



Prot. 89bis/2010

Rome, 24 September 2010

**REPORT OF THE MED RAC MEETING
Salonika, 20 September 2010**

Present: See attached list

Excused: Levstik, Ribalta, Jan Kappel

Chairperson: Mourad Kahoul

1. The President opened the meeting welcoming the participants, then gave the floor to Marina Petrou, representative from the Greek Fisheries Ministry. The Agenda was adopted.
2. Concerning the first item on the agenda on the red tuna campaign report, the President gave the floor to Jean-François Flores, French vessel-owner who explained the inconsistencies and disproportion of the checks and controls carried out by the European Union, the member states and the fisheries' sector itself. Having participated in many meetings on the issue of red tuna, Flores expressed his regrets regarding the lack of objectivity in the decision-making process and he hoped to raise the awareness of the supply chain players and of the responsibilities of the political decisions beyond the question of the resources, underlining that there are families who have made their livelihoods from fishing for many generations.
3. De Leiva, representative for the Community Fisheries Control Agency took the floor. After a presentation on the Agency's functioning, activities and prerogatives, De Leiva described the intervention plan started up in 2010 to manage the red tuna campaign in 2010. He pointed out that checks were also carried out on some vessels sailing under flags from non-EU countries. On the contrary, Italian fishers using tuna purse seiners had not worked this year. The number of European fishery boats to be checked this year was much less than in previous years. Moreover, the campaign regarding boats using seine nets only lasted one month. In total, 160 inspectors carried out 526 inspections. Some observers followed the campaign onboard the fishing boats. In total, 52 possible cases of infringement were revealed, including 46 at sea, or 8% of eventual infringements out of the total of inspections carried out. They involved possible infringements of administrative details. In 2009, the percentage was 9%. Instead, out of the number of inspections carried out onboard boats sailing under non-EU flags, the cases of possible infringement amounted to 24%. The Agency also found cases of infringement in recreational fishing. In conclusion, the Agency declared itself satisfied with the results of the intervention plan.



4. After De Leiva's presentation, Gil de Bernabé asked for clarification from the Commission, the Secretariat and the participants regarding the Greenpeace aggression towards French fishing vessels during the campaign and the institutional reactions following the press release adopted by the RAC during the meeting of 22 June 2010 where the RAC condemned these actions. He then mentioned the debate on the Application Regulation of the Control Regulation which will take place at ACFA and which, specifically, stipulates the procedure for putting into effect the "points permit", for fishing vessels, together with other measures. Underlining the enormous number of administrative restrictions that make up the Regulation cited and the impossibility for fishermen to respect all of them, it was inevitable that the number of infringements committed by fishermen would increase, thus worsening their image. He, therefore, asked to organize a meeting on this issue.
5. As for the issue regarding the aggressive actions of Greenpeace, Buonfiglio recalled that the actions of this NGO had caused a lot of damage and there had also been people injured. The MED RAC had adopted a declaration that denounced these actions, eliciting a reaction from the NGO Greenpeace, even though its name had not been mentioned in the declaration. They threatened the RAC and its President with legal action sustaining that the RAC had no authority to take such an action. They set an ultimatum with conditions. The RAC, then, consulted a lawyer, specialized in EU legislation, who drew up a letter addressed to Greenpeace. All papers are available on the RAC website. Flores, who was in the area when the aggression took place, recounted that the NGO's helicopter hovered over the tuna cages in order to empty them and damage the gear so the tuna could escape. The Maltese coast guard was able to effectively intervene.
6. Concerning the "Control" Regulation Application, Buonfiglio proposed to include this issue in the Agenda for the 30 November meeting, for example, to provide the RAC with an opportunity to formulate an opinion, keeping in mind that the meeting of 22/10/2010 would be dedicated to other issues in view of the ICCAT plenary (November 2010) and that 1 December would be dedicated to an Executive Committee meeting. Buonfiglio recalled, as well, that the meetings of 30 November and 1 December would provide an opportunity to re-discuss in detail the issue of the management plans, which had only been briefly mentioned during the previous RAC meeting.
7. Before giving the floor to Vazquez Alvare, the President gave the floor to Buonfiglio to quickly introduce the jurisdiction of Mediterranean waters. This item was included in the Agenda following the previous debate in the RAC on efforts to improve the preservation of resources and scientific data, debates that had also later tackled the issue of the jurisdiction of the waters. In this context, the Mediterranean is full of unilateral acts that exploit the lack of an International Law of the Sea. The RAC, therefore, decided to carry out reflections on this issue to examine the possibility to



