



Agreement on the Conservation of Cetaceans of the Black Sea, Mediterranean Sea and contiguous Atlantic Area

Accord sur la Conservation des Cétacés de la Mer Noire, de la Méditerranée et de la zone Atlantique adjacente



REPORT OF THE FIFTH MEETING OF THE SCIENTIFIC COMMITTEE

Rome 17-19 April 2008



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Introduction

1. The Fifth Meeting of the Scientific Committee of ACCOBAMS was convened in Rome at the *Hotel Castel Vecchio* from the 17th to 19th April 2008. It was attended by 12 members of the Scientific Committee, 2 representatives from the Sub-Regional Coordination Units, 2 representatives from International Organisations (UNEP/CMS/ASCOBANS and PELAGOS), and 13 observers including partners of ACCOBAMS.
2. The full list of participants appears as Annex I to this Report.

Agenda Item 1: Opening of the Meeting

3. The Interim Chair (Giuseppe Notarbartolo di Sciara) opened the Meeting at 9.00 a.m. on Thursday 17th April 2008. He welcomed the participants and invited the Chair of ACCOBAMS Agreement and the representative of UNEP/CMS/ASCOBANS to address the meeting.
4. The Chair of the ACCOBAMS Bureau (Ana Strbenac) expressed her gratitude to the Italian authorities for the support provided to ACCOBAMS in general and to the organisation of the Scientific Committee meeting.
5. The representative of UNEP/CMS/ASCOBANS (Marco Barbieri) stressed the importance of the regional Agreements within the framework of CMS. He emphasised that ACCOBAMS reached a maturity stage and is for CMS a model for regional Agreements for the conservation of cetaceans.
6. The Executive Secretary (Marie-Christine Grillo-Compulsione) welcomed the participants recalling that the meeting was organised thanks to the “Ministero dell'Ambiente e della Tutela del Territorio e del Mare”.
7. The State Under Secretary of the “Ministero Dell'Ambiente e Della Tutela Del Territorio e Del Mare” (MATTM) of Italy, Dr. Gianni Piatti, and Dr. Patricia De Angelis, Dirigente at MATTM, attended the opening session. Dr. Gianni Piatti opened the meeting and welcomed the participants. The full text of his speech appears in Annex II.

Agenda Item 2: Changes to the rules of procedure

8. The Interim Chair invited the members of the Scientific Committee to examine the proposed amendment to the Rules of Procedure (SC5/Doc 06). The Executive Secretary emphasised that the current rules of procedures of the Scientific Committee provide that the mandate of the Scientific Committee ends immediately after the Meeting of the Parties (MOP) since the MOP nominates new members of the Scientific Committee. The proposed amendment is to fill the gap between their nomination and the first meeting of the Scientific Committee. The proposed amendment to the rules of procedure will therefore clarify the mandate of the Committee members regarding the intersession period.
9. The proposed amendment was adopted. The new version of the rules of procedure appears in Annex III.

Agenda Item 3: Election of the Chair

10. The Interim Chair indicated that his mandate of Chair of the Scientific Committee of ACCOBAMS had ended and thanked the members for their support and for the work they had done together.

11. The Executive Secretary thanked Dr. Giuseppe Notarbartolo di Sciara for his role in chairing the work of the Scientific Committee over the past triennium and invited the Scientific Committee members to elect a Chair for the triennium 2008-2010.

12. The group unanimously re-elected Dr. Notarbartolo di Sciara as Chair of the Scientific Committee of ACCOBAMS for the triennium 2008-2010. Dr. Notarbartolo di Sciara thanked the members for their renewed confidence.

Agenda Item 4: Adoption of the Agenda

13. The Chair presented the provisional Agenda for the Meeting, appearing in document SC5/Doc01 and annotated in the document SC5/Doc02 and invited the meeting to review it.

14. The meeting adopted the Agenda as appearing in Annex IV.

Agenda item 5: Implementation of the ACCOBAMS work plan

5.1 Population and distribution studies

5.1.1 *Dedicated surveys*

15. The primary subject considered under this Agenda Item was progress on the ACCOBAMS Survey Initiative. The origins of this initiative came in a Recommendation made by the Scientific Committee at its second meeting that complemented an earlier proposal for a basin-wide survey for sperm whales. It had agreed that the highest priority for research in the area was to 'obtain baseline population estimates and distributional information of cetaceans within the ACCOBAMS area as soon as possible (including information on stock structure)'. Without such information, and a suitable monitoring programme, it would be impossible to *inter alia* determine whether ACCOBAMS is meeting its conservation objectives. Such information is essential for the assessment of risk, the determination of appropriate mitigation measures and the associated determination of priority actions. The first stage of the proposed project is to obtain baseline population estimates (stock structure and abundance) and distributional information of cetaceans within the ACCOBAMS area. An important scientific workshop on survey design and methods was held in Valsain, Spain in December 2004 and smaller scale workshops have been held since. The second stage of the proposed project will be to develop a long-term monitoring framework, both basin-wide and in identified local key areas. This initiative has been adopted by the ACCOBAMS Parties (e.g. most recently at MOP3 Resolution 3.15).

16. The Chair stressed the importance of this initiative for a major synoptic survey for the future conservation work of ACCOBAMS. He noted that although some portions of the Mediterranean have been surveyed before, there remain many un-surveyed areas. In addition to the scientific challenge such a large-scale survey symbolises, it represents a major logistical challenge. For example, the survey plan involves work in the territorial waters of both Parties and non-Parties that will require a degree of co-operation at the administrative level.

17. The Chair invited Ana Cañadas to inform the meeting about the progress made so far in developing the survey project.

18. Ana Cañadas introduced the document SC5/Doc07 describing a number of activities that have been carried out since the 4th ACCOBAMS Scientific Committee meeting concerning the preparation of the ACCOBAMS survey: a) The survey initiative was presented at the MOP3 during a special “Survey initiative evening event”; the MOP3 passed a resolution (Resolution 3.15) endorsing the project and requesting the contracting Parties to cooperate; b) A draft project proposal has been developed, including introductory and background issues and the proposed actions (Research - the survey itself -, Monitoring – developing a monitoring framework -, Capacity Building, Management and Public Awareness actions). In addition to cetaceans, sea birds and turtles have been included as target species in this project. This document has been sent to all Focal Points and relevant national contact persons by the Secretariat and to researchers in the Black Sea and the Mediterranean by the coordinators, in order to initiate discussions about the project proposal (contents and logistics) with all potentially interested researchers before the Second Workshop to be held in May (15-17) in Monaco, for which at least 50 participants are already registered.

19. In response to some questions from the meeting, Ana Cañadas indicated that although several funding sources shall be investigated, in particular Life+ program of the European Commission, the participating countries are expected to contribute in various ways (research vessels, crew, volunteers, etc). As for the project timeframe she emphasised that this will be decided after the workshop in May. She also indicated that given the budget needed, the Black Sea and/or other Mediterranean sub-basins components of the survey could be covered separately.

20. The Committee recognised the great value of synoptic surveys and recommended that all possible effort be made to conduct surveys in this way.

21. Discussion took place about the inclusion of non-cetacean species and it was agreed that data on monk seals, in addition to turtles and sea birds, will be recorded and, if the sample size is large enough, analyzed.

22. The representatives of RAC/SPA, Black Sea Commission, IUCN Mediterranean Centre, the Secretariats of UNEP/CMS and PELAGOS expressed the interest of their organisations to join and/or provide support to the project.

23. The second subject considered under this item concerned the habitat use modelling exercise for the Cuvier’s beaked whale in the Mediterranean Sea agreed by the Scientific Committee at its 4th meeting. Ana Cañadas was designated to coordinate this effort and undertake the analysis in collaboration with anyone holding suitable effort and sightings data in the area. Ana Cañadas reported on the progress made so far concerning the *Ziphius* modelling programme and made reference to document SC5/Doc17. She indicated that two scientists (Arianna Azzellino and Emilie Praca) had proposed to use additional modelling techniques. The Scientific Committee welcomed this proposal and invited the Secretariat to establish a MoU with these two scientists. Ana Cañadas also made reference to the meeting held at the European Cetacean Society (ECS) meeting of 2007 (Annex 2 of SC5/Doc17) towards the creation of a collaborative group for cetacean sightings analysis. It was stressed that there is a need for clear, firm ground-rules. The Committee noted that for this and similar collaborative exercises, it would be valuable to have a standard set of data availability guidelines. Greg Donovan agreed to provide the Secretariat with the current guidelines used by the IWC Scientific Committee and also to provide a document to the next Scientific Committee meeting with a proposal for general guidelines that could be used by the ACCOBAMS Scientific Committee in future cases. He had already provided suggestions based on the IWC experience in the development of the MoU that had been used for the *Ziphius* collaboration.

