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► **B** REGULATION (EU) No 1343/2011 OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL

of 13 December 2011

on certain provisions for fishing in the GFCM (General Fisheries Commission for the Mediterranean) Agreement area and amending Council Regulation (EC) No 1967/2006 concerning management measures for the sustainable exploitation of fishery resources in the Mediterranean Sea

(OJ L 347, 30.12.2011, p. 44)

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TITLE I

GENERAL PROVISIONS

Article 1

Subject matter

This Regulation lays down the rules for the application by the Union of the conservation, management, exploitation, monitoring, marketing and enforcement measures for fishery and aquaculture products established by the General Fisheries Commission for the Mediterranean (GFCM).

Article 2

Scope

1. ► **M2** This Regulation applies to all commercial fishing and aquaculture activities, as well as to recreational fishing activities where specifically provided for in this Regulation, conducted by Union fishing vessels and nationals of Member States in the GFCM Agreement area. ◀

It shall apply without prejudice to Regulation (EC) No 1967/2006.

2. By way of derogation from paragraph 1, this Regulation shall not apply to fishing operations conducted solely for the purpose of scientific investigations which are carried out with the permission and under the authority of the Member State whose flag the vessel is flying and of which the Commission and the Member States in whose waters the research is carried out have been informed in advance. Member States conducting fishing operations for the purpose of scientific investigations shall inform the Commission, the Member States in whose waters the research is carried out and the Scientific, Technical and Economic Committee for Fisheries of all catches from such fishing operations.

Article 3

Definitions

► **M2** For the purposes of this Regulation the following definitions shall apply in addition to the definitions laid down in Article 4 of Regulation (EU) No 1380/2013 of the European Parliament and of the Council ⁽¹⁾, Article 2

⁽¹⁾ Regulation (EU) No 1380/2013 of the European Parliament and of the Council of 11 December 2013 on the Common Fisheries Policy, amending Council Regulations (EC) No 1954/2003 and (EC) No 1224/2009 and repealing Council Regulations (EC) No 2371/2002 and (EC) No 639/2004 and Council Decision 2004/585/EC (OJ L 354, 28.12.2013, p. 22).

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of Regulation (EC) No 1967/2006 and Article 4 of Council Regulation (EC) No 1224/2009 ⁽¹⁾: ◀

- (a) ‘GFCM Agreement area’ means the Mediterranean and the Black Sea and connecting waters, as described in the GFCM Agreement;
- (b) ‘fishing effort’ means the product resulting from multiplying the capacity of a fishing vessel, expressed either in kW or in GT (gross tonnage), by the activity expressed in number of days at sea;
- (c) ‘day at sea’ means any calendar day on which a vessel is absent from port, irrespective of the amount of time in the course of that day that that vessel is present in an area;
- (d) ‘EU Fleet Register number’ means the Community Fleet Register number defined in Annex I to Commission Regulation (EC) No 26/2004 of 30 December 2003 on the Community fishing fleet register ⁽²⁾;

▼ M2

- (e) ‘buffer area’ means a zone surrounding a fisheries restricted area in order to avoid accidental access to it, enhancing the protection of the surrounded area;
- (f) ‘Targeting blackspot seabream’ means carrying out fishing activities in which the quantities of blackspot seabream on board or landed constitute more than 20 % of the catch in live weight after sorting per tide.

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TITLE II

TECHNICAL MEASURES

CHAPTER I

Fisheries restricted areas

Section I

Fisheries restricted area in the Gulf of Lions*Article 4***Establishment of a fisheries restricted area**

A fisheries restricted area is established in the eastern Gulf of Lions, bounded by lines joining the following geographic coordinates:

— 42° 40' N, 4° 20' E

— 42° 40' N, 5° 00' E

⁽¹⁾ Council Regulation (EC) No 1224/2009 of 20 November 2009 establishing a Union control system for ensuring compliance with the rules of the common fisheries policy, amending Regulations (EC) No 847/96, (EC) No 2371/2002, (EC) No 811/2004, (EC) No 768/2005, (EC) No 2115/2005, (EC) No 2166/2005, (EC) No 388/2006, (EC) No 509/2007, (EC) No 676/2007, (EC) No 1098/2007, (EC) No 1300/2008, (EC) No 1342/2008 and repealing Regulations (EEC) No 2847/93, (EC) No 1627/94 and (EC) No 1966/2006 (OJ L 343, 22.12.2009, p. 1).

⁽²⁾ OJ L 5, 9.1.2004, p. 25.

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— 43° 00' N, 4° 20' E

— 43° 00' N, 5° 00' E.

*Article 5***Fishing effort**

For demersal stocks, the fishing effort of vessels using towed nets, bottom- and mid-water longlines and bottom-set nets in the fisheries restricted area as referred to in Article 4 shall not exceed the level of fishing effort applied in 2008 by each Member State in that area.

*Article 6***Fishing track record**

Member States shall, not later than 16 February 2012, submit to the Commission in electronic format a list of vessels flying their flag that had a track record of fishing during the year 2008 in the area referred to in Article 4 and in GFCM Geographical Sub-Area 7 as defined in Annex I. That list shall contain the name of the vessel, its EU Fleet Register number, the period for which the vessel was authorised to fish in the area referred to in Article 4 and the number of days spent by each vessel in the year 2008 in Geographical Sub-Area 7 and more specifically in the area referred to in Article 4.

*Article 7***Authorised vessels**

1. Vessels authorised to fish in the area referred to in Article 4 shall be issued with a fishing authorisation by their Member State in accordance with Article 7 of Council Regulation (EC) No 1224/2009 of 20 November 2009 establishing a Community control system for ensuring compliance with the rules of the common fisheries policy ⁽¹⁾.

2. Fishing vessels which do not have records of fishing within the area referred to in Article 4 prior to 31 December 2008 shall not be authorised to start fishing therein.

3. Member States shall, not later than 16 February 2012, communicate to the Commission the national legislation in force on 31 December 2008 concerning:

- (a) the maximum number of hours per day a vessel is permitted to engage in fishing activity;
- (b) the maximum number of days per week a vessel is permitted to stay at sea and be absent from port; and
- (c) the compulsory times for fishing vessels to exit from, and return to, their registered port.

⁽¹⁾ OJ L 343, 22.12.2009, p. 1.

▼B*Article 8***Protection of sensitive habitats**

Member States shall ensure that the area referred to in Article 4 is protected from the impact of any other human activity jeopardising the conservation of the features that characterise that area as an area of spawners' aggregation.

*Article 9***Information**

Before 1 February of each year, Member States shall submit to the Commission in electronic format a report on the fishing activities carried out in the area referred to in Article 4.

The Commission may adopt implementing acts as regards detailed rules for the format and transmission of the report on such fishing activities. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 25(2).

▼M2

Section Ia

Fisheries restricted areas to protect essential fish habitats and vulnerable marine ecosystems*Article 9a***Fisheries restricted areas in the Strait of Sicily**

Fishing with bottom trawl nets shall be prohibited in the:

- (1) fisheries restricted area 'East of Adventure Bank' bound by lines joining the following coordinates:
 - 37° 23,850' N, 12° 30,072' E
 - 37° 23,884' N, 12° 48,282' E
 - 37° 11,567' N, 12° 48,305' E
 - 37° 11,532' N, 12° 30,095' E
- (2) fisheries restricted area 'West of Gela Basin' bound by lines joining the following coordinates:
 - 37° 12,040' N, 13° 17,925' E
 - 37° 12,047' N, 13° 36,170' E
 - 36° 59,725' N, 13° 36,175' E
 - 36° 59,717' N, 13° 17,930' E
- (3) fisheries restricted area 'East of Malta Bank' bound by lines joining the following coordinates:
 - 36° 12,621' N, 15° 13,338' E
 - 36° 12,621' N, 15° 26,062' E

▼M2

— 35° 59,344' N, 15° 26,062' E

— 35° 59,344' N, 15° 13,338' E.

*Article 9b***Buffer areas in the Strait of Sicily**

1. A buffer area bound by lines joining the following coordinates shall be established around the fisheries restricted area 'East of Adventure Bank' as referred to in Article 9a(1):

— 37° 24,849' N, 12° 28,814' E

— 37° 24,888' N, 12° 49,536' E

— 37° 10,567' N, 12° 49,559' E

— 37° 10,528' N, 12° 28,845' E

2. A buffer area bounded by lines joining the following coordinates shall be established around the fisheries restricted area 'West of Gela Basin' as referred to in Article 9a(2):

— 37° 13,041' N, 13° 16,672' E

— 37° 13,049' N, 13° 37,422' E

— 36° 58,723' N, 13° 37,424' E

— 36° 58,715' N, 13° 16,682' E

3. A buffer area bounded by lines joining the following coordinates shall be established around the fisheries restricted area 'East of Malta Bank' as referred to in Article 9a(3):

— 36° 13,624' N, 15° 12,102' E

— 36° 13,624' N, 15° 27,298' E

— 35° 58,342' N, 15° 27,294' E

— 35° 58,342' N, 15° 12,106' E

4. Vessels carrying out fishing activities with bottom trawl nets in the buffer areas referred to in this Article shall ensure appropriate transmission frequency of their vessel monitoring system (VMS) signals. Vessels not equipped with a VMS transponder and aiming to fish with bottom trawl nets in the buffer areas shall be equipped with any other system of geo-localisation allowing control authorities to track their activities.

*Article 9c***Fishing restrictions in the Jabuka/Pomo Pit area in the Adriatic Sea**

1. Recreational fishing and fishing with bottom set nets, bottom trawl nets, set longlines and traps shall be prohibited in an area bounded by lines joining the following coordinates:

— 43° 32,044' N, 15° 16,501' E

— 43° 05,452' N, 14° 58,658' E

▼ M2

— 43° 03,477' N, 14° 54,982' E

— 42° 50,450' N, 15° 07,431' E

— 42° 55,618' N, 15° 18,194' E

— 43° 17,436' N, 15° 29,496' E

— 43° 24,758' N, 15° 33,215' E

2. From 1 September to 31 October each year, fishing with bottom set nets, bottom trawl nets, set longlines and traps shall be prohibited in an area bounded by lines joining the following coordinates:

— 43° 03,477' N, 14° 54,982' E

— 42° 49,811' N, 14° 29,550' E

— 42° 35,205' N, 14° 59,611' E

— 42° 49,668' N, 15° 05,802' E

— 42° 50,450' N, 15° 07,431' E

3. From 1 September to 31 October each year, recreational fishing and fishing with bottom set nets, bottom trawl nets, set longlines and traps shall be prohibited in an area bounded by lines joining the following coordinates:

— 43° 17,436' N, 15° 29,496' E

— 43° 24,758' N, 15° 33,215' E

— 43° 20,345' N, 15° 47,012' E

— 43° 18,150' N, 15° 51,362' E

— 43° 13,984' N, 15° 55,232' E

— 43° 12,873' N, 15° 52,761' E

— 43° 13,494' N, 15° 40,040' E.

*Article 9d***Authorised vessels in the Jabuka/Pomo Pit area**

1. Without prejudice to Article 9c(2) and (3), commercial fishing activities carried out with bottom set nets, bottom trawl nets, set longlines and traps shall only be allowed, in the areas referred to in those paragraphs, if the vessel is in possession of a specific authorisation and if it can demonstrate that it has historically carried out fishing activities in the areas concerned.

2. In the area referred to in Article 9c(2), authorised fishing vessels shall not be entitled to fish for more than two fishing days per week. Authorised fishing vessels using otter twin trawl gear shall not be entitled to fish for more than one fishing day per week.

3. In the area referred to in Article 9c(3), authorised vessels fishing with bottom trawl nets shall be entitled to fish only on Saturdays and Sundays between 05:00 and 22:00. Authorised vessels fishing with bottom set nets, set longlines and traps shall be allowed to fish only between Mondays at 05:00 and Thursdays at 22:00.

▼ M2

4. The vessels authorised to fish in the area referred to in Article 9c(2) and (3) with the gear referred to in paragraph 1 of this Article shall be issued with a fishing authorisation by their Member State in accordance with Article 7 of Regulation (EC) No 1224/2009.

