

RESOLUTION A/4.1**AMENDMENTS:
EXTENSION OF THE ACCOBAMS GEOGRAPHICAL SCOPE**

The Meeting of the Parties to the Agreement on the Conservation of Cetaceans of the Black Sea, Mediterranean Sea and contiguous Atlantic area:

Noting that cetacean populations present in the North of Portugal, Galician and Cantabric Seas are connected, as shown by the most recent scientific studies,

Noting that the European Directive 2008/56/EC, establishing a framework for Community action in the field of marine environmental policy (Marine Strategy Framework Directive), and the OSPAR Convention for the protection of the marine environment of the North-East Atlantic, create the sub-region "Bay of Biscay and the Iberian Coast" in order to implement their obligations,

Noting that the scopes of the ACCOBAMS Agreement and of the Agreement on the Conservation of Small Cetaceans of the Baltic, North East Atlantic, Irish and North Seas (ASCOBANS) are slightly different, with the former including all cetacean species, and the latter focusing only on small cetaceans,

Recognizing that the implementation of the above mentioned international Instruments together with the ACCOBAMS Agreement, would be coherent,

Affirming their willingness to strengthen their collaboration with the ASCOBANS Parties and Secretariat in order to establish synergies in matters and activities of common interests,

Recognizing that the implementation of conservation and management measures for all cetacean populations along marine waters covered by the sovereignty or jurisdiction of both Portugal and Spain would benefit from the inclusion of all species and populations within one single Agreement,

1. *Replaces* the name of the Agreement with: "Agreement on the Conservation of Cetaceans of the Black Sea, Mediterranean Sea and neighbouring Atlantic Area";
2. *Replaces* the Article I, paragraph 1.a) with:
"1. a) The geographic scope of this Agreement, hereinafter referred to as the "Agreement area", is constituted by all the maritime waters of the Black Sea and the Mediterranean and their gulfs and seas, and the internal waters connected to or interconnecting these maritime waters, and of the neighbouring Atlantic Area west of the Straits of Gibraltar. For the purpose of this Agreement:
 - the Black Sea is bounded to the southwest by the line joining Capes Kelaga and Dalyan (Turkey);
 - the Mediterranean Sea is bounded to the east by the southern limits of the Straits of the Dardanelles between the lighthouses of Mehmetcik and Kumkale (Turkey) and to the west by the meridian passing through Cape Spartel lighthouse, at the entrance to the Strait of Gibraltar; and
 - the neighbouring Atlantic Area west of the Strait of Gibraltar is bounded to the east by the meridian passing through Cape Spartel lighthouse (Morocco); to the west by the line joining the lighthouses of Casablanca (Morocco) and Cape St. Vicente (Portugal) until this line reaches the parallel of latitude 36° N, then by the parallel of latitude 36° N until it reaches the external limit of marine waters covered by the sovereignty or jurisdiction of Portugal, then by the external limit of marine waters covered by the sovereignty or jurisdiction of Portugal and Spain until the land border between Spain and France.
3. *Replaces* the Article I, paragraph 3.j) with:

“Subregion”, depending on the particular context, means either the region comprising the coastal States of Black Sea or the region comprising the coastal States of the Mediterranean Sea and neighboring Atlantic Area; any reference in the Agreement to the States of a particular subregion shall be taken to mean the States which have any part of their territorial waters within that subregion, and States, flag vessels of which are engaged in activities which may affect the conservation of cetaceans in that subregion;”

4. *Replaces* the Article XIV (entry into force), paragraph 1, with:
“This Agreement shall enter into force on the first day of the third month following the date on which at least seven coastal States of the Agreement area or regional economic integration organizations, comprising at least two from the subregion of the Black Sea and at least five from the subregion of the Mediterranean Sea and neighboring Atlantic Area, have signed without reservation in respect of ratification, acceptance or approval, or have deposited their instruments of ratification, acceptance or approval in accordance with Article XIII of this Agreement”;
5. *Replaces* the headline of the second part of the Annex 1 with:
“Indicative List of cetaceans of the Mediterranean Sea and neighboring Atlantic Area to which this Agreement applies”;
6. *Replaces* the paragraph 3 of the Annex 2 (Conservation Plan) with:
“3. Habitat protection.
Parties shall endeavor to establish and manage specially protected areas for cetaceans corresponding to the areas which serve as habitats of cetaceans and/or which provide important food resources for them. Such specially protected areas should be established within the framework of the Regional Seas Conventions (OSPAR, Barcelona and Bucharest Conventions), or within the framework of other appropriate instruments”.