24. The Scientific Committee thanked IFAW for providing their data on this species in the eastern Mediterranean. These are effort-related sightings data for *Ziphius* in a geographic area where such data has been mostly absent.

5.1.2 Genetic studies

25. The Chair highlighted the importance of genetic studies in better understanding population structures, as the knowledge about the existence of subsets or separate populations affects greatly the conservation strategies.

26. Stefania Gaspari informed the meeting about the progress made towards the establishment of the Genetic Working Group (GWG) making reference to document SC5/Doc08. She emphasised that the GWG should have three main goals:

- Define and prioritise genetic analyses required for different species on an ongoing basis;
- Optimise the availability of genetic analysis' results to ACCOBAMS;
- Optimise and facilitate the use of the samples available and propose new sample collection campaigns when needed.

27. The Chair stressed that samples should be taken only if they are needed, using non-invasive methods when possible in order to minimise disturbance.

28. The Scientific Committee welcomed document SC5/Doc08 and commended the authors for their work. In particular, it recommended that this work should form the basis for a project proposal (with the associated funding implications) to be considered by the Scientific Committee. It was agreed that members of the Committee should forward any detailed comments directly to Stefania Gaspari as soon as possible so that she can incorporate them before submitting the revised document to the Committee. The importance of collaborative work identified in the document was welcomed and the Committee encouraged the involvement of as many experts from the region as possible. In discussion, the Committee noted that the primary objective of the genetic work in an ACCOBAMS context was to obtain information on population structure to inform conservation work. Abundance estimates and threats need to be considered in relation to appropriate 'units-to-serve', which are defined on the basis of population structure. It was noted that the importance of information on population structure had been recognised in the ACCOBAMS Survey Initiative. The Committee recognised that genetic methods represent one important tool in the suite of techniques that are of value in determining units-to-serve (some others include photo-identification studies, telemetry, morphology and distribution). Though initial efforts may focus on genetic analyses, the Committee believed that it was appropriate to call the group the 'Population Structure Working Group'. It sees great value in co-ordinating its efforts in this regard with the work of the IWC Scientific Committee which has considerable experience in such matters, in terms of: (1) providing a framework to integrate various types of data into population structure hypotheses and to investigate the conservation implications of these; and (2) providing guidelines on quality control and error rate estimation for genetic data. A high priority for the initial work in the ACCOBAMS area is to develop an inventory of the available genetic samples (both analysed and yet to be analysed) on a species/geographical/temporal basis; also see section on tissue bank data (Item 5.6.3). This can then be used to develop targeted collections of new data and/or analyses where appropriate, to best meet our conservation needs. This will form an important part of the proposal to be developed by Stefania Gaspari and colleagues.

5.1.3 Sighting database

29. Caterina Fortuna presented the document SC5/Doc09 that summarised a proposal compiled after the ACCOBAMS-CIESM-PELAGOS Joint Cetacean Sightings Database (JCSDB) meeting, held in Monaco in 2006. This document intended to give some ideas for the discussion of potential protocols on the inclusion of data and the code of deontology to be refined for the JCSDB. The issues considered in Doc 09 included:

- i) the definition of aims of the JCSDB;
- ii) the creation of a Data Management Group, its composition and its Terms of Reference;
- iii) a draft of a possible procedure for Data submission; and
- iv) a draft of a possible procedure regulating the access to data.

30. The Committee welcomed the document SC5/Doc09 and believed that it formed a valuable basis for making progress. It recognised the great contribution a well-designed sightings database could make towards the conservation and management of cetaceans in the ACCOBAMS region. To be most effective, the database must be able to adequately incorporate a variety of data types ranging from the sightings, searching conditions and effort data obtained from dedicated cetacean surveys designed to obtain absolute abundance estimates (e.g. the forthcoming basin wide survey), to data from opportunistic studies that are appropriate at least to describe distribution and possibly relative abundance. Designing (and populating) such a database is a complex scientific and technical issue; it is important that this is undertaken carefully, taking into account the questions that the data are likely to be used to answer, analytical techniques and building upon the knowledge obtained in developing and maintaining similar multinational databases (e.g. the IWC sightings database, the CIESM database, Europhlukes, OBIS, Black Sea Information System).

31. The Scientific Committee stressed that for this effort to be successful, it was essential that adequate initial funding was made available. As a minimum, it believed that a suitably qualified database developer/manager be appointed for an initial period of three years. This would ensure that an appropriate database is developed and populated. It is extremely important that the appointed person participates in the technical discussions of the Technical Specifications Working Group (see below); ideally that person should also have an analytical as well as an information technology background. Once the database is up and running, maintenance will only require a part-time manager. The Scientific Committee emphasised that without the commitment to appoint such a person and their participation in the design process from an early stage, the great effort required in planning for such a database may not be worthwhile and the chance to develop an extremely powerful tool for conservation scientists and managers in the ACCOBAMS region may be lost. While precise costs will depend *inter alia* on the site of the database and the facilities available, the Committee envisaged that they may be in the region of €40,000 per annum. Whilst this appeared to be a considerable sum, the Scientific Committee believed that the benefits this would bring to the conservation and management of cetaceans in the region would far outweigh the initial costs.

32. The Scientific Committee recognised that there were two primary areas of work to establish such a database. One is primarily scientific and technical with respect to developing the physical database itself; the second is more procedural and logistical (e.g. including quality control, data availability protocols etc). The Committee agreed that it was appropriate to establish two working groups: the Technical Specifications Working Group (TSWG) and the Data Management Working Group (DMWG). Whilst there will need to be interaction between the two groups, the Committee agreed that aspects of the work could begin at once and be conducted in parallel. The terms of reference for the latter group are largely those outlined in SC5/09: to develop procedures covering the following issues (noting that there may be some inter-relationships between them):

- (1) Acceptable data quality, including
 - (a) minimum eligibility standards (e.g. nature of data collection)
 - (b) minimum validation standards
 - (c) data submission protocols
- (2) Data availability rules, including
 - (a) rights of data providers
 - (b) data request protocols
 - (c) evaluation of proposals
 - (d) rights of Pelagos, CIESM, ACCOBAMS
- (3) Identification of existing datasets and proposals for their archiving.

33. Membership of that Data Management Group should be as described in SC5/Doc09 i.e. it should be primarily scientific and kept to a reasonable size (e.g. around 15). It should include: at least one representative of the three cosponsors, including the Chairs of the ACCOBAMS, PELAGOS Scientific Committees and the Director General of CIESM; one representative for each of the major potential contributors (to be defined); the Chair of the Technical Specifications Working Group (TSWG, see below). It was agreed that SC5/Doc09 formed a good basis for starting discussions in the Data Management Group. The Committee did not have time to review that document at the fine level and it was agreed that comments would be forwarded to Caterina Fortuna by 20 May 2008 for incorporation into a final document to go to the Working Group on the Construction of the Trilateral database (ADM6). It proposes that Fortuna acts as Chair of the DMG and work with ACCOBAMS, CIESM and Pelagos on finalising membership of the group.

34. The TSWG can work alongside and where necessary provide technical input to the Data Management Group. The Terms of Reference for the TSWG are:

To develop the technical specifications for the joint sightings database (JSDB) and oversee its establishment.

This will include:

- i) Developing a list of the potential uses of the JSDB in terms of questions to be answered, analytical techniques and, where appropriate, common programmes likely to be used (and their data requirements and formats) including GIS programmes, Distance etc;
- ii) Examining the structure of existing relevant databases (including those of the IWC, BSIS and CIESM) and the nature of existing large datasets;
- iii) Considering the need to link with other potentially valuable datasets including those of anthropogenic activities, oceanographic and biological factors etc.;
- iv) In the light of (1-3) developing a list of the fields required in the database and the relationships amongst them i.e. outlining the structure of the database;
- v) Act as an Advisory Body to the database developer/manager during the establishment of the database.

35. Membership of the TSWG needs to be kept reasonably small (ca10). It should include scientists familiar with other sightings databases, analysts of sightings data, a representative of the Scientific Committees of ACCOBAMS, PELAGOS and CIESM, and the database developer/manager. In its initial form it could provide advice on the necessary qualifications of the database developer/manager to the relevant Secretariats. Given the experience gained in the development of the

Eurolukes database, the Committee believes that it would be most efficient to have at least one meeting of the TSWG, soon after the database developer/manager has been appointed.

