

Thonaille: The use of driftnets by the French fleet in the Mediterranean

Results of the Oceana 2007 Campaign







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Executive Summary



Driftnets in the port of Menton, May 16, 2007. © OCEANA.

In 1989, the United Nations General Assembly (UNGA) agreed a resolution to establish an international moratorium from 1992 on the use of driftnets on the high seas. It was the first worldwide measure adopted against a specific fishing technique. As a result of this decision, several governments established laws to comply with the UNGA mandate. In the European Union (EU), a regulation came into effect, ten years later, which attempted to eliminate the use of driftnets by the EU fleet. Today, driftnets are still being used around the world, constituting a serious threat for the conservation of cetaceans, elasmobranchs, sea turtles and marine birds, as well as calling into question the effectiveness of fisheries management measures. Since it was established, Oceana has been working towards the elimination of this illegal fishing gear from the Mediterranean, annually updating information about these fleets collected during campaigns carried out in the field.

France is one of the EU Mediterranean countries where this fishing technique is still used after the EU prohibition came into effect in 2002. Unlike oth-

er countries such as Italy, for example, the French fleet's illegal fishing practices have received open political support from French authorities. As such, the EU can sanction the France for not responsibly controlling the illegal use of driftnets.

This report aims to present objective and verifiable facts concerning the French fleet's use of driftnets in the Mediterranean: the legal framework, number of vessels and characteristics of the fishery. The main objective is to provide interested stakeholders with a detailed overview of the state of the more than 92 vessels based in French Mediterranean ports that continue to use this illegal fishing gear, in order to prove that this fleet has **no justifiable reason** to be exempt from the ban on the use driftnets.

Introduction



Driftnets are a passive fishing gear used to catch a wide range of pelagic species. The target species vary depending on the characteristics and mesh size of the net.

During the eighties and beginning of the nineties, the use of driftnets to capture tuna and swordfish (*Xiphias gladius*) experienced a sharp increase because this gear was more efficient at catching than other techniques such as longlining, and also fishermen did not require the same level of specialisation. In the Mediterranean there were more than 700 Italian vessels¹ using driftnets to target swordfish.

However, a serious side effect of the use of driftnets is the by-catch of marine mammals and other endangered species. The large mesh size used to catch highly migratory species, the long length of the nets, which vary but can extend to dozens of kilometres, and the shallow depths at which they are deployed, cause the incidental capture and death of threatened species, such as cetaceans, sharks and sea turtles (Figure 1).

Figure 1: Driftnets, a threat for the conservation of endangered marine species. Facts and figures.

- Accidental by-catches in passive fishing gear has been described as the leading cause of cetacean mortality⁷⁰
- It is estimated that more than 300,000 cetaceans are captured and die annually around the world in gillnets⁷¹
- Thousands of sea turtles⁷² and sharks⁷³ are killed by driftnets in the Mediterranean Sea
- It is estimated that driftnets cause the deaths of 10,000 cetaceans each year in the Mediterranean⁷⁴
- The following species are among those affected in the Mediterranean basin: common (*Delphinus delphis*) and striped dolphins (*Stenella coeruleoalba*)⁷⁵, sperm whales (*Physeter macrocephalus*), minke whales (*Balaenoptera acutorostrata*)⁷⁶, and common pilot whales (*Globicephala melas*)⁷⁷



Pilot whale (*Globicephala melas*). © OCEANA/ Carlos Suárez.

The percentage of incidental catch or by-catch was unacceptable for the conservation of these species and consequently led to the adoption of international measures against driftnets, commonly referred to as “walls of death”.

More than 15 years have passed since the United Nations General Assembly (UNGA) established the international moratorium prohibiting the use of driftnets. During this time, resolutions, recommendations and regulations against the use of this fishing gear in the Mediterranean have been approved (Table 1).

Table 1. International measures against the use of driftnets applicable in the Mediterranean basin.

| Year | Organisation | Content |
|-----------|------------------------|--|
| 1989-1991 | UNGA ⁵ | Adoption of a global moratorium on the use of large-scale driftnets on the high seas. |
| 1990 | USA ⁶ | Adoption of a set of restrictive trade measures with countries that use driftnets longer than 2.5 kms in international waters. |
| 1990 | IWC ⁷ | Resolution against the use of large-scale driftnets on the high seas in support of the resolution adopted by the United Nations General Assembly. |
| 1992 | EEC ⁸ | Prohibition of the use of driftnets longer than 2.5 kms for EU Member States. |
| 1997 | GFCM ⁹ | Resolution against the use of driftnets longer than 2.5 kms. |
| 1997 | EU ¹⁰ | Prohibition of the use of driftnets longer than 2.5 kms or to catch certain species. Entered into force for all EU Member State vessels on 1 January 2002. |
| 2003 | ICCAT ¹¹ | Recommendation to prohibit the use of driftnets of any length to capture large pelagic species. |
| 2005 | CFCM ¹² | Implementation of 2003 ICCAT recommendation by which the use driftnets of any length to capture large pelagic species is prohibited. |
| 2007 | ACCOBAMS ¹³ | Resolution by which driftnets of any length should not be used within the Agreement area. |

Currently, however, several countries in the Mediterranean basin continue to harbour fleets that indiscriminately use this fishing technique. In the majority of cases, the main concern is not only the by-catch of threatened species, but also the fact that the development of this illegal fishery implies the absence of control over the capture and landing of target species, whose stocks are often heavily over-exploited.

It is practically impossible to evaluate accurately the number of driftnets used in the Mediterranean because these fleets operate illegally. However, a rough estimate can be made, using available literature and the research carried out by Oceana. According to the reports provided by the Parties of the Agreement on the Conservation of Cetaceans of the Black Sea, Mediterranean Sea and Contiguous Atlantic Area (ACCOBAMS), a number of countries including Albania and Morocco have declared they harbour 200 vessels that use driftnets². In Turkey, at least 45 vessels use driftnets to capture swordfish³ in the Aegean Sea, where the by-catch of various species of cetaceans has been reported⁴. A total of 92 French vessels that use *thonaille* to capture bluefin tuna should be added to this number, as well as almost 150 Italian vessels that have been identified by Oceana observers during the three years of observations in ports.

As a first and conservative estimate, at least 500 vessels continue to use driftnets in the Mediterranean. This number, however, increases considerably if one takes into account the possible use of driftnets in Greece or Algeria, or the use of driftnets known as *ferrettara* by the Italian fleet to capture small tuna and tuna-like species. These nets are still authorised by the Italian government.

The continued use of driftnets in the Mediterranean raises two important concerns. Firstly, if their use continues despite the ban, this calls into question the effectiveness of other management measures in place and being developed. Secondly the illegal nature of driftnet fishing complicates attempts to conserve cetaceans in the Mediterranean, some species of which are endangered, as it is not possible to measure the impact on cetacean populations of the thousands of kilometres of nets deployed annually.

This report focuses on the French fleet’s use of driftnets, and is part of the wider Oceana campaign to definitively eliminate driftnets from the Mediterranean.

The European Union driftnet ban



Driftnets on the dock. Port of Carro. May 8, 2007. © OCEANA.

In 1992, as a consequence of the international moratorium on driftnet fishing on the high seas established by the United Nations General Assembly (UNGA)¹⁴, the European Economic Community (EEC) approved a regulation whereby the length of driftnets was limited to 2.5 km¹⁵. This restriction came into effect at a time when the use of this fishing gear had reached a peak in terms of number of vessels and fishing effort. The driftnets being used were often 20 km long and constituted an insurmountable wall, not only for the target species of the fishery, but also for threatened species such as cetaceans, sea turtles and sharks.

The length restriction for the nets mainly affected the Italian fleet, whose activity would no longer be profitable if only 2.5 km of nets could be deployed. As a logical consequence, and in order to preserve cetacean populations in the Mediterranean, the European Union approved a regulation that would come into effect on 1 January 2002, whereby driftnet fishing would be banned for capturing certain species including bluefin tuna (*Thunnus thynnus*), swordfish (*Xiphias gladius*) and albacore (*Thunnus alalunga*)¹⁶.

As highlighted by Oceana in recent years, this prohibition has never been fully respected and there are currently more than 200 vessels registered under Italian and French flags dedicated to driftnet fishing. These vessels were identified by Oceana during its 2005, 2006 and 2007 campaigns.

Each one of these fleets has implemented different strategies in order to continue fishing illegally. In Italy, substantial subsidies were allocated for the conversion of driftnets to alternative fishing gears or for the scrapping of these vessels, only to subsequently continue fishing with the illegal nets. In the case of France, the situation is different. Backed by the French government, the French fleet did not receive aid but continued its activities by seeking refuge in a loophole in EU legislation: the lack of a legal definition of what constituted a driftnet.

