

Recommendation GFCM/36/2012/2
on the mitigation of incidental catches of cetaceans in the GFCM area of application

The General Fisheries Commission for the Mediterranean (GFCM),

RECALLING that the objective of the Agreement for the establishment of the General Fisheries Commission for the Mediterranean (GFCM Agreement) is to ensure the conservation and sustainable use, at the biological, social, economic and environmental level, of marine living resources in the GFCM area of application;

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

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

CONSIDERING that the incidental catch of cetacean species in relation to fishing activities may seriously affect cetacean populations in the GFCM area of application;

RECOGNIZING that some fishing operations carried out in the GFCM area of application, including the risk of unaccounted catches of cetaceans due to the loss of gear at sea (so called “ghost fishing”), can adversely affect cetaceans and that there is a need to better understand the phenomenon to conceive and implement measures to mitigate these adverse effects;

RECALLING the Agreement on the Conservation of Cetaceans of the Black Sea, Mediterranean Sea and Contiguous Atlantic Area (ACCOBAMS) whose objectives include the mitigation of negative impacts between cetaceans and fishing activities;

RECALLING the Protocol concerning Specially Protected Areas and Biological Diversity in the Mediterranean (SPA/BD Protocol) of the Convention for the Protection of the Marine Environment and the Coastal Region of the Mediterranean (Barcelona Convention) and the listing of several cetacean species occurring in the convention area therein;

RECALLING Recommendation GFCM/29/2005/3 prohibiting the use of driftnets for fisheries of large pelagic species;

AIMING to reduce the bycatch of cetaceans in the GFCM area of application, thus contributing to improve the conservation status of these animals, in line with an ecosystem approach to fisheries management;

TAKING INTO ACCOUNT the advice of the Scientific Advisory Committee on Fisheries (SAC) on the need to endorse measures for the reduction of the bycatch of cetaceans;

RECOGNIZING, also, the need to collect more data and technical information in order to fully assess the advantages and risks associated with the possible adoption of other types of measures modifying the characteristics of fishing gear, as well as any other potential impact on fishing activities;

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

1. Contracting parties and cooperating non-contracting parties (CPCs) shall take actions to study, monitor, prevent, mitigate and, to the extent possible, eliminate incidental catch of cetaceans during fishing operations.

2. For the purpose of mitigating the bycatch of cetaceans during fishing operations, CPCs shall:
 - a) prohibit gillnet fisheries using monofilament greater than 0.5 mm; and
 - b) require vessels flying their flag to promptly release alive/unharmed, to the extent practicable, cetaceans that have been incidentally caught and brought alongside the vessel.
3. CPCs shall collect and forward to the GFCM Secretariat, through their national reporting to relevant GFCM subsidiary bodies, and in accordance with the data reporting requirements of relevant GFCM recommendations in line with the technical manual of the GFCM Data Collection Reference Framework (DCRF), information on incidental catch rates of cetaceans, taking into account, among other, relevant information on the fisheries concerned, the characteristics of the type of gear, times, locations (either by geographical subarea [GSA] or by GFCM statistical rectangles) and affected cetacean species.
4. The SAC, in coordination with the GFCM Secretariat and relevant partner organizations, shall compile all available data and other relevant information from commercial fisheries and scientific literature with a view to assessing, from a scientific, environmental and socio-economic perspective, the conservation benefits, feasibility, alternative solutions and potential impacts of measures such as:
 - restricting/prohibiting the use of stainless steel hooks and metallic branch lines (snoods) in bottom and demersal longlines fishing;
 - limiting the maximum dimensions, both in terms of drop and length overall (LOA), of bottom-set nets towards ranges of common values considered adequate at the subregional level to tackle the problem of incidental catch of cetaceans;
 - limiting the soaking time for bottom-set net fishing, including the implementation of time-data logger, taking also into consideration the subregional specificities of fisheries; and
 - assessing the impact of using bottom-set gillnets with twine diameter equal or smaller than 0.5 mm on the fisheries, from a biological and socio-economic point of view.
5. The SAC, in coordination with the GFCM Secretariat and relevant partner organizations, shall assess the feasibility of other possible mitigation measures, such as the use of pingers and acoustically reflective nets to reduce the interactions of cetaceans with fisheries.
6. The SAC shall report back to the GFCM in 2015, in time for its thirty-ninth session.
7. Taking into account the possible technical interactions between different fishing gear in fisheries, the GFCM Secretariat shall coordinate, whenever appropriate, with the Secretariat of the International Commission for the Conservation of Atlantic Tunas (ICCAT), with a view to properly addressing the items identified in paragraph 4.
8. Upon receipt of advice from the SAC, the GFCM shall consider, if appropriate, the adoption of further measures to mitigate incidental catches of cetaceans in the fisheries concerned.
9. The provisions of this recommendation are without prejudice to additional or stricter measures adopted or that could be adopted by CPCs, in particular for what concerns measures in paragraph 2 a) above.