

**Recommendation GFCM/44/2021/2**

**on the establishment of a fisheries restricted area in the Jabuka/Pomo Pit in the Adriatic Sea (geographical subarea 17), amending Recommendation GFCM/41/2017/3**

The General Fisheries Commission for the Mediterranean (GFCM),

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

*CONSIDERING* that all measures formulated by the GFCM shall be based on the best scientific advice available, taking into account relevant environmental, economic and social factors;

*CONSIDERING* that the GFCM shall apply the precautionary approach in accordance with the United Nations Agreement for the Implementation of the Provisions of the United Nations Convention on the Law of the Sea of 10 December 1982 relating to the Conservation and Management of Straddling Fish Stocks and Highly Migratory Fish Stocks of 4 August 1995 and the Code of Conduct for Responsible Fisheries of the Food and Agriculture Organization of the United Nations (FAO);

*CONSIDERING* that the FAO Code of Conduct for Responsible Fisheries provides that states “should apply the precautionary approach widely to conservation, management and exploitation of living aquatic resources in order to protect them and preserve the aquatic environment, taking account of the best scientific evidence available. The absence of adequate scientific information should not be used as a reason for postponing or failing to take measures to conserve target species, associated or dependent species and non-target species and their environment”;

*HAVING REGARD* to Article 8 b) ii) of the GFCM Agreement aiming to minimize the impacts of fishing activities on marine living resources and their ecosystems;

*HAVING REGARD* to Article 8 b) iv) of the GFCM Agreement aiming “to establish fisheries restricted areas for the protection of vulnerable marine ecosystems, including, but not limited to, nursery and spawning areas...”;

*RECALLING* the GFCM 2030 Strategy for sustainable fisheries and aquaculture in the Mediterranean and the Black Sea, in particular its Output 1.3 “Efficient area-based conservation measures, technical and nature-based solutions strengthened to conserve biodiversity and enhance the productivity of marine living resources” that identifies “new fisheries restricted areas and, once established, enhances their efficiency and monitoring in order to manage the significant adverse impacts of fisheries on vulnerable species, ecosystems and essential fish habitats”;

*RECALLING* the 2017 Malta MedFish4Ever Ministerial Declaration, in particular its paragraph 38;

*CONSIDERING* that the Jabuka/Pomo Pit is identified as an ecologically or biologically significant marine area under the 1992 Convention on Biological Diversity;

*NOTING* the United Nations Sustainable Development Goals (SDGs), in particular SDG 14 “Conserve and sustainably use the oceans, seas and marine resources” and Target 14.5 “By 2020, conserve at least 10 percent of coastal and marine areas, consistent with national and international law and based on the best available scientific information”;

*TAKING INTO ACCOUNT* the advice expressed by the Scientific Advisory Committee on Fisheries (SAC) at its twenty-second session (online, June 2021) on the positive contribution of the Jabuka/Pomo Pit fisheries restricted area (FRA) to the protection of the juveniles and biomass of demersal species;

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

## **PART I**

### **General objective, scope and definitions**

#### ***General objective and scope***

1. This recommendation establishes a FRA in the Jabuka/Pomo Pit area, in the Adriatic Sea (geographical subarea 17), with a view to contributing to the protection of vulnerable marine ecosystems and important essential fish habitats for demersal stocks such as European hake and Norway lobster and for small pelagic stocks such as anchovy and sardine.
2. For the purpose of this recommendation, the FRA established under paragraph 1 shall be divided in Zone A, Zone B and Zone C and bounded by the lines joining the geographical coordinates defined in Annex 1.

#### ***Definitions***

3. For the purpose of this recommendation, the following definitions shall apply:
  - a) “Fisheries restricted area” or “FRA” means a geographically-defined area in which some specific fishing activities are temporarily banned or restricted in order to improve the exploitation and conservation of demersal stocks.
  - b) “Recreational fishing” means non-commercial fishing activities exploiting marine living resources, including leisure, sport, underwater and charter fisheries.
  - c) “Designated landing point” means ports, or places close to the shore, designated by the contracting parties and cooperating non-contracting parties (CPCs) according to Recommendation GFCM/40/2016/1 on a regional scheme on port state measures to combat illegal, unreported and unregulated fishing activities in the GFCM area of application, including offshore terminals and other installations for landing, transshipping, packaging, processing, refuelling or resupplying of fishing vessels, where landings, transshipments, packaging and/or processing operations of fishery products are permitted.
  - d) “Fishing authorization” means entitlement other than fishing licence and issued by CPCs to engage in fishing activities with specific fishing gear, during a specified period and in a given area or for a given fishery under specific conditions.
  - e) “Authorized vessel” means fishing vessel in possession of a specific fishing authorization.
  - f) “Fishing day” means any continuous period of 24 hours, or part thereof, during which a vessel is searching for fish, shooting, setting, towing, hauling a fishing gear, taking catch on board, transshipping, retaining on board, processing on board, transferring and landing fish and fishery products.