European legal efforts have focussed on solving this problem. Towards the end of 2006, the regulation concerning management measures for the sustainable exploitation of fishery resources in the Mediterranean¹⁷ introduced a prohibition on the use of

bottom set gillnets to capture highly migratory species. In June 2007, the EU Fisheries Council approved a regulation that introduced a clear and complete definition of a “driftnet”¹⁸ that would definitively include the French *thonaille*. Currently, there are no legal or interpretative doubts concerning the definition. The use of any type of driftnet measuring more than 2.5 km in length to capture large pelagic species in Community waters or by any vessel registered under the flag of an EU Member State is, according to Community legislation, illegal.

Despite the establishment of a complex legal framework that would theoretically eliminate this fishing gear, the application and compliance with these measures have been unsatisfactory, as proven by the continued use of driftnets by these fleets.

The lack of compliance with the ban does not only affect marine conservation, it also calls into question the viability of current or future measures established within the framework of European Community fisheries policy and regional fishery bodies. This is the reason why Oceana asks the European Union to definitively enforce the current legislation, and puts forward a series of specific recommendations geared towards each active fleet, stemming from the analysis of the results obtained in the field.



The vessel *Loup-Bar* with driftnets on board. Port of Carnon. May 9, 2007. © OCEANA.

The use of driftnets in France



Net hauler, *thonaille*, and buoy on a *thonailler*. Waters of the Gulf of Lion. May 21, 2007. © OCEANA/ Carlos Suárez.

◦ CHARACTERISTICS OF THE FISHERY

The driftnets used by the French fleet in the Mediterranean, commonly known as *thonaille*, are multifilament nylon nets with a mesh size between 18 and 24 cm, reaching up to 36 cm stretched mesh. The nets are comprised of sets that measure approximately 120 metres, and the number of sets used varies depending mainly on the weather conditions. The total length of the nets varies between 2,500 and 10,500 metres, and the net is 45-50 meshes high, which implies an approximate total height of 8 metres¹⁹. The lower edge is weighted with a leaded rope, ensuring the net's verticality, while floating devices attached to the top edge maintain the net on the surface.

The vessels that use this type of gear are normally between 8 and 18 metres long and they vary greatly in construction, structure and material. They are equipped with a two or three-wheeled net hauler on the bow which is used to haul in the nets once the fishing

operation has been completed. The net is deployed approximately every half mile and is marked with buoys crowned by radar reflectors and a flashing light.

Size of the fleet

The availability of reliable data concerning the actual number of vessels using driftnets in the Mediterranean has always been a difficult issue because control measures and reporting have always been deficient or completely non-existent. In France, the use of driftnets dates back to ancient times, when the schools of bluefin tuna would swim up to the coast and this fishery was carried out in an artisanal way, and the gear was known as "*courantille*". The use of this gear was not common, and it wasn't until the sixties that "*courantille*" underwent an expansion due to the collapse of tuna trapping along the French Mediterranean coast²⁰.

When the European Union driftnet ban was already in effect, the French government issued 77 licences to use *thonaille* through a Special Fishing Permit



Thonaillers tied up at port. Port of Hyères. May 14, 2007. © OCEANA.

(PPS)²¹. According to more recent data, 90 vessels were using *thonaille* during the 2006 and 2007 fishing seasons, although these only represent the vessels that have been able to prove their activity with sales records. The actual number of vessels using this gear, however, is larger, as proven by the results of the Oceana campaign.

An analysis carried out by the European Commission concerning the *thonaille* fishery in France confirms that the number of vessels using *thonaille* in 2001 had increased alarmingly in recent years²². Currently, it is still difficult to determine the number of vessels permanently using this fishing gear, as well as the vessels using it “opportunistically”.

Fishing effort and areas

According to available literature and fishermen’s public statements, fishing with *thonaille* is only carried out from March to October, during full moon periods and calm seas²³. This data contrasts with some of the results obtained by Oceana during the 2007 campaign, as will be demonstrated later.

The fishing areas include the Gulf of Lion and the Gulf of Genoa, between 15 and 30 nautical miles off the coast. The vessels depart from their base ports in search of bluefin tuna schools. Frequently the base port is not the same as the arrival port, where the bluefin tuna is landed.

It has been observed that part of the fleet carries out its activities within the Pelagos Sanctuary for Mediterranean Marine Mammals. The *thonaillers* from the French maritime departments of Martigues, Marseille and Nice travel to this marine protected area that includes waters of the Gulf of Genoa.

Catches

The target species of the *thonaille* fishery is bluefin tuna (*Thunnus thynnus*). Studies carried out by a team from the University of Marseille calculated that 95.6% of the total weight of the catch is comprised of commercial species: 79.4% bluefin tuna, 20.1% swordfish (*Xiphias gladius*) and 0.4% albacore (*Thunnus alalunga*). Incidental catches account for 4.4% of the total weight, and are composed primarily of blue sharks (*Prionace glauca*), Atlantic pomfrets (*Brama brama*), and Mediterranean spearfish (*Tetrapturus belone*). Furthermore, 0.65% of the catch is discarded. Species such as the striped dolphin (*Stenella coeruleoalba*), the ocean sunfish (*Mola mola*), the loggerhead turtle (*Caretta caretta*) and the pelagic stingray (*Pteroplatytrygon violacea*) are among the discards²⁴.

Many of these species are included in the World Conservation Union (IUCN) Red List of Threatened Species. The conservation status of the loggerhead turtle (*Caretta caretta*) is classified as “endangered” and the Mediterranean populations of the pelagic stingray (*Pteroplatytrygon violacea*) and blue shark (*Prionace glauca*) are classified as “near threatened” and “vulnerable”, respectively²⁵.

Traditionally, bluefin tuna catches in the area are comprised mainly of juveniles between 18 and 30 kgs, present practically all year round²⁶. These fish come from the spawning grounds of the Balearic Islands and South Tyrrhenian Sea and migrate to the areas of the Gulf of Lion and Gulf of Genoa²⁷.



Selling swordfish, pomfret and bluefin tuna captured by the driftnet vessel *Argonautes*. Vieux Port, Marseille. May 12, 2007. © OCEANA.

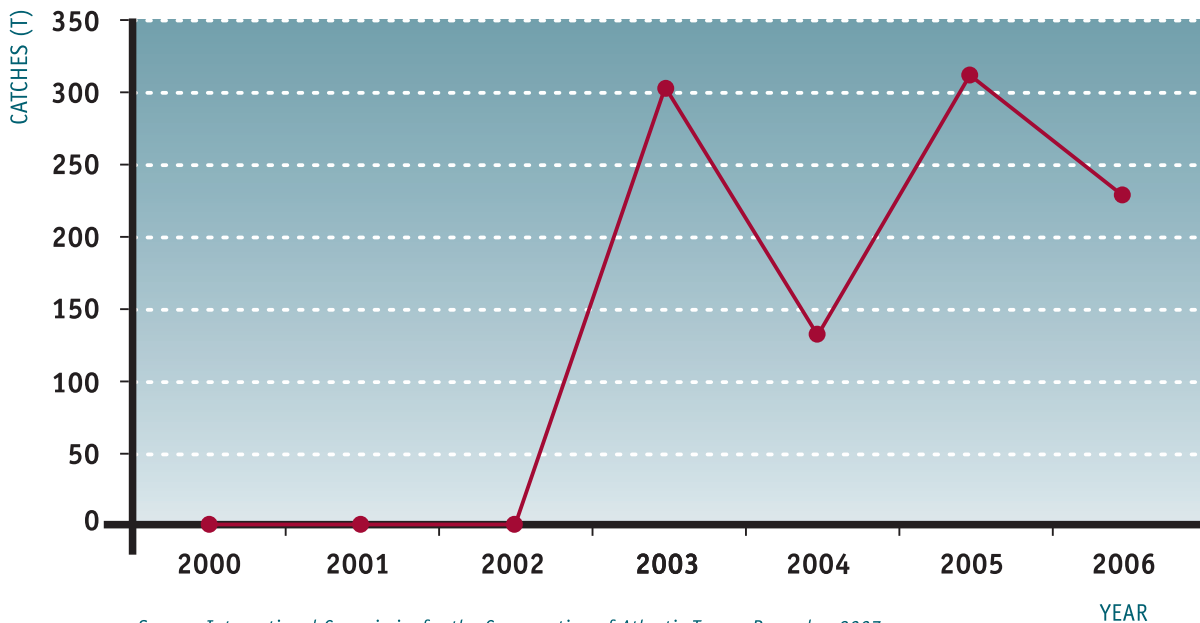


Selling bluefin tuna, swordfish and blue shark captured by the vessel *Idefix*. Vieux Port, Marseille. May 10, 2007. © OCEANA.

The bluefin tuna caught by the *thonaille* weigh between 14 and 30 kg, averaging out at 21 kg, according to the fishermen²⁸. This information implies that the bluefin tuna captured in the Gulfs of Lion and Genoa are between 1 and 3 years old²⁹ and generally have not yet reached age at first maturity. Furthermore, they are an average of 10 kgs under the minimum size established in 2007 by the EU recovery plan³⁰ for this species.

