

**PROCEEDINGS OF THE FIRST SESSION OF THE MEETING OF THE
PARTIES OF THE AGREEMENT ON THE CONSERVATION OF
CETACEANS OF THE BLACK SEA, MEDITERRANEAN SEA AND
CONTIGUOUS ATLANTIC AREA**



Monaco, 28 February - 02 March 2002

*AGREEMENT CONCLUDED UNDER THE AUSPICES OF THE CONVENTION ON THE
CONSERVATION OF MIGRATORY SPECIES OF WILD ANIMALS*



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

**16, Boulevard de Suisse
MC 98000 MONACO
Tel : (+377) 93 15 80 10 / 20 78
Fax : (+377) 93 15 42 08
e-mail : mcvanklaveren@gouv.mc
web : <http://www.accobams.mc>**

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PART I

Report of the First session of the Meeting of the Parties

Introduction

1. Following on the entry into force on 1 June 2001 of the Agreement, and in accordance with its Article III, the First Meeting of the Parties to the Agreement on the Conservation of Cetaceans of the Black Sea, the Mediterranean Sea and the Contiguous Atlantic Area, ACCOBAMS, was called by the Depository, in consultation with the Secretariat of the Convention on the Conservation of Migratory Species of Wild Animals (CMS).
2. On the kind invitation of the Principality of Monaco, the Meeting was held from 28 February to 2 March 2002 in the Hôtel Métropole Palace in Monaco.

Participation

3. Representatives from the following States Party to the Agreement took part in the Meeting : Albania, Bulgaria, Croatia, Spain, Georgia, Malta, Morocco, Monaco and Rumania.
4. Representatives from the following riparian States within the Agreement's distribution area also took part in the Meeting as observers : Bosnia-Herzegovina, Egypt, France, U.K., Greece, the Libyan Arab Jamahiriya, Lebanon, Portugal, Tunisia, Turkey and Ukraine, as well as the European Commission, which are not yet Parties to the Agreement.
5. Also present as observers were representatives from United Nations Organizations and Secretariats, intergovernmental organizations, non-governmental organizations and the following scientific institutions or bodies: the United Nations Environment Programme, the Mediterranean Action Plan (MAP/UNEP), the Convention on the Conservation of Migratory Species of Wild Animals (CMS), the Regional Activity Centre for Specially Protected Areas (RAC/SPA), the Agreement on the Conservation of Small Cetaceans of the Baltic and North Seas (ASCOBANS), the International Whaling Commission (IWC), the Commission internationale pour l'exploration scientifique de la Méditerranée (CIESM), the Bern Convention/Council of Europe, NATO SAACLANT CEN, the International Union for the Conservation of Nature (IUCN), the American Society of International Law Wildlife Interest Group (JIWLP), the Association de sauvegarde des mammifères marins (ASMA), Blue World, the European Cetacean Society (ECS), the Groupe de recherche sur les cétacés (GREC), Greenpeace, MAREVIVO, the Mediterranean Protected Areas Network (MEDPAN), SOS Grand Bleu, the Swiss Cetacean Society (SCS), the Tethys Research Institute, the Whale and Dolphin Conservation Society (WDCS), the World Wildlife Fund (WWF-France), the Instituto Centrale per la Ricerca Scientifica e Tecnologica Applicata al Mare (ICRAM), the Oceanographical Museum of Monaco, BLUWEST and Whalecraft.
6. A complete list of participants appears in Annex to this report.