## **PART II**

### **Management and monitoring of fishing capacity and fishing effort in the Jabuka/Pomo Pit FRA**

#### ***Zone A***

4. Any professional fishing activity with bottom-set nets, bottom trawls, set longlines and traps shall be prohibited in Zone A. Fishing activity with purse seiners and pelagic trawlers targeting anchovy or sardine shall be prohibited in this zone.
5. Any recreational fishing activity shall be prohibited in Zone A.

#### ***Zone B***

6. Fishing activities with bottom-set nets, bottom trawls, set longlines and traps shall be prohibited in Zone B, from 1 September to 31 October each year, starting from 2022. Fishing activity with purse seiners and pelagic trawlers targeting anchovy or sardine shall be prohibited in this zone.
7. Without prejudice to paragraph 6, professional activities with bottom-set nets, bottom trawls, set longlines and traps may be allowed in Zone B, provided that the vessel and/or its master is in possession of a specific authorization and that historical fishing activities in Zone B are demonstrated. Contracting parties and cooperating non-contracting parties shall establish a register of the fishing vessels authorized to fish in this zone.
8. Authorized fishing vessels shall not be entitled to fish for more than two fishing days per week.
9. Authorized fishing vessels using otter twin trawl gear shall not be entitled to fish for more than one fishing day per week.

#### ***Zone C***

10. Fishing activities with bottom-set nets, bottom trawls, set longlines and traps as well as recreational fisheries shall be prohibited in Zone C, from 1 September to 31 October each year, starting from 2022. Fishing activity with purse seiners and pelagic trawlers targeting anchovy or sardine shall be prohibited in this zone.
11. Without prejudice to paragraph 10, professional activities with bottom-set nets, bottom trawls, set longlines and traps may be allowed in Zone C, provided that the vessel or its master is in possession of a specific authorization and that historical fishing activities in Zone C are demonstrated. Contracting parties and cooperating non-contracting parties shall establish a register of the fishing vessels authorized to fish in this zone.
12. Authorized vessels fishing with bottom trawls shall be entitled to fish on Saturdays and Sundays only, from 05.00 hours till 22.00 hours.
13. Authorized vessels fishing with bottom-set nets, set longlines and traps shall be allowed to fish from Monday 05.00 hours till Thursday 22.00 hours.

### **PART III**

#### **Control measures**

14. Contracting parties and cooperating non-contracting parties shall communicate to the GFCM Secretariat, not later than 30 April 2022, the list of authorized vessels for 2022 and subsequently, not later than 30 April each year, the list of authorized vessels for the forthcoming year. For each vessel, the list shall contain the information detailed in Annex 2.

15. Authorized fishing vessels shall only land catch of demersal stocks at the CPCs' designated landing points. To this end, each CPC shall designate landing points in which the landings of demersal stocks from the Jabuka/Pomo Pit FRA are authorized. The list of such landing points shall be communicated to the GFCM Secretariat by 30 April each year.

16. Fishing vessels authorized to fish in Zone B and/or Zone C shall be equipped with vessel monitoring systems (VMS) and/or automated identification systems (AIS) in correct working order, and the fishing gear on board or in use shall be duly identified, numbered and marked before starting any fishing operation or navigation in the FRA.

17. Fishing vessels equipped with bottom-set nets, bottom trawls, set longlines and traps without authorization shall be allowed to transit through the FRA only if they follow a direct course at a constant speed of not less than 7 knots and are equipped with VMS and/or AIS active on board.