5. Member States shall send to the Commission, not later than 31 March each year, the list of vessels for which they issued the authorisation referred to in paragraph 1. The Commission shall communicate to the GFCM Secretariat, not later than 30 April the list of authorised vessels established for the forthcoming year. For each vessel, the list shall contain the following information:

- (a) vessel name;
- (b) vessel register number;
- (c) GFCM unique identifier (country ISO 3-alpha code + 9 digits, e.g. xxx000000001);
- (d) previous name (if any);
- (e) previous flag (if any);
- (f) previous details of deletion from other registers (if any);
- (g) international radio call sign (if any);
- (h) type of vessel, length overall (LOA) and gross tonnage (GT) and/or gross registered tonnage (GRT);
- (i) name and address of owner(s) and operator(s);
- (j) main gear(s) used to fish in the Fisheries Restricted Area;
- (k) seasonal period authorised for fishing in the Fisheries Restricted Area;
- (l) number of fishing days to which each vessel is entitled;
- (m) designated port.

6. Authorised fishing vessels shall only land catches of demersal stocks in designated ports. To that end, each Member State concerned shall designate ports in which landings of catches from the Fisheries Restricted Area of Jabuka/Pomo Pit are authorised. The list of those ports shall be communicated to the GFCM Secretariat and the Commission by 30 April each year.

7. Fishing vessels authorised to fish in the areas referred to in Article 9c(2) and (3) with the gear referred to in paragraph 1 of this Article shall have VMS and/or Automatic Identification System (AIS) working correctly, and the fishing gear on board or in use shall be duly identified, numbered and marked before starting any fishing operation or navigating in those areas.

8. Fishing vessels equipped with bottom set nets, bottom trawl nets, set longlines and traps without authorisations shall be allowed to transit through the Fisheries Restricted Area only if they follow a direct course at a constant speed of not less than 7 knots and with VMS and/or AIS active on board, and if they do not carry out fishing activities of any kind.

▼M2*Article 9e***Spatial/temporal restrictions in the Alboran Sea**

1. Taking into account the available scientific advice, Member States may establish spatial/temporal restrictions in the Alboran Sea (GFCM geographical subareas 1, 2 and 3, as defined in Annex I), in which fishing activities shall be banned or restricted in order to protect juvenile and/or spawner aggregation areas of blackspot seabream.
2. Member States shall notify to the GFCM Secretariat and the Commission not later than 11 January 2020 the areas and the restrictions applied by them.

▼B

Section II

Fisheries restricted areas in order to protect deep-sea sensitive habitats*Article 10***Establishment of fisheries restricted areas**

Fishing with towed dredges and bottom trawl nets shall be prohibited in the following areas:

- (a) deep-sea fisheries restricted area 'Lophelia reef off Capo Santa Maria di Leuca' bounded by lines joining the following coordinates:
 - 39° 27,72' N, 18° 10,74' E
 - 39° 27,80' N, 18° 26,68' E
 - 39° 11,16' N, 18° 32,58' E
 - 39° 11,16' N, 18° 04,28' E;
- (b) deep-sea fisheries restricted area 'The Nile delta area cold hydrocarbon seeps' bounded by lines joining the following coordinates:
 - 31° 30,00' N, 33° 10,00' E
 - 31° 30,00' N, 34° 00,00' E
 - 32° 00,00' N, 34° 00,00' E
 - 32° 00,00' N, 33° 10,00' E;
- (c) deep-sea fisheries restricted area 'The Eratosthenes Seamount' bounded by lines joining the following coordinates:
 - 33° 00,00' N, 32° 00,00' E
 - 33° 00,00' N, 33° 00,00' E
 - 34° 00,00' N, 33° 00,00' E
 - 34° 00,00' N, 32° 00,00' E.

▼B*Article 11***Protection of sensitive habitats**

Member States shall ensure that their competent authorities are called upon to protect the deep-sea sensitive habitats in the areas referred to in Article 10 from, in particular, the impact of any other activity jeopardising the conservation of the features that characterise those habitats.

▼M2

Section III

Temporal closure in the Gulf of Gabès*Article 11a***Temporal closure in the Gulf of Gabès**

From 1 July to 30 September each year, fishing with bottom trawl nets shall be prohibited between the coast and the 200 metre depth isobath of GFCM geographical subarea 14 (Gulf of Gabès as defined in Annex I).

▼B

CHAPTER II

Establishment of a closed season for the dolphinfish fisheries using fish aggregating devices*Article 12***Closed season**

1. The common dolphinfish (*Coryphaena hippurus*) fisheries using fish aggregating devices (FADs) shall be prohibited from 1 January to 14 August of each year.
2. By way of derogation from paragraph 1, if a Member State can demonstrate that, due to bad weather, the fishing vessels flying its flag were unable to make use of their normal fishing days, that Member State may carry over days lost by its vessels in FAD fisheries until 31 January of the following year. In that case, before the end of the year Member States shall submit to the Commission an application in respect of the number of days to be carried over.
3. Paragraphs 1 and 2 shall also apply in the management zone referred to in Article 26(1) of Regulation (EC) No 1967/2006.
4. The application referred to in paragraph 2 shall contain the following information:
 - (a) a report containing the details of the cessation of fishing activities in question, including appropriate supporting meteorological information;
 - (b) the name of the vessel and its EU Fleet Register number.
5. The Commission shall decide on applications of the kind referred to in paragraph 2 within 6 weeks from the date of receipt of an application and shall inform the Member State in writing of that decision.

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6. The Commission shall inform the Executive Secretary of the GFCM of decisions taken pursuant to paragraph 5. Before 1 November of each year, Member States shall send to the Commission a report on the carrying over of days lost in the previous year as referred to in paragraph 2.

7. The Commission may adopt implementing acts as regards detailed rules for the format and transmission of the applications referred to in paragraph 4 and of the report on such carrying over referred to in paragraph 6. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 25(2).

*Article 13***Fishing authorisations**

Fishing vessels authorised to participate in the common dolphinfish fishery shall be granted a fishing authorisation in accordance with Article 7 of Regulation (EC) No 1224/2009 and shall be included in a list containing the name of the vessel and its EU Fleet Register number, which the Member State concerned shall provide to the Commission. Vessels of an overall length of less than 10 metres shall be required to have a fishing authorisation.

This requirement shall also apply to the management zone referred to in Article 26(1) of Regulation (EC) No 1967/2006.

*Article 14***Data collection**

1. Without prejudice to Council Regulation (EC) No 199/2008 of 25 February 2008 concerning the establishment of a Community framework for the collection, management and use of data in the fisheries sector and support for scientific advice regarding the Common Fisheries Policy ⁽¹⁾, Member States shall set up an appropriate system of collection and treatment of fisheries catch and fishing effort data.

2. Member States shall report to the Commission by 15 January of each year the number of vessels involved in the fishery, as well as the total landings and transshipments of common dolphinfish carried out in the previous year by the fishing vessels flying their flag in each Geographical Sub-Area of the GFCM Agreement area as set out in Annex I.

The Commission may adopt implementing acts as regards detailed rules for the format and transmission of such reports. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 25(2).

3. The Commission shall forward the information received from the Member States to the Executive Secretary of the GFCM.

⁽¹⁾ OJ L 60, 5.3.2008, p. 1.

▼M2*CHAPTER IIA****Temporal closure in the Black Sea****Article 14a***Closure period during the spawning season of turbot in the Black Sea**

1. Within the period from April to June every year, each Member State concerned shall establish a closure period of at least two months in the Black Sea.
2. Member States may designate additional spatial/temporal restrictions in which fishing activities may be banned or restricted in order to protect aggregation areas of juveniles of turbot.

▼B*CHAPTER III****Fishing gear****Article 15***Minimum mesh size in the Black Sea**

1. The minimum mesh size for nets used for trawling activities exploiting demersal stocks in the Black Sea shall be 40 mm. Panels of netting smaller than 40 mm mesh size opening shall not be used or kept on board.
2. Before 1 February 2012, the net referred to in paragraph 1 shall be replaced by a square-meshed net of 40 mm at the cod-end or, at the duly justified request of the ship-owner, by a diamond meshed net of 50 mm with an acknowledged size selectivity equivalent to or higher than that of square-meshed nets of 40 mm at the cod-end.
3. Member States whose fishing vessels conduct trawling activities exploiting demersal stocks in the Black Sea shall submit to the Commission, for the first time not later than 16 February 2012 and subsequently every 6 months, the list of fishing vessels that conduct such activities in the Black Sea and that are equipped with a square-meshed net of at least 40 mm at the cod-end or diamond meshed nets of at least 50 mm, as well as the percentage that such vessels represent of the whole national demersal trawl fleet.

The Commission may adopt implementing acts as regards detailed rules for the format and transmission of the information referred to in this paragraph. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 25(2).

4. The Commission shall forward the information referred to in paragraph 3 to the Executive Secretary of the GFCM.

▼ M1*Article 15a***Use of trawl nets and gill-nets fisheries in the Black Sea**

1. The use of trawl nets shall be prohibited:
 - (a) within three nautical miles off the coast, provided that the 50 metre isobath is not reached; or
 - (b) within the 50 metre isobath where the depth of 50 metres is reached at a shorter distance from the coast.
2. Member States may exceptionally authorise their fishing vessels to fish within the zone referred to in paragraph 1 by granting derogations in accordance with Recommendation GFCM/36/2012/3, provided that they duly inform the Commission of any such derogation.
3. Where the Commission considers that a derogation granted in accordance with paragraph 2 does not fulfil the condition set out in that paragraph, it may, subject to providing relevant reasons and after consulting with the Member State concerned, request it to amend that derogation.
4. The Commission shall inform the Executive Secretary of the GFCM of any derogations granted in accordance with paragraph 2.
5. From 1 January 2015, the monofilament or twines diameter of bottom-set gillnets shall not exceed 0,5 mm.

▼ B*Article 16***Use of towed dredges and trawl nets fisheries**

The use of towed dredges and trawl nets fisheries at depths beyond 1 000 m shall be prohibited.

▼ M1*CHAPTER IV****Conservation and sustainable exploitation of red coral****Article 16a***Scope**

This Chapter shall apply without prejudice to Article 4(2) and points (e) and (g) of Article 8(1) of Regulation (EC) No 1967/2006 or any stricter measures stemming from Council Directive 92/43/EEC ⁽¹⁾.

*Article 16b***Minimum depth for harvesting**

1. The harvesting of red coral shall be prohibited at depths of less than 50 metres until the GFCM indicates otherwise.

⁽¹⁾ Council Directive 92/43/EEC of 21 May 1992 on the conservation of natural habitats and of wild fauna and flora (OJ L 206, 22.7.1992, p. 7).

▼ **M1**

2. The Commission shall be empowered to adopt delegated acts in accordance with Article 27 of this Regulation and Article 18(1) to (6) of Regulation (EU) No 1380/2013 of the European Parliament and of the Council ⁽¹⁾ in order to grant derogations from paragraph 1.

3. Joint recommendations to be submitted pursuant to Article 18(1) of Regulation (EU) No 1380/2013 with a view to a derogation as referred to in paragraph 2 of this Article shall be accompanied by:

- (a) detailed information on the national management framework;
- (b) the scientific or technical justifications;
- (c) the list of fishing vessels, or the number of authorisations granted, as regards the harvesting of red coral at depths of less than 50 metres; and
- (d) the list of fishing zones where such harvesting is authorised, as identified by geographic coordinates both on land and at sea.

Any joint recommendation by Member States as referred to in the first subparagraph shall be submitted by 29 November 2018.

4. Derogations referred to in paragraph 2 of this Article shall be granted if the following conditions are satisfied:

- (a) an appropriate national management framework is in place, including a fishing authorisation scheme in accordance with Article 7 of Regulation (EC) No 1224/2009; and
- (b) adequate spatio-temporal closures ensure that only a limited number of red coral colonies are exploited.

5. Notwithstanding paragraphs 2 to 4 and as a transitional measure, Member States may adopt measures for the implementation of Recommendation GFCM/35/2011/2, provided that:

- (a) those measures are part of an appropriate national management framework; and
- (b) the Member State concerned duly informs the Commission of the adoption of those measures.

The Member States concerned shall ensure that any derogations cease to apply no later than on the date of application of the relevant delegated act adopted in accordance with paragraph 2.

6. Where the Commission considers, on the basis of the notifications provided by the Member States concerned in accordance with point (b) of paragraph 5, that a national measure adopted after 28 November 2015 does not satisfy the conditions set out in paragraph 4, it may, subject to providing relevant reasons and after consultation with the Member State concerned, request it to amend that measure.