36. The Committee suggested that the TSWG be chaired by the Chair of the ACCOBAMS Scientific Committee. Other proposed members were: Beaubrun (CIESM database), Birkun, Burt (CRÈME, IWC database), Cañadas, de Stephanis, Donovan, Fortuna, Lauriano (Pelagos Italy), Lewis (IFAW). The Chair will consult with Pelagos and CIESM to finalise membership of the group.

37. IFAW offered the use of their Mediterranean sightings databases (surveyed in 2003, 2004 and 2007) which are already held by ACCOBAMS (*Ziphius* modelling programme) in order to help initiate the Mediterranean sightings database (given an appropriate interim MoU).

5.2 Species Conservation Actions

5.2.1 *Black Sea cetaceans*

38. Violeta Velikova, from the Black Sea Commission Secretariat, informed the meeting about the progress made in the implementation of the Conservation Plan for Black Sea Cetaceans making reference to documents SC5/Doc 10 and SC5/Doc35. She indicated that the Black Sea Parties to ACCOBAMS reported on strandings and bycatch and that this plan will be taken into consideration in the revised Strategic Action Programme for the Rehabilitation and Protection of the Black Sea (BSSAP), a document which should be adopted in 2008 by the Ministers of Environment of all six Black Sea countries.

39. Violeta Velikova reported about the workshop on Black Sea Protected Areas eligible for cetacean conservation held in December 2006 (SC5/Doc10 Annex 2) and also confirmed that a working group for drafting the network strategies and guidelines was created. She also provided information about the Black Sea Day (October 2007) which was dedicated to dolphins' conservation.

40. The Scientific Committee invited the Secretariat to translate the Black Sea Cetaceans Conservation Plan into the languages used by the Black Sea countries in order to disseminate this document and promote therefore its implementation.

5.2.2 *Mediterranean Common dolphins*

41. The Chair introduced the document SC5/Doc11, "ACCOBAMS Mediterranean Common Dolphin Steering Committee progress report", describing the activities of the Committee (CDSC). The Chair noted that the Parties during their last meeting had recognized the gravity of the conservation status of *Delphinus delphis* in the Mediterranean, and that striving to halt the species' decline in the region and to promote its recovery was a matter of the greatest urgency. The Chair therefore drew the attention of the participants to the document section dealing with the future of the CDSC, stating that the CDSC's usefulness has been limited, so far, to a few initial communications, and wondered in which way ACCOBAMS could best support progress (e.g., through funding, links with relevant authorities, information on available frameworks and tools). He concluded his opening remarks on this agenda item by stating that the implementation of the Mediterranean Common Dolphin Conservation Plan (as presented and "welcomed" during MOP2) is not so much related to the continuation of research activities, as much as it is to the timely implementation of management measures and policy decisions, which are explicitly listed and described in the abovementioned Conservation Plan.

42. Giorgos Paximadis (WWF Greece) informed the meeting that in December 2007 the Fisheries Research Institute of Kavala and WWF Greece submitted a proposal regarding the establishment of fishing protected areas (FPAs) and the possible management measures to be applied therein, according to Articles 5, 6 and 7 of Council Regulation (EC) No 1967/2006 concerning management measures for the sustainable exploitation of fisheries in the Mediterranean Sea. This proposal was also sent to the Directorate of Marine Fisheries of the Ministry of Agriculture and the European Commission, after having consulted with the Greek Association of Trawlers and Purse Seiners. Lobbying with the European Commission is currently underway, since apparently all Mediterranean Member States failed in submitting the appropriate proposals and the FPAs establishment process is still ongoing.

43. The Scientific Committee welcomed that the Secretariat agreed with the coordinator of the GFCM's sub-committee on stock assessment to include in the agenda of the next sub-committee meeting an item about the impact of prey (small pelagic) stock depletion on cetacean populations.

44. Caterina Fortuna informed the Scientific Committee that the Italian Official Gazette, no. 85 of the 10th of April 2008, published the Ministerial Decree of the designation of the Marine Protected Area "Regno di Nettuno" (Kingdom of Neptune) around Ischia Island in Italy. In particular, Article 3, lists the aims of this MPA, it specifically indicates the importance of actions taken regarding *Delphinus delphis*, whose Mediterranean population has been listed by IUCN as Endangered.

45. Ocean Care informed the Scientific Committee about the establishment of the Cetacean Alliance which is a coordinated effort of NGOs and experts working in the region to coordinate activities for better protection of cetaceans, in particular the common dolphin, in the Mediterranean Sea.

46. The Scientific Committee is concerned that little direct action has occurred in response to the plan despite (1) the extensive work put into developing it; (2) previous recommendations concerning its implementation (SC3 and SC4 reports); and (3) Resolutions adopted by the Meeting of the Parties (Resolutions 3.17 and 2.20). It reiterates that the decline of common dolphins represents one of the most serious conservation problems in the ACCOBAMS area. Given this it recommends that:

- (a) the Secretariat gives priority to finding funding for a suitably qualified co-ordinator of the project, who is paid to oversee and promote its implementation, as recommended at SC4 (recommendation SC4.13);
- (b) the existing steering committee be strengthened by inviting new members (e.g., WDCCS, Ocean Care);
- (c) the Chair of ACCOBAMS writes to Parties reminding them of their formal commitment (as expressed in Resolutions 3.17 and 2.20) to implement the plan and encouraging them to act with a sense of urgency.
- (d) the steering committee should provide information to the process of reviewing the status of cetacean species in the CMS Appendix I to specifically address the concerns over the continued decline of common dolphins in the Mediterranean Sea calling for the implementation of conservation measures by the Range States.

5.2.3 *Mediterranean Bottlenose dolphins*

47. Caterina Fortuna presented the document SC5/Doc12 and proposed that sub-regional action plans be prepared for the implementation of the bottlenose dolphin conservation plan. She drew the attention of the participants to Figure 1 of the document proposing sub-regions for creating a panel of experts on bottlenose dolphins. She stressed that the proposed sub-region sub-divisions and the proposed coordinators were only a tentative and welcomed comments and suggestions from the participants. The WDCCS recommended to have included a special reference to "Marine Protected

Areas/Special Areas of Conservation” (MPAs/SACs) under “legal framework” (paragraph 1.1.4. of Annex 1 of document SC5/Doc12).

48. The Scientific Committee commended the work done and invited the authors to revise the sub-region map according to the discussion during this meeting and to amend accordingly annex 1 of the document. The new version of the document will be circulated via Email to the members of the Scientific Committee for approval.

5.2.4 *Fin Whale*

49. Simone Panigada presented document SC5/Doc13-24, which also includes the ship strikes issue under the item 5.8 of the Agenda. Therefore, issues relating to ship strikes involving other species, notably sperm whales, are also covered under this agenda item. The purpose of this working paper was to propose the establishment of a Steering Committee (StC) and Working Group (WG) under the auspices of the ACCOBAMS Scientific Committee (MOP3 Resolutions 3.4; 3.14; 3.16) that will ensure that the recommendations of the workshops are acted upon. The StC and WG will work in close contact with the ACCOBAMS Secretariat, the IWC, the PELAGOS Sanctuary and other relevant experts. An early focus for the WG will be to liaise with riparian nations and others to obtain information concerning both cetaceans and vessel traffic that will enable it to identify areas for large cetaceans (e.g. sperm and fin whales) where they are (or are potentially) susceptible to ship strikes. This will be achieved by the following roadmap:

- reporting of vessel movements and density at appropriate geographical scales from maritime companies, involving both bottom-up (i.e., awareness, involvement) and top-down (i.e., regulatory) approaches;
- mapping the temporal and geographic distribution and abundance of cetaceans in relation to similar information on vessel traffic to identify potential higher risk areas;
- estimation of numbers of ship strikes including data from:
 - strandings networks (including detailed necropsies);
 - photo-identification studies (photographs may contain evidence of non-lethal encounters with vessels);
- modelling exercises to assess potential threats at the population level.

