby the original measure is retained and subsequent amendments are held separately, is likely contributing to misunderstanding and poor implementation by CPCs. We encourage the Secretariat to ensure that the compendium and database of active CMMs is complete, providing a definitive source of information on CMMs per topic for its CPCs.

Following best practices from other Regional Fisheries Management Organisations (RFMOs) such as the Northwest Atlantic Fisheries Organisation (NAFO), information on how CPCs are implementing GFCM measures should also be transparent. This could be done in the format of a table that should include the infringement(s) found, as well as its follow-up and status (see example from table 4.2 on page 11 of the [45th Annual meeting of NAFO 2023](#) for reference). Despite CPCs submitting information via the Compliance Assessment Scheme, no compliance reports are available on the GFCM website nor are any aggregated reports of compliance included within the reports of the GFCM Commission meetings.

We urge CPCs to provide the CoC Secretariat aggregate information on MCS activities of the previous year, following best practices from RFMOs such as the NAFO, for the Secretariat to make available information on infringements related to the management plans identified in the framework of Joint Inspection Schemes (JIS), such as the number of vessels inspected, the types of issues identified and the outcome.



3. Increase the ambition on vessel monitoring and adopt a new Recommendation on the establishment of a regional Vessel Monitoring System (VMS).

GFCM is one of the few RFMOs without a regional vessel monitoring system (VMS) for its Convention area and with no requirement for data sharing between flag and coastal States. This gap creates inefficiencies and makes it more difficult to monitor vessels operating in multiple jurisdictions, potentially enabling IUU fishing.

Resolution GFCM/44/2021/8 established two pilot projects: one looking into the possibility of a centralised VMS; and the other one looking into a decentralised or regionalised VMS. Now that the pilots have been running for at least a year we look forward to their conclusion and the final report.

At the 17th session of the CoC, we call for increased ambition on vessel monitoring by recommending the adoption of a new Recommendation on the establishment of a regional Vessel Monitoring System and sharing VMS data for control efforts such as the JIS.

In addition, the VMS must be urgently installed on all vessels over 15 metres to effectively track fishing activity and tackle illegal trawling as required for all CPCs since 2012. To that end, the GFCM should also require the use of automatic identification systems (AIS) for all fishing vessels above 15 metres by 2030.

4. Update Resolution GFCM/44/2021/6 on the Application of an International Maritime Organisation (IMO) number to require all eligible vessels of 12 metres and above, including wooden ones, to have an IMO number and for this information to be included in the GFCM Authorised Vessel List (GFCM AVL). This requirement should also become a binding Recommendation, following the example of the majority of RFMOs.

Resolution GFCM/44/2021/6 on the application of an IMO number requests CPCs to only authorise the operation of their fishing vessels of 20 metres or above (wooden vessels excluded) if eligible vessels have been allocated an IMO number. While a commendable improvement, the applicability of this measure is still non-mandatory and not in line with the IMO number eligibility criteria enshrined in the 2017 IMO Assembly Resolution A.1117(30). The IMO Resolution requests the implementation of an IMO number for all motorised fishing vessels, including wooden ones, down to a size limit of 12 metres in length overall (LOA).

GFCM should update Resolution GFCM/41/2017/6, to better align it with the latest IMO number eligibility criteria and best practice from other RFMOs (See table in Appendix I), by requiring IMO numbers for all eligible vessels, wooden ones included. Furthermore, CPCs should upgrade the Resolution into a binding Recommendation to address the recognised gaps that exist in the assignment of IMO numbers among CPCs.

5. Amend Recommendation GFCM/44/2021/18 concerning the establishment of a GFCM Record of Vessels over 15 metres authorised to operate in the GFCM Area to further strengthen the GFCM AVL and make it more complete, transparent and functional.

The MSA welcomed the addition to the GFCM AVL of information related to vessels that are authorised to fish inside *specific* fishing restricted areas (FRAs) in 2021; however, the requirement for this information to be made public should be extended to *all* FRAs.