No data exists as to the total catch of this fleet, except for the 300 tonnes of bluefin tuna authorised for this fleet annually (267 t in 2007). In the data concerning catches of bluefin tuna published by the International Commission for the Conservation of Atlantic Tunas (ICCAT) there is no information available for the "driftnet" fishing gear category. From 2003, however, information has been received about catches of bluefin tuna, under a heading of "unclassified/not reported" fishing gear.

Bluefin tuna (*Thunnus thynnus*) catches in the Mediterranean without gear specification declared by France to ICCAT



Source: International Commission for the Conservation of Atlantic Tunas, December 2007

◦ LEGAL FRAMEWORK

The Community Regulation banning the use of drift-nets to capture certain pelagic species in waters of the European Union and for any vessel under a European flag entered into force on 1 January 2002³¹. Subsequently, new measures were adopted focused on minimising cetacean by-catch and, finally, a ban on driftnets in the Baltic Sea became effective on 1 January 2008³².

In 2003, one year after the prohibition began, the French government issued a decree authorising the use of *thonaille* through a Special Fishing Permit³³ (PPS), and two other decrees were issued in 2004 and 2005³⁴, which established certain rules for the use of this net, such as the addition of a floating anchor on one end of the gear, the addition of acoustic devices or “pingers” on the lower edge of the nets, and a closed season for one month in the area of the Pelagos Sanctuary.



Swordfish and bluefin tuna for sale, captured with driftnets. Vieux Port, Marseille. May 13, 2007. © OCEANA.

Measures adopted by the French government during this period violated Community Regulations, more specifically Regulation 894/97, amended by Regulation 1239/98 whereby driftnets were banned. For this reason and through an appeal presented by three French non-governmental organisations, the French Conseil d’Etat (Council of State, the highest court for public administration issues) repealed the decrees that authorised the use of driftnets or *thonaille*³⁵.

Although fishing with *thonaille* was no longer protected under any legal framework, 47 vessels were authorised to catch a 300 t quota of bluefin tuna with driftnets during the 2006 fishing season³⁶. The actual number of vessels that actually continue using this gear is much higher, as will be shown later.

In September 2006, the European Commission published a proposal for a Regulation that introduced a complete definition of a driftnet³⁷. While this new regulation was being approved, the bluefin tuna campaign for 2007 began once again.

In June 2007, the French Ministry for Agriculture and Fisheries again protected the *thonaille* fleet. Under a new “legal label”, it included *thonaillers* in the list of vessels granted a new Special Fishing Permit (PPS) for bluefin tuna³⁸, within the context of the new measures implemented by the Bluefin Tuna Recovery Plan, recently agreed by the European Union³⁹.

Although the use of this fishing gear for the capture of certain species is prohibited by the terms defined in the Council Regulation 1239/98 amending Regulation 894/97, the French government did not consider it applied to *thonaillers* until 28 June 2007, when the EU Fisheries Council agreed a regulation whereby a complete legal definition of a driftnet was intro-

duced⁴⁰. The definition included the use of floating anchors on one end of the gear, so the legal loophole used to prolong the use of the *thonaille* was eliminated on 12 July, when the definition became effective⁴¹.

The Ministry for Agriculture and Fisheries, however, took action before the definition came into effect and allocated a 267 t bluefin tuna quota to a fleet of 83 *thonaillers*⁴² on 28 June. The fleet had already begun operations months back during one of its most successful campaigns⁴³.

As a consequence of the approval of the definition, the French government has developed a series of legal and economic measures to deal with the problem

of *thonaille*. Already in 2006, an official announcement for subsidies was made, co-financed by the EU through funds from the Financial Instrument for Fisheries Guidance (FIFG) and by the French government, to eliminate these vessels⁴⁴, within the framework of the 2003 decree authorising the use of the *thonaille* that had been repealed by the French Conseil d'Etat in 2005. This measure must not have been well taken up, given that the number of vessels using *thonaille* in 2007 increased compared to 2006.

Among the new measures, the ones included within the framework of *de minimis* aid are especially relevant⁴⁵, reaching up to €30,000 per vessel over a three-year period. The *thonaille* fleet received these subsidies in compensation for the loss of revenues derived from the cessation of the fleet's activities when the definition became effective in July 2007⁴⁶, with a total allocation of €2.5M for the fleet. As a condition to receive this aid, only the daily sales records or onboard diaries for 2006 and 2007 are necessary as proof of activity. A total of 90 vessels have proved prior use of the *thonaille* and aid has been granted⁴⁷.

The French Ministry for Agriculture and Fisheries which has repeatedly manifested its intention to defend this fishery, has undertaken several actions as summarised below:

a) Economic action

A total of €3M has been allocated apart from the *de minimis* aid. This allocation is divided into two measures, **both voluntary**, included within the framework of a specific plan for this illegal fishing gear:



The vessel *Valmar II*. 18 nautical miles from Hyères. May 19, 2007. © OCEANA/ Carlos Suárez.

- €3M for the dismantling of approximately 30% of the fleet operating with *thonaille*, co-financed by the French government and the European Union through funds from the European Fisheries Fund (EFF)⁴⁸. According to estimates made by Oceana, on average each vessel would receive approximately €112,000*.
- Economic measures geared towards the voluntary conversion to other fishing methods planned within the EFF⁴⁹.

In total, a minimum of €5.5M has been mobilised to cover the conversion of a fleet that has been using an illegal driftnet for 5 years. This conversion is not even compulsory, probably due to the fact that French Government is hoping to achieve a legal exemption that allows this fleet to continue its activity. This amount, co-financed by the EU, exceeds the amount invested in 2002 for the obligatory conversion of 89 Italian driftnetters⁵⁰.

Figure 2: Incidental by-catches of striped dolphin (*Stenella coeruleoalba*) in *thonaille*.

The accidental by-catches of cetaceans in *thonaille* is of mainly one species, the striped dolphin (*Stenella coeruleoalba*).

In 2001, a study carried out by the University of Marseille estimated a by-catch rate of 346 (±146) striped dolphins (*Stenella coeruleoalba*) accidentally caught by *thonaille*⁷⁸. Subsequent research carried out by the same institution, as well as by the non-governmental organisation GECEM in 2004 and 2005, incorporated the use of acoustic deterrent devices, or "pingers", into the study in order to minimise these captures. As a result, there was an 87% decrease in the number of dolphins accidentally caught by the nets, but only for a sample of 4 vessels⁷⁹.



Delfin listado (*Stenella coeruleoalba*). © OCEANA/ Jesús Renedo.

Despite the fact that the effectiveness of the "pingers" has not been completely proven⁸⁰, their use constitutes one of the main arguments used to defend driftnet use. During observations carried out by Oceana on the high seas, the use of these devices was not observed at any time.

* The estimate has been calculated based on the published standards and the average tonnage obtained for the vessels that comprise this fleet.

Figure 3: Fishing with driftnets in the Pelagos Sanctuary

The Ligurian Sea is an especially important area for the conservation of cetaceans in the Mediterranean. The Pelagos Sanctuary is located within this area and is dedicated to the protection of marine mammals in the Mediterranean. Italy, France and Monaco agreed to establish this Marine Protected Area that covers an area of 87,500 km². The fact that three countries work together on this project makes it especially relevant in terms of perspectives for future international collaboration. The Sanctuary extends from Punta Escampobariou (French continental coast) to Capo Falcone (Sardinia); and from Capo Ferro (northeast Sardinia) to Fosso Chiarone (Italian continental coast). Eight species of cetaceans inhabit the Sanctuary: fin whales (*Balaenoptera physalus*), sperm whales (*Physeter macrocephalus*), Cuvier's beaked whales (*Ziphius cavirostris*), pilot whales (*Globicephala melas*), striped dolphins (*Stenella coeruleoalba*), common dolphins (*Delphinus delphis*), bottlenose dolphins (*Tursiops truncatus*) and Risso's dolphins (*Grampus griseus*)⁸¹.

Despite the efforts being made to conserve these species, driftnets are still used in this area, with the subsequent danger they present to these marine mammals. During the 2007 campaign, Oceana identified 6 vessels fishing with driftnets in these waters. Other sources have recently estimated that 100 vessels continue using this fishing gear in the Sanctuary⁸².

The following article is included in the Agreement signed by the three countries⁸³: the parties will comply with the international regulations and those of the European Community, regarding the use and the keeping of fishing equipment known as "pelagic driftnet".