A medium term output for this group would be to draft and finalise a Conservation/Action Plan for the fin whale in the ACCOBAMS area for consideration by the range states. The work carried out by the Scientific Committee and Working Group will ultimately lead to the creation of a Mediterranean network, including ACCOBAMS Range States, ACCOBAMS Partners, different research institutes, and concerned shipping companies to build a central data base on ship strikes, to facilitate information exchange and data sharing. Concurrently, while this information is being obtained and critical areas for the two species are being identified, the mitigation measures proposed during the workshop will be tested in targeted areas. If they prove to be effective, proposals will be developed for wider implementation. A link with the Ship Strike Working Group (SSWG) of the IWC has been established in order to use the same Access database developed by the SSWG and to agree on a form to be distributed to shipping companies, relevant bodies and researchers to gather information on ship strikes throughout the Mediterranean Basin. It was suggested that having a simpler paper form, still compatible with the database, would be beneficial. A final version of the form will be discussed and agreed between the FWSC the SSWG and the Data Standardization Group of the IWC, during the IWC meeting in Santiago (Chile) in June 2008. Some preliminary testing of the final form will be necessary, before circulating it to the wider public. A list of potential research activities has also been presented; the different actions will be prioritized and implemented by the members of the WG.

50. The Scientific Committee approved the establishment of the Steering Committee and WG according to the proposed terms of reference and supported the need to work closely with the IWC, PELAGOS and relevant experts.

51. The Executive Secretary of PELAGOS (Philippe Robert) presented the document SC5/Inf08 about the setting up of an official ethic committee for the issue of REPCET licenses.

52. Collisions between commercial boats and whales are a reality which could reduce onboard security. Recurrent in the Mediterranean, collisions are as well responsible for injuring the populations of cetaceans which live, forage and reproduce in these waters. The scientific community as well as some shipping companies worries about these accidents particularly within the PELAGOS Sanctuary. That is why, since 1999, researchers and shipping companies develop a collision risk limitation programme wherein the REPCET project appears (REseau de report des Positions de grands CETacés). The REPCET programme aims to improve the detection of large cetaceans from the shipping units which travel via a computerised network in order to limit collision risks. In the long run, this tool will have to be spread over the whole PELAGOS area and the ACCOBAMS region.

53. The Executive Secretary of PELAGOS indicated that the objective is to avoid REPCET to be diverted from its aim and utilised for unmanaged commercial purposes. Presenting the document SC5/Inf09, he drew the attention of the participants to the proposition of spreading the training courses targeting crew members of the merchant navy companies across the ACCOBAMS area.

54. The Scientific Committee welcomed the initiative and encouraged the extension of REPCET system within PELAGOS to Italy and beyond the PELAGOS area.

55. Considering that IUCN has expressed interest in being involved in the ship strikes issue, addressed at the moment by a common working group ACCOBAMS-PELAGOS, the Scientific Committee agreed that IUCN will be offered to join the existing working group. A proposal following the priorities described in the document SC5/Doc24 will be drafted by the ACCOBAMS Ship Strikes Steering Group and circulated to the PELAGOS working group for comments. After comments will be addressed and incorporated, the proposal will be circulated by ACCOBAMS, PELAGOS and IUCN to look for potential funding sources.

5.2.5 *Other species*

56. The Chair presented the document SC5/Doc14 which he had prepared as a discussion paper to help make progress on actions to be considered for cetacean species regularly found in the Mediterranean which are not currently subjects of specific conservation plans.

57. Following substantive discussion the Scientific Committee agreed in the following recommendations:

a) Gibraltar Strait killer whales

- Ask CIRCE to provide regular reports on research and monitoring activities and a proposal on how to deal with Moroccan fisheries to reduce killer whale mortality related to operational interactions.

b) Cuvier's beaked whales

- Information on abundance, trends, distribution and population structure should be collected as soon as possible to determine if *Z. cavirostris* is threatened, and to what extent;
- knowledge relevant to this concern will be likely collected at the regional scale through the Survey Initiative, and relevant ecological information is gathered under different efforts (e.g.,

- the current effort of modelling *Ziphius* habitat); research projects on this species on a more local basis, in places known or suspected to contain suitable habitat for the species, should be encouraged and facilitated;
- Considering both the limited time spent by *Ziphius* at the surface and their acoustic behaviour, passive acoustics is potentially an additional tool that could be used to detect this species. Several groups are involved in investigating such a tool, however at this stage this technique may not be sufficiently developed for routine use. Photo-identification may be used to provide additional ecological information on *Ziphius*.
- c) N. Aegean harbour porpoises
- Better information on the distribution and density of harbour porpoises in the Northern Aegean Sea, as well as their relationship with the Black and Marmara Seas population(s) should be viewed as the essential prerequisite for the drafting of a conservation plan. In particular, a complete genetic analysis of the samples already available (for both mtDNA and microsatellites), so far not done solely for lack of funding, seems like an urgent first and easy step to move forward.
 - The Survey Initiative could provide a first description of the overall distribution of the species in Aegean waters, although the likely low densities of animals and sampling coverage of this survey may preclude this. The problems of detection may be addressed to some extent through the application of acoustic techniques targeting the appropriate frequencies, or by replicating acoustic techniques used to detect vaquitas in the Northern Gulf of California (Mexico).
- d) Long-finned pilot whales
- Information on abundance, trends, distribution and population structure should be collected ASAP to determine if *G. melas* is threatened, and to what extent. Genetic analysis should also document whether North Atlantic and Mediterranean whales are a single population;
 - While knowledge relevant to these concerns likely will be collected at the regional scale through the Survey Initiative, research projects on pilot whales on a more local basis should be encouraged and facilitated;
 - The existing distribution data should be compiled to identify possible hot spots for this species and submit a report on the issue to the next meeting of the Scientific Committee. Ana Cañadas will prepare the report.
- e) Striped dolphins
- Taking advantage of the Survey Initiative, estimates of density and population size should be obtained for striped dolphins over the whole Mediterranean area. This would provide the first quantitative information on the species in the central and eastern basin, as well as a replicate, and thereby the means for assessing trend, for a large portion of the western basin surveyed in 1991.
 - Strandings should be monitored, to detect and monitor health and reproductive status;
 - Genetic analyses should be performed to assess levels of population structure throughout the Mediterranean.
- f) Sperm whales
- Since the results of the IFAW surveys will be available in a near future, the Scientific Committee decided to address sperm whale conservation issues at its next meeting using, where possible and appropriate the results of the IFAW surveys.
58. The Committee also agreed to discuss conservation aspects of Risso's dolphins at their next meeting.

5.3 Captures of cetaceans in the Agreement area

59. The Committee agreed that its primary focus under this agenda item concerned those aspects related to conservation status with respect to: (1) sustainability of removals; and (2) potential risks to wild populations from introductions.

60. Niki Entrup presented the document SC5/Doc15 Rev1, which gave an overview of the cetacean captivity facilities in ACCOBAMS area. He insisted that the document should be seen as a draft and invited the participants to review the information it contained.

61. Proliferation of rescue permits was reported in Ukraine for 2007, some of them were given to companies without any experience in handling dolphins. Considering that rescue permits could be a potential source of dolphins for captive facilities, the Secretariat will encourage National Focal Points and/or National authorities to check the enforcement of the Resolution 3.13 on dolphin interaction programmes.

62. It was recommended that the Scientific Committee contacts organisations such as the *European Association of Zoos and Aquaria* and the *World Association of Zoos and Aquariums* inviting them to provide complete data on live cetaceans (including origins) in facilities in Range States. The Scientific Committee agreed that the most recent review of scientific literature addressing the effectiveness of Dolphin Assisted Therapy (*Marino L., Lilienfeld S.O. 2007. Dolphin-Assisted Therapy: more flawed data and more flawed conclusions. Anthrozoos 20(3):239-249*) as well as future similar publications should be brought to the attention of the Parties. The Committee is concerned about the scale of the market for live dolphins to supply interaction programs and display facilities, and its potential implications for conservation.

63. The Scientific Committee, while underlying the increasing number of cetacean captive facilities in the Agreement area, recommended pursuing the inventory in order to make the document more complete and up to date. The Secretariat will contact the National Focal Points to check the information contained in the document.

5.4 Marine Protected Areas

64. Erich Hoyt presented the document SC5/Doc16, recalling that to date the Scientific Committee has completed an initial programme of work on marine protected areas (MPAs) fulfilling the requests of the Parties. At MOP3, the Parties adopted Resolution 3.22 supporting in principle the creation of 17 MPAs in the region, as well as others to be defined, and welcoming the criteria and guidelines for setting up additional MPAs which include management plans to address threats to cetaceans. Thus, the Parties now carry the responsibility of carrying forward these actions.