Item 1 of the Agenda : Speeches of welcome

7. H. E. Mr. Bernard Fautrier, the Principality of Monaco's Minister for International Cooperation for the Environment and Development, representing the Host Country, after welcoming participants and wishing them success in their work, recalled the extremely active part his country had made a point of playing both during the negotiations leading to the adopting and signing of ACCOBAMS and afterwards by undertaking the duties of Depository and Interim Secretariat, and working to promote the ratification of the Agreement by all the riparian countries and the European Commission. Despite a heavy agenda, where the procedural, financial and administrative issues that must govern any first institutional meeting were prominent, Mr. Fautrier hoped that this Meeting would permit an advance to be made into the concrete implementing of the Agreement.
8. Mr. Robert Hepworth, Deputy Director of the Division of Environmental Conventions, United Nations Environment Programme (UNEP), spoke on behalf of the Executive Director of his

organization, Mr. K. Töpfer, to offer the Principality his thanks for the moral and material support it had constantly given for ACCOBAMS to become a vibrant reality. Cetaceans linked mankind to its furthest historical, even prehistorical, origins. They permeated classical culture with their mythology, and this has created in us duties towards them now that they are in decline, threatened by our activities. The UNEP encouraged closer cooperation and the grouping together of international and regional conventions, multilateral and bilateral agreements that were ‘cousins’. The speaker stressed the need to set up a broader partnership with all the organizations and associations likely to contribute their skills in dealing with the ‘transversal’ subjects of the various environmental conventions, and here mentioned the elaborating of a ‘digital atlas of marine mammals’.

9. Mr. Arnulf Müller-Helmbrecht, the Executive Secretary of the CMS/UNEP, congratulated the Government of the Principality on the excellent organization of the Meeting and on the dynamic, fundamental contribution it had made throughout the ACCOBAMS process, the work done during these three days confirming ACCOBAMS’s efficacy. ACCOBAMS had benefitted from the experience of the CMS and, via the special links that the Agreement had instituted with the Barcelona, Bonn and Bern Conventions (the Three Bs) and with that of Bucharest, would provide a solid basis for the conservation of one ‘charismatic’ species, with positive effects for other threatened species. In this respect, Mr. Müller-Helmbrecht invited the participants to work with the CMS’s tool, the GROMS – the Global Register of Migratory Species.

Official inauguration

10. H. E. Mr. Bernard Fautrier passed on to the Meeting a message from His Most Serene Highness Crown Prince Albert of Monaco. This address, appearing in Annex to the present Report, shows the past and present commitment of the Principality in the field of knowledge and protection of marine biodiversity.

11. He stressed his country’s strong involvement in creating ACCOBAMS and his desire that concrete action follow this First Meeting of the Parties to implement measures to protect cetaceans, recalling here the recent entry into force (21 February 2002) of the Agreement between France, Italy and Monaco that set up the Sanctuary for Marine Mammals.

12. ACCOBAMS would permit the implementation of the international cooperation needed to protect our common heritage, a topic that would be widely dealt with in the context of the discussions on international environmental governance at the World Summit for Sustainable Development, to be held next September in Johannesburg. From now on this cooperation had to be organized to make it as efficacious as possible and make best use of the synergies that existed in the various areas covered by the Agreement.

Item 2 of the Agenda : Opening the Meeting

13. The Chairperson gave the floor to the representatives of the Barcelona and Bern Conventions, who thanked the Principality for the warm welcome it had extended and the opportunity it had offered them to mention the special relations their respective organizations had with ACCOBAMS.

14. Mr. Lucien Chabason, Coordinator of the Mediterranean Action Plan (MAP/UNEP) (Barcelona Convention), recalled that in 1996 ACCOBAMS had been adopted and signed at the same time as two other annexes to the new Protocol related to specially protected areas and to biological diversity in the Mediterranean of the Barcelona Convention, for which a provision on the list of Specially Protected Areas of Mediterranean Importance (SPAMI) concerns *inter alia* the Sanctuary for Marine Mammals set up by Monaco, France and Italy. The Tunis RAC/SPA (the Regional Activity Centre for Specially Protected Areas) also provides technical follow-up for an action plan for cetaceans adopted as part of the MAP in 1991. Cetaceans are currently covered in the Mediterranean by six conventions, resulting in a legal complexity which calls for structured, rationalized cooperation that is encouraged today by the

actions and meetings the UNEP organizes around the idea of ‘international environmental governance’ (IEG).