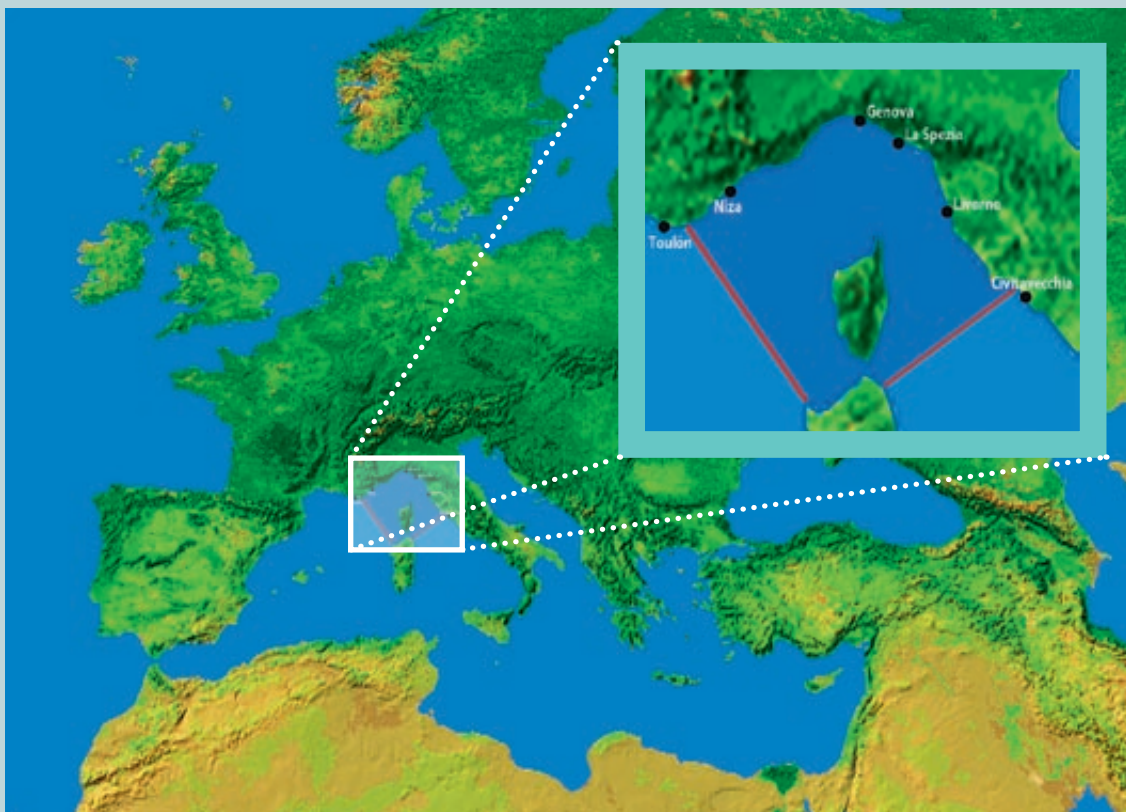


Figure 4: The *Oceana Ranger* attacked.

At dawn on the 21 May 2007, the *Oceana Ranger* was approximately 25 nautical miles south of Saint Raphaël documenting a *thonailler* as it was hauling in a net, when it was attacked by a flotilla of seven French driftnetters. The vessels, which arrived from different locations, began the attack by shooting a flare gun at the *Oceana Ranger* from the netter *Gallus*, and then they attempted to cause a collision between the catamaran and the small netters while all the vessels sailed around at high speeds. The coordination of the attack was carried out by the vessels *Orchidée II* and *La Santa II*. Vessels threw ropes tied to buoys into the water until they were tangled in the propellers of the *Ranger's* engines, stopping the vessel. Then, the netters surrounded the *Oceana Ranger* and tied up to it. The crew members from the driftnetters, some armed with gaffs, threatened to board the catamaran if they were not given the camera equipment.

Using the radio, the research catamaran alerted the French Maritime Authorities about the incident and two helicopters were sent to the area. When the authorities reached the area, the driftnetters fled.

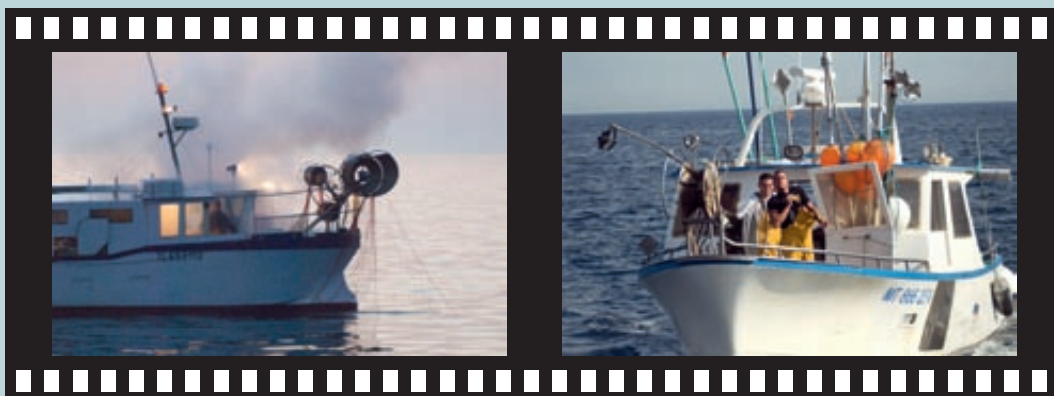
That same day, the fishermen defended themselves by announcing that the *Oceana Ranger* had obstructed the deployment of their nets and attempted to cause a collision with one of the *thonaillers*, accusing the organisation of deliberately damaging at least three driftnets⁸⁴.

In Corsica, after delivering the proof to a judge, the *Oceana Ranger* was forced to abandon the area because the fishermen had publicly threatened to block the catamaran in the port of Bastia.

The events are currently being investigated by the office of the public prosecutor of Marseille.

Oceana received institutional support regarding the events. As a result of the attack, Euro MP Paulo Casaca⁸⁵ posed a question to Joe Borg, the EU Fisheries Commissioner, who declared that he was aware of the events, as well as of the existence of the illegal driftnets in France, and that an infringement procedure against the country was under way⁸⁶.

Ben Bradshaw, who was Minister for Fisheries in the UK, declared his support in favour of Oceana and intervened during the European Council of Fisheries Ministers on 11 June, declaring he was infuriated by the continued use of driftnets⁸⁷.



b) Legal action

Towards the end of September 2007, the French government brought two cases before the European Court of Justice (ECJ)⁵¹:

- To repeal the Regulation that introduced the definition of a driftnet⁵².
- To obtain a temporary exemption in the execution of the Regulation, allowing the *thonaillers* to continue operating whilst waiting for a ruling in the first case⁵³.

At the same time, the Fishermen's Association of Martigues, comprised mainly of *thonaillers*, has begun a petition for a preliminary ruling before the European Court of Justice to revise the terms of the prohibition of driftnets⁵⁴, a repeat of a similar legal process from the nineties by the French driftnetters of the Atlantic coast⁵⁵, in order to obtain an exemption from the 2.5 km net length limit.

In short, the use of driftnets to catch bluefin tuna in the Mediterranean is considered an illegal activity since this gear was banned by the European Union in 2002. Five years later, legal and economic measures similar to the ones taken by other fleets, such as the Italian fleet, are being considered. The reason for all these actions is none other than to attempt to perpetuate the use of the *thonaille* against all the current regulations and international agreements.



The vessel *Les Copains* deploying a net. Near the port of Saint Raphaël. May 20, 2007. © OCEANA/ Carlos Suárez.

Based on the information obtained during the 2007 Oceana campaign, a clear conclusion can be reached concerning these demands: no justification exists to exempt *thonaille* from the driftnet ban because there is no difference between the French driftnets and those driftnet nets used illegally by other fleets in the Mediterranean basin.

◦ OCEANA 2007 CAMPAIGN

During May 2007, Oceana observers travelled to the French Mediterranean ports in order to gather first-hand information regarding the number of vessels



Landing bluefin tuna captured by various *thonaillers*. Port of Saint Raphaël. May 19, 2007. © OCEANA.

that continue to use driftnets, as well as their characteristics and landings at port. A total of 69 vessels were identified during these observations, the details of which are included in Annex I of this report. The criteria used to judge whether or not the vessels were *thonaillers* was the following:

- Presence of driftnets on board the vessel
- Characteristic driftnetters that benefited from the bluefin tuna quota during the 2006 campaign, with or without driftnets on board

Observations on the high seas on board the *Oceana Ranger* catamaran were also carried out during this campaign, in the Gulfs of Lion and Genoa, where the fishing areas used by the fleet of *thonaillers* were identified and the fishing activities were documented. A total of 22 vessels were identified while fishing, 6 of them inside the Pelagos Sanctuary⁵⁶ area.

The observations were carried out during the new and waning phases of the moon, a decisive factor in the volume of the swordfish catch (*Xiphias gladius*) for the driftnet fisheries of the Mediterranean⁵⁷, although the catch observed during landing was comprised mainly of bluefin tuna (*Thunnus thynnus*).

Results

The maritime departments with the highest percentages of registered *thonaillers* are Sète (29%), Marseille (24%) and Martigues (16%), although most of the vessels were concentrated in the maritime department of Marseille, and not in their base ports, because part of the fleet moves around after the schools of bluefin tuna.