65. For the most part, due to the nature of the Agreement, the ACCOBAMS Scientific Committee operates mainly in the world of cetacean science. At times, wider engagement in the problems of large predator fish and types of fishing gear used could greatly help cetaceans, too, and facilitate the conservation process regarding cetaceans. It was proposed that, with regard to obtaining MPAs for cetaceans, the ACCOBAMS Scientific Committee could engage with other scientific forums, committees and/or groups, as well as NGOs, with a broader remit than cetaceans only, to embark upon joint actions on matters of mutual interest and benefit, namely creating a network of effective MPAs in the Mediterranean and Black Seas. Such groups include RAC/SPA, the Black Sea Commission, the EC Habitats Directive and Marine Strategy Directive, the General Fisheries Commission for the Mediterranean, WCPA Marine – Mediterranean and Black Seas regional group, IUCN Mediterranean Cooperation Office (Malaga), WWF Mediterranean Programme Office, WWF MedPAN, WDCS,

IFAW and Greenpeace as well as NGOs dedicated to protecting marine turtles and monk seals. As members of several of these forums/groups were present at the Scientific Committee meeting and were invited to collaborate on this initiative.

66. It was proposed to encourage a coalition of such partners to work actively on an MPA network in the region, with the Scientific Committee to provide advice as needed to ensure that cetacean habitat protection was adequately covered. An opportunity for some or all of the above to meet formally and see if it is possible to collaborate would be the IUCN World Conservation Congress (Barcelona, Oct. 2008). The Chair reported that a workshop had already been arranged through the Cetacean Specialist Group (several from the Scientific Committee are members) for this purpose. Another opportunity may be presented by the first *International Conference on Marine Mammal Protected Areas* (ICMMPA), scheduled for 2009 in Hawaii, which is planning to incorporate a Mediterranean-Black Sea case study workshop to explore further strategies of bringing diverse partners together to create effective MPA networks as part of a CMS regional agreement.

67. Chedly Rais informed the meeting that RAC/SPA launched an initiative to develop a Mediterranean representative network of protected areas, in line with the global effort to achieve the 2010 targets. Introducing the document SC5/Inf07, he indicated that the Secretariat of ACCOBAMS in collaboration with the sub-regional coordination units contacted the ACCOBAMS Parties offering its assistance to extend the concept of cetaceans' protection in the already existing protected areas, identify sites, including the high seas, containing important cetaceans' habitats in the Agreement area.

68. Ana Cañadas presented the document SC5/Doc31 updating the work of Alnitak to help secure a marine protected area as proposed in Resolution 3.22 for the Alborán Sea. The standard data entry (PAC) form adapted for ACCOBAMS was tested for the proposed Alborán Sea MPA and found to be useful in terms of identifying data gaps. In late 2007, Alnitak participated in the 1st International Meeting for the Initiative for the Sustainable Development of the Alborán Sea, hosted by the IUCN Mediterranean Cooperation Centre (Malaga). In early 2008 Ricardo Sagarminaga of Alnitak was asked by the IUCN Mediterranean Cooperation Centre to coordinate a Working Group on cetaceans, sea birds and turtles. The first steps to create such a group have now begun and it is envisaged that this will aid the efforts to secure a protected area for cetaceans in the Alborán Sea.

69. The participants then provided updates on marine protected areas elsewhere in the region noting progress as follows:

- The Regional Government of Murcia will start this year the implementation of the Monitoring and Management Plans for the bottlenose dolphin SAC in Murcia (already approved some years ago) through an agreement with Alnitak and the local conservation NGO (ANSE). This could set a positive example for other proposed Special Areas of Conservation (SACs) in the region.
- As already mentioned, the “*Regno di Nettuno*” Marine Protected Area, one of the areas originally proposed to protect the Mediterranean common dolphin, and also approved by the Parties in Resolution 3.22, was officially designated by the Italian government in April 2008. This zoned protection area surrounds the island of Ischia and extends northward in a wide strip covering the canyon where both common dolphins and sperm whales are found.
- RAC/SPA is implementing a project for the identification of possible SPAMIs in the Mediterranean region areas beyond national jurisdiction, which is financed by the EC and has as specific objective the preparation of a short list of potential Mediterranean high seas sites qualifying to be declared SPAMIs, this list will be presented for consideration by the CP to Barcelona Convention. With reference to this project, a steering committee is being established in order to provide guidance on the development of the project and

will validate its products. The ACCOBAMS is invited to be member of this committee. Furthermore, RAC/SPA is pursuing the implementation of the SAP BIO project, mainly the activities related to the creation and the management of the new MPAs, for which a financial support has been provided by the EC and the Spanish cooperation.

- IUCN, in particular the Centre for Mediterranean Cooperation (Malaga) in cooperation with the WCPA-Marine Mediterranean & Black Sea Group, is involved in supporting the development of a representative and coherent network of MPAs in the region, especially in the southern and eastern part of the Mediterranean Sea. IUCN is working in collaboration with the other regional organisations, such as WWF MedPo, MedPan and RAC/SPA. It supports the idea of a MPAs coalition.
- The Mediterranean Western region representative (Zitouni Boutiba) informed the meeting that a new MPA “Habibas islands” has been created in 2006 in the western region of Algeria. This area composed by a set of islands, covers 54 hectares and includes an exceptional marine biodiversity (marine bird species and turtles) particularly a community of *Tursiops truncatus*. The process was supported by the Ministry of Territory Management, Environment and Tourism (MATET) in collaboration with the “Conservatoire Français du Littoral”. The creation of a second MPA “Rachgoun island” along the same coast is under preparation.
- Violeta Velikova informed about two projects (MATRA and Europe AID) dealing with preparation of proposals for designation of MPAs in Bulgaria, Romania and Ukraine.
- WWF Spain will present by the end of 2008, in collaboration with researchers of various disciplines, a proposal for a large non-fishing area south of Baleares, a hotspot of bycatch of turtles, sharks, sunfish and occasionally cetaceans.

70. Marco Barbieri (UNEP/CMS/ASCOBANS) reported on a “Workshop on selection criteria for marine protected areas for cetaceans”. The workshop had been jointly convened by ACCOBAMS, ASCOBANS and ECS within the 21st ECS Annual Conference (San Sebastian, April 2007), with the main purpose of analysing and discussing the development, the scope and appropriateness of criteria for determining protected areas relevant to cetaceans, including a discussion of potential methods to identify such sites. Over 100 participants had attended the workshop. The proceedings had just been finalized, have been distributed and are available on the ACCOBAMS website.

71. The Scientific Committee suggested to contact the relevant Croatian authorities to provide information about the progress made so far concerning the implementation of the Cres-Losinj Special Marine Reserve, granted 3-year preventive protection in 2006, MPA final designation pending, as well as development of the management plan.

72. The Scientific Committee recognised the value of working with other organisations to develop integrated MPA proposals within the agreement area; the Chair and the Secretariat will liaise with relevant organisations on this issue.

5.5 Anthropogenic noise

73. The Chair reported about the debates that took place during the last MOP in Dubrovnik concerning the Guidelines on anthropogenic noise. He informed the meeting that it was not possible to reach an agreement for the adoption of the Guidelines. The Contracting Parties decided to establish a correspondent working group to give further consideration to develop appropriate tools to assess the impact of anthropogenic noise on cetaceans and to further elaborate measures to mitigate such impacts.

74. The Scientific Committee reaffirmed its concern about acoustic pollution in the marine environment and the impacts on cetaceans, and reiterated that the Guidelines submitted to MOP3 represented its best advice at this time. The Committee noted that it had given this matter full consideration at its previous meetings.

75. The Secretariat responded to a question that it has yet not been informed by a Party about any foreseeable noise-producing activity planned to take place in the Agreement area since MOP3.

76. The representative of Ocean Care (Sigrid Lüber) confirmed the interest of her Organisation to contribute to the work of the correspondence working group.

77. In response to a question about the Guidelines for applying the precautionary principle with regard to noise pollution, the Executive Secretary indicated that these will be considered on the light of the results of the correspondence working group, but also formulated in a way to encompass a wider range of issues than just noise.

5.6 Stranding networks and Tissue banks

5.6.1 *Stranding networks*

78. The representative of RAC/SPA (Lobna Ben Nakhla) introduced the document SC5/Doc18 providing information on the progress made in the development of MEDACES database. She presented a brief evaluation of the MEDACES status and the list of recommendations proposed to improve the participation and management level of the database.

79. Several participants highlighted the absence of data from certain national networks for stranding monitoring and recommended that special communication efforts be done to enhance the visibility of MEDACES.

80. Alexei Birkun emphasised that in Ukraine stranding data, covering many years, were available but they need to be translated before transmission to MEDACES.