15. Mrs. Françoise Bauer, Natural Heritage Division of the Council of Europe, presented the aims and main achievements of the Bern Convention, where wildlife is considered as a whole, particular attention being paid to threatened species, specially cetaceans, whose habitats are protected within the context of the Emerald network. She stressed the fact that one of the innovations of the Bern Convention was the establishing of ‘files’ as a result of complaints, usually made by NGOs, and that efforts were today being made to establish a bridge, within the Convention’s field of action, between the European countries and those of the African continent. The Bern Convention was anxious to state once again that it was making its achievements and its institutional framework available to ACCOBAMS.

16. The Chairperson proposed looking at draft Resolution 1.1 (MOP1/10), which applied in the present case to Tunisia, and the Meeting decided to grant this country, which had lodged its ratification instrument on 15 January 2002, but which will only become a member from 1 April 2002, the right to vote at this First Meeting of the Parties. This proposal was agreed to by the Meeting, which adopted Resolution 1.1.

Item 3 of the Agenda : Adopting the Rules of Procedure of the Meeting of the Parties

17. The Chairperson explained that the draft Rules of Procedure of the Meeting of the Parties, appearing as MOP1/5, had been modified to allow three Vice-chairpersons to be appointed, after the informal consultations which the heads of delegations had had since the night before. The Secretariat made it clear that, generally speaking, the draft was based on the Rules of Procedure of the Meetings of the Parties of the mother Convention (CMS), of its Agreements and of the Barcelona Convention. After fresh changes had been presented by a delegate and agreed on, the Rules of Procedure were adopted by the Meeting.

Item 4 of the Agenda : Election of the Bureau

18. The Chairperson suggested, after consultations between the heads of delegations before the Meeting, that the Bureau should consist of a Chairperson and two Vice-chairpersons, one of whom would also act as Rapporteur. He said that if the Parties deemed it necessary, a third Vice-chairperson could also be appointed during the Meeting, bearing in mind an equitable geographical distribution and the composition of the Scientific Committee which will be chosen ¹.

19. The Meeting approved the following composition of the Bureau:

- Chairperson: H. E. Mr. Bernard Fautrier (Monaco)
- Vice-chairperson: Mr. Simion Nicolaev (Rumania)
- Vice-chairperson and Rapporteur: Mrs. Tatiana Hema (Albania)

Item 5 of the Agenda : Adoption of the Agenda

20. The Agenda was adopted without any change being made.

Item 6 of the Agenda : Adoption of the Rules of Procedure of the Bureau

21. The Rules of Procedure were adopted after a change was made in item c) of the first article of document MOP1/6.

¹ : The third Vice-Chairperson has been chosen at the end of the Meeting. (see paragraph 92. of the present report)

Item 7 of the Agenda : Admission of observers

22. The Meeting of the Parties approved the participation of the observers listed in document MOP1/7.

Item 8 of the Agenda : Setting up the Credentials Committee

23. The Meeting decided to restrict the composition of the Credentials Committee to three people. The members of this Committee will be appointed from among the delegations that make up the Bureau.

Item 9 of the Agenda : Reports by :

a) the Interim Secretary

24. Mrs. Marie-Christine Van Klaveren, the Interim Secretary of ACCOBAMS, presented her report on activities (document MOP1/8) happening since the diplomatic Conference for signing the Agreement. She went over the main actions undertaken to promote the Agreement in countries in the distribution area within intergovernmental organizations, non-governmental organizations and pertinent institutions. She also talked about the activities which had been carried out to prepare for the First Meeting of the Parties and to set up a conservation plan, which had led in particular to the organizing of a workshop for the Black Sea and to participation alongside RAC/SPA in a workshop for Mediterranean countries.

25. Mrs. Van Klaveren asked for the Parties and the other riparian States which had not yet done so to appoint national focal points, a necessary condition for establishing permanent contacts between the Parties and the Secretariat.

b) the Depository

26. The Depository said that it had carried out its duties according to the terms of the Agreement: to this day, ten instruments of ratification had been lodged without any reservations being expressed; all the States signatory to the present Agreement, as well as the Secretariats of the Agreement and of the CMS, had been kept regularly informed of the signing and lodging of instruments of ratification and membership; the Parties which had not yet done so were earnestly requested to ratify the Agreement, and the financial means necessary for it to operate correctly were made available to the Interim Secretariat.