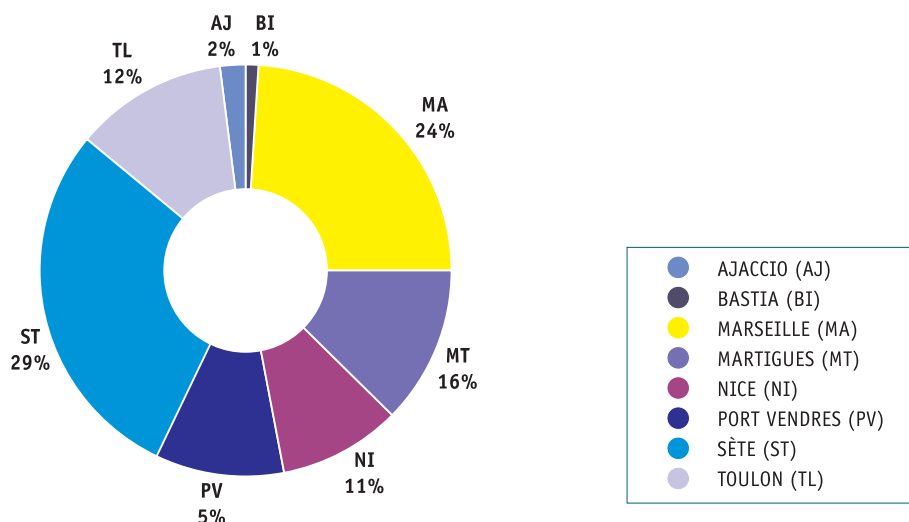


Thonaille and bluefin tuna on board *Hardi II*. Port of Cavalaire. May 16, 2007. © OCEANA.

Furthermore, it was noted that the *thonaillers* with base ports in the departments of Martigues, Sète and Marseille sometimes landed their bluefin tuna catch in the ports of Hyères and Cavalaire, where the vessels gathered to jointly unload their catches onto refrigerated trucks, the destination of which was not determined.

It was also noted that the vessels leave port between three and six in the afternoon, probably depending on the distance to the fishing grounds. The nets are deployed at sundown and hauled in at dawn. The vessels return to port and land the catch between nine and eleven in the morning.

Distribution of the *thonaille* fleet by maritime department





An Oceana photographer documents the activity of the vessel *Jean Emmanuel*. Near the port of Hyères. May 18, 2007. © OCEANA/ Thierry Lannoy.

As already explained, the vessels frequently depart from one port and arrive in another. The only exception to this was observed in the port of Saint Raphaël, where the *thonaillers* seem to benefit from a privileged location with respect to the fishing grounds. In this specific case, the distance from the port to the fishing grounds may vary, from 20 nautical miles to the areas around Corsica. Furthermore, these areas border on or are included within the marine protected area of the Pelagos Sanctuary.

The characteristics of the vessels were calculated based on a record of 92 *thonaillers*. Sixty-nine were identified by Oceana during the 2007 campaign and 23 came from the lists published by the French Ministry for Agriculture and Fisheries.

From this data, it is concluded that the average *thonailler* measures 11.61 metres in length, reaching up to 18 metres in some cases, with a 171 kw engine and a tonnage of 10 GT (Table 2). On average, most began operating in 1990. However, it was estimated that 23% of the fleet entered into service from 2002, when the driftnet ban was already effective. Various vessels observed had been recently constructed, in some cases with subsidies from Community funds within the 2000-2006 FIFG programme⁵⁸, or were in the process of receiving aid (Table 3).

Table 2. Capacity and characteristics of the *thonailler* fleet.

| | | | |
|-----------------------------------|--------------------|------------------------------------|-----------|
| Total number of vessels: 92 | Total tonnage (GT) | 944.4 | |
| | Total power (kw) | 15,735 | |
| Average length (m) | 11.61 | Range of length (m) | 8.2-17.76 |
| Average tonnage (GT) | 10.05 | Range of tonnage (GT) | 1.31-59 |
| Average power (kw) | 171.03 | Range of power (kw) | 37-550 |
| Average year entered into service | 1990 | Range of year entered into service | 1947-2007 |

Table 3. *Thonaillers* that received subsidies for their construction during the 2000-2006 FIFG period.

| Year | Name | License | Amount received (€) |
|------|---------------|-----------|---------------------|
| 2001 | Prosper | NI 874568 | 21,952.35 |
| 2003 | Hardi II | ST 900272 | 42,391.00 |
| 2004 | Guillaume III | TL 923515 | 27,640.30 |
| 2004 | Orchidée II | MT 917408 | 35,877.25 |

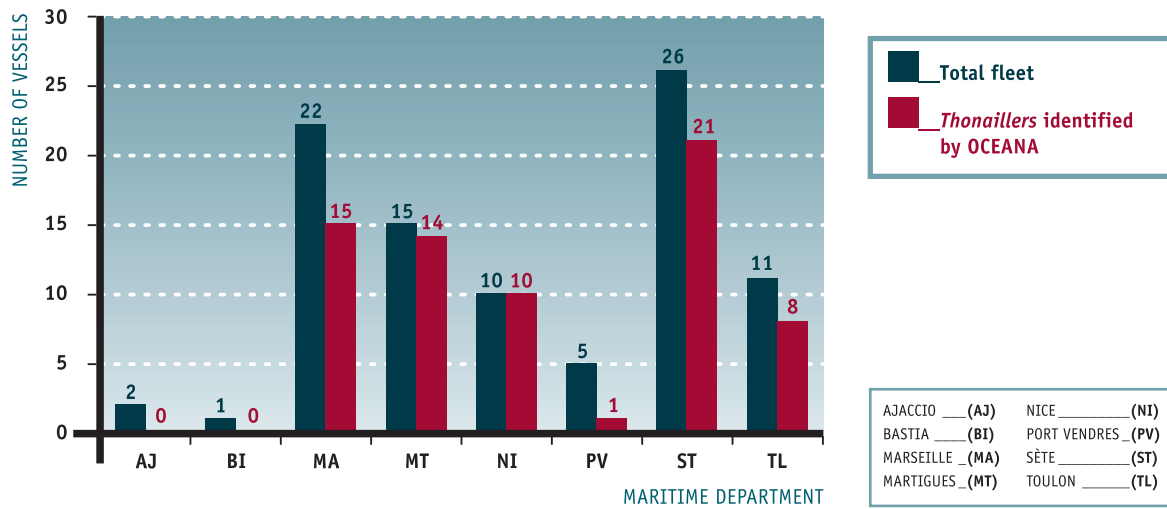
On the smaller vessels, the presence of driftnets on board was alternated with other fishing gear, confirming their versatility.

This fact is supported by the types of fishing licences these vessels have been granted. Of those identified in port, 94.2% have a licence for gillnets, with a secondary fishing licence for trammel nets or drifting longlines, and the rest is divided between licences for purse seiners and dredges. For example, the vessel *Marie Cécile Marco 3* was photographed in the port of Sète with foldable traps on board and driftnets stowed on the dock.

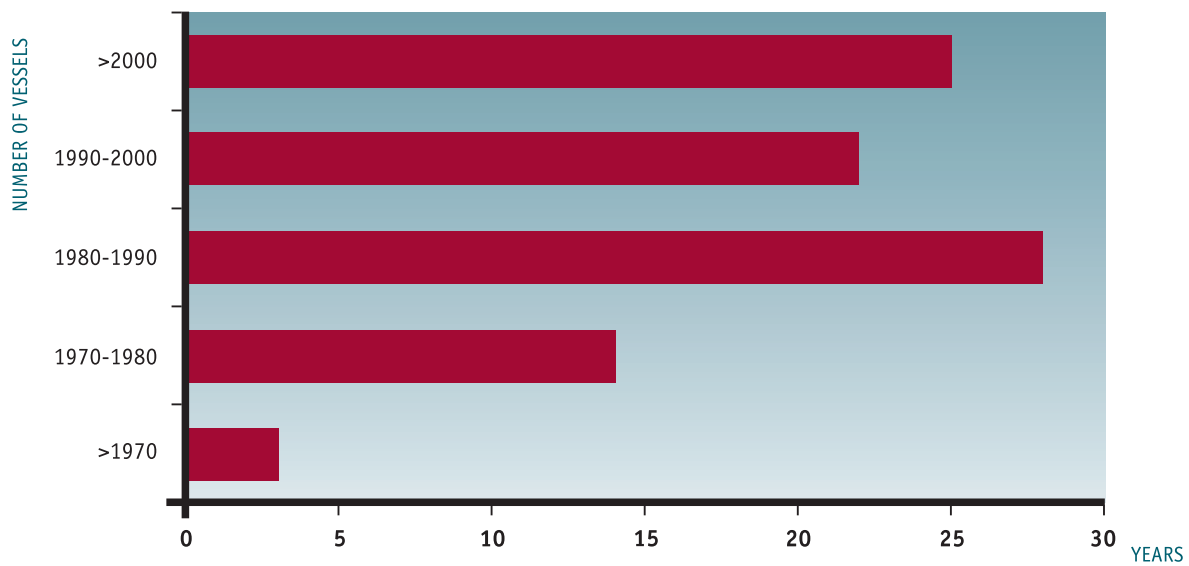
The vessel *Marie Cécile Marco 3*. Port of Sète. May 8, 2007. © OCEANA.