81. Following the debate on this agenda item, the Scientific Committee took note of the recommendations contained in the document SC5/Doc18.

82. Alexei Birkun informed the meeting about the monitoring of cetacean strandings in the Black Sea countries making reference to document SC5/Doc19. He indicated that, as part of the project on the development of Black Sea cetacean stranding networks, a poster on how to behave in the presence of stranded cetacean was produced, a series of meetings was organised to help transform the existing national initiatives on strandings into more coordinated networks. He also informed the meeting that there is an initiative in Georgia State University of Batumi to establish a regional tissue bank.

83. The Scientific Committee noted with satisfaction the sub-regional coordination established in the Black Sea for the monitoring of cetacean strandings.

5.6.2 *Live strandings*

84. Niki Entrup introduced the document SC5/Doc20 prepared by Mark Simmonds (WDCS). He addressed various options to progress the coordination of rescue initiatives to be carried by local and regional experts and institutions. The document proposed option for the setting up of the ACCOBAMS rescue initiative. During the debates about this agenda item, the Scientific Committee

underlined the sensitivity of this issue that relates more to animal welfare than to conservation considerations. It considered however, that ACCOBAMS remains the most appropriate tool to organise and coordinate responses to live strandings events. Participants were invited to update the list of experts provided in the document SC5/Inf05.

85. Following the discussion on this agenda item, the Scientific Committee recommended to create a working group within two months, whose composition will be circulated by email for approval. The advisory group should be tasked to:

- prepare a questionnaire to assess the capacity to deal with live strandings and entanglements in the ACCOBAMS area;
- to further develop comprehensive guidelines for live strandings (including live entanglements) following the example of the *British Diverse Live Marine Rescue (BDLMR)*;
- to establish of a network of experts and veterinarians
- to establish an advisory panel
- to organise training on rescue

86. Committee members and other relevant experts were invited to update the list contained in Document: SC5/Inf 05 (“ACCOBAMS contacts for marine mammal rescue”).

5.6.3 Tissue banks

87. The Chair introduced this agenda item by highlighting the importance of tissue banks as research and conservation tools and underlined the need for networking. The Scientific Committee recommended to further communicate with the tissue banks and make them better known by potential users through direct links with the ACCOBAMS website. It recognised the value of tissue banks to its discussions of genetics and population structure (Item 5.1.2).

88. The Committee welcomed the stated intention of the State University of Batumi to establish a Black Sea Tissue Bank, and recommended that when it becomes operational, it should network with the Mediterranean Tissue Bank in Padua.

5.7 Interactions with fisheries

5.7.1 Operational interactions

5.7.1.1 Bycatch

89. Caterina Fortuna informed the meeting about the progress made so far in implementing the ByCBAMS project, in particular in the Italian waters thanks to the funding provided by MIPAAF. She indicated that a monitoring protocol (Draft Protocol for data collection on bycatch and depredation in the ACCOBAMS Region, SC5/Doc21 Annex 1) was drafted and will be submitted for finalisation and approval to the regional workshop to be held in Rome next September. The workshop will be attended by country representatives and experts and will be jointly organised with GFCM.

90. The members of the Scientific Committee were invited to review the proposed draft protocol for stranding procedure appearing in Annex 1 to document SC5/Doc21 and provide Caterina Fortuna with their possible comments and /or suggestions before the end of May.

91. Alexei Birkun informed the meeting about two projects started in Ukraine in 2008 to address the cetacean bycatch issue in the northern Black Sea. The projects are being implemented by the Black

Sea Council for Marine Mammals (BSCMM) and Brema Laboratory and supported by the Secretariats of the Black Sea Commission and ACCOBAMS (with a link to UNEP) and by the WDCS.

5.7.1.2 Depredation

92. Chedly Rais introduced the document SC5/Doc34 and informed the meeting that during their MOP held in Dubrovnik (October, 2007) the Contracting Parties to ACCOBAMS requested the Secretariat to "prepare, in close collaboration with the Scientific Committee and relevant organizations, technical specifications and conditions for the use of acoustic deterrent devices in the Agreement area, which should be submitted to the Fourth Meeting of the Parties of ACCOBAMS".

93. The Scientific Committee decided to establish a working group to propose general principles and to define the scope of work for a consultant to be hired by the Secretariat to prepare the required technical specifications. Here are the outcomes of the working group as reviewed and approved by the Scientific Committee:

Proposed principles

- a. The use of acoustic devices to alleviate conflicts between cetaceans and fisheries or mariculture operations in the Agreement area should be strictly regulated.
- b. The routine use of specific devices (including 'pingers') to reduce depredation by cetaceans should be authorised only after an appropriate independent controlled study has demonstrated their effectiveness for that particular type of fishery/fishing gear and for that particular cetacean species. Effectiveness should incorporate consideration of the implications of the use of the device for the long-term conservation status and access to critical habitat of the affected cetacean population.
- c. Monitoring programmes aimed at assessing the effectiveness of acoustic devices in reducing adverse interactions between cetaceans and fishing activities should be scientifically designed and involve qualified observers who are independent of the operation (i.e. are not in conflict of interest).
- d. Any vessel using acoustic devices to alleviate conflicts between cetaceans and fisheries should notify the competent authorities and should specify the device chosen and the rationale (with reference to b above), the main characteristics of the fishery, and the procedures involved in use of the devices.
- e. The competent authorities involved in managing the depredation issue should keep up with technological innovations, new non-acoustic mitigation strategies, and scientific findings with a view to regularly re-evaluating the adopted technical specifications and amending them where necessary (as appropriate, the ACCOBAMS Scientific Committee will provide such advice).

Scope of Work for Consultant

- Provide unambiguous definitions of the various terms and concepts used in discussions of acoustic devices, particularly outlining the distinction between depredation mitigation (the subject of this consultancy) and bycatch avoidance.
- Review the effectiveness of acoustic devices and depredation mitigation as demonstrated in field studies to date.
- On the basis of this review, and the principles outlined above, provide a draft set of guidelines for the testing and use (including monitoring) of acoustic devices for depredation mitigation, including technical specifications for the acoustic devices that may be authorised in the Agreement area.

5.8 Ship strikes

94. The issue of ship strikes was addressed by the Scientific Committee within the framework of its works under agenda item 5.2.4.

5.9 Climate change

95. The Chair presented the document SC5/Doc25 prepared by Mark Simmonds, where summary information was provided concerning the scoping meeting for a future IWC workshop on climate change and cetaceans. That document suggests how efforts by the IWC and ACCOBAMS in relation to climate change might be integrated with a view to providing the best possible management and policy advice. The Chair further recalled that with Resolution 3.19 the Parties had directed the Scientific Committee to cooperate with the Secretariat in the organization of a meeting of experts to discuss climate change-related issues.

96. The representative of the Black Sea Commission (Violeta Velikova) informed about the Black Sea Commission Scientific Conference dedicated to climate change and kindly invited the Scientific Committee to contact the Black Sea Commission Secretariat for more information (<http://www.blacksea-commission.org>)

97. The representatives of the Sub Regional Coordination Units informed the meeting about the initiatives undertaken in the Mediterranean and the Black Sea to address the issue of climate change and biodiversity.

98. The Scientific Committee was pleased to receive information on the forthcoming IWC Workshop on Climate Change (see item 93, above), which will be held in the intersessional period following the June 2008 IWC meeting. The Committee agreed that it would be valuable to wait for the results of that workshop before considering an ACCOBAMS workshop on the same subject. Donovan reported on the willingness of the IWC to co-operate with ACCOBAMS on this issue.

99. Following the presentation of the document SC5/Inf10, the Scientific Committee encouraged the Secretariat to provide the “Souffleurs d’Ecume”, an ACCOBAMS NGO Partner, with a support letter for its Energy programme.