27. Furthermore, the Depository had studied the possibilities of pursuing its action to promote the Agreement and host the Permanent Secretariat of the Agreement by taking responsibility for part of the administrative expenses (document MOP1/11), thus freeing up accordingly part of the countries' contributions to devote these to conservation actions.

28. The Chairperson asked States that were not yet Parties to the Agreement to inform the Meeting on how far their ratifying procedures had advanced. France and Portugal said that their procedures were well advanced and that they should come to a successful conclusion by the end of 2002. Greece, the U.K., Lebanon, Egypt, Turkey and Ukraine declared that they intended to join the Agreement but were unable to say exactly when. Moreover, the European Commission said it did not intend to ask the European Council to consider a negotiation mandate to conclude the accession to the Agreement. The U.K. made it clear that it was prepared to make a contribution to the Trust Fund of 10,000 Euros in respect of 2002, whether or not it became a Party during that year. France indicated it would make a voluntary contribution of the amount which its subscription would be were it a Party.

Item 10 of the Agenda : Report by the Credentials Committee

29. The Credentials Committee met on 28 February 2002 to examine the powers of the representatives of the Parties and made a verbal report to the Meeting to the effect that it had found these to be in due form².

Item 11 of the Agenda : Institutional structures

a) Setting up the Permanent Secretariat of the Agreement

30. The delegation of the Principality of Monaco confirmed the offer by its Government to host the Permanent Secretariat of the Agreement as described in the terms of references in annex of the draft Resolution 1.2.

31. The Parties approved Resolution 1.2 and entrusted the Permanent Secretariat to the Principality of Monaco, stating that this arrangement could be reviewed at each Meeting of the Parties at the request of the host country or of any other Party to the Agreement, on condition that the Permanent Secretariat was notified 60 days before the beginning of the Meeting of the Parties.

32. The Executive Secretary of the CMS thanked the Principality of Monaco for the arrangements related to the Permanent Secretariat, which would allow it to work in the best possible conditions.

33. All the participants congratulated the Interim Secretary on the work she had already done and wished her full success in her new duties as Permanent Secretary of the Agreement.

b) Setting up the Scientific Committee

34. The Executive Secretary, presenting draft Resolution 1.3, indicated that the Scientific Committee would consist of 12 members, one qualified expert each chosen from among the representatives from each of the four geographical regions which are suggested and defined in Annex 1 of document MOP1/13, five experts appointed by the CIESM, one representative from IUCN, one from the ECS and one from the Scientific Committee of the IWC.

35. The General Secretariat of the CIESM confirmed that the Commission was willing to make a very concrete contribution to ACCOBAMS, both materially, by taking on the costs of the participation of its five experts, and scientifically, by appointing the experts it felt to be the most competent to sit on the Committee, whose names (Alex Aguilar, Pierre Beau brun, Alexei Birkun, Alexandros Franzis, Giuseppe Notarbartolo di Sciarra) it gave. The CIESM believed the Committee should function entirely independently, its only concern being its scientific purpose.

36. The IUCN, the ECS and the IWC also confirmed their intention of fully participating in the work of the future Scientific Committee. ASCOBANS also asked to participate in the work of the Committee.

37. The WDCS stressed the importance of the non-governmental organizations for knowledge and conservation of cetaceans, and hoped that they could be involved in the work of the Scientific Committee.

38. Given the importance of the Scientific Committee, one delegate suggested that alternates for the regional representatives could also participate in the meetings of the Committee.

39. The Chairperson thought that it was for the Scientific Committee itself to decide what action should be taken on the suggestions that it be enlarged, and that for the time being it was already provided

² : see the report by the Credentials Committee

for by the draft Resolution under consideration that its Chairperson could call on outside skills in specific fields. The Meeting fell in with this opinion and adopted Resolution 1.3, entrusting the Scientific Committee with the charge of defining its modes of operation and its Rules of Procedure.

