

Call for the GFCM Contracting Parties, Cooperating non-Contracting Parties and observers to support stronger transparency and anti-IUU measures

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The Environmental Justice Foundation (EJF), Oceana, The Pew Charitable Trusts and WWF are working together in a coalition of non-governmental organisations to ensure that the EU's engagement with Regional Fisheries Management Organisations (RFMOs) and key partners leads to strong transparency and anti-illegal, unreported and unregulated (IUU) fishing measures worldwide.

In a coalition report titled **"Achieving transparency and combating IUU fishing in RFMOs"**,¹ we outline the minimum transparency and anti-IUU fishing measures that we consider essential for RFMO Contracting Parties, Cooperating non-Contracting Parties (CPCs) and fishing entities to adopt and implement in order to end IUU fishing.

This document details vital measures for discussion and adoption at the next meeting of the General Fisheries Commission for the Mediterranean (GFCM).

To promote transparency and tackle IUU fishing, we ask GFCM CPCs to prioritise the following actions:

Amend Resolution GFCM/41/2017/6 On the Application of an International Maritime Organization Number and Recommendation GFCM/33/2009/5 On the Establishment of the GFCM Regional Fleet Register, so that all eligible vessels are required to have an IMO number and so that this information is included in the authorised vessel list

Resolution GFCM/41/2017/6 requests CPCs to only authorise their fishing vessels of 24 metres or above (wooden vessels excluded) to operate if eligible vessels have been allocated an International Maritime Organization (IMO) number. However, as it is included within a Resolution, this requirement is not binding. In addition, its applicability is not in line with recently updated IMO number eligibility criteria.

In December 2017, the IMO Assembly adopted Resolution A.1117(30), expanding the IMO number eligibility criteria to all motorised fishing vessels, including wooden ones, down to a size limit of 12 metres in length overall (LOA). Since then, a number of RFMOs, such as the Western and Central Pacific Fisheries Commission (WCPFC), The Inter-American Tropical Tuna Commission (IATTC) and The Indian Ocean

Tuna Commission (IOTC) have amended their rules in line with this new criterion. It is also worth noting that GFCM is the only RFMO with such a high threshold.

We urge GFCM CPCs to update Resolution GFCM/41/2017/6, in order to better align it with the latest IMO number eligibility criteria and to make IMO numbers required for all eligible vessels. We also encourage CPCs to make this Resolution a binding Recommendation. In addition, we urge CPCs to update Annex 1 of Recommendation GFCM/33/2009/5, replacing the following qualifier in the description of Field 7 "(mandatory for vessels >15m length overall [LOA])" with "(mandatory for vessels >12m length overall [LOA])".

Amend Recommendation GFCM/33/2009/6 Concerning the Establishment of a GFCM Record of Vessels Over 15 metres Authorized to Operate in the GFCM Area to strengthen the public GFCM Authorised Vessel List in order to make it more complete, transparent and functional

Improving transparency as well as the accuracy and completeness of publicly accessible information is one of the most effective paths towards ending IUU fishing. Creating up-to-date, public and comprehensive authorised vessel lists, including information on the vessel's beneficial owner and operator, will remove the current veil of secrecy and ambiguity regarding who can fish where, when, and what, as well as who benefits. It is therefore essential to amend the Recommendation on the public GFCM Authorised Vessel List to expand its scope and include additional data to make it more complete, transparent and functional. This will also enable cross-checking of information and facilitate the detection of non-compliance cases.

We urge GFCM CPCs to amend Recommendation GFCM/33/2009/6 to enlarge its scope to include all motorised vessels, and to provide public information about the type of authorisation (including if a vessel is authorised to operate in Fisheries Restricted Areas, details on the type of vessel, authorised period, target species, information on vessel owner/operator and historical information on the vessel).

In addition, implementation of the existing Recommendation should be improved, so that public information on detailed fishing gears, International Radio Call Sign, IMO numbers and fishing areas is provided, as required.

Adopt a new Recommendation on the establishment of a regional VMS

There is currently no regional system for VMS in the GFCM Convention area, and no requirement for data sharing between flag and coastal States. This gap creates inefficiencies and difficulties for cross-jurisdiction operators, allowing IUU vessels to slip through the net.

Monitoring of vessel movements is currently mandated for all vessels above 15 metres authorised to operate in the GFCM area of application, as per Recommendation GFCM/33/2009/7. This includes fishing and associated support vessels, including but not limited to fishing carriers and bunkering vessels, as these are typically authorised to engage in fishing related operations, such as transshipment. Implementation of this requirement, however, is poor.

Resolution GFCM/38/2014/1 on Guidelines on VMS and related control systems in the GFCM area of competence is outdated and unclear. In this context, the Resolution should be revised, defining the institutional structure of the chosen system, the confidentiality and data submission procedures, and the responsibilities of operators, flag states and GFCM Secretariat with a clear agenda for its operationalisation. The chosen regional VMS platform must be aligned with national systems and international standards.

Take effective action against cases of non-compliance

As stated in a 2017 OECD report², “The effectiveness and credibility of RFMOs in their fight against IUU fishing also depend on the strength of their deterrence mechanisms. Provisions allowing compliance committees to impose adequate sanctions embedded in the text of each [Recommendation] give RFMOs power to follow-up on identified non-compliance.”

We urge the GFCM CPCs to strengthen the analysis of the Compliance Committee and implement a transparent system of robust sanctions to CPCs such as non-discriminatory market and trade-related measures or reduced fishing opportunities for repeat offenders.

Such provisions already exist in ICCAT, as required by ICCAT Recommendation 06-13 concerning trade measures as well as ICCAT Resolution 16-17 Establishing an ICCAT schedule of actions to improve compliance and cooperation with ICCAT measures (namely “Step 3: Application of actions to address compliance failures;” which already proposes a range of potential actions against non-compliant CPCs). The role of the GFCM Secretariat on the follow-up actions in cases of IUU fishing should also be reinforced.

¹ EU IUU Coalition (2019). Achieving transparency and combating IUU Fishing in RFMOs. Reinforcing the EU's multilateral actions to promote best practices. http://www.iuuwatch.eu/wp-content/uploads/2019/05/RFMO-report_EN_May-2019_FINAL.pdf

² [http://www.oecd.org/officialdocuments/publicdisplaydocumentpdf/?cote=TAD/FI\(2017\)16/FINAL&docLanguage=En](http://www.oecd.org/officialdocuments/publicdisplaydocumentpdf/?cote=TAD/FI(2017)16/FINAL&docLanguage=En)

The Environmental Justice Foundation (EJF), Oceana, The Pew Charitable Trusts and WWF are working together to promote EU leadership in improving global fisheries transparency and governance to end illegal, unreported and unregulated (IUU) fishing.

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