5.10 Emergency Task Forces (ETFs) for Mass mortalities and Maritime disasters

100. Making reference to document SC5/Doc26, the Chair suggested that based on Resolution 3.29, the Scientific Committee in cooperation with the Secretariat shall undertake the following actions:

- establish an expert working group on cetacean mortality including, among others, Prof. Antonio Fernandez, Dr. Marie Van Bressemer, Dr. Paul Jepson, Prof. Giovanni Di Guardo, Dr. Sandro Mazzariol.
- the working group will be tasked with the following (if needed, an ad hoc workshop may be organised):
 - examine the draft “Guidelines for a Coordinated Cetacean Stranding Response”, and assess whether the guidelines and procedures should be completed;
 - extend current guidelines for a coordinated cetacean stranding response to the effect of pollution (chemical and acoustic) on mortality events;

- establish two emergency task forces (including the drafting of a roster of contact persons and experts from the scientific and conservation communities and from governmental environment and natural resource agencies with expertise in appropriate fields, e.g., pathology, epidemiology, toxicology, biology, ecology, acoustics):
 - a *mass mortality* task force to address unusual mortality events, including epizootics and atypical mass strandings; and
 - a *maritime disaster* task force to address oil or chemical spills affecting critical habitats of cetaceans. In order to proceed with this task, the Secretariat will contact REMPEC and Black Sea Commission Environmental Safe by Aspect of Shipping Advisory Group (BSC ESAS AG) in order to define a collaborative effort, as appropriate;
- use existing experience to prepare contingency plans for each task force, including descriptions of procedures and modalities for interventions, the decision-making processes and the management of information, communication and relations with the media.

101. The Scientific Committee approved the suggested actions and decided to involve Franck Derhmain and Alexei Birkun within the expert working group on cetacean mortalities.

5.11 Solid debris

102. The representative of the Black Sea Commission (Violeta Velikova), making reference to the document SC5/Doc27, briefed the meeting about the project developed under UNEP in collaboration with ACCOBAMS concerning marine litter and bycatch in Ukrainian and Turkish waters.

103. The Executive Secretary suggested collaborating with the MEDPOL programme to address the issue of marine litter in the Mediterranean Sea. The collaboration with MEDPOL could be also extended to the effect of pollution on cetacean populations and the use of biomarkers.

104. The Scientific Committee recommended that a strategy about the issue of marine litter in the Mediterranean be prepared and presented during its next meeting.

5.12 Whale watching

105. The Executive Secretary of PELAGOS (Philippe Robert) informed the meeting about the activities undertaken by PELAGOS, in collaboration with ACCOBAMS, concerning whale watching. These were in particular training activities, the development of a code of conduct and a label for whale watching activities.

106. Caterina Fortuna presented the document SC5/Doc28 that included an inventory of whale watching operators in the Agreement area. She stressed that the document is not comprehensive and should be complemented/updated.

107. Following the debate on this agenda item, the Scientific Committee decided to establish a joint working group with PELAGOS to:

- revise the Guidelines on whale watching,
- evaluate the opportunity of extending the Guidelines to non-commercial whale watching activities
- define the content of training for operators measures to check the application of the label

- prepare a communication strategy
- elaborate criteria for assessing the label

5.13 Granting of exceptions

108. The Chair and the Secretariat informed the meeting that the Guidelines for granting of exceptions for the purpose of non-lethal in situ research in ACCOBAMS area were not ready for submission to this meeting of the Scientific Committee and proposed that the document be further elaborated and finalised by exchanges through Emails with the view of submitting it to next meeting of the Bureau of ACCOBAMS.

5.14 Amendments to cetacean conservation-related legal texts

5.14.1 CMS

109. Following the discussion about the harmonisation of the CMS Appendices and the provisions of ACCOBAMS, the Scientific Committee declared its availability to support the preparation of proposals to include the eastern Mediterranean population of *Tursiops truncatus* and the Mediterranean population of *Grampus griseus* in Appendix II of CMS.

5.14.2 EU Habitat Directive

110. The Executive Secretary informed the Scientific Committee that she understood from the recent contacts she has had with EU authorities in charge of the Habitat Directive that there is no ongoing process regarding the amendments. The Committee noted that proposals to amend Annex II of the Habitat Directive, as recommended by the Parties during the last MOP, should be best carried forward by the Parties that are EU member states, and declared its availability to support such action, if requested. Such amendments should reflect the inclusion of Mediterranean short-beaked common dolphins (*Delphinus delphis*) and consider other cetacean species as appropriate.

Agenda item 6: Any other business

111. The representative of IUCN (Annabelle Cuttelod) informed the Committee about the World Conservation Congress that will be held in Barcelona from the 5th to the 14th of October 2008.

Agenda Item 7: Date and venue of the next meeting

112. According to the work programme of the Scientific Committee for the triennium 2008-2010 the Committee decided to meet in December 2009. The Secretariat will provide proposals for an appropriate venue as soon as possible.

Agenda Item 8: Adoption of the Report

113. The Meeting approved the present report on the basis of a draft prepared by the Secretariat and reviewed by the participants.

Agenda Item 9: Closure of Meeting

114. After the customary exchange of courtesies, the Chair closed the meeting at 8.00 p.m. on Saturday, 19 April 2008.

ANNEX I

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ANNEX II**Welcome Opening Remarks by Dr. Gianni Piatti,
Undersecretary of State,
Ministero dell'Ambiente e della Tutela del Territorio e del Mare, Italy**

Cari partecipanti,

è per me un grande piacere aprire ufficialmente questa 5^a riunione del Comitato Scientifico di ACCOBAMS, il primo del triennio 2008 – 2010.

Sono particolarmente contento che questa riunione abbia luogo in Italia e vorrei confermare il supporto dell'Italia nel portare avanti le attività di ACCOBAMS.

Questo accordo entra ora in una fase importante della sua vita, in quanto ha raggiunto uno stato di maturità e in quanto le aspettative per garantire un favorevole stato di conservazione per i cetacei nell'area coperta dall'Accordo sono ad oggi davvero alte.

L'Italia ha, da sempre, considerato con grande attenzione la conservazione della Biodiversità marina e l'utilizzo sostenibile delle risorse marine. Con la firma e la ratifica dell'Accordo ACCOBAMS, abbiamo intrapreso un ulteriore passo importante per la tutela e la protezione dei cetacei in ambito regionale.

Il MATTM ha un'ottima collaborazione con il Segretario di ACCOBAMS e abbiamo, in diverse occasioni, avuto modo di offrire il nostro contributo alle attività in corso.

Il Comitato Scientifico rappresenta una delle strutture chiave dell'Accordo e il mandato che riceve dall'Accordo e dalle Parti Contraenti è quello di guidare il lavoro intrapreso anche dai Governi per la Biodiversità marina al fine di assumere decisioni coerenti e che abbiano base scientifica,

Più in generale sapete che la Conferenza di Bali convocata per disegnare nuovi accordi internazionali per il "dopo Kyoto", ha deciso una roadmap per precisare le nuove proposte da ratificare nel 2009.

Nei giorni scorsi è stato convocato a Lubjana, in Slovenia, il Consiglio dei Ministri europei dell'Ambiente per discutere il tema della Biodiversità forestale, un altro incontro su tale tema è convocato nei prossimi giorni a Bonn, mentre è in preparazione la Conferenza fra UE- America Latina che si svolgerà al Lima. A Tokyo, sono convocati i Ministri dell'Ambiente "G20". Questi e altri appuntamenti internazionali potranno utilizzare le Vostre elaborazioni e riflessioni, estremamente utili per la decisione politica.

In tal senso Vi auguro buon lavoro e spero che la nostra ospitalità sia di vostro gradimento.

ANNEX III**RULES OF PROCEDURE OF THE SCIENTIFIC COMMITTEE OF THE AGREEMENT ON THE CONSERVATION OF CETACEANS OF THE BLACK SEA, THE MEDITERRANEAN SEA AND CONTIGUOUS ATLANTIC AREA (ACCOBAMS):****GENERAL FUNCTIONS****Rule 1**

The Scientific Committee, established in accordance with Article VII of the Agreement, provides scientific advice and information to the Meeting of the Parties or through the Secretariat to the Parties. Its functions are defined in Article VII, paragraph 3 of the Agreement.

Rule 2

In particular, the Scientific Committee provides recommendations to the Meeting of the Parties concerning the implementation of the Agreement and of the Conservation Plan, and on further research to be carried out.

REPRESENTATION AND PARTICIPATION¹**Rule 3****Members**

3.1 In accordance with the Rules of Procedure of the Meeting of the Parties:

- The geographical region representation shall be reviewed at an ordinary session of the Meeting of the Parties.
- The terms of office of those members shall expire at the close of the ordinary Meeting following that at which they were appointed.
- The same provisions shall apply with respect to alternate members.
- The mandate of the five qualified cetacean conservation experts nominated by the CIESM in consultation with the Executive Secretariat shall be reviewed at each ordinary session of the Meeting of the Parties in the same way they have been nominated.
- At each ordinary session of the Meeting of the Parties ECS, IUCN and IWC shall be invited to appoint a representative to the Committee.

3.2 The mandate of the Members shall continue as acting Member in an advisory capacity to the Secretariat and the Committee, until the next venue of the Scientific Committee Meeting.