Thonailleurs identified by Oceana during the 2007 campaign, by maritime department



Age of the *thonailleurs* fleet according to the year the vessels entered into service



Based on the observations made in port and on the high seas, there is no difference between the *thonaille* and other driftnets used in the Mediterranean to catch highly migratory species. Furthermore, it should be noted that neither floating anchors nor acoustic deterrent devices, or “pingers”, were identified either during the fishing activities observed or on the nets in port. These elements constitute the main arguments used to defend these driftnets.

The length of the nets observed on the high seas varied between 5 and 9 kilometres. It should also be noted that certain similarities have been found

between *thonaille* and the Moroccan driftnets used to capture swordfish in the Mediterranean, both in mesh size and characteristics, in contrast with the *spadare*-type nets used in Italy. Taking into account that some nets identified were new, for example in the port of Carro, a more in-depth investigation is necessary to discover the place of origin and distribution channels for this type of fishing gear.



Spadara-type nets in port.
Ponza Island, Italy, June 8, 2006.
© OCEANA/ Juan Cuetos.



Driftnets in the port of Tangiers,
Morocco. October 18, 2006.
© OCEANA/ LX.



Thonaille on board the vessel *Shark IV*. Port of Cavalaire, France. May 15, 2007. © OCEANA.

Analysis of the results

The driftnets known as *thonaille* have been banned since 1 January 2002, although their use has been “tolerated” for different reasons for 5 years and the results of Oceana’s 2007 campaign confirms this fact.

Oceana rejects each argument that has been put forward to date to justify an exemption from the ban for this illegal fishing gear. The following points should be considered:

- **There is no difference between a *thonaille* and other driftnets used in the Mediterranean to capture large pelagic species.** No differences have been noticed in the structure, assembly or use of the French *thonaille* compared to the other driftnets used in the Mediterranean during the observations carried out during 2006 and 2007.
- **It is not an artisanal fishery.** Although some of the vessels can be categorised as artisanal due to tonnage, length or engine power, as well as other socioeconomic parameters, the definition of an artisanal fishery given by the General Fisheries Council for the Mediterranean (GFCM) excludes all those “*métiers*” that target large pelagic species, and specifically mentions driftnets. Similarly, vessels with power that exceeds 100 hp (74.5 kw) cannot be considered artisanal⁵⁹, and this is the case of the *thonaillers*, where the average engine power has been estimated in 171 kw, and whose maximum power has been observed to be 550 kw.
- **The use of *thonaille* continues to increase.** If we limit ourselves only to the lists of the vessels with special fishing permits and the distribution of the quotas for *thonaillers*, the numbers have increased from 47 in 2006 to 83 in June 2007 and 90 in October 2007. However, not all the *thonaillers* included in the first list are included in the last list, as shown in Annex I. Furthermore, Oceana has verified that the use of *thonaille* is not limited exclusively to these 92 vessels. Ports which are not supposed to host *thonaille* vessels had *thonaille* nets on the docks. This confirms that not perhaps not only *thonaillers* use *thonaille* nets. The fleet may opportunistically use this illegal gear to take advantage of its profitability.
- **New vessels have been added to this fleet.** 23% of the fleet identified by Oceana began operating after the ban on driftnets entered into force. As such, the fleet has continued to grow. This fact is no doubt an indication of the profitability of the bluefin tuna fishery compared to bottom gillnets and longlines, or targeting other species.
- **This fishery’s catch is comprised mainly of bluefin tuna that has not reached the minimum landing size⁶⁰ established for this species.** This fact is linked more to the characteristics of the fishing grounds than to the characteristics of the fishing gear. The bluefin tuna catch in the Gulfs of Lion and Genoa, is comprised mainly of juveniles, regardless of the type of fishing gear used.
- **There is no control over the bluefin tuna caught by this fleet.** Bluefin tuna caught by driftnets are not reported to ICCAT or have been reported under the category “unspecified gear”, in which case the data available is from 2003 onwards.
- ***Thonaillers* are polyvalent vessels.** These vessels can combine the use of driftnets with other gear, such as longlines, traps or trammel nets. New vessels changed from hake gillnet fishery to *thonaille*.⁶¹
- **Fishing effort may be higher than first estimated.** This fleet’s fishing effort was evaluated in 2001, averaging 21 days per vessel, fluctuating between 2 and 37 days per vessel⁶². There is evidence, however, that the *thonaillers* probably began fishing in 2008 during January⁶³ and, as such, the period of activity would be longer than was first estimated. The main limiting factor is probably the weather conditions. The presence of bluefin tuna juveniles in this area practically the whole year round also corroborates this fact. More information must be compiled about this situation in order to reach reliable conclusions.
- **In 2007, the lists of vessels involved in fishing with *thonaille* were not reported to ICCAT.** The lists of vessels authorised to catch bluefin tuna in the Mediterranean and the East Atlantic must be sent to the European Commission and subsequently to ICCAT⁶⁴. No *thonailler* was authorised by this organisation to catch bluefin tuna in 2007.
- **The use of the *thonaille* in terms of days at sea for this fleet is limited compared to this fleet’s total fishing activity.** In many cases, especially with regard to smaller vessels, the use of *thonaille* is marginal when compared to the other fishing gears used to carry out fishing activities; this is what we refer to as an opportunistic activity.

Figure 5: The *Orchidée II*.

The *Orchidée II* is a *thonailler* that measures 11.81 metres in length and has 201 kw of engine power. This vessel began operating within the fleet in 2006, four years after the ban on the use of driftnets became effective. This vessel has never been included in the lists for special fishing permits up to the year 2008, nor in the special fishing permit list for bluefin tuna. In October 2007, however, it was granted a permit for the first time, and subsequently accepted for *de minimis* aid derived from the temporary cessation of the bluefin tuna fishery carried out with *thonaille*. Another vessel, the *Orchidée*, was included in the list for distribution of quota for previous years but it is not, however, included in the current lists. Instead, it appears in the EU fleet register as having been retired from the active fleet.

This vessel is representative of the *thonaillers*. Nine vessels have been recently incorporated into the latest lists published by the French Ministry for Agriculture and Fisheries. This fact leads to the following question: Have any of these vessels abandoned the use of the *thonaille* at any time? As far as the *Orchidée II* is concerned, it has been verified that it was using this gear in 2006.



Driftnets alongside the *Orchidée II*. Port of Saint Raphaël. August 2007. © Chris Johnson/ EarthOcean.



The *Orchidée II* under way. Port of Saint Raphaël. May 19, 2007. © OCEANA.

Conclusions



Radar reflectors crowning the buoys of a *thonailler*. Port of Carnon. May 9, 2007. © OCEANA.

The use of *thonailler* is illegal. Its use since 1 January 2002 is an infringement of Community regulations banning the use of this fishing gear. The French government, however, has not fulfilled its responsibility to apply this regulation because it does not believe the *thonailler* is a driftnet. For this reason, the European Commission brought a case against France in the European Court of Justice⁶⁵.

Until the European Union approved the complete definition of a driftnet in June 2007, this fishing gear was regulated by a range of legal quotas and fishing permits granted by the French Ministry for Agriculture and Fisheries. The lists of special fishing permits for the French fleet were published at the beginning of 2008. The *thonaillers* have not received any permits⁶⁶. Therefore, continuation of the activities of the *thonaillers* would be an illegal, unregulated and unreported (IUU) fishing activity, as defined by the Food and Agriculture Organisation of the United Nations (FAO)⁶⁷.

France has now undertaken to secure subsidies for this illegal fleet. At this point, it is necessary to consider precedents, such as the conversion of the Italian driftnet fleet more than five years ago that has led to the continuity of a fleet of more than 100 vessels using this illegal fishing gear, due to a lack of coherent control and management measures. Some of these vessels received substantial subsidies for their conversion. Despite this, they continue fishing illegally, as reported by Oceana⁶⁸. Italy should be used as a learning experience and better measures should be demanded in France's case in order guarantee that its fleet completely eliminates the use of driftnets.

Currently, the continued use of driftnets is not only a conservation problem. The existence of these fleets, 15 years after the first measures were taken against this gear, calls into question the applicability, control and effectiveness of all the measures taken within the framework of the Common Fisheries Policy. It is now time to move beyond the papers and put real management measures in place.

Recommendations



The vessel *Jean Marie André II* setting the driftnet. Near the port of Marseille. May 12, 2007 © OCEANA/ Thierry Lannoy.

Oceana's main objective, within the context of the campaign against the use of driftnets, is the total elimination of this fishing gear in the Mediterranean to capture highly migratory species. This objective would ensure compliance with current legislation⁶⁹ and international agreements.