7. The Commission shall inform the Executive Secretary of the GFCM of the measures adopted pursuant to paragraphs 2 and 5.

⁽¹⁾ Regulation (EU) No 1380/2013 of the European Parliament and of the Council of 11 December 2013 on the Common Fisheries Policy, amending Council Regulations (EC) No 1954/2003 and (EC) No 1224/2009 and repealing Council Regulations (EC) No 2371/2002 and (EC) No 639/2004 and Council Decision 2004/585/EC (OJ L 354, 28.12.2013, p. 22).

▼ M1*Article 16c***Minimum basal diameter of colonies**

1. Red coral from colonies of red coral whose basal diameter is smaller than 7 mm at the trunk, measured within one centimetre from the base of the colony, shall not be harvested, retained on board, transhipped, landed, transferred, stored, sold or displayed or offered for sale as raw product.

2. The Commission shall be empowered to adopt delegated acts in accordance with Article 27 of this Regulation and Article 18(1) to (6) of Regulation (EU) No 1380/2013 in order to authorise, by way of derogation from paragraph 1, a maximum tolerance limit of 10 % in live weight of undersized (< 7 mm) colonies of red coral.

3. Joint recommendations to be submitted pursuant to Article 18(1) of Regulation (EU) No 1380/2013 with a view to a derogation as referred to in paragraph 2 of this Article shall be accompanied by the scientific or technical justifications for that derogation.

Any joint recommendation by Member States as referred to in the first subparagraph shall be submitted by 29 November 2018.

4. Derogations as referred to in paragraph 2 of this Article shall be granted if the following conditions are satisfied:

(a) a national management framework is in place, including a fishing authorisation scheme in accordance with Article 7 of Regulation (EC) No 1224/2009;

(b) specific monitoring and control programmes are in place.

5. Notwithstanding paragraphs 2 to 4 and as a transitional measure, Member States may adopt measures for the implementation of Recommendation GFCM/36/2012/1, provided that:

(a) those measures form part of an appropriate national management framework; and

(b) the Member State concerned duly informs the Commission of the adoption of those measures.

The Member States concerned shall ensure that any derogations cease to apply no later than on the date of application of the relevant delegated act adopted in accordance with paragraph 2.

6. Where the Commission considers, on the basis of the notifications provided by the Member States concerned in accordance with point (b) of paragraph 5, that a national measure adopted after 28 November 2015 does not satisfy the conditions set out in paragraph 4, it may, subject to providing relevant reasons and after consultation with the Member State concerned, request it to amend that measure.

7. The Commission shall inform the Executive Secretary of the GFCM of the measures adopted pursuant to paragraphs 2 and 5.

▼ M2*Article 16ca***Precautionary closures for red coral**

1. When a trigger catch level of red coral as referred to in paragraphs 2 and 3 has been reached, Member States shall temporally close the area concerned to any red coral fishery.
2. The trigger catch level shall be deemed to be reached when colonies of red coral whose basal diameter is lower than 7 mm exceed 25 % of the total catch harvested from a given red coral bank for a given year.
3. Where coral banks have not yet been properly identified, the trigger catch level and the closure provided for in paragraph 1 shall apply at the scale of the GFCM statistical rectangle.
4. In their decision establishing a closure as referred to in paragraph 1, Member States shall define the geographical area concerned, the duration of the closure and the conditions governing fisheries in that area during the closure.
5. Member States establishing closures shall inform the GFCM Secretariat and the Commission without delay.

*Article 16cb***Spatial/temporal closures**

Member States actively harvesting red coral shall introduce additional closures for the protection of red coral on the basis of the scientific advice available and not later than 11 January 2020.

▼ M1*Article 16d***Gear and devices**

1. For the harvesting of red coral, the only permitted gear shall be a hammer used in scuba diving by fishermen who are authorised or recognised by the competent national authority.
2. The use of Remotely Operated underwater Vehicles (ROVs) for the exploitation of red coral shall be prohibited.
3. By way of derogation from paragraph 2, the use of ROVs that have been authorised by a Member State prior to 30 September 2011 for the purpose of observation and prospection shall continue to be permitted in zones under the jurisdiction of that Member State provided that the ROVs concerned cannot be equipped with manipulator arms or any other device allowing the cutting and harvesting of red coral.

Such authorisations shall expire or be withdrawn by 31 December 2015 unless the Member State concerned has obtained scientific results showing that the use of ROVs beyond 2015 would have no negative impact on the sustainable exploitation of red coral.

▼ M1

4. By way of derogation from paragraph 2, a Member State may authorise the use of ROVs without manipulator arms for the purpose of observation and prospection in zones under the jurisdiction of that Member State, provided that it has obtained scientific results in the context of a national management framework showing no negative impact on the sustainable exploitation of red coral.

Such authorisations shall expire or be withdrawn by 31 December 2015 unless the scientific results referred to in the first subparagraph are validated by the GFCM.

5. By way of derogation from paragraph 2, a Member State may authorise, for a limited period of time not extending beyond 31 December 2015, the use of ROVs for the purpose of scientific experimental campaigns for observation and harvesting of red coral, provided that the campaigns are carried out under the supervision of a national research institution or in collaboration with competent national or international scientific bodies as well as with any other relevant stakeholders.

▼ M2*CHAPTER IVA****Minimum conservation reference size for Black Sea piked dogfish****Article 16da***Minimum conservation reference size for Black Sea piked dogfish**

Specimens of piked dogfish in the Black Sea smaller than 90 cm shall not be retained on board, transhipped, landed, stored, sold nor displayed or offered for sale. When accidentally caught, such specimens of piked dogfish shall be promptly released unharmed and alive, to the extent possible. Masters of fishing vessels shall record incidental taking, release and/or discarding events for piked dogfish in the logbook. Member States shall notify that information to the GFCM and the Commission within their annual reporting to the SAC and through the GFCM data collection framework.

▼ M1*CHAPTER V****Reduction of the impact of fishing activities on certain marine species****Article 16e***Scope**

This Chapter shall apply without prejudice to any stricter measures stemming from Directive 92/43/EEC or Directive 2009/147/EC of the European Parliament and of the Council ⁽¹⁾, and to Council Regulation (EC) No 1185/2003 ⁽²⁾.

⁽¹⁾ Directive 2009/147/EC of the European Parliament and of the Council of 30 November 2009 on the conservation of wild birds (OJ L 20, 26.1.2010, p. 7).

⁽²⁾ Council Regulation (EC) No 1185/2003 of 26 June 2003 on the removal of fins of sharks on board vessels (OJ L 167, 4.7.2003, p. 1).

▼ M1*Article 16f***Incidental catches of seabirds in fishing gears**

1. Masters of fishing vessels shall promptly release seabirds incidentally caught in fishing gears.
2. Fishing vessels shall not bring seabirds ashore except within the framework of national plans for the conservation of seabirds or to secure assistance for the recovery of harmed individual seabirds, and provided that the competent national authorities have been duly and officially informed, prior to the fishing vessel concerned returning to port, of the intention to bring such seabirds ashore.

*Article 16g***Incidental catches of sea turtles in fishing gears**

1. To the extent possible, sea turtles incidentally caught in fishing gears shall be safely handled and released unharmed and alive.
2. Masters of fishing vessels shall not bring ashore sea turtles unless as part of a specific rescue or national conservation programme or unless this is otherwise required in order to rescue, and secure assistance for the recovery of, harmed and comatose individual sea turtles and provided that the competent national authorities concerned have been duly and officially informed prior to the fishing vessel concerned returning to port.
3. As far as practicable, fishing vessels using purse seines for small pelagic species or surrounding nets without purse line for pelagic species shall avoid encircling sea turtles.
4. Fishing vessels using long-lines and bottom-set gillnets shall carry on board safe-handling, disentanglement and release equipment designed to ensure that sea turtles are handled and released in a manner that maximises the probability of their survival.

*Article 16h***Incidental catches of monk seals (*Monachus monachus*)**

1. Masters of fishing vessels shall not take on board, tranship or land monk seals, unless this is required in order to rescue, and to secure assistance for the recovery of, harmed individual animals and provided that the competent national authorities concerned have been duly and officially informed prior to the fishing vessel concerned returning to port.
2. Monk seals incidentally caught in fishing gears shall be released unharmed and alive. The carcasses of dead specimens shall be landed and seized for the purpose of scientific studies or destroyed by the competent national authorities.

▼ M1*Article 16i***Incidental catches of cetaceans**

Fishing vessels shall promptly return to the sea unharmed and alive, as far as practicable, cetaceans incidentally caught in fishing gears and brought alongside the fishing vessel.

*Article 16j***Protected sharks and rays**

1. Shark and ray species which are included in Annex II to the Protocol concerning specially protected areas and biological diversity in the Mediterranean ⁽¹⁾ ('Protocol to the Barcelona Convention') shall not be retained on board, transhipped, landed, transferred, stored, sold or displayed or offered for sale.

2. To the extent possible, fishing vessels that have incidentally caught sharks and rays of the species included in Annex II to the Protocol to the Barcelona Convention shall promptly release them unharmed and alive.

*Article 16k***Identification of sharks**

Beheading and skinning of sharks on board and before landing shall be prohibited. Beheaded and skinned sharks may not be marketed at the first sale markets after landing.

*CHAPTER VI****Measures for fisheries for small pelagic stocks in the Adriatic Sea****Article 16l***Management of fishing capacity**

1. For the purposes of this Article, the reference fishing capacity for small pelagic stocks is that established on the basis of the lists of fishing vessels of the Member States concerned, as communicated to the GFCM Secretariat in accordance with paragraph 22 of Recommendation GFCM/37/2013/1. Those lists include all fishing vessels equipped with trawl nets, purse seines or other types of surrounding nets without purse line which are authorised to fish for small pelagic stocks and are registered in harbours located in Geographical Sub-Areas 17 and 18, as referred to in Annex I to this Regulation, or which, although registered in harbours located outside those Geographical Sub-Areas on 31 October 2013, are operating in Geographical Sub-Area 17 or 18 or in both.

2. Fishing vessels equipped with trawl nets and purse seines, irrespective of the overall length of the vessel concerned, are classified as fishing actively for small pelagic stocks when sardine and anchovy account for at least 50 % of the catch in live weight.

⁽¹⁾ OJ L 322, 14.12.1999, p. 3.

▼ M1

3. Member States shall ensure that the overall fleet capacity of fishing vessels equipped with trawl nets or purse seines actively fishing for small pelagic stocks in Geographical Sub-Area 17, both in terms of gross tonnage (GT) or gross registered tonnage (GRT) and in terms of engine power (kW), as recorded in the national and EU fleet registers, does not at any time exceed the reference fishing capacity for small pelagic stocks referred to in paragraph 1.

4. Member States shall ensure that fishing vessels equipped with trawl nets and purse seines for small pelagic stocks as referred to in paragraph 2 do not operate for more than 20 fishing days per month and more than 180 fishing days per year.

5. Any fishing vessel not included in the list of authorised fishing vessels referred to in paragraph 1 of this Article shall not be allowed to fish for, or, by way of derogation from Article 15(1) of Regulation (EU) No 1380/2013, retain on board or land any quantity greater than 20 % of anchovy or sardine or of both anchovy and sardine if the fishing vessel is engaged on a fishing trip in Geographical Sub-Area 17 or 18 or in both.

6. Member States shall communicate to the Commission any addition to, any deletion from or any modification of, the list of authorised fishing vessels referred to in paragraph 1 as soon as such addition, deletion or modification occurs. Those changes shall be without prejudice to the reference fishing capacity referred to in paragraph 1. The Commission shall forward that information to the Executive Secretary of the GFCM.

▼ M2

TITLE IIa

FISHING CAPACITY AND FISHING OPPORTUNITIES*Article 16m***Catch limits for red coral**

Each Member State may establish in the Mediterranean Sea a system of individual daily and/or annual catch limits for red coral.

*Article 16n***Fishing fleet capacity or fishing effort for blackspot seabream in the Alboran Sea**

At the latest in 2020, Member States shall maintain the levels of fishing fleet capacity or fishing effort at the levels authorised and applied in recent years for the exploitation of blackspot seabream in the Alboran Sea (GFCM geographical subareas 1, 2 and 3, as defined in Annex I).



