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RAC-MED OPINION OF THE QUESTION OF JURISDICTION OF WATERS IN THE MEDITERRANEAN

The RAC-MED, meeting at Thessaloniki on 20 September, 2010, considering

- The complex situation of the jurisdiction of waters in the Mediterranean in terms both of the exploitation of fisheries resources and the protection of the environment;
- The various initiatives taken unilaterally in this area by Mediterranean coastal states;
- The national fisheries management policies pursued by coastal States, the directions of which differ greatly in different areas of the Mediterranean;
- The lack of harmonization of technical and fisheries management measures, which undermines the efforts of the European Union to conserve fisheries resources;
- Recurring incidents due to the presence of fishing vessels in real or presumed territorial water boundaries that are not internationally recognized;
- The obvious inconsistency between the inherently conflictual and litigious situation in the field of jurisdictional of waters and of international law of the sea and the prospects of creating a free trade area in the Mediterranean;

CALLS ON THE EUROPEAN COMMISSION

- 1) To promote a Mediterranean Conference to open a new process to more clearly define the jurisdiction of waters by coastal States in accordance with the rules of international law of the sea, by encouraging negotiations to settle disputes and hitherto unresolved situations and with the aim of establishing a framework that can guarantee the right of the community fishing fleet community to go about its business;
- 2) To support a process of harmonization of technical and resource management measures by the GFCM, by reviving and continuing the efforts already made by the European Commission with the creation of Medisamak.

In this context, the RAC Med believes that the experiences in areas of Fisheries Conservation Zones are positive, especially when these are established with the support of professional organizations. However, in the absence of the above-mentioned initiatives, the RAC cannot support the widespread tendency for Mediterranean coastal states to declare EEZs - as foreseen in the Action Plan for the Mediterranean - which, in the absence of a Mediterranean-wide fisheries policy and with the definition of equidistant median lines between the coasts, can only result in a fragmentation of fishing rights and policies without any guarantee for the European fleet, or for the effective management of fisheries resources.