Moreover, to increase effective transparency and bring GFCM requirements in line with the best practices of other RFMOs (see table Appendix II), the following information should be included in the GFCM AVL: *Previous flag state and previous owner; the beneficial owner.*

In addition, the following information should be made public (currently restricted to CPCs) as per international best practice (e.g. in the Indian Ocean Tuna Commission (IOTC) and Convention for the Conservation of Antarctic Marine Living Resources (CCAMLR)): *Owner's address, city, zip code and country, including information on the beneficial owner; Operator's address, city, zip code and country.*

Creating comprehensive, up-to-date, authorised vessel lists with beneficial ownership information that is easily accessible by the public will remove the current veil of secrecy and ambiguity on who can fish where, when, and what, as well as who benefits from such activities. Disclosure of information on the beneficial ownership of fishing vessels, and records of previous non-compliance of vessels or companies, is of vital importance for improving accountability and assisting enforcement efforts.



6. Establish a GFCM Working Group on at-sea monitoring.

At-sea monitoring is an essential component of sustainable fisheries management, improving data collection for scientific purposes on target and non-target catch and verifying that national and regional management measures are working.

At-sea monitoring tools, including human observers, electronic monitoring (also known as remote electronic monitoring - REM) and electronic reporting are currently being discussed, trialled and deployed in other tuna and non-tuna RFMOs, including ICCAT, IOTC, Western and Central Pacific Fisheries Commission (WCPFC), Inter-American Tropical Tuna Commission (IATTC) and South Pacific Regional Fisheries Management Organisation (SPRFMO).

The lack of observation and monitoring programmes in GFCM has been highlighted in Recommendation 44/2021/14, as being a key barrier to understanding and mitigating the serious impact of fishing on sea turtles in the Mediterranean. The significant incidental catch and associated mortalities indicate that the current management measures are inadequate at reducing the impact of fishing on the broader ecosystem.

We recommend the establishment of a Working Group dedicated to discussing how at-sea monitoring tools could be used to harmonise data collection across the region and support GFCM management plans.

7. Tackling the issue of driftnets in coordination with ICCAT.

Despite the international ban on the use of driftnets in the GFCM area of application, the use of this fishing technique persists in certain parts of the Mediterranean. We call on the GFCM to ensure the joint workshop with ICCAT for the evaluation of the impact of driftnets in the Mediterranean, to be organised in accordance with Resolution GFCM/45/2023/10 before the 47th GFCM Annual Session, results in clear follow-up actions by the GFCM ensuring compliance with driftnets bans.



APPENDIX I

Compilation of IMO number requirements in the RFMOs.

RFMO	REQUIREMENT OF IMO NUMBER	FOLLOW 2017 IMO ASSEMBLY RESOLUTION A.1117(30) ³	LINK
ICCAT	20 m	NO	RECOMMENDATION BY ICCAT AMENDING RECOMMENDATION 13-13 CONCERNING THE ESTABLISHMENT OF AN ICCAT RECORD OF VESSELS 20 METRES IN LENGTH OVERALL OR GREATER AUTHORIZED TO OPERATE IN THE CONVENTION AREA
IOTC	12 m	YES	RESOLUTION 19/04 CONCERNING THE IOTC RECORD OF VESSELS AUTHORISED TO OPERATE IN THE IOTC AREA OF COMPETENCE
WCPFC	12 m	YES	CMM 2018-06 - CONSERVATION AND MANAGEMENT MEASURE ON THE RECORD OF FISHING VESSELS AND AUTHORIZATION TO FISH
IATTC	12m	YES	RESOLUTION (AMENDED) ON A REGIONAL VESSEL REGISTER
CCSBT	12 m	YES	RESOLUTION ON A CCSBT RECORD OF VESSELS AUTHORISED TO FISH FOR SOUTHERN BLUEFIN TUNA
NEAFC	12 m	YES	NEAFC SCHEME OF CONTROL AND ENFORCEMENT
NAFO	12 m	YES	NAFO CONSERVATION AND ENFORCEMENT MEASURES 2023
SEAFO	> 100GT	NO	SYSTEM OF OBSERVATION, INSPECTION NAFO CONSERVATION AND ENFORCEMENT MEASURES 2023, COMPLIANCE AND ENFORCEMENT (2019)
SIOFA	12 m	YES	CONSERVATION AND MANAGEMENT MEASURE FOR VESSEL AUTHORISATION AND NOTIFICATION TO FISH (VESSEL AUTHORISATION)
SPRFMO	12 m	YES	CMM 05-2022 CONSERVATION AND MANAGEMENT MEASURE FOR THE ESTABLISHMENT OF THE COMMISSION RECORD OF VESSELS AUTHORISED TO FISH IN THE CONVENTION AREA
CCAMLR	12 m	YES	CONSERVATION MEASURE 10-02 (2022)
GFCM	20 m	NO	(NON-BINDING) RESOLUTION GFCM/44/2021/6 ON THE APPLICATION OF AN INTERNATIONAL MARITIME ORGANIZATION NUMBER ON THE APPLICATION OF AN INTERNATIONAL MARITIME ORGANIZATION NUMBER, AMENDING RESOLUTION GFCM/41/2017/6
NPFC	12 m	YES	CONSERVATION AND MANAGEMENT MEASURE ON INFORMATION REQUIREMENTS FOR VESSEL REGISTRATION