TITLE III
CONTROL MEASURES

CHAPTER I
Register of vessels

Article 17

Register of authorised vessels

1. Before 1 December of each year, each Member State shall send to the Commission, through the accustomed data-processing support, an updated list of the vessels of more than 15 metres in overall length flying its flag and registered in its territory that it authorises to fish in the GFCM Agreement area by issuance of a fishing authorisation.
2. The list indicated in paragraph 1 shall include the following information:
 - (a) the vessel's EU Fleet Register number and its external marking, as defined in Annex I to Regulation (EC) No 26/2004;
 - (b) the period during which fishing and/or transshipment is authorised;
 - (c) the fishing gears used.
3. The Commission shall send the updated list to the Executive Secretary of the GFCM before 1 January of each year so that the vessels concerned can be entered on the GFCM register of vessels of more than 15 metres in overall length authorised to fish in the GFCM Agreement area (GFCM register).
4. Any change to be made to the list referred to in paragraph 1 shall be notified to the Commission for transmission to the Executive Secretary of the GFCM, through the accustomed data-processing support, at least 10 working days before the vessel begins fishing activity in the GFCM Agreement area.
5. EU fishing vessels of more than 15 metres in overall length that are not entered on the list referred to in paragraph 1 shall not fish, retain on board, tranship or land any type of fish or shellfish within the GFCM Agreement area.
6. Member States shall take the necessary measures to ensure that:
 - (a) only vessels flying their flag that are included in the list referred to in paragraph 1 and that hold on board a fishing authorisation issued by them are permitted, under the terms of the authorisation, to carry out fishing activities in the GFCM Agreement area;
 - (b) no fishing authorisation is issued to vessels that have carried out illegal, unregulated and unreported fishing (IUU fishing) in the GFCM Agreement area or elsewhere, unless the new owners provide adequate documentary evidence that the previous owners and operators no longer have any legal, beneficial or financial interest in, or exercise any control over, their vessels, or that their vessels neither take part in nor are associated with IUU fishing;

▼ B

- (c) as far as possible, their national legislation prohibits owners and operators of vessels flying their flag that are included in the list referred to in paragraph 1 from taking part in, or being associated with, fishing activities carried out in the GFCM Agreement area by vessels not on the GFCM register;
- (d) as far as possible, their national legislation requires owners of vessels flying their flag that are included in the list referred to in paragraph 1 to be nationals or legal entities within the flag Member State;
- (e) their vessels comply with all the relevant GFCM conservation and management measures.

7. Member States shall take the necessary measures to prohibit fishing, retention on board, transshipment and landing of fish and shellfish caught in the GFCM Agreement area carried out by vessels of more than 15 metres in overall length that are not on the GFCM register.

8. Member States shall, without delay, communicate to the Commission any information showing that there are strong reasons for suspecting that vessels of more than 15 metres in overall length that are not on the GFCM register are fishing for or transshipping fish and shellfish in the GFCM Agreement area.

▼ M1*CHAPTER Ia****Recording obligations*****▼ M2****▼ M1***Article 17b***Incidental catches of certain marine species**

1. Without prejudice to Article 15(5) of Regulation (EC) No 1224/2009, masters of fishing vessels shall record in the fishing logbook referred to in Article 14 of that Regulation the following information:

- (a) any event of incidental catch and release of seabirds;
- (b) any event of incidental catch and release of sea turtles;
- (c) any event of incidental catch and release of monk seals;
- (d) any event of incidental catch and release of cetaceans;
- (e) any event of incidental catch and, where required, release of sharks and rays of the species listed in Annex II or Annex III to the Protocol to the Barcelona Convention.

▼ M1

2. National reports intended to be analysed by the SAC should, in addition to the information recorded in the logbook, also contain:

- (a) in relation to incidental catches of sea turtles, information on:
- fishing gear type,
 - times of the incidents,
 - soak duration,
 - depths and locations,
 - target species,
 - sea turtles species, and
 - whether the sea turtles have been discarded dead or released alive;
- (b) in relation to incidental catches of cetaceans, information on:
- characteristics of gear type,
 - times of the incidents,
 - locations (either by Geographical Sub-Areas or statistical rectangles, as defined in Annex I to this Regulation), and
 - whether any such cetacean is a dolphin or another species of cetacean.

3. By 31 December 2015, Member States shall establish the rules referred to in paragraph 1 on the recording of incidental catches by the masters of fishing vessels which are not subject to the obligation to keep a fishing logbook pursuant to Article 14 of Regulation (EC) No 1224/2009.

▼ B*CHAPTER II****Port state measures****Article 18***Scope**

This Chapter shall apply to third-country fishing vessels.

*Article 19***Prior notice**

By way of derogation from Article 6(1) of Regulation (EC) No 1005/2008, the period for prior notification shall be at least 72 hours before the estimated time of arrival at the port.

*Article 20***Port inspections**

1. Notwithstanding Article 9(1) of Regulation (EC) No 1005/2008, Member States shall carry out inspections in their designated ports of at least 15 % of landings and transshipment operations each year.

▼ B

2. Notwithstanding Article 9(2) of Regulation (EC) No 1005/2008, fishing vessels that enter into a Member State's port without prior authorisation shall be inspected in all cases.

*Article 21***Inspection procedure**

In addition to the requirements provided for in Article 10 of Regulation (EC) No 1005/2008, port inspections shall comply with the requirements set out in Annex II to this Regulation.

*Article 22***Denial of use of port**

1. Member States shall not allow a third-country vessel to use their ports for landing, transshipping or processing fisheries products caught in the GFCM Agreement area and shall deny it access to port services, including, inter alia, refuelling and re-supplying services, if the vessel:

- (a) does not comply with the requirements of this Regulation;
- (b) is included in a list of vessels that have engaged in, or have supported, IUU fishing adopted by a regional fisheries management organisation; or
- (c) does not have a valid authorisation to engage in fishing or fishing-related activities in the GFCM Agreement area.

By way of derogation from the first subparagraph, nothing shall prevent Member States from allowing, in situations of *force majeure* or distress within the meaning of Article 18 of the United Nations Convention on the Law of the Sea ⁽¹⁾, a third-country vessel from using their ports for services strictly necessary to remedy such situations.

2. Paragraph 1 shall apply in addition to the provisions on denial of use of port provided for by Article 4(2) and Article 37(5) and (6) of Regulation (EC) No 1005/2008.

3. Where a Member State has denied the use of its ports to a third-country vessel in accordance with paragraph 1 or 2, it shall promptly notify the master of the vessel, the flag State, the Commission and the Executive Secretary of the GFCM of such action.

4. Where the grounds for denial referred to in paragraph 1 or 2 no longer apply, the Member State shall withdraw its denial and notify the addressees referred to in paragraph 3 of that withdrawal.

▼ M2*CHAPTER III****Control of coral fisheries****Article 22a***Fishing authorisations for red coral**

1. Vessels or fishermen authorised to harvest red coral in the Mediterranean Sea shall have a valid fishing authorisation, which shall specify the technical conditions under which the fishery may be carried out.

⁽¹⁾ OJ L 179, 23.6.1998, p. 3.

▼ M2

2. In the absence of an authorisation as referred to in paragraph 1, it shall be prohibited to harvest, retain on board, tranship, land, transfer, store, sell or display or offer for sale red coral.

3. Member States shall maintain an updated register of fishing authorisations referred to in paragraph 1 and shall send to the Commission, by 31 March each year, the list of vessels for which the authorisations referred to in paragraph 1 were issued. The Commission shall communicate that list to the GFCM Secretariat not later than 30 April each year. That list shall include for each vessel the following information:

- (a) vessel name;
- (b) vessel register number (code assigned by the contracting party);
- (c) GFCM registration number (country ISO 3-alpha code + 9 digits, e.g. xxx00000001);
- (d) port of registration (full name of the port);
- (e) previous name (if any);
- (f) previous flag (if any);
- (g) previous details of deletion from other registers (if any);
- (h) international radio call sign (if any);
- (i) VMS or other equipment for vessel geo-localisation (indicate Y/N);
- (j) vessel type, length overall (LOA) and gross tonnage (GT) and/or gross registered tonnage (GRT) and engine power expressed in kW;
- (k) safety and security equipment to host observer(s) on board (indicate Y/N);
- (l) time period in which fishing red coral is authorised;
- (m) area(s) in which fishing red coral is authorised: GFCM geographical subareas and cells of the GFCM statistical grid;
- (n) participation in research programmes led by national/international scientific institutions (indicate Y/N; provide some description).

4. Member States shall not increase the number of fishing authorisations until scientific advice indicates a favourable status of the red coral populations.

*Article 22b***Recording of catches for red coral**

1. Fishermen or masters of the vessels authorised to harvest red coral shall record catches in live weight, and, if possible, the number of colonies, after fishing operations, or, at the latest, when landed at port, in case of daily fishing trips.

▼ M2

2. Fishing vessels authorised to harvest red coral shall have on board a logbook in which the daily catches of red coral, irrespective of the live weight of the harvest, and fishing activity by area and depths are recorded, including, where possible, the number of fishing days and dives. That information shall be communicated to the competent national authorities within the deadline laid down in Article 14(6) of Regulation (EC) No 1224/2009.

*Article 22c***Prior notification for red coral**

Between two and four hours before the estimated time of arrival at port, the masters of the fishing vessels or their representative shall notify the relevant authorities the following information:

- (a) the estimated time of arrival;
- (b) the external identification number and the name of the fishing vessel;
- (c) the estimated quantity in live weight and if possible the number of red coral colonies retained on board;
- (d) the information on the geographical area where the catch was taken.

*Article 22d***Designated ports for red coral**

Authorised fishermen or fishing vessels shall only land red coral catches in designated ports. To this end, each Member State shall designate ports in which landing red coral is authorised and communicate a list of those ports to the GFCM Secretariat and the Commission by 30 April each year, unless there is no change of designated ports already communicated.

*Article 22e***Control of landings of red coral**

Each Member State shall establish a control programme based on risk analysis, in particular to verify the landings and validate the logbooks.

*Article 22f***Transshipment of red coral**

Transshipment operations at sea of red coral shall be prohibited.

▼ **M2***Article 22g***Scientific information for red coral**

The Member States having fishing fleets targeting red corals shall ensure that a mechanism for adequate scientific monitoring of fisheries and catches is duly in place with a view to allow the Scientific Advisory committee of GFCM to provide descriptive information and advice on at least:

- (a) the deployed fishing effort (e.g. number of fishing dives per week) and overall catch levels by stocks at local, national or supranational level;
- (b) the conservation and management reference points with a view to further improve the regional management plan in line with the objective of maximum sustainable yield and low risk of stock collapse;
- (c) the biological and socio-economic effects of alternative management scenarios, including input/output control and/or technical measures, as proposed by the contracting parties to the GFCM;
- (d) possible spatial/temporal closures in order to preserve fishery sustainability.

*CHAPTER IV****Control measures relating to certain GFCM geographical subareas*****Section I****Control of blackspot seabream fisheries in the Alboran Sea***Article 22h***Reporting of blackspot seabream daily catches and by-catches**

Without prejudice to Article 14 of Regulation (EC) No 1224/2009, Member States shall establish a mechanism to ensure that all commercial blackspot seabream daily catches and by-catches in the Alboran Sea (GFCM geographical subareas 1, 2, 3, as defined in Annex I), irrespective of the live weight of the catch, are reported. As for recreational fisheries, Member States shall endeavour to record or make estimations of the catches of that species.

*Article 22i***Fishing authorisations and fishing activities**

1. Member States shall establish a register of the fishing vessels authorised to carry on board or land quantities of blackspot seabream caught in the Alboran Sea that constitute more than 20 % of the catch in live weight after sorting per tide. That register shall be maintained and updated.

▼ **M2**

2. Fishing vessels targeting blackspot seabream shall only be allowed to carry out fishing activities if those fishing activities are indicated in a valid fishing authorisation issued by the competent authorities and specifying the technical conditions under which such activities may be carried out. The authorisation shall include the data set out in Annex VIII.
3. Member States shall:
- (a) communicate to the Commission, by 31 January of each year, the list of operating vessels for which the authorisation has been delivered for the current or the following year(s); the Commission shall communicate the list to the GFCM Secretariat by the end of February of each year. The list shall contain the data set out in Annex VIII;
 - (b) communicate to the Commission and the GFCM Secretariat, by the end of November each year, starting from 30 November 2018 and at the latest from 30 November 2020, a report on fishing activities carried out by the vessels referred to in paragraph 1, in an aggregated format, including the following minimum information:
 - (i) number of fishing days,
 - (ii) exploitation area, and
 - (iii) captures of blackspot seabream.
4. All vessels of more than 12 metres in overall length authorised to target blackspot seabream shall be equipped with a VMS or any other system of geo-localisation allowing control authorities to track their activities.