Concerning the use of driftnets by the French fleet in the Mediterranean, Oceana suggests the following recommendations to achieve this objective:

- No exemption should be made with respect to the driftnets known as *thonaille*, because there is no legal or technical reason to justify it.
- Clear and legal acknowledgement by the French authorities that this fishing gear is illegal.
- Obligatory conversion of all the vessels involved in the use of *thonaille*. This measure should be reinforced with scientific advice, in order to guarantee that fishing effort is not increased unsustainably in new fishing grounds.
- Confiscation of any *thonaille* found on board vessels that have received subsidies within the framework of *de minimis* aid or the subsidies that will be distributed in the future for a possible conversion, so that the nets cannot be used or sold to third countries.
- Minimise public aid given to finance the conversion of these vessels. Public funds should not be used to compensate the loss of revenues from illegal fishing activities, but to guarantee the conversion to other fishing techniques.
- Supervision of activity in port, in order to apply current legislation and establish "zero-tolerance" sanctions for illegal fishing activities.
- More supervision by the three countries responsible for the Pelagos Sanctuary for the Mediterranean marine mammals. French and Italian driftnetting activities in this area contradict the Sanctuary's objectives.

Annex I: List of vessels implicated in fishing with *thonaille* observed by Oceana in 2006 and 2007

| Photograph | License | Name | Port and date | Nets on board | Registration ⁸⁸ | Vessels that have been officially included in different bluefin tuna quota allocations | | |
|---|-----------|----------------------------|---|---------------|----------------------------|--|--------------------|---------------------|
| | | | | | | 2006 ⁸⁹ | 2007 ⁹⁰ | 2007b ⁹¹ |
|  | MA 172514 | Le Dauphin | 11/05/07 Carry le Rouet | N | GNS GTR | X | X | X |
|  | MA 299469 | Charcot | 14/07/2006 Toulon 13/05/07 Port de Peche (Marseille) | N | GNS GTR | X | X | X |
|  | MA 540694 | Argonautes | 15/05/07 Saint Raphaël 19/05/07 Cavalaire | Y | GNS GTR | X | X | X |
|  | MA 540695 | Idefix | 13/05/07 Toulon | Y | GNS GTR | X | X | X |
|  | MA 568911 | Notre Dame du Rouet | 11/05/07 Carry le Rouet | N | GNS LLS | X | X | X |
|  | MA 595970 | La Santa II | 14/05/07 Hyères 19/05/07 Cavalaire | Y | GNS GTR | X | X | X |
|  | MA 629928 | Cintito | 11/05/07 Carro | N | GNS LLS | X | X | X |
|  | MA 657538 | Calimero | 14/05/07 Hyères | Y | GNS GTR | X | X | X |

Annex I: (Continuation I)

| Photograph | License | Name | Port and date | Nets on board | Registration ⁸⁸ | Vessels that have been officially included in different bluefin tuna quota allocations | | |
|---|-----------|-------------------|--|---------------|----------------------------|--|--------------------|---------------------|
| | | | | | | 2006 ⁸⁹ | 2007 ⁹⁰ | 2007b ⁹¹ |
|  | MA 673522 | Alex Emma | 14/05/07 Hyères | Y | GNS GTR | X | X | X |
|  | MA 733526 | La Rose des vents | 13/05/06 Port de Peche (Marseille) | N | GNS GTR | X | X | X |
|  | MA 860732 | Tiki II | 14/07/2006 Bandol | Y | GNS GTR | X | X | X |
|  | MA 861780 | Saphir | 13/05/07 Port de Peche (Marseille) | Y | GNS GTR | | X | X |
|  | MA 902285 | Ste. Marie II | 14/05/07 Hyères 19/05/07 Cavalaire | Y | GTR GND | | X | X |
|  | MA 914154 | Oceane | 15/05/07 Saint Raphaël 19/05/07 Saint Raphaël | Y | GNS GTR | | X | X |
|  | MA 915733 | Annociade | 14/05/07 Hyères | Y | GNS GTR | | X | X |
|  | MA 924205 | Shark IV | 15/05/07 Cavalaire 19/05/07 Cavalaire | Y | GND GTR | | X | X |

Annex I: (Continuation II)

| Photograph | License | Name | Port and date | Nets on board | Registration ⁸⁸ | Vessels that have been officially included in different bluefin tuna quota allocations | | |
|---|-----------|------------------------|---|---------------|----------------------------|--|--------------------|---------------------|
| | | | | | | 2006 ⁸⁹ | 2007 ⁹⁰ | 2007b ⁹¹ |
|  | MT 269571 | Sylviane Robert | 11/05/07 Port Saint Louis | N | GNS GTR | X | X | X |
|  | MT 269859 | Les copains | 16/05/07 Cannes | Y | GNS GTR | X | X | X |
|  | MT 314953 | Le Marco | 16/05/07 Antibes 19/05/07 Saint Raphaël | Y | GNS GTR | X | X | X |
|  | MT 362038 | Genevieve | 13/05/07 Toulon | Y | GNS GTR | X | X | X |
|  | MT 480715 | Jeannette | 16/07/06 Palavas les flots 07/05/07 Grau D'Agde | N | GNS GTR | X | X | X |
|  | MT 541106 | Anna Felicie | 15/05/07 Saint Raphaël 19/07/06 Saint Raphaël | Y | GNS GTR | X | X | X |
|  | MT 649801 | Popeye | 08/05/07 Carro 15/05/07 Saint Raphaël 19/05/07 Saint Raphaël | Y | GNS GTR | | X | X |
|  | MT 755672 | La Madonne | 16/07/06 Carro 08/05/07 Carro | N | GNS GTR | X | X | X |

Annex I: (Continuation III)

| Photograph | License | Name | Port and date | Nets on board | Registration ⁸⁸ | Vessels that have been officially included in different bluefin tuna quota allocations | | |
|---|-----------|--------------------------|---|---------------|----------------------------|--|--------------------|---------------------|
| | | | | | | 2006 ⁸⁹ | 2007 ⁹⁰ | 2007b ⁹¹ |
|  | MT 770807 | Cassalex | 14/07/06 Saint Mandrier 15/05/07 Cavalaire | Y | GNS GTR | X | X | X |
|  | MT 862351 | Shark 3 | 14/07/06 Hyères 15/05/07 Cavalaire | Y | GNS GTR | | X | X |
|  | MT 866254 | Adeline Kevin | 15/05/07 Cavalaire | Y | GNS GTR | | X | X |
|  | MT 917302 | Dieu Mer Si | 15/05/07 Cavalaire 19/05/07 Cavalaire | Y | GNS GND | | X | X |
|  | MT 917403 | Rome | 09/05/07 Saintes Maries de la Mer | Y | GNS LLS | | | |
|  | MT 917408 | Orchidée II | 14/07/06 Saint Raphaël 15/05/07 Saint Raphaël 19/07/06 Saint Raphaël | Y | GNS LLS | | | X |
|  | MT 800638 | Thido | 13/05/07 Toulon | Y | GNS GTR | | X | X |
|  | NI 304908 | Oceane | 17/05/07 Menton | Dk | GNS GTR | X | X | X |

Annex I: (Continuation IV)

| Photograph | License | Name | Port and date | Nets on board | Registration ⁸⁸ | Vessels that have been officially included in different bluefin tuna quota allocations | | |
|---|-----------|-----------------------|--|---------------|----------------------------|--|--------------------|---------------------|
| | | | | | | 2006 ⁸⁹ | 2007 ⁹⁰ | 2007b ⁹¹ |
|  | NI 419957 | P'tit Bosco | 15/07/06 La Napoule 15/05/07 La Napoule | Y | GNS GTR | X | X | X |
|  | NI 437305 | Sam | 15/07/06 Cannes 16/05/07 Cannes | Y | GNS GTR | X | X | X |
|  | NI 574900 | Angelika | 15/05/07 Cavaire | Y | GNS GTR | X | X | X |
|  | NI 621714 | Jean Cristophe | 17/05/07 Saint Juan Les Pins | Y | GNS GTR | X | X | X |
|  | NI 673523 | Sergeric | 17/05/07 La Condamine (Monaco) | N | GNS LLS | X | X | X |
|  | NI 821697 | Marco Polo IV | 16/05/07 Cannes | Dk | GNS GTR | | X | X |
|  | NI 874568 | Prosper | 17/05/07 Menton | Y | GNS GTR | | X | X |
|  | NI 874575 | Jessica | 17/05/07 Golfe Juan | Y | GNS GTR | | X | X |

Annex I: (Continuation V)

| Photograph | License | Name | Port and date | Nets on board | Registration ⁸⁸ | Vessels that have been officially included in different bluefin tuna quota allocations | | |
|---|-----------|--------------------|---|---------------|----------------------------|--|--------------------|---------------------|
| | | | | | | 2006 ⁸⁹ | 2007 ⁹⁰ | 2007b ⁹¹ |
|  | NI 874656 | Saint Louis | Antibes 16/05/07 | N | GND GTR | X | X | X |
|  | PV 916539 | Cartouche | 07/05/07 Port Vendres | N | LLS GNS | | | X |
|  | ST 308253 | Tchitchaou | 15/05/07 Cavalaire | N | PS | X | X | X |
|  | ST 310694 | Gilsand | 07/05/07 Grau D'Agde 13/05/07 Toulon | Y | GNS GTR | X | X | X |
|  | ST 315004 | Jean Emmanuel | 14/07/06 Toulon 07/05/07 Grau D'Agde 13/05/07 Toulon | Y | GNS GTR | X | X | X |
|  | ST 315085 | Presqu'île | 09/05/07 Grau du Roi | Y | GNS GTR | X | X | X |
|  | ST 330175 | Notre Dame du Grau | 14/07/06 Toulon | Y | GNS GTR | | | |
|  | ST 658748 | Octopus | 09/05/07 Grau du Roi | Dk | GTR GNS | | X | X |