1. ¹ Based on a decision by the Meeting of the parties, the Scientific Committee consists of no more than 13 members, comprising:

1. one qualified expert representing each of the four geographical regions as in Annex 1. One alternate will be designated for each regional representative, to participate in meetings only in the absence of that delegate. If it transpires, however, that the North-South geographical representation is not balanced, the Parties may decide to appoint a fifth regional representative to overcome the imbalance;
2. five qualified experts in cetacean conservation appointed by the General Secretariat of the CIESM following consultation with the Permanent Secretariat of the Agreement [and the Bureau]; and
3. one representative each from the World Conservation Union (IUCN), the European Cetacean Society (ECS) and the Scientific Committee of the International Whaling Commission (IWC) appointed by the relevant Organization.

Rule 4**Observers**

- 4.1 The Chairperson, in consultation with the Executive Secretary, may invite observers representing riparian Countries.
- 4.2 Without prejudice to Rule 3, the Chairperson, in consultation with the Executive Secretary and accordance with the agenda, may admit a limited number of observers from specialised international Inter-Governmental and Non-Governmental Organisations and, in extraordinary circumstances, may admit one or more special guests.
- 4.3 If the following disciplines are not already represented on the Scientific Committee, the Chairperson, in consultation with the Executive Secretary, may invite specialists in environmental law, fisheries and socio-economics, and in any other field relevant to the agenda.

Rule 5**Secretariat**

The Secretariat of the Agreement, with the support of the Sub-Regional Co-ordination Units, shall undertake secretarial tasks during the meetings of the Scientific Committee and shall provide administrative and logistical support.

BUREAU**Rule 6**

- 6.1 The members of the Committee shall elect their own Chairperson.
- 6.2 This election will take place at the first meeting of the Scientific Committee following the Meeting of the Parties. The newly elected Chair shall assume his/her functions immediately upon election and although formally his/her function expires at the end of the Meeting of the Parties, he/she shall continue as acting Chair in an advisory capacity to the Secretariat and the Committee, until the election of the new Chair.
- 6.3 The Chairperson shall preside all meetings of the Scientific Committee, approve the provisional agenda prepared by the Secretariat for circulation, and liaise with members between meetings of the Committee. The Chairperson may represent the Committee as required, within the limits of the Committee mandate, and shall carry out such other functions as may be delegated to him/her by the Committee.
- 6.4 In the event of the Chairperson being absent or unable to discharge the duties of Presiding Officer, the Committee will appoint one of its members to conduct the Meeting.

DECISIONS**Rule 7**

Decisions of the Committee shall be taken by consensus unless a vote is requested by the Chairperson or by at least four members.

Rule 8**Methods of Voting**

- 8.1 Each Committee Member shall have one vote.
- 8.2 The Committee shall normally vote by show of hands at a meeting, but any Committee Member may request a roll-call vote. In the event of a vote during an inter-session period, there will be a postal ballot.

8.3 At the election of officers, any Committee Member may request a secret ballot. If seconded, the question of whether a secret ballot should be held shall immediately be voted upon. The motion for a secret ballot may not be conducted by secret ballot.

Rule 9

Majority and voting procedures

All votes shall be taken by simple majority among members present and voting. In the case of a tie, the proposal shall be considered rejected.

MEETINGS

Rule 10

Meetings of the Committee shall be convened in general on the basis of one annual meeting by the Secretariat of the Agreement in consultation with the General Secretariat of the CIESM and the Chair of the Committee. Extraordinary meetings shall only be convened with the agreement of the Contracting Parties Bureau Members.

Rule 11

When in the opinion of the Committee an emergency arises, requiring the adoption of immediate measures to avoid deterioration of the conservation status of one or more cetacean species, the Chairperson may ask the Agreement Secretariat to contact the relevant Parties urgently.

Rule 12

Notices of meetings, including date and venue, shall be sent to all Parties by the Secretariat at least 45 days in advance and, in the case of extraordinary meetings, at least 14 days in advance.

Rule 13

A quorum for an ordinary meeting shall consist of the two third of the members of the Committee. This quorum shall be reduced to half of the members in extraordinary meetings. No decision shall be taken at a meeting in the absence of a quorum.

Rule 14

An executive summary of each meeting shall be prepared by the Secretariat as soon as possible and shall be communicated to all members of the Committee, to all Parties and non Parties, all riparian States and "ACCOBAMS Partners".

Rule 15

a) The working language is English. However, simultaneous interpretations in French and English will be provided upon availability of funds. b) The working documents are distributed in English. French translation, in some case will be possible upon availability of funds.

WORKING GROUPS

Rule 16

The Committee may establish *ad hoc* working groups as needed to deal with specific tasks. It shall define the terms of reference and composition of each working group. The meetings of these working groups will be held, when possible, in conjunction with other events.

Rule 17

Insofar as they are applicable, these Rules shall apply *mutatis mutandis* to the proceedings of working groups.

Rule 18

The Committee shall receive reports from other relevant meetings and working groups established under the Agreement, when necessary.

COMMUNICATION PROCEDURE

Rule 19

In application of Article II.2 of the Agreement, when any Party asks for advice on exceptions to the prohibition on deliberate taking of cetaceans, the Secretariat shall communicate the request to the members for advice within 30 days. The advice received within the 30 days will be immediately communicated to the requesting Party.

Rule 20

Between sessions, any member, the Sub-Regional Co-ordination Unit or the Secretariat may submit through the Secretariat a written proposal to the Chairperson for decision. The Secretariat shall communicate the proposal to members for comment within 60 days of the date of that communication. Any comments received within the 60-day period shall also be communicated to members.

Rule 21

If, by the date on which comments on a proposal were due to be communicated, the Secretariat has not received any objection from a member of the Committee, the proposal shall be adopted, and notice of the adoption shall be given to all members.

Rule 22

If any member objects to a proposal within the 60 days time limit, the proposal shall be referred to the next meeting of the Committee.

OTHER FUNCTIONS

Rule 23

To each ordinary Meeting of the Parties the Chairperson shall submit a written report on the Committee's work since the previous ordinary Meeting.

PROCEDURE

Rule 24

These Rules shall apply at the first meeting of the Committee.

AMENDMENTS

Rule 25

The Rules of Procedure may be amended as required by a decision of the Committee.

ANNEX IV

AGENDA

- 1. Opening of the meeting**
- 2. Changes to the rules of procedure**
- 3. Election of Chair**
- 4. Adoption of the agenda**
- 5. Implementation of the Work Programme**
 - 5.1. Population and distribution studies*
 - 5.1.1. Dedicated surveys
 - 5.1.2. Genetic studies
 - 5.1.3. Sighting database
 - 5.2. Species conservation actions*
 - 5.2.1. Black Sea cetaceans
 - 5.2.2. Mediterranean common dolphins
 - 5.2.3. Mediterranean bottlenose dolphins
 - 5.2.4. Fin whales
 - 5.2.5. Other species:
 - 5.2.5.1. Gibraltar Strait killer whales
 - 5.2.5.2. Cuvier's beaked whales
 - 5.2.5.3. Long-finned pilot whales
 - 5.2.5.4. Risso's dolphins
 - 5.2.5.5. N. Aegean harbour porpoises
 - 5.2.5.6. Sperm whales
 - 5.3. Captures of cetaceans in the Agreement area*
 - 5.3.1. Dolphin-assisted therapy
 - 5.4. Marine Protected Areas*
 - 5.5. Anthropogenic noise*
 - 5.6. Stranding networks and Tissue banks*
 - 5.6.1. Stranding networks
 - 5.6.2. Live strandings
 - 5.6.3. Tissue banks
 - 5.7. Interactions with fisheries*
 - 5.7.1. Operational interactions
 - 5.7.1.1. Bycatch

- 5.7.1.2. Depredation
- 5.7.2. Ecological interactions
- 5.8. *Ship strikes*
- 5.9. *Climate change*
- 5.10. *Emergency Task Forces (ETFs)*
 - 5.10.1. Mass mortalities ETF
 - 5.10.2. Maritime disasters ETF
- 5.11. *Solid debris*
- 5.12. *Whale watching*
- 5.13. *Granting of exceptions*
- 5.14. *Amendments to cetacean conservation-related legal texts*
 - 5.14.1. CMS
 - 5.14.2. EU Habitat Directive
- 6. Any other business**
- 7. Date and venue of next meeting**
- 8. Adoption of report**
- 9. Closure of the meeting**