*Article 22j***Scientific monitoring**

Member States having fishing fleets targeting blackspot seabream shall ensure that a mechanism for adequate monitoring of fisheries and catches is duly in place with a view to allowing the SAC to provide descriptive information and advice on at least the following:

- (a) the characteristics of the fishing gear, inter alia the maximum length of the longline and fixed nets and the number, type and size of the hooks;
- (b) the deployed fishing effort (e.g. number of fishing days per week) and overall catch levels by commercial fishing fleets; an estimation of catches of recreational fisheries should also be provided;
- (c) the conservation and management reference points with a view to establishing multiannual management plans for sustainable fisheries in line with the objective of maximum sustainable yield and low risk of stock collapse;
- (d) the socioeconomic effects of alternative management scenarios, including input/output control and/or technical measures, as identified by the GFCM and/or contracting parties;
- (e) possible spatial/temporal closures in order to preserve fishery sustainability;
- (f) the potential impact of recreational fisheries on the status of blackspot seabream stock(s).

▼ **M2****Section II**
Strait of Sicily*Article 22k***Authorisations for bottom trawling fisheries on demersal stocks in the Strait of Sicily**

1. Bottom trawling vessels targeting demersal stocks in the Strait of Sicily (GFCM geographical subareas 12, 13, 14, 15 and 16, as defined in Annex I), shall only be allowed to carry out the specific fishing activities indicated in a valid fishing authorisation issued by the competent authorities and specifying the technical conditions under which such activities shall be carried out.

2. The fishing authorisation referred to in paragraph 1 shall include, in addition to the data defined in Annex I to Commission Implementing Regulation (EU) 2017/218 ⁽¹⁾, the following data:

- (a) GFCM registration number;
- (b) previous name (if any);
- (c) previous flag (if any);
- (d) previous details of deletion from other registers (if any).

3. Member States shall send to the Commission by 31 October each year the list of vessels for which they issued the authorisation referred to in paragraph 1. The Commission shall communicate that list to the body designated by it and to the GFCM Secretariat not later than 30 November each year.

4. Member States shall communicate to the Commission and the GFCM Secretariat not later than 31 August each year, in an aggregated format, a report on fishing activities carried out by the vessels referred to in paragraph 1, including the following minimum information:

- (i) number of fishing days;
- (ii) exploitation area; and
- (iii) captures of European hake and deep-water rose shrimp.

*Article 22l***Designated ports**

1. Each Member State shall designate landing ports in which landings of European hake and deep-water rose shrimp from the Strait of Sicily may take place, in accordance with Article 43(5) of Regulation (EC) No 1224/2009. Member States shall transmit to the GFCM Secretariat and to the Commission not later than 30 November 2018 a list of designated landing ports. Any subsequent change to that list shall be promptly notified to the GFCM Secretariat and to the Commission.

⁽¹⁾ Commission Implementing Regulation (EU) 2017/218 of 6 February 2017 on the Union fishing fleet register (OJ L 34, 9.2.2017, p. 9).

▼ M2

2. It shall be prohibited to land or tranship from fishing vessels any quantity of European hake and deep-water rose shrimp fished in the Strait of Sicily at any place other than in landing ports designated by the Member States.

*Article 22m***International Joint Inspection and Surveillance Scheme in the Strait of Sicily**

1. Member States may carry out inspection and surveillance activities in the framework of an International Joint Inspection and Surveillance Scheme ('the Scheme') covering the waters outside national jurisdiction in GFCM geographical subareas 12, 13, 14, 15 and 16, as defined in Annex I ('the inspection and surveillance area').

2. Member States may assign inspectors and inspection means and carry out inspections under the Scheme. The Commission or a body designated by it may also assign Union inspectors to the Scheme.

3. The Commission or a body designated by it shall coordinate the surveillance and inspection activities for the Union and may draw up, in coordination with the Member States concerned, a joint deployment plan to enable the Union to fulfil its obligation under the Scheme. Member States shall adopt the necessary measures to facilitate the implementation of those plans, particularly as regards the human and material resources required and the periods and geographical areas in which those resources are to be deployed.

4. Each Member State shall, not later than 31 October of each year, notify to the Commission or a body designated by it the list of the names of inspectors authorised to perform the inspection and surveillance in the area referred to in paragraph 1, as well as the names of the vessels and aircraft used for inspection and surveillance which they intend to assign to the Scheme for the following year. The Commission or a body designated by it shall send this information to the GFCM Secretariat by 1 December of each year or as soon as possible before the commencement of inspection activities.

5. Inspectors assigned to the Scheme shall carry a GFCM inspector card issued by the competent authorities, which shall be in the form set out in Annex IV.

6. Vessels carrying out boarding and inspection duties in accordance with the Scheme shall fly a special flag or pennant, as described in Annex V.

7. Each Member State shall ensure that every inspection platform entitled to fly its flag operating in the area referred to in paragraph 1 maintains secure contact, daily where possible, with every other inspection platform operating in that area, to exchange information necessary to coordinate the activities.

8. Each Member State with an inspection or surveillance presence in the area referred to in paragraph 1 shall provide to each inspection platform, upon its entry into the area, a list of sightings established in accordance with Annex VII, of boardings and inspections it has conducted in the previous 10-day period, including dates, coordinates and any other relevant information.

▼ **M2***Article 22n***Conduct of inspections**

1. Inspectors assigned to the Scheme shall:
 - (a) prior to boarding, notify the fishing vessel of the name of the inspection vessel;
 - (b) display, on the inspection vessel and boarding vessel, the pennant described in Annex V;
 - (c) limit each inspection team to a maximum of three inspectors.
2. Upon boarding the vessel, inspectors shall produce the identity card described in Annex IV to the master of the fishing vessel. Inspections shall be conducted in one of the official languages of the GFCM and, where possible, in the language spoken by the master of the fishing vessel.
3. Inspectors shall draw up a report of the inspection in the format set out in Annex VI.
4. Inspectors shall sign the report in the presence of the master of the vessel who shall be entitled to add to the report any observations which he or she may think suitable and who must also sign.
5. Copies of the report shall be given to the master of the vessel and to the authorities of the inspection party, which shall transmit copies to the authorities of the flag State of the inspected vessel and to the Commission and/or a body designated by it. The Commission shall forward the copy to the GFCM Secretariat.
6. The size of the inspection party and length of the inspection shall be determined by the commanding officer of the inspection vessel taking into account all relevant circumstances.

*Article 22o***Infringements**

1. For the purposes of this Article, the following activities shall be considered as infringements:
 - (a) the activities referred to in points (a), (b), (c), (e), (f), (g) and (h) of Article 3(1) of Regulation (EC) No 1005/2008;
 - (b) interference with satellite monitoring system; and
 - (c) operating without a VMS.
2. In the case of any boarding and inspection of a fishing vessel during which the inspectors detect an infringement, the authorities of the flag Member State of the inspection vessel shall immediately inform the Commission or a body designated by it, which shall notify the flag State of the inspected fishing vessel both directly and through the GFCM Secretariat. They shall also inform any inspection ship of the flag State of the fishing vessel known to be in the vicinity.
3. The flag Member State of the vessel shall ensure that, following an inspection in which an infringement has been detected, the fishing vessel concerned ceases all fishing activities. The flag Member State shall require the fishing vessel to proceed within 72 hours to a port designated by it, where an investigation shall be initiated.

▼ **M2**

4. In the event that an infringement has been detected during an inspection, the actions and follow-up taken by the flag Member State shall be notified to the Commission or a body designated by it. The Commission or a body designated by it shall forward the action and follow-up taken to the GFCM Secretariat.

5. Member States' authorities shall act on inspection reports, as referred to in Article 22n(3), and statements resulting from documentary inspections by inspectors on a similar basis as they act on reports and statements of national inspectors.

Section III

Black Sea*Article 22p***Measures to prevent, deter and eliminate IUU fishing in turbot fisheries in the Black Sea**

1. By 20 January each year, each Member State shall send to the Commission, through the accustomed data-processing support, a list of the vessels using bottom-set gillnets authorised to fish turbot in the Black Sea (GFCM geographical subarea 29, as defined in Annex I). By 31 January each year, the Commission shall send that list to the GFCM Secretariat.

2. The list indicated in paragraph 1 shall include, in addition to the data set out in Annex I to Implementing Regulation (EU) 2017/218, the following data:

- (a) GFCM registration number;
- (b) previous name (if any);
- (c) previous flag (if any);
- (d) previous details of deletion from other registers (if any);
- (e) main target species;
- (f) main gear(s) used for turbot, fleet segment and operational unit as defined in the Task 1 statistical matrix set out in Section C of Annex III;
- (g) time period authorised for fishing with gillnet or any other gear likely to fish turbot (if any of such authorisation).

3. Upon request by the GFCM, Member States shall report information on the fishing vessels authorised to engage in a fishing activity in a given period. In particular, Member States shall report the names of the fishing vessels concerned, their external identification number and the fishing opportunities allocated to each of them.

4. Unmarked abandoned gillnets used in turbot fisheries and found at sea shall be collected by the competent authorities of the coastal Member State. Subsequently, those nets shall either be seized until the owner is duly identified or destroyed if the owner cannot be identified.

▼ M2

5. Each Member State concerned shall designate landing points, in which landings and transhipping of turbot caught in the Black Sea shall take place, in accordance with Article 43(5) of Regulation (EC) No 1224/2009. A list of such points shall be communicated to the GFCM Secretariat and the Commission not later than 30 November of each year.

6. It shall be prohibited to land or tranship from fishing vessels any quantity of turbot caught in the Black Sea at any other place than the landing points referred to in paragraph 5.

*Article 22q***National monitoring, control and surveillance plans for turbot fisheries in the Black Sea**

1. Member States shall establish national monitoring, control and surveillance plans ('national plans') in order to implement the provisions of Article 22p by ensuring, inter alia, a proper and accurate monitoring and recording of the monthly catches and/or fishing effort deployed.

2. The following elements shall be contained in the national plans:

- (a) clear definition of the means of control, with description of human, technical and financial means specifically available for the implementation of the national plans;
- (b) clear definition of the inspection strategy (including inspection protocols), which shall concentrate on fishing vessels likely to catch turbot and associated species;
- (c) action plans for the control of markets and transport;
- (d) definition of inspection tasks and procedures, including the sampling strategy applied to verify the weighing of catches at first sale and the sampling strategy for vessels that are not subject to logbook/landing declaration rules;
- (e) explanatory guidelines for inspectors, producer organisations and fishermen regarding the set of rules in place for fisheries likely to catch turbot, including:
 - (i) rules for the completion of documents, including inspection reports, fishing logbooks, transshipment declarations, landing and take-over declarations, transport documents and sales notes;
 - (ii) technical measures in force, including mesh size and/or mesh dimensions, minimum catch size, temporary restrictions;
 - (iii) sampling strategies,
 - (iv) cross-check mechanisms.
- (f) training of national inspectors with a view to carrying out the tasks referred to in Annex II.

▼ M2

3. By 20 January each year, the Member States shall communicate the national plans to the Commission or a body designated by it. The Commission or a body designated by it shall forward those plans to the GFCM Secretariat by 31 January of each year.

*Article 22r***Scientific monitoring of turbot fisheries in the Black Sea**

The Member States shall communicate to the SAC and the Commission, not later than 30 November of each year, any additional information in support of the scientific monitoring of turbot fisheries in the Black Sea.

▼ B

TITLE IV

COOPERATION, INFORMATION AND REPORTING*Article 23***Cooperation and information**

1. The Commission and Member States shall cooperate and exchange information with the Executive Secretary of the GFCM, in particular by:
 - (a) requesting information from, and providing information to, relevant databases;
 - (b) requesting cooperation and cooperating in order to promote the effective implementation of this Regulation.
2. Member States shall ensure that their national fisheries-related information systems allow for the direct electronic exchange of information on port state inspections referred to in Title III between them and the Executive Secretary of the GFCM, taking due account of appropriate confidentiality requirements.
3. Member States shall take measures to share, by electronic means, information among relevant national agencies and to coordinate the activities of such agencies in the implementation of the measures set out in Chapter II of Title III.
4. Member States shall establish a list of contact points for the purpose of this Regulation, which shall be transmitted electronically, without delay, to the Commission and to the Executive Secretary and the contracting parties of the GFCM.
5. The Commission may adopt implementing acts as regards detailed rules for cooperation and the exchange of information. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 25(2).

