



**GENERAL FISHERIES COMMISSION FOR
THE MEDITERRANEAN**
**COMMISSION GÉNÉRALE DES PÊCHES
POUR LA MÉDITERRANÉE**



Sixth session of the Compliance Committee (CoC)

Marrakech, Morocco, 14-19 May 2012

**REPORT OF THE FIFTH SESSION OF THE
COMPLIANCE COMMITTEE**

OPENING OF THE SESSION

1. The fifth session of the Compliance Committee of the General Fisheries Commission for the Mediterranean (GFCM) was held in Rome, Italy on 11 May 2011. The Session was attended by delegations of 22 Members of the Commission, observers from non GFCM Member nations (the Russian Federation and Ukraine) and from six intergovernmental organizations and non-governmental organizations.
2. The meeting was called to order by the Chairman of the Compliance Committee (CoC), Mr Khatir Boudjelida (Algeria), who welcomed the participants.
3. The Chairman drew the attention of the meeting to the Statement of Competence and Voting Rights by the European Union and its Member States (document COC:V/2011/Inf.3) and the terms of reference of the CoC (document COC:V/2011/Inf.2).

ADOPTION OF THE AGENDA AND ARRANGEMENTS FOR THE SESSION

4. The meeting adopted the agenda in Appendix A.
5. The documents which were before the Commission are listed in Appendix B.

STATUS OF IMPLEMENTATION OF GFCM DECISIONS BY MEMBERS

6. Mr Matthew Camilleri, from the GFCM Secretariat, introduced this item on the basis of document COC:V/2011/2 "Status of Implementation of GFCM decisions by Members". Seven reports had been received by 4 May 2011, but subsequent reports had been received and distributed in respect of the nine EU members and Morocco. Some countries had reported fully and others to a lesser degree.

STATUS OF DATA AND INFORMATION SUBMISSIONS BY MEMBERS AND MANAGEMENT OF GFCM DATABASES BY THE SECRETARIAT

7. Mr Camilleri made a presentation on the status of submission of data and information, as well as the progress made by the Secretariat on related databases, based on document COC/V/2011/3. He referred individually to the twelve different frameworks within which Members are obliged to submit data and information, noting the status of compliance by Members and the quality of data submitted, as well as the GFCM Task 1 Statistical Bulletin. The Secretariat invited the Committee to provide guidance for further action and follow up, and as appropriate to identify, in accordance with Recommendation GFCM/34/2010/3, Members that have not met their obligations.

8. Based on a request from the Scientific Advisory Committee (SAC), a proposal was then introduced to combine the four GFCM fishing vessel lists into a single fleet submission which will reduce the number of submissions of fleet-based datasets while ensuring that all data fields requested by all Recommendations are included.

9. During discussion, some delegations clarified the status of and processes for their information submissions to GFCM, others noted internal difficulties in sending data as required. The importance of ensuring that some of the information provided by the Secretariat is verified during the Committee meeting was noted. It was considered that the Regional Projects should consider priorities for, and means to strengthen compliance with, data submission requirements to help relevant countries build their technical capacity.

10. There was full support to adopt a single fleet submission, and the Committee requested the Secretariat to prepare a draft resolution, for consideration by the Commission, for a combined transmission protocol without amending existing Recommendations.

11. The Secretariat introduced proposed options, based on a SAC request, relating to data access policies and confidentiality for the Task 1 database. SAC had agreed that the statistical bulletin and basic statistics should be available to the public without restriction, however access rights for the Task 1 datasets raised more concerns.

12. Discussion focused on the balance between data and information that should be publicly available, and that which should be kept confidential on some level. It was emphasized that the regional database required the agreed standard of confidentiality to be implemented by all Members so that managers could access to the database.

13. To promote clearer understanding, it was suggested that a distinction should be made between aggregated, disaggregated and raw data, and data that must be used by the SAC. Aggregated information must continue to be available to the general public but access to some disaggregated data should be restricted to registered persons, and only for specific tasks established by GFCM.

14. The Committee favoured two options presented as follows:

Access to Task 1 datasets should be available to users upon registration. The eligible users will be nominated by the national SAC focal point. In this case, the access would have no time limitation.

Access to Task 1 datasets will be available to participants registered in selected GFCM meetings, with access limited to the period of the meeting and some extensions before and after.