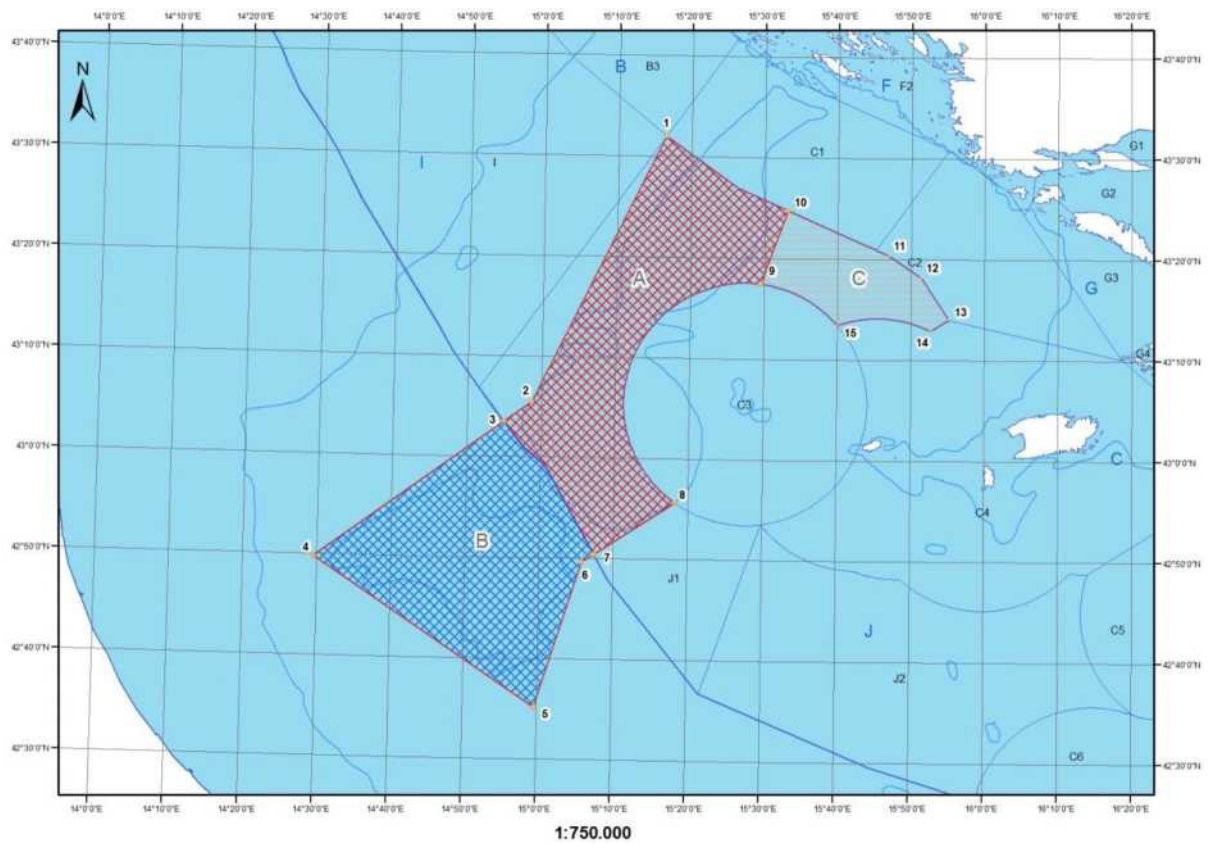
### **PART IV**

#### **Final provisions**

18. Contracting parties and cooperating non-contracting parties shall call the attention of the relevant national and international authorities in order to protect the Jabuka/Pomo Pit FRA from the impacts of any activity that may jeopardize the conservation of the characteristic features of these particular habitats.

19. This recommendation shall be without prejudice to stricter measures adopted by the CPCs for the vessels flying their flag.

20. This recommendation shall apply on a permanent basis. The SAC and the Compliance Committee shall review its implementation on a yearly basis in order to issue recommendations where appropriate.

**Geographical coordinates of the fisheries restricted area in the Jabuka/Pomo Pit (Adriatic Sea)**

Zone A		
Point	Latitude	Longitude
1	43°32,044' N	15°16,501' E
2	43°05,452' N	14°58,658' E
3	43°03,477' N	14°54,982' E
7	42°50,450' N	15°07,431' E
8	42°55,618' N	15°18,194' E
9	43°17,436' N	15°29,496' E
10	43°24,758' N	15°33,215' E

Zone B		
Point	Latitude	Longitude
3	43°03,477' N	14°54,982' E
4	42°49,811' N	14°29,550' E
5	42°35,205' N	14°59,611' E
6	42°49,668' N	15°05,802' E
7	42°50,450' N	15°07,431' E

Zone C		
Point	Latitude	Longitude
9	43°17,436' N	15°29,496' E
10	43°24,758' N	15°33,215' E
11	43°20,345' N	15°47,012' E
12	43°18,150' N	15°51,362' E
13	43°13,984' N	15°55,232' E
14	43°12,873' N	15°52,761' E
15	43°13,494' N	15°40,040' E

**Annex 2**

The list referred to in paragraph 14 shall contain for each vessel the following information:

- vessel name;
- national registration number (code assigned by CPCs);
- vessel registration number (country ISO 3-alpha code + 9 digits, e.g. xxx000000001);
- previous name (if any);
- previous flag (if any);
- previous details of deletion from other registers (if any);
- international radio call sign (if any);
- type of vessel, length overall and gross tonnage;
- name and address of owner(s) and operator(s);
- main gear used to fish in the FRA;
- seasonal period authorized for fishing in the FRA;
- number of fishing days that can be exerted by each vessel; and
- designated port.