▼ M1*Article 23a***Reporting of relevant data to the Commission**

1. By 15 December of each year, the Member States concerned shall submit to the Commission:

▼ M2

- (a) the data on red coral referred to in Article 22b; and

▼ M1

(b) in the form of an electronic report, the rates of incidental catches and release of seabirds, sea turtles, monk seals, cetaceans and sharks and rays, as well as any relevant information reported in accordance with points (a), (b), (c), (d) and (e) respectively of Article 17b(1).

2. The Commission shall transmit the information referred to in paragraph 1 to the Executive Secretary of the GFCM by 31 December of each year.

3. Member States shall communicate to the Commission any changes to the list of ports designated for landing catches of red coral in accordance with paragraph 5 of Recommendation GFCM/36/2012/1.

4. Member States shall set up adequate monitoring systems in order to collect reliable information on the impact on cetacean populations in the Black Sea of fishing vessels targeting picked dogfish with bottom-set gillnets, and shall submit that information to the Commission.

5. Member States shall inform the Commission of any changes made to the maps and lists of geographical positions which identify the location of caves of monk seals as referred to in paragraph 6 of Recommendation GFCM/35/2011/5.

6. The Commission shall promptly transmit the information referred to in paragraphs 3, 4 and 5 to the Executive Secretary of the GFCM.

7. The Commission may adopt implementing acts in respect of the format and transmission of the information referred to in paragraphs 1, 3, 4 and 5. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 25(2).

▼ M2

8. Each Member State shall submit a detailed report of its fishing activities regarding red coral to the GFCM Secretariat and the Commission by 30 June each year. Such report shall include at least information on total catches and exploitation areas and, if possible, on the number of dives and the average catch per dive.

▼ M1*Article 23b***Control, monitoring and surveillance of fisheries for small pelagic stocks in the Adriatic Sea**

1. By 1 October of each year, Member States shall communicate to the Commission their plans and programmes to ensure compliance with Article 16l through adequate monitoring and reporting, in particular of the monthly catches and fishing effort deployed.

▼M1

2. The Commission shall submit the information referred to in paragraph 1 to the Executive Secretary of the GFCM by no later than 30 October of each year.

▼B*Article 24***Reporting of statistical matrices**

1. Member States shall submit before 1 May of each year to the Executive Secretary of the GFCM the data for Tasks 1.1, 1.2, 1.3, 1.4 and 1.5 of the GFCM statistical matrix as set out in Section C of Annex III.

2. For the submission of data referred to in paragraph 1, Member States shall use the GFCM data-entry system or any other appropriate data submission standard and protocol that is set by the Executive Secretary of the GFCM and that is available on the GFCM website.

3. Member States shall inform the Commission of the data submitted on the basis of this Article.

The Commission may adopt implementing acts as regards detailed rules for the format and transmission of data referred to in this Article. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 25(2).

TITLE V

FINAL PROVISIONS*Article 25***Committee procedure**

1. The Commission shall be assisted by the Committee for Fisheries and Aquaculture established by Article 30(1) of Regulation (EC) No 2371/2002. That Committee shall be a committee within the meaning of Regulation (EU) No 182/2011.

2. Where reference is made to this paragraph, Article 5 of Regulation (EU) No 182/2011 shall apply.

*Article 26***Delegation of powers**

As far as is necessary, in order to implement in Union law amendments that become obligatory for the Union to existing GFCM measures that have already been implemented in Union law, the Commission shall be empowered to adopt delegated acts, in accordance with Article 27, in order to amend the provisions of this Regulation in respect of the following:

- (a) the provision to the Executive Secretary of the GFCM of information under Article 15(4);
- (b) the transmission of the list of authorised vessels to the Executive Secretary of the GFCM under Article 17;

▼B

- (c) port state measures set out in Articles 18 to 22;
- (d) cooperation, information and reporting set out in Articles 23 and 24;
- (e) the table, the map and the geographical coordinates of GFCM Geographical Sub-Areas (GSAs) set out in Annex I;
- (f) port state inspection procedures for vessels set out in Annex II; and
- (g) GFCM statistical matrices set out in Annex III.

*Article 27***Exercise of the delegation**

1. The power to adopt delegated acts is conferred on the Commission subject to the conditions laid down in this Article.
2. The power to adopt delegated acts referred to in ►**M1** Articles 16b, 16c and 26 ◀ shall be conferred on the Commission for a period of 3 years from ►**M1** 28 November 2015 ◀. The Commission shall draw up a report in respect of the delegation of power not later than 6 months before the end of the three-year period. The delegation of power shall be tacitly extended for periods of an identical duration, unless the European Parliament or the Council opposes such extension not later than 3 months before the end of each period.
3. The delegation of powers referred to in ►**M1** Articles 16b, 16c and 26 ◀ may be revoked at any time by the European Parliament or by the Council. A decision to revoke shall put an end to the delegation of the power specified in that decision. It shall take effect the day following the publication of the decision in the *Official Journal of the European Union* or at a later date specified therein. It shall not affect the validity of the delegated acts already in force.
4. As soon as it adopts a delegated act, the Commission shall notify it simultaneously to the European Parliament and to the Council.
5. A delegated act adopted pursuant to ►**M1** Articles 16b, 16c and 26 ◀ shall enter into force only if no objection has been expressed either by the European Parliament or the Council within a period of 2 months of notification of that act to the European Parliament and the Council or if, before the expiry of that period, the European Parliament and the Council have both informed the Commission that they will not object. That period shall be extended by 2 months at the initiative of the European Parliament or of the Council.

*Article 28***Amendments to Regulation (EC) No 1967/2006**

Regulation (EC) No 1967/2006 is hereby amended as follows:

- (1) in Article 4, paragraph 3 is deleted;
 - (2) in Article 9, paragraph 3 is replaced by the following:
 - ‘3. For towed nets, other than those referred to in paragraph 4, the minimum mesh size shall be at least:
 - (a) a square-meshed net of 40 mm at the cod-end; or
 - (b) at the duly justified request of the ship owner, a diamond-meshed net of 50 mm of an acknowledged size selectivity that is equivalent to or higher than that of nets referred to under point (a).
- Fishing vessels shall be authorised to use and keep on board only one of the two types of nets.
- The Commission shall submit a report on the implementation of this paragraph to the European Parliament and the Council by 30 June 2012, on the basis of which, as well as on the basis of the information supplied by Member States before 31 December 2011, it shall propose due amendments where appropriate.’;
- (3) Article 24 is deleted;
 - (4) in Article 27, paragraphs 1 and 4 are deleted.

*Article 29***Entry into force**

This Regulation shall enter into force on the 20th day following its publication in the *Official Journal of the European Union*.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

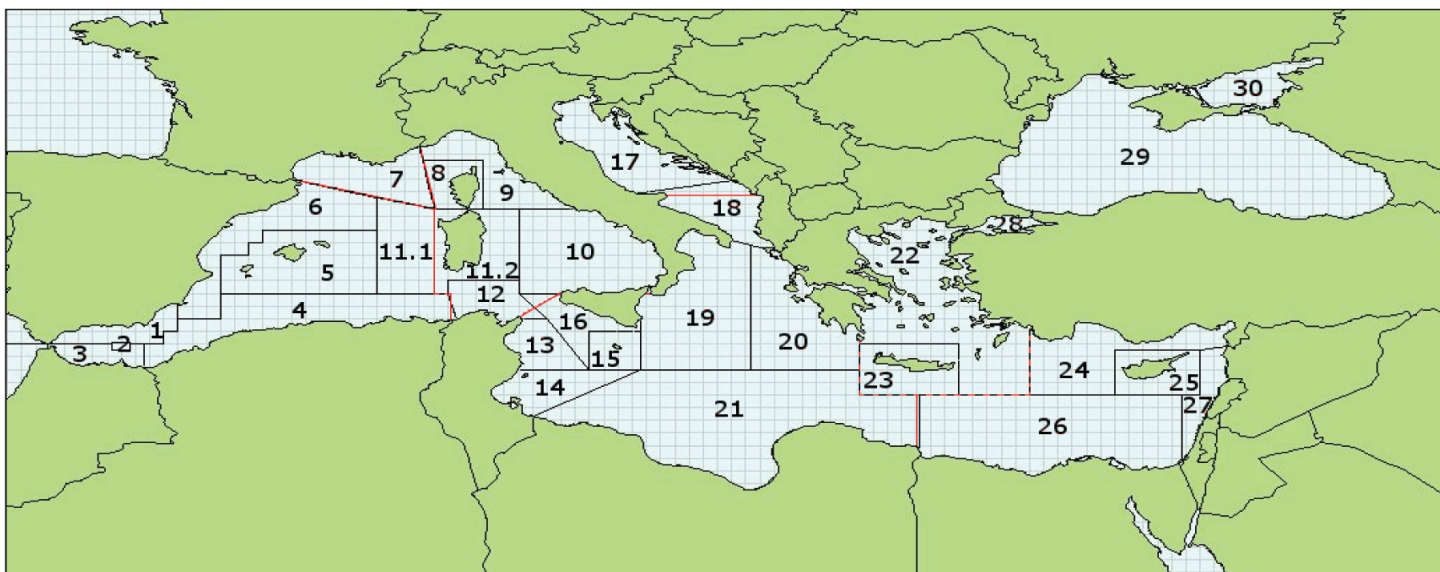


ANNEX I

A) Table of GFCM GSAs

FAO SUB-AREA	FAO STATISTICAL DIVISIONS	GSAs
WESTERN	1.1 BALEARIC	1 Northern Alboran Sea
		2 Alboran Island
		3 Southern Alboran Sea
		4 Algeria
		5 Balearic Island
		6 Northern Spain
		11.1 Sardinia (west)
	1.2 GULF OF LIONS	7 Gulf of Lions
	1.3 SARDINIA	8 Corsica Island
		9 Ligurian and North Tyrrhenian Sea
		10 South Tyrrhenian Sea
		11.2 Sardinia (east)
12 Northern Tunisia		
CENTRAL	2.1 ADRIATIC	17 Northern Adriatic
		18 Southern Adriatic Sea (part)
	2.2 IONIAN	13 Gulf of Hammamet
		14 Gulf of Gabes
		15 Malta Island
		16 South of Sicily
		18 Southern Adriatic Sea (part)
		19 Western Ionian Sea
		20 Eastern Ionian Sea
	21 Southern Ionian Sea	
EASTERN	3.1 AEGEAN	22 Aegean Sea
		23 Crete Island
	3.2 LEVANT	24 North Levant
		25 Cyprus Island
		26 South Levant
27 Levant		
BLACK SEA	4.1 MARMARA	28 Marmara Sea
	4.2 BLACK SEA	29 Black Sea
	4.3 AZOV SEA	30 Azov Sea

B) Map of GFCM GSAs (GFCM, 2009)



— FAO Statistical Divisions (red) — GFCM GSA (black)

01 — Northern Alboran Sea	09 — Ligurian and North Tyrrhenian Sea	16 — South of Sicily	24 — North Levant
02 — Alboran Island	10 — South and Central Tyrrhenian Sea	17 — Northern Adriatic	25 — Cyprus Island
03 — Southern Alboran Sea	11.1 — Sardinia (west)	18 — Southern Adriatic Sea	26 — South Levant
04 — Algeria	11.2 — Sardinia (east)	19 — Western Ionian Sea	27 — Levant
05 — Balearic Island	12 — Northern Tunisia	20 — Eastern Ionian Sea	28 — Marmara Sea
06 — Northern Spain	13 — Gulf of Hammamet	21 — Southern Ionian Sea	29 — Black Sea
07 — Gulf of Lions	14 — Gulf of Gabes	22 — Aegean Sea	30 — Azov Sea
08 — Corsica Island	15 — Malta Island	23 — Crete Island	

▼B

C) Geographical coordinates for GFCM GSAs (GFCM, 2009)

