

Final Act
of the Negotiation Meeting
to adopt the
Agreement on the Conservation of Cetaceans of the Black Sea,
Mediterranean Sea and Contiguous Atlantic Area

An intergovernmental meeting was held in Monaco from 19 to 24 November 1996 for the purpose of negotiating and adopting an Agreement on the Conservation of Cetaceans of the Black Sea, Mediterranean Sea and Contiguous Atlantic Area, an agreement pursuant to Article IV, paragraph 4, of the Convention on the Conservation of Migratory Species of Wild Animals.

The Meeting was convened by the UNEP/CMS Secretariat, in its capacity as the Secretariat of the Convention, in collaboration with the Government of the Principality of Monaco and the Government of France. The following 17 Range States and one regional economic integration organization were represented:

Albania, Croatia, Cyprus, European Community, France, Georgia, Greece, Israel, Italy, Monaco, Morocco, Portugal, Romania, Spain, Syrian Arab Republic, Tunisia, Turkey, and Ukraine.

The following Range States attended the Meeting as observers:

Bulgaria, Egypt, Libyan Arab Jamahiriya, and Malta.

Representatives of the following intergovernmental and non-governmental organizations also attended the Meeting as observers:

Black Sea Environmental Program, International Commission for the Scientific Exploration of the Mediterranean Sea, International Convention for the Regulation of Whaling (International Whaling Commission), Convention on the Conservation of European Wildlife and Natural Habitats (Bern Convention), Regional Activity Center for Specially Protected Areas (RAC/SPA);

Acquario Di Genova, Euronatur, Europe Conservation France, Europe Conservation Italia, Gesellschaft zur Rettung der Delphine, International Marine Reserve in the Western Mediterranean (RIMMO), MEDMARAVIS, Royal Society for the Prevention of Cruelty to Animals (RSPCA), S.O.S. Grand Bleu, Tethys Research Institute, Whale and Dolphin Conservation Society, World Wide Fund for Nature (WWF).

The Meeting elected Mr. Patrick van Klaveren (Monaco) as Chairman, and Dr. Victor Karamushka (Ukraine) and Mr. Mohamed Adel Hentati (Tunisia) as Vice-Chairmen. The Secretary-General of the Meeting was Mr. Douglas Hykle (UNEP/CMS Secretariat).

The Meeting established a Credentials Committee with the following membership:

Mme Marie-Christine van Klaveren (Chairperson, Monaco)
H. E. Dr. Emmanuel Gounaris (Greece)
Pr. Tullio Scovazzi (Italy)
Mr Pamfil-Grigore Roman (Romania)

The Meeting adopted by consensus the Agreement on the Conservation of Cetaceans of the Black Sea, Mediterranean Sea and Contiguous Atlantic Area in the Arabic, English, French and Russian languages, appended as the annex to this Final Act. The Meeting accepted with appreciation the offer of the Government of the Principality of Monaco to act as Depository for the Agreement. The Secretariat of the Convention on Migratory Species and the Government of the Principality of Monaco undertook jointly to examine the possibilities of assuring the functions of an interim secretariat pending entry into force of the Agreement and the establishment of a permanent secretariat, in accordance with Article III, paragraph 7, of the Agreement.

The Meeting took note of the provisions of Resolution 4.4, adopted by the fourth meeting of the Conference of the Parties to CMS (Nairobi, 1994) which, *inter alia*, resolves that Parties to certain Agreements concluded under the Convention should be invited to consolidate secretariat functions in a unit co-located with the Secretariat of the Convention, and that secretariats for individual Agreements should be financed entirely by their Parties.

The Meeting examined favorably the proposal of the International Commission for the Scientific Exploration of the Mediterranean Sea to offer its expert group on marine mammals to perform the functions of the Scientific Committee provided for under Article VII of the Agreement and requested the interim secretariat to take the necessary steps to elaborate this offer, subject to formal adoption by the Meeting of the Parties at its first session.

The Meeting recommended that the interim secretariat approach relevant intergovernmental organizations in Black Sea and Mediterranean Sea with a view to facilitating identification of the sub-regional Co-ordination Units envisaged under Article V of the Agreement.

The Meeting expressed a vote of thanks to the Government of the Principality of Monaco for having hosted the negotiation session, and to the Government of France, which provided additional financial support.

Done at Monaco on the twenty-fourth day of November in the year One Thousand Nine Hundred and Ninety-six in a single copy in the Arabic, English, French, and Russian languages, each version being equally authoritative.

IN WITNESS WHEREOF the following Representatives have signed this Final Act.