improve the situation. Morocco has planned its own EEZ but it has still not entered into force, Egypt has ratified the United Nations Convention but has still not introduced it into its legislation, Croatia has enacted a Protection Zone without negotiating with Italy, for example, etc.. Syria has an EEZ. Spain has extended its waters over the 12 mile limit, France has declared an EEZ at 70 miles from the coast, etc.. All these individual initiatives have disrupted the moves towards a more balanced situation and as well, regularly caused serious accidents. In fact, two days ago, a Sicilian fishing boat was hit by machine-gun fire from Libyans accusing the Italians of being in Libyan waters. Therefore, it is very important to decide on the direction to be taken, taking into consideration what is forecasted in the 2002 Mediterranean action plan. Today, without harmonizing the technical measures, nor the management of the fleets (Turkey, Libya, Algeria have a five-year development plan for their fleets), the division of the Mediterranean into EEZs is not an ideal solution as it solely imposes the restrictions on the European fleets. It would be necessary to have agreements with all the coastal countries.

8. There followed a presentation by the representative from DG Mare who explained, in particular, the way to extend sea limits, the procedures to be followed, the laws and the responsibilities deriving from them, and the complexity of problems posed by the 4,000 Mediterranean islands, 45,000 km of coastline, 75% belonging to Turkey and Greece. There are technical, but also political, problems, at different levels (supranational, national, regional, etc.). There are at present 36 cases of dispute between member states, involving two or three parties, and, as well, the oil and gas pipelines, the American bases, etc. must be taken into account. In fact, there are two concepts to be considered – territorial waters and adjoining zones of more than 12 miles, archeological zones, ecological zones, prohibited fishing zones, international waters, Gibraltar, Israel and the Gaza Strip. Generally, member states do not extend their territorial waters as this involves management obligations and costly responsibilities. In a few words, the issue is very difficult and if no one makes a move at the moment, it is because there is no unambiguous solution to solve all the problems.
9. During the debate that followed, the participants discussed, in particular, drift-netting eliminated in Europe but legal off the southern coasts, the Black Sea and their statutes on these issues, the support for Spanish fishermen to extend Spanish waters that allowed for the monitoring of Asian fishing boats, mainly around the Balearic islands, etc..
10. At the end of the debate, Buonfiglio read the draft opinion. Some participants proposed some amendments and additions, while others preferred to wait for the written translation before making comments. Viallon, from DG MARE, informed the meeting that the WWF, absent due to another meeting with the Commissioner planned for the same day, pointed out that he would not give his assent before any opinion had been adopted by the Executive Committee on the 20/9. As an exception, and to avoid any



conflict, it was decided to send the draft opinion within a few days to the Greek delegation (as the translation was still not finished) and the WWF, for approval, in writing.

11. Moving to the next Agenda item, the President gave the floor to Santolini (Big Game Italia) to present the list of requests from the sport/recreational fishing representatives concerning legislation. Santolini explained that sport fishing was a sub-sector of recreational fishing and often the terminology was confused, also in a legal context. For those involved in sport fishing, the selling of fish products had to be prohibited under all conditions. Recreational fishers fish in the same areas as small-scale fishing. Therefore, it was necessary to collaborate with the professional fishermen to avoid any conflict of interests. He expressed the need for a standardized legislation for recreational fishing in the Mediterranean, even though northern Europe was opposed to this, and he hoped that there would be a future debate specifically on the legal issues. He proposed setting up a working group in RAC to draw up guidelines for this legislation.
12. At the end of the presentation, Oikonomidis confirmed that he was worried as, in Greece, professional fishermen had many problems with the boat-owners, there were many illegal fishermen that unfortunately made catches for restaurants, thus competing with the professional fishermen. Also Ms Pisano (EAA) gave an example of the case of Italy where recreational fishers have no federations. Moreover, it was hoped to analyze and come to an agreement on the recreational fishing definitions. It was limiting to only speak about sea sport fishing on boats, as there is also land fishing, along rivers, etc..
13. Vazquez Alvarez, from DG MARE, commented that in the Control Regulation Art. 55, the Commission spoke of sport/recreational fishing and there was a development project for the measures of this article..
14. To conclude, Buonfiglio proposed to the sport fishing representatives to work with Oriolo Ribalta, Vice-president, and present the RAC with a paper on which all the members of the RAC could express their opinions. Gil de Bernabé informed all that there was a decree that regulated recreational fishing in Spain and asked what was the situation in other countries.
15. There being no other items on the Agenda, the President thanked the participants and the interpreters and closed the meeting.

