General Fisheries Commission for the Mediterranean: amended Agreement

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PURPOSE: to conclude an amended Agreement for the establishment of the General Fisheries Commission for the Mediterranean.

PROPOSED ACT: Council Decision.

ROLE OF THE EUROPEAN PARLIAMENT: The European Parliament decides in accordance with the ordinary legislative procedure and on an equal footing with the Council.

BACKGROUND: the Agreement for the establishment of the General Fisheries Commission for the Mediterranean (GFCM), under the provisions of Article XIV of the FAO constitution, was approved by the FAO Conference in 1949 and entered into force in 1952. Amendments to this Agreement were approved in 1963, 1976 and 1997.

The European Community acceded to the GFCM on 16 June 1998 through Decision 98/416/EC.

Mediterranean and Black Sea EU Member States are also parties to this Agreement.

The GFCM is a so-called Regional Fisheries Management Organisation (RFMO), with the aim of promoting the development, conservation, rational management and best utilization of living marine resources, as well as the sustainable development of aquaculture in the Mediterranean and Black Sea.

An amendment of the GFCM Agreement was launched in 2013 following a performance review finalised in 2011, which concluded that **the Agreement should be amended to clarify the objectives and functions of the GFCM, and strengthen its efficiency**.

The amended Agreement was negotiated with the GFCM Contracting Parties. The Council authorised the Commission to negotiate on behalf of the Union on matters falling within the Union's competence. The negotiations were carried out by Member States and the Commission as per their respective areas of competence in accordance to the terms of the mandate.

The Contracting Parties to the GFCM endorsed the "Amended Agreement for the establishment of the General Fisheries Commission for the Mediterranean" at the GFCM 38 Annual Session on 19-24 May 2014.

It is now necessary to conclude the amended Agreement on behalf of the European Union.

CONTENT: the Commission invites the Council to adopt a decision to approve, on behalf of the European Union, the amended Agreement for the establishment of the General Fisheries Commission for the Mediterranean.

The amended Agreement revises the structure and content of the current one, so as to bring it in line with modern RFMO instruments.

Amendment: main changes introduced are as follows:

- **A clearer explanation of the purpose of the GFCM Agreement**: the new Agreement sets a clear overall objective of **biological, social, economic and environmental sustainability of living marine resources**. It also introduces definitions of the terms that are necessary for the correct interpretation of the Agreement.

Better defined functions of the GFCM, which include the promotion of common fishery management through multiannual management plans, the establishment of fisheries restricted areas, and the collection and dissemination of data.

In this context, the new Agreement integrates core elements of the Common Fisheries Policy regarding:

- the objective of maximum sustainable yield,
- the ecosystem and precautionary approach,
- the reduction of discards,
- the fight against illegal, unreported and unregulated fishing.

- **Sanctions**: the amendment includes provisions for the establishment of measures/sanctions to address non-compliance by Members/non-Members.

- **Dispute settlements**: the establishment of a well-defined dispute settlement mechanism in case disputes arise between Contracting Parties.

It should be noted that the text of the amended Agreement will undergo a final legal check by the FAO, which should be finalised in October 2014. The text may therefore undergo changes, which are not expected to be of substance.