Annex I: (Continuation VI)

| Photograph | License | Name | Port and date | Nets on board | Registration ⁸⁸ | Vessels that have been officially included in different bluefin tuna quota allocations | | |
|---|-----------|---------------------|-------------------------------|---------------|----------------------------|--|--------------------|---------------------|
| | | | | | | 2006 ⁸⁹ | 2007 ⁹⁰ | 2007b ⁹¹ |
|  | ST 669307 | Jean Marie André II | 08/05/07 Palavas les flots | Y | GNS GTR | X | X | X |
|  | ST 733736 | Morgane | 19/05/07 Cavaire | Y | GNS GTR | X | X | X |
|  | ST 741368 | Corail | 09/05/07 Grau du Roi | Dk | GNS LLS | X | X | X |
|  | ST 741391 | Loup-Bar | 09/05/07 Carnon | Y/Dk | GNS GTR | X | X | X |
|  | ST 778776 | Joseph Henry | 16/05/07 Antibes | N | DRB | X | X | X |
|  | ST 859056 | Norville | 13/05/07 Toulon | Y | GNS GTR | | X | X |
|  | ST 859093 | Neptune III | 19/05/07 Cavaire | Y | GNS GTR | | X | X |
|  | ST 900272 | Hardy II | 19/05/07 Cavaire | Y | GNS GTR | | X | X |

Annex I: (Continuation VII)

| Photograph | License | Name | Port and date | Nets on board | Registration ⁸⁸ | Vessels that have been officially included in different bluefin tuna quota allocations | | |
|---|-----------|-----------------------------|---|---------------|----------------------------|--|--------------------|---------------------|
| | | | | | | 2006 ⁸⁹ | 2007 ⁹⁰ | 2007b ⁹¹ |
|  | ST 900299 | D'Ochris | 09/05/07 Grau du Roi | Y | GNS GTR | | X | X |
|  | ST 923684 | Charly Christ | 13/07/06 Sète 08/05/07 Sète | N | DRB | | X | X |
|  | ST 924873 | Marie Cécile Marco 3 | 08/05/07 Sète | Dk | PS | | | X |
|  | ST 924875 | Valmar II | 07/05/07 Grau D'Agde 13/05/07 Toulon | Y | GNS GTR | | X | X |
|  | ST 925302 | Marina | 09/05/07 Grau du Roi | Y | GNS LLS | | X | X |
|  | ST 925304 | Roger Fifi II | 09/05/07 Palavas les flots | Y | LLS GNS | | X | X |
|  | ST 926014 | Panthère III | 13/05/07 Toulon | Y | GTR GNS | | | X |
|  | TL 326312 | Alain II | 14/07/06 Hyères 14/05/07 Hyères | Y | DRB GNS | X | X | X |

Annex I: (Continuation VIII)

| Photograph | License | Name | Port and date | Nets on board | Registration ⁸⁸ | Vessels that have been officially included in different bluefin tuna quota allocations | | |
|---|-----------|------------------------|---|---------------|----------------------------|--|--------------------|---------------------|
| | | | | | | 2006 ⁸⁹ | 2007 ⁹⁰ | 2007b ⁹¹ |
|  | TL 653113 | Gallus | 16/05/07 Antibes 19/05/07 Saint Raphaël | Y | GNS GTR | X | X | X |
|  | TL 773498 | Mistigri II | 12/05/07 Sanary sur mer | N | GNS GTR | X | X | X |
|  | TL 790176 | Prince des mers | 14/07/06 Saint Mandrier 12/05/07 Saint Mandrier | Y | GNS GTR | X | X | X |
|  | TL 901300 | Dragon II | 14/05/07 Hyères | Y | GNS GTR | X | X | X |
|  | TL 902286 | Sonia IV | 14/07/06 Saint Raphaël 15/05/07 Saint Raphaël 19/07/06 Saint Raphaël | Dk | GTR GND | | X | X |
|  | TL 923465 | Pelican | 13/05/07 Toulon | N | LLS GNS | | | |
|  | TL 923515 | Guillaume III | 12/05/07 Sanary sur mer | Y | GNS GTR | | X | X |

Legend: **(Y)** Presence of driftnets on board confirmed **(GNS)** Set gillnets (anchored)
(N) No driftnets on board **(GND)** Driftnets
(Dk) Presence of driftnets on dock **(GRT)** Trammel nets
(LLS) Set longlines
(DRB) Boat dredges
(PS) Purse seines

Annex II: Thonailleurs identified fishing illegally on the high seas or in Community waters

| Name of the vessel | License | Photograph | Date and Position |
|--------------------|-----------|--|---|
| Presqu'île | ST 315085 |  | <p>11/05/07 19:45 43° 08,8 N 04° 02,9 E 21 nm S Grau du Roi</p> |
| Corail | ST 741368 |  | <p>11/05/07 19:55 43° 11,1 N 04° 03,7 E 21 nm S Grau du Roi</p> |
| Marina | ST 925302 |  | <p>11/05/07 20:10 43° 12,5 N 04° 03,6 E 21 nm S Grau du Roi</p> |
| Roger Fifi II | ST 925304 |  | <p>11/05/07 20:25 43° 12,6 N 04° 00,6 E 21 nm S Grau du Roi</p> |
| Rome | MT 917403 |  | <p>12/05/07 19:00 43° 15,1 N 04° 10,5 E 20-25 nm SSW Stes Maries de la Mer</p> |

Annex II: (Continuation I)

| Name of the vessel | License | Photograph | Date and Position |
|---------------------|-----------|--|---|
| Charly Christ | ST 923684 |  | <p>12/05/07 19:00 43° 12,2 N 04° 09,3 E 20-25 nm SSW Stes Maries de la Mer</p> <p>19/05/07 05:30 42° 44,7 N 05° 50,0 E 20 nm S Toulon</p> |
| Jean Marie Andre II | ST 669307 |  | <p>12/05/07 19:25 43° 11,6 N 04° 10,6 E 20-25 nm SSW Stes Maries de la Mer</p> |
| Dragon II | TL 901300 |  | <p>18/05/07 15:00 Saliendo del puerto de Hyères</p> |
| Calimero | MA 657538 |  | <p>18/05/07 19:20 42° 39,1 N 05° 54,5 E 21 nm SSW Hyères</p> |
| Jean Emmanuel | ST 315004 |  | <p>18/05/07 20:15 42° 40,9 N 05° 56,5 E 21 nm SSW Hyères</p> |



Annex II: (Continuation II)

| Name of the vessel | License | Photograph | Date and Position |
|--------------------|-----------|--|--|
| Idefix | MA 540695 |  | 18/05/07 20:30 42° 40,5 N 05° 58,0 E 21 nm SSW Hyères |
| Neptune III | ST 859093 |  | 19/05/07 19:35 42° 40,70 N 06° 09,95 E 19 nm S Hyères |
| Valmar II | ST 924875 |  | 19/05/07 20:15 42° 41,3 N 06° 16,6 E 18,7 nm S Hyères |
| Panthere III | ST 926014 |  | 20/05/07 05:30 42° 39,9 N 06° 19,4 E 19,5 nm S Hyères |
| Le Marco | MT 314953 |  | 20/05/07 21:10 43° 01,7 N 07° 10,6 E |

Annex II: (Continuation III)

| Name of the vessel | License | Photograph | Date and Position |
|--------------------|-----------|--|---|
| Gallus | TL 653113 |  | <p>21/05/07 05:10 43° 02,00 N 07° 01,03 E 25 nm SE Saint Raphaël</p> |
| Orchidée II | MT 917408 |  | <p>21/05/07 08:35 42° 57,6 N 07° 03,1 E 30 nm SSE Saint Raphaël</p> |
| Les Copains | MT 269859 |  | <p>20/05/07 20:10 43° 01,9 N 07° 08,3 E 28 nm Saint Raphaël</p> |
| Adeline Kevin | MT 866254 |  | <p>21/05/07 07:40 43° 00,1 N 07° 02,9 E 27 nm Saint Raphaël</p> |
| Joseph Henri | ST 314953 |  | <p>21/05/07 07:50 42° 58,6 N 07° 03,7 E 28 nm SSE Saint Raphaël</p> |

Annex II: (Continuation IV)

| Name of the vessel | License | Photograph | Date and Position |
|--------------------|-----------|---|---|
| La Santa II | MA 595970 |  | 21/05/07 08:35 42° 57,6 N 07° 03,1 E 30 nm SSE Saint Raphaël |
| Shark IV | MA 924205 |  | 21/05/07 08:35 42° 57,6 N 07° 03,1 E 30 nm SSE Saint Raphaël |

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