GSAs	LIMITS	GSAs	LIMITS
1	Coast Line 36° N 5° 36' W 36° N 3° 20' W 36° 05' N 3° 20' W 36° 05' N 2° 40' W 36° N 2° 40' W 36° N 1° 30' W 36° 30' N 1° 30' W 36° 30' N 1° W 37° 36' N 1° W	6	Coast line 37° 36' N 1° W 37° N 1° W 37° N 0° 30' E 39° 30' N 0° 30' E 39° 30' N 1° 30' W 40° N 1° 30' E 40° N 2° E 40° 30' N 2° E 40° 30' N 6° E 41° 47' N 6° E 42° 26' N 3° 09' E
2	36° 05' N 3° 20' W 36° 05' N 2° 40' W 35° 45' N 3° 20' W 35° 45' N 2° 40' W	7	Coast line 42° 26' N 3° 09' E 41° 20' N 8° E France-Italy border
3	Coast Line 36° N 5° 36' W 35° 49' N 5° 36' W 36° N 3° 20' W 35° 45' N 3° 20' W 35° 45' N 2° 40' W 36° N 2° 40' W 36° N 1° 13' W Morocco-Algeria border	8	43° 15' N 7° 38' E 43° 15' N 9° 45' E 41° 18' N 9° 45' E 41° 20' N 8° E 41° 18' N 8° E
4	Coast Line 36° N 2° 13' W 36° N 1° 30' W 36° 30' N 1° 30' W 36° 30' N 1° W 37° N 1° W 37° N 0° 30' E 38° N 0° 30' E 38° N 8° 35' E Algeria-Tunisia border Morocco-Algeria border	9	Coast line France-Italy border 43° 15' N 7° 38' E 43° 15' N 9° 45' E 41° 18' N 9° 45' E 41° 18' N 13° E
5	38° N 0° 30' E 39° 30' N 0° 30' E 39° 30' N 1° 30' W 40° N 1° 30' E 40° N 2° E 40° 30' N 2° E 40° 30' N 6° E 38° N 6° E	10	Coast line (including North Sicily) 41° 18' N 13° E 41° 18' N 11° E 38° N 11° E 38° N 12° 30' E
		11	41° 47' N 6° E 41° 18' N 6° E 41° 18' N 11° E 38° 30' N 11° E 38° 30' N 8° 30' E 38° N 8° 30' E 38° N 6° E
		12	Coast line Algeria-Tunisia border 38° N 8° 30' E 38° 30' N 8° 30' E 38° 30' N 11° E 38° N 11° E 37° N 12° E 37° N 11° 04'E

▼B

GSA	LIMITS	GSA	LIMITS
13	Coast line 37° N 11° 04' E 37° N 12° E 35° N 13° 30' E 35° N 11° E	21	Coast line Tunisia-Libya border 35° N 15° 18' E 35° N 23° E 34° N 23° E 34° N 25° 09' E Libya-Egypt border
14	Coast line 35° N 11° E 35° N 15° 18' E Tunisia-Libya border	22	Coast line 36° 30' N 23° E 36° N 23° E 36° N 26° 30' E 34° N 26° 30' E 34° N 29° E 36° 43' N 29° E
15	36° 30' N 13° 30' E 35° N 13° 30' E 35° N 15° 18' E 36° 30' N 15° 18' E	23	36° N 23° E 36° N 26° 30' E 34° N 26° 30' E 34° N 23° E
16	Coast line 38° N 12° 30' E 38° N 11° E 37° N 12° E 35° N 13° 30' E 36° 30' N 13° 30' E 36° 30' N 15° 18' E 37° N 15° 18' E	24	Coast line 36° 43' N 29° E 34° N 29° E 34° N 32° E 35° 47' N 32° E 35° 47' N 35° E Turkey-Syria border
17	Coast line 41° 55' N 15° 08' E Croatia-Montenegro border	25	35° 47' N 32° E 34° N 32° E 34° N 35° E 35° 47' N 35° E
18	Coast lines (both sides) 41° 55' N 15° 08' E 40° 04' N 18° 29' E Croatia-Montenegro border Albania-Greece border	26	Coast line Libya-Egypt border 34° N 25° 09' E 34° N 34° 13' E Egypt-Gaza Strip border
19	Coast line (including East Sicily) 40° 04' N 18° 29' E 37° N 15° 18' E 35° N 15° 18' E 35° N 19° 10' E 39° 58' N 19° 10' E	27	Coast line Egypt-Gaza Strip border 34° N 34° 13' E 34° N 35° E 35° 47' N 35° E Turkey-Syria border
20	Coast line Albania-Greece border 39° 58' N 19° 10' E 35° N 19° 10' E 35° N 23° E 36° 30' N 23° E	28	
		29	
		30	

*ANNEX II***Port state inspection procedures for vessels**

1. Vessel identification

Port inspectors shall:

- (a) verify that the official documentation on board is valid, if necessary, through appropriate contacts with the flag State or international records of vessels;
- (b) where necessary, arrange for an official translation of the documentation;
- (c) verify that the vessel's name, flag, any external identification number and markings (and International Maritime Organization (IMO) ship identification number when available) and the international radio call sign are correct;
- (d) as far as possible, examine whether the vessel has changed name and/or flag and, if so, note the previous name(s) and flag(s);
- (e) note the port of registration, name and address of the owner (and operator and beneficial owner if different from the owner), agent, and master of the vessel, including the unique ID for company and registered owner if available; and
- (f) note the names and addresses of previous owners, if any, during the past 5 years.

2. Authorisations

Port inspectors shall verify that authorisations to fish or transport fish and fishery products are compatible with the information obtained under point 1 and examine the duration of the authorisations and their application to areas, species and fishing gear.

3. Other documentation

Port inspectors shall review all relevant documentation, including documents in electronic format. Relevant documentation may include logbooks, in particular the fishing logbook, as well as the crew list, stowage plans and drawings or descriptions of fish holds if available. Such holds or areas may be inspected in order to verify whether their size and composition correspond to these drawings or descriptions and whether the stowage is in accordance with the stowage plans. Where appropriate, this documentation shall also include catch documents or trade documents issued by any regional fisheries management organisation.

4. Fishing gear

- (a) Port inspectors shall verify that the fishing gear on board is in conformity with the conditions of the authorisations. The gear may also be checked to ensure that features such as, inter alia, the mesh sizes (and possible devices), length of nets and hook sizes conform with applicable regulations and that identification marks of the gear correspond to those authorised for the vessel.
- (b) Port inspectors may also search the vessel for any fishing gear stowed out of sight and for fishing gear that is otherwise illegal.

▼B

5. Fish and fishery products

- (a) Port inspectors shall, to the greatest extent possible, examine whether the fish and fishery products on board were harvested in accordance with the conditions set out in the applicable authorisations. In doing so, port inspectors shall examine the fishing logbook and reports submitted, including those transmitted by a vessel monitoring system (VMS), as appropriate.
- (b) In order to determine the quantities and species on board, port inspectors may examine the fish in the hold or during the landing. In doing so, port inspectors may open cartons where the fish has been pre-packed and move the fish or cartons to ascertain the integrity of fish holds.
- (c) If the vessel is unloading, port inspectors may verify the species and quantities landed. Such verification may include product type, live weight (quantities determined from the logbook) and the conversion factor used for calculating processed weight to live weight. Port inspectors may also examine any possible quantities retained on board.
- (d) Port inspectors may review the quantity and composition of all catch on board, including by sampling.

6. Verification of IUU fishing

Article 11 of Regulation (EC) No 1005/2008 applies.

7. Report

A written report shall be prepared and signed by the inspector on completion of the inspection and a copy provided to the master of the vessel.

8. Results of port state inspections

Results of port state inspections shall include at least the following information:

(1) Inspection references

- inspecting authority (name of inspecting authority or the alternate body nominated by the authority),
- name of inspector,
- date and time of inspection,
- port of inspection (place where the vessel is inspected), and
- date (date the report is completed).

(2) Vessel identification

- name of the vessel,
- type of vessel,
- type of gear,
- external identification number (side number of the vessel) and IMO-number (if available) or other number as appropriate,
- International Radio Call Sign,

▼B

- MMS I-number (Maritime Mobile Service Identity number), if available,
- Flag State (the State where the vessel is registered),
- previous names and flags, if any,
- home port (the port of registration of the vessel) and previous home ports,
- vessel owner (name, address, contact),
- vessel beneficial owner if different from the vessel owner (name, address, contact),
- vessel operator responsible for using the vessel if different from the vessel owner (name, address, contact),
- vessel agent (name, address, contact),
- names and addresses of previous owners, if any,
- name, nationality and maritime qualifications of master and fishing master, and
- crew list.

(3) Fishing authorisation (licences/permits)

- the vessels' authorisations to fish or transport fish and fish products,
- states issuing the authorisations,
- terms of the authorisations, including areas and duration,
- relevant regional fisheries management organisation,
- areas, scope and duration of the authorisations,
- details of allocation authorised — quota, fishing effort or other,
- species, by-catch and fishing gear authorised, and
- transshipment records and documents (where applicable).

(4) Fishing trip information

- date, time, zone and place current fishing trip commenced,
- areas visited (entry and exit from different areas),
- transshipment activities at sea (date, species, place, quantity of fish transhipped),
- last port visited,
- date and time when current fishing trip ended, and
- intended next port of call, as appropriate.

▼B

- (5) Result of the inspection on the catch
 - start and end of discharge (times and date),
 - fish species,
 - product type,
 - live weight (quantities determined from the logbook),
 - relevant conversion factor,
 - processed weight (quantities landed by species and presentation),
 - equivalent live weight (quantities landed in equivalent live weight, as 'product weight multiplied with the conversion factor'),
 - intended destination of fish and fishery products inspected, and
 - quantity and species of fish retained on board, if any.
- (6) Results of gear inspection
 - details of gear types.
- (7) Conclusions
 - Conclusions of the inspection including identification of the violations believed to have been committed and reference to the relevant rules and measures. Such evidence shall be attached to the inspection report.



ANNEX III

(A) GFCM/SAC Fleet Segmentation

Groups	< 6 metres	6-12 metres	12-24 metres	More than 24 metres
1. Polyvalent small-scale vessels without engine	A			
2. Polyvalent small-scale vessels with engine	B	C		
3. Trawlers		D	E	F
4. Purse seiners		G	H	
5. Longliners		I		
6. Pelagic Trawlers		J		
7. Tuna seiners			K	
8. Dredgers		L		
9. Polyvalent vessels			M	

Description of segments

- A *Polyvalent small-scale vessels without engine* — All vessels less than 12 metres in length (LOA) without an engine (wind or propulsion).
- B *Polyvalent small-scale vessels with engine less than 6 m* — All vessels under 6 metres in length (LOA) with engine.
- C *Polyvalent small-scale vessels with engine between 6 and 12 metres* — All vessels between 6 and 12 metres in length (LOA) with engine, that use different gears during the year without clear predominance of one of them or that use a gear not considered in this classification.
- D *Trawlers less than 12 m* — All vessels less than 12 metres in length (LOA) allocating more than 50 percent of their effort operating with a demersal trawl.
- E *Trawlers between 12 and 24 m* — All vessels, between 12 and 24 metres in length (LOA) allocating more than 50 percent of their effort operating with a demersal trawl.
- F *Trawlers longer than 24 m* — All vessels over 24 metres in length (LOA), allocating more than 50 percent of their effort operating with a demersal trawl.
- G *Purse Seiners between 6 and 12 m* — All vessels between 6 and 12 m in length (LOA), allocating more than 50 percent of their effort operating with a purse seine.
- H *Purse Seiners longer than 12 m* — All vessels over 12 m in length (LOA), allocating more than 50 percent of their effort operating with a purse seine, excluding those using a tuna seine during any time of the year.
- I *Longliners longer than 6 m* — All vessels over 6 m in length (LOA), allocating more than 50 percent of their effort operating with a longline.
- J *Pelagic Trawlers longer than 6 m* — All vessels over 6 m in length (LOA), allocating more than 50 percent of their effort operating with a pelagic trawl.

▼B

- K *Tuna seiners* — All vessels operating with a Tuna Seine for any length of time during the year.
- L *Dredgers longer than 6 m* — All vessels over 6 m in length (LOA), allocating more than 50 percent of their effort operating with a dredge.
- M *Polyvalent vessels longer than 12 m* — All vessels over 12 metres in length (LOA), that use different gears during the year without clear predominance of one of them or that use a gear not considered in this classification.

Note: All the cells are open for collecting information. The cells left blank in the above table are considered as unlikely to have a significant population. However, if necessary, it is advisable to merge the information of a 'blank cell' with the most appropriate neighbouring 'grey cell'.