15. The Executive Secretary, Mr Abdellah Srour, suggested that Resolution GFCM/31/2006/1 on data confidentiality policy and procedures be amended, in order to reflect the concerns and views expressed by the Committee. The Committee agreed that the Secretariat prepares a draft amendment accordingly, for the consideration of the Commission.

IDENTIFICATION OF THE NON-COMPLIANCE WITH GFCM DECISIONS IN REFERENCE TO RECOMMENDATION GFCM/34/2010/3

16. The CoC Chairperson suggested deferral of non-conformity of Members with GFCM decisions in reference to Recommendation GFCM/34/2010/3 to the Sixth Session. He noted the situation that is prevailing in counties on the southern shore of the Mediterranean and requested Members to address their concerns to Secretariat and regional projects.

17. The Committee agreed to the deferral, noting this would allow parties to improve and seek assistance through cooperation projects. The EU raised the related issue of implementing GFCM Recommendations in national law in order to ensure their implementation, give legal certainty to the obligation of Members and inform stakeholders.

18. Some delegations referred to the difficult and long processes involved in implementation as well as lack of human and financial capacity for purposes of compliance, and noted that non-implementation in national law does not necessarily mean there is non-compliance.

19. Upon a proposal by the Executive Secretary, the Committee agreed that the established Task Force for the GFCM Performance Review could consider the issue further.

FOLLOW-UP ON THE COMPENDIUM OF GFCM DECISIONS

20. The Executive Secretary informed the Committee that the Compendium of GFCM decisions and CD ROM have been updated, facilitating access to all GFCM decisions. He invited comments on possible improvements to the Compendium. The Chairman noted that the Compendium could be useful in implementing Recommendations in national laws and regulations.

ANY OTHER MATTERS

21. The Chair read the letter received from Lebanon concerning the Recommendation GFCM/34/2010/1 and GFCM/34/2010/2.

22. Considering that the notification did not meet GFCM procedures because of time constraints, the Committee took note of the reservation expressed by Lebanon. The Committee recommended that the Regional Projects take stock of the situation and attempt to seek a solution in the short term to enable Lebanon to be in a position to comply with and enforce the GFCM Recommendations.

ELECTION OF THE BUREAU

23. The bureau of the CoC was unanimously elected. Mr Samir Majdalani (Lebanon) was elected Chairperson while Mr Roland Kristo (Albania) and Mr Khaled Fliti (Algeria) were elected first and Second Vice-Chairpersons respectively.

DATE AND VENUE OF THE SIXTH SESSION

24. It was agreed that the date and venue of the sixth session would be decided by the Commission at its thirty-fifth session.

ADOPTION OF THE REPORT AND CLOSURE OF THE SESSION

25. This report was adopted on 13 May 2011.

Appendix A**Agenda**

1. Opening of the session
2. Adoption of the agenda and arrangements for the session
3. Status of data and information submissions by Members and management of GFCM databases by the Secretariat
4. Status of implementation of GFCM decisions by Members (List attached)
5. Identification of the non-compliance with GFCM decisions in reference to the Recommendation GFCM/34/2010/3
6. Follow up on the Compendium of GFCM decisions
7. Any others matters
 - 7.1 Letter received from Lebanon concerning the Recommendations GFCM/34/2010/1 and GFCM/34/2010/2
8. Election of the bureau
9. Date and venue of the sixth session
10. Adoption of the report and closure of the session

Appendix B**List of Documents**

COC:V/2011/1	Agenda and timetable
COC:V/2011/2	Status of Implementation of GFCM decisions by Members
COC:V/2011/3	Status of data and information submissions by Members and management of GFCM databases by the Secretariat
COC:V/2011/Inf.1	List of documents
COC:V/2011/Inf.2	Terms of reference of the Compliance Committee
COC:V/2011/Inf.3	Statement of Competence and Voting Rights by the European Union and its Member States
COC:V/2011/Inf.4	Performance Review of the General Fisheries Commission for the Mediterranean and Black Sea
COC:V/2011/Inf.5	Compendium of GFCM decisions
COC:V/2011/Inf.6	Report of the Fourth session of the Compliance Committee
COC:V/2011/Dma.1	Interactive e-compendium of GFCM decisions (CD Rom) (in English only)