

Recommendation GFCM/42/2018/2

on fisheries management measures for the conservation of sharks and rays in the GFCM area of application, amending Recommendation GFCM/36/2012/3

The General Fisheries Commission for the Mediterranean (GFCM),

RECALLING 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 the 2002 Johannesburg Declaration on Sustainable Development and in particular its Plan of Implementation;

RECALLING the 2003 Declaration of the Ministerial Conference for the Sustainable Development of Fisheries in the Mediterranean (2003 Venice Declaration);

REAFFIRMING the principles of the Code of Conduct for Responsible Fisheries of the Food and Agriculture Organization of the United Nations (FAO) and recalling the precautionary and ecosystem approach to fishery management;

RECALLING the FAO International Plan of Action for the Conservation and the Management of Sharks (IPOA-SHARKS);

RECALLING the Convention for the Protection of the Marine Environment and the Coastal Region of the Mediterranean (Barcelona Convention) and the listing of some shark species in either Annex II or Annex III of its Protocol concerning Specially Protected Areas and Biological Diversity in the Mediterranean (SPA/BD Protocol);

NOTING the importance of harmonizing conservation and management measures with other international conventions for the protection of these species;

TAKING INTO ACCOUNT the advice of the Scientific Advisory Committee on Fisheries (SAC) and, in particular, the need to identify species and ensure a better conservation status of sharks, including by protecting coastal areas from the most active fishing gear;

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

PART I Scope

1. Contracting parties and cooperating non-contracting parties (CPCs) shall ensure that sharks are kept on board, transhipped, landed and marketed at first sale in a way that species are recognizable and identifiable, and that the catch, incidental catch and, whenever appropriate, release of these species can be monitored and recorded.
2. CPCs shall adopt fisheries management measures to ensure adequate conservation status of sharks.

PART II
Definitions

3. For the purpose of this recommendation, the following definitions shall apply:
- “Shark” means any species of the taxon Elasmobranchii;
 - “Shark fins” means any fin of sharks, including caudal fins but excluding the pectoral fins of rays, which are a constituent part of ray wings;
 - “trawl nets” means nets which are actively towed by the main boat engine and consisting of a cone- or pyramid-shaped body (as trawl body) closed at the back by a codend and which can extend at the opening by the wings or can be mounted on a rigid frame. Horizontal opening is either obtained by otter boards or provided by a beam or frame of variable shape and size. Such nets can be towed either on the bottom (bottom trawl net) or in midwater (pelagic trawl net).

PART III
Fisheries management measures

4. CPCs shall ensure that:
- a) it is prohibited to remove shark fins onboard vessels and to retain, transship or land shark fins;
 - b) in order to facilitate onboard storage, shark fins may be partially sliced through and folded against the carcass, but they shall not be removed from the carcass before landing;
 - c) beheading and skinning of specimens onboard and before landing are prohibited, and beheaded and skinned sharks shall not be marketed at first sale after landing; and
 - d) it is prohibited to purchase, offer for sale or sell shark fins which have been removed, retained onboard, transhipped or landed in contravention of this recommendation.
5. In relation to the reduction of trawl fishing in coastal areas to enhance the protection of coastal sharks:
- a) CPCs shall ensure that fishing activities carried out with trawl nets are prohibited within 3 nautical miles off the coast, provided that the 50 metre isobath is not reached, or within the 50 metre isobath where that depth is reached at a shorter distance from the coast.
 - b) Specific and spatially limited derogations may be granted by CPCs on condition that such derogations only affect a limited number of vessels and provided that they:
 - i) are justified by particular geographical constraints, such as the limited size of the continental shelf along the entire coastline of a CPC or the limited extent of trawlable fishing grounds due to different factors;
and/or
 - ii) concern small trawling vessels of less than or equal to 12 metres length overall and engine power of less than or equal to 85 kW traditionally operating in coastal areas;
or
 - iii) concern a limited number of vessels during a seasonal fishing campaign;
and
 - iv) have no significant impact on the marine environment.
 - c) CPCs shall inform the GFCM Secretariat on the modalities of applying the derogations under subparagraph b) above no later than 31 March. Such notification shall include:
 - i) a list of authorized trawling vessels with their characteristics;

- ii) relevant zones identified by geographic coordinates, both on land and at sea, and by GFCM statistical rectangles as defined in Recommendation GFCM/35/2011/1 concerning the establishment of a GFCM logbook, amending Recommendation GFCM/34/2010/1; and
- iii) measures taken to monitor and mitigate impacts on the marine environment.
- d) CPCs shall establish a specific monitoring plan for the trawl fisheries operating under derogation, as stipulated by subparagraph b).
- e) These provisions are without prejudice to more detailed or stricter rules implemented by CPCs.

Elasmobranchs species under Annex II (list of endangered or threatened species) and Annex III (list of species whose exploitation is regulated) of the SPA/BD Protocol to the Barcelona Convention

6. CPCs shall ensure a high protection from fishing activities for elasmobranch species listed in Annex II of the SPA/BD Protocol of the Barcelona Convention, which must be released unharmed and alive, to the extent possible.
7. Specimens of shark species listed in Annex II of the SPA/BD Protocol shall not be retained on board, transhipped, landed, transferred, stored, sold or displayed or offered for sale.
8. CPCs shall ensure that tope shark (*Galeorhinus galeus*) specimens caught with bottom-set gillnets, longlines and tuna traps be promptly released unharmed and alive, to the extent possible.

PART IV
Monitoring, data collection and research

9. CPCs shall ensure that:
 - a) information on fishing activities, catch data, incidental catches, release and/or discarding of sharks species listed either in Annex II or Annex III of the SPA/BD Protocol, is recorded by the ship owner in the logbook or in an equivalent document, in line with the requirements of Recommendation GFCM/35/2011/1;
 - b) such information is reported to the national authorities for notification to the GFCM Secretariat within their annual national reporting to the SAC and in accordance with the data reporting requirements of relevant GFCM recommendations, in line with the GFCM Data Collection Reference Framework (DCRF); and
 - c) any other additional measure is taken to improve data collection in view of the scientific monitoring of species.
10. As appropriate, the GFCM and its CPCs shall, individually and collectively, engage in capacity-building efforts and other research cooperative activities to improve knowledge on sharks and shark fisheries and to support the effective implementation of this recommendation, including entering into cooperative arrangements with other relevant international bodies.
11. The provisions referred to in paragraphs 4, 5, 6, 7, 8 and 9 are without prejudice to stricter rules implemented by CPCs.