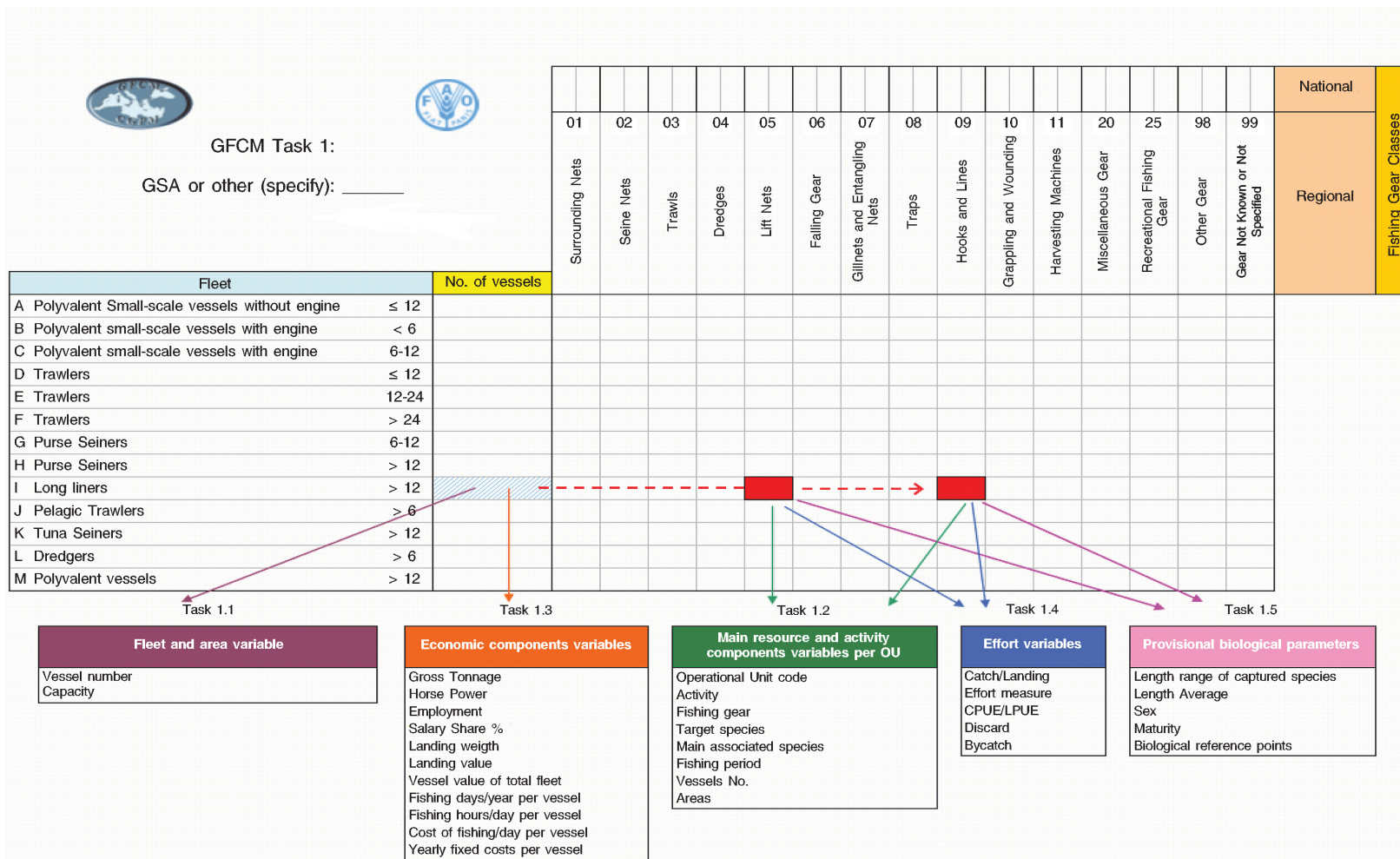
(B) Table on measurement of nominal fishing effort

Gear	Number and dimension	Capacity	Activity	Nominal Effort ⁽¹⁾
Dredge (for molluscs)	Open mouth, width of mouth	GT	Time fishing	Dredged bottom surface ⁽²⁾
Trawl (including dredges for flat-fishes)	Type of trawl (pelagic, bottom) GT and/or GRT Engine power Mesh size Size of the net (width of mouth) Speed	GT	Time Fishing	GT × days GT × hours kW × days
Purse seine	Length and drop of the net GT Light power Number of small boats	GT Length and drop of the net	Search time Set	GT × Fishing sets Length of the net × fishing sets
Nets	Type of net (e.g. trammel net, gillnets, etc.) Net length (used in regulations) GT Net surface Mesh size	Net length and drop	Time fishing	Net length × days Surface × days
Long lines	Number of hooks GT Number of longline Characteristics of hooks Bait	Number of hooks Number of longline unit	Time fishing	Number of hooks × hours Number of hooks × days Number of longline units × days/hours
Traps	GT	Number of traps	Time fishing	Number of traps × days
Purse seine/FADs	Number of FADs	Number of FADs	Number of trips	Number of FADs × Number of trips

⁽¹⁾ The effort measures that do not include a time activity should be referred to a period of time (i.e. by year).

⁽²⁾ Should be referred to a particular area (indicating the surface) to estimate fishing intensity (effort/km²) and to relate the effort to exploited communities.



(C) GFCM Task 1 — Operational Units



▼ M2

ANNEX IV

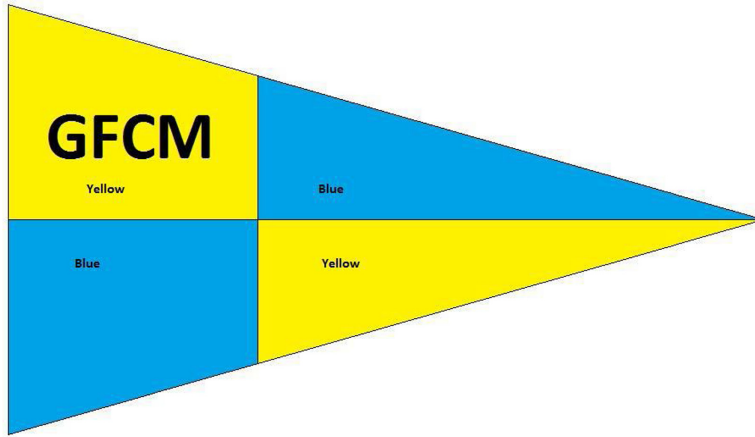
MODEL OF IDENTITY CARD FOR GFCM INSPECTORS

General Fisheries Commission for the Mediterranean			GFCM	
	GFCM		The holder of this inspector identity card is a GFCM inspector duly appointed under the terms of the General Fisheries Commission for the Mediterranean (GFCM) Joint Inspection and Surveillance Scheme and has the power to act under the provisions of GFCM rules.	
INSPECTOR IDENTITY CARD				
Photograph	Contracting Party			
	Inspector Name:			
	Card n°			
	Issue date:	Valid for five years Issuing Authority Inspector

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ANNEX V

MODEL OF GFCM INSPECTION PENNANT



▼ **M2***ANNEX VI***GFCM INSPECTION REPORT**

1. INSPECTOR(S)
 - Name Contracting Party GFCM Identity Card number
 - Name Contracting Party GFCM Identity Card number
 - Name Contracting Party GFCM Identity Card number
2. VESSEL CARRYING THE INSPECTOR(S)
 - 2.1 Name and Registration
 - 2.2 Flag
3. INFORMATION ON VESSEL INSPECTED
 - 3.1 Name and Registration
 - 3.2 Flag
 - 3.3 Captain (Name and address)
 - 3.4 Ship owner (Name and address)
 - 3.5 GFCM Record number
 - 3.6 Type of vessel
4. POSITION
 - 4.1 Position as determined by inspecting vessel's master at UTC;
Lat Long
 - 4.2 Position as determined by fishing vessel's master at UTC;
Lat Long
5. DATE AND TIMES THE INSPECTION COMMENCED AND FINISHED
 - 5.1 Date Time arrived on board UTC-Time of
Departure UTC
6. TYPE OF FISHING GEAR ON BOARD

Bottom otter trawl – OTB	
Mid-water otter trawl – OTM	
Shrimp trawls – TBS	
Purse seine – PS	
Gillnets anchored (set) – GNS	
Set longlines – LLS	
Recreational gear – RG	
Other (Specify)	
7. MESH MEASUREMENT - IN MILLIMETRES
 - 7.1 Legal mesh size to be used: mm

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7.2 Result of the average mesh size measurement: mm

7.3 Infringement: YES - NO In case of YES, legal reference:

8. INSPECTION OF CATCHES ON BOARD

8.1 Results of the inspection of the fish on board

SPECIES (FAO tri alpha Code)						
Total (Kg)						
Presentation						
Sample inspected						
% of fish undersize						

8.2 Infringement: YES - NO In case of YES, legal reference:

9. INSPECTION OF DOCUMENTS ON BOARD AND VMS

9.1 Fishing Log Book: YES - NO

9.2 Infringement: YES - NO In case of YES, legal reference:

9.3 Fishing Licence: YES - NO

9.4 Infringement: YES - NO In case of YES, legal reference:

9.5 Specific authorisation: YES - NO

9.6 Infringement: YES - NO In case of YES, legal reference:

9.7 VMS: YES - NO in function: YES - NO

9.8 Infringement: YES - NO In case of YES, legal reference:

10. LIST OF VIOLATIONS

Fishing without a licence, permit or authorisation issued by the flag CPC – legal reference:

Failure to maintain sufficient records of catch and catch-related data in accordance with the GFCM's reporting requirements or significant misreporting of such catch and/or catch-related data – legal reference:

Fishing in a closed area – legal reference:

Fishing during a closed season– legal reference:

Use of prohibited fishing gear – legal reference:

Falsification or intentional concealment of the markings, identity or registration of a fishing vessel – legal reference:

Concealment, tampering with or disposal of evidence relating to investigation of a violation – legal reference:

Multiple violations which taken together constitute a serious disregard of measures in force pursuant to the GFCM;

Assault, resistance, intimidation, sexual harassment, interference with, or undue obstruction or delay of an authorised inspector;

Interference with the satellite monitoring system and/or operates without VMS system – legal reference:

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11. LIST OF DOCUMENTS COPIED ON BOARD

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12. COMMENTS AND SIGNATURE BY THE MASTER OF VESSEL

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Signature of master:

13. COMMENTS AND SIGNATURE BY THE INSPECTOR(S)

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.....

Signature of inspector(s):

▼ **M2***ANNEX VII***GFCM SIGHTING REPORT**

1. Date of the sightings:/...../..... Time: UTC
2. Position of the vessel sighted:
Latitude - Longitude
3. Course: - Speed
4. Name of the vessel sighted:
5. Flag of the vessel sighted:
6. External number/markings:
7. Type of vessel:
 - Fishing vessel
 - Carrier vessel
 - Freezer vessel
 - Other (specify)
8. International Radio Call Sign:
9. IMO number (where applicable):
10. Activity(ies):
 - Fishing
 - Steaming
 - Drifting
 - Transshipping
11. Radio contact: YES - NO
12. Name and nationality of the captain of the sighted vessel:
13. Number of people on board the sighted vessel:
14. Catches on board sighted vessel:
15. Information collected by:
 - Name of inspector:
 - Contracting Party:
 - GFCM Identity Card number:
 - Name of the patrol vessel:

▼ M2*ANNEX VIII***DATA TO BE INCLUDED IN THE LIST OF VESSELS TARGETING
BLACKSPOT SEABREAM**

The list referred to Article 22i shall contain, for each vessel, the following information:

- Vessel name
- Vessel register number (code assigned by CPCs)
- GFCM registration number (country ISO 3-alpha code + 9 digits, e.g. xxx000000001)
- Port of registration (full name of the port)
- Previous name (if any)
- Previous flag (if any)
- Previous details of deletion from other registers (if any)
- International radio call sign (if any)
- VMS (indicate Y/N)
- Type of vessel, length overall (LOA) and gross tonnage (GT) and/or gross registered tonnage (GRT) and engine power expressed in kW
- Name and address of owner(s) and operator(s)
- Main gear(s) used to fish for blackspot seabream and fleet segment allocation and operational unit as identified in the DCRF
- Seasonal period authorised for fishing blackspot seabream.