APPENDIX II

Compilation of ownership requirements in the RFMOs

RFMO	OWNERSHIP INFORMATION REQUIREMENTS	PUBLIC	LINK
ICCAT	Name and address of owner(s) and operator(s)	YES	RECOMMENDATION BY ICCAT AMENDING RECOMMENDATION 13-13 CONCERNING THE ESTABLISHMENT OF AN ICCAT RECORD OF VESSELS 20 METRES IN LENGTH OVERALL OR GREATER AUTHORIZED TO OPERATE IN THE CONVENTION AREA
IOTC	Name and address of owner(s) and operator(s)/ Name and address of beneficial owner(s), if known and different from vessel owner/operator or indicate non-availability/ Name and address of company operating the vessel and company registration number (if any)	YES	RESOLUTION 19/04 CONCERNING THE IOTC RECORD OF VESSELS AUTHORISED TO OPERATE IN THE IOTC AREA OF COMPETENCE
WCPFC	Owner name, address	YES	STANDARDS, SPECIFICATIONS AND PROCEDURES FOR THE WESTERN AND CENTRAL PACIFIC FISHERIES COMMISSION RECORD OF FISHING VESSELS
IATTC	Owner name/country; Operator(s) name/ country	YES	RESOLUTION (AMENDED) ON A REGIONAL VESSEL REGISTER
CCSBT	Name and address of owner(s)/ Name and address of operator(s)	YES	RESOLUTION ON A CCSBT RECORD OF VESSELS AUTHORISED TO FISH FOR SOUTHERN BLUEFIN TUNA
NEAFC	no	/	NEAFC SCHEME OF CONTROL AND ENFORCEMENT
NAFO	Registered owner and address/ Responsible for using the vessel	NO	NAFO CONSERVATION AND ENFORCEMENT MEASURES 2023
SEAFO	Name and address of owner or owners/ name and address of operator (manager) or operators (managers)(if any)	YES	SYSTEM OF OBSERVATION, INSPECTION, COMPLIANCE AND ENFORCEMENT (2019)
SIOFA	Name and address of owner or owners/ name and address of operator (manager) or operators (managers)(if any)	NO	CONSERVATION AND MANAGEMENT MEASURE FOR VESSEL AUTHORISATION AND NOTIFICATION TO FISH (VESSEL AUTHORISATION)
SPRFMO	no	/	PUBLIC VESSEL RECORD

RFMO	OWNERSHIP INFORMATION REQUIREMENTS	PUBLIC	LINK
CCAMLR	Name and address of vessel's owner(s), and any beneficial owner(s) if known; (vii) name and address of licence owner (if different from vessel owner(s))	YES	CONSERVATION MEASURE 10-02 (2022)
GFCM	Owner (name and address)/ Operator (name and address)	NO	GFCM/45/2022/17
NPFC	no	/	MEMBER/CNCP FLAGGED VESSELS REGISTER



ClientEarth[⊕]



OCEANA

Pew

The Nature Conservancy 