40. After consultations between the delegations representing the four regions of the Agreement area, the following composition was decided on for those among them who would be members of the Committee³:

Eastern Mediterranean region : Anastasia Komnenou (alternate: A. Metaxatou),
Central Mediterranean region : Drasko Holcer (alternate: Alfred Baldacchino),
Western Mediterranean region and Contiguous Atlantic : Abdellatif Bayed (alternate: Juan Antonio Raga),
Black Sea region : Akaki Komakhize (alternate: Tzvetan Stanev),

it being understood that these members of the Committee represent their region, not their country.

c) Appointing the Sub-regional Coordination Units

41. The Executive Secretary presented draft Resolution 1.4 on setting up a Sub-regional Coordinating Unit for the Mediterranean Sea and the Contiguous Atlantic Area.

42. The Director of RAC/SPA said that since 1991 the Contracting Parties to the Barcelona Convention had adopted an action plan for the conservation of cetaceans and that at their 11th Ordinary Meeting they had asked RAC/SPA (Malta, November 1999) to work in synergy with the ACCOBAMS Interim Secretariat. In this context, a meeting of experts was in particular organized to elaborate national action plans and the setting up of a strandings monitoring network. He also recalled that the Sanctuary for the Conservation of Marine Mammals in the western Mediterranean had recently been included on the list of SPAMIs.

43. After this presentation, the Meeting of the Parties approved Resolution 1.4 which entrusted RAC/SPA with the duties of a Sub-regional Coordinating Unit and mandated the Secretariat to sign a memorandum of cooperation with the Centre.

44. The Permanent Secretary introduced draft Resolution 1.5 concerning setting up the Sub-regional Coordinating Unit for the Black Sea, stating that the representative of the Commission for the Black Sea had been unable to take part in the present Meeting due to reasons outside his control.

45. The Meeting of the Parties approved Resolution 1.5, which confirmed the appointment of the Secretariat of the Black Sea Commission as Sub-regional Coordinating Unit and mandated the Permanent Secretariat to sign a memorandum of cooperation with this Commission.

Item 12 of the Agenda : Budgetary measures

a) Adoption of the Budget for the period 2002-2004

46. The Executive Secretary presented the draft Budget of the Agreement (document MOP1/16/Rev.1) and draft Resolution 1.6 on financial and administrative matters (document MOP1/17/Rev.1). She made it clear that the Budget was divided into two parts: one administrative, and one intended for conservation actions. It had been possible to suggest the latter because of the savings made by the Principality of Monaco's undertaking to support the Secretariat's costs.

³ : the full addresses of all the experts of the Scientific Committee appear in the Annex to the present report.

47. She stated that the basic options for the administrative part concerned an undertaking to pay, for those Parties that are developing or whose economy is in transition, the costs of participating at Meetings of the Contracting Parties, of the members of the Bureau, of the regional representatives on the Scientific Committee, of the Coordinating Units and of representatives from certain associated organizations at the meetings of that Committee. In relation to the document presented, she made it clear that the Budget would have to be slightly increased to cover the consequences that modifying the composition of the Bureau would have.

48. After this presentation, the first part of Annex 1 to the 2002-2004 Budget concerning administrative duties was adopted by the Meeting.

49. While considering the second part of Annex 1 concerning conservation actions, some delegates wondered about the opportuneness of putting down in writing for 2002 the sums and actions whose funding from contributions was not currently guaranteed.

50. A delegate requested clarification about the absence of funds for Budgetary Line 941 (Conservation plan for cetaceans of the Black Sea). The Secretariat recalled that this Budgetary Line was linked to the 'medium size' project intended to be presented for funding to the Global Environment Facility (GEF).

51. A delegation drew the Meeting's attention to the fact that the funds expected in the form of voluntary contributions were out of proportion with those written into the Agreement's Budget on Budgetary Line 964 (Developing a network of specialist bibliographic collections and documentary databanks). This delegation stressed the risk that such a sum, representing half of the expected voluntary contributions, involve on the part of the Secretariat too great an investment, to the detriment of other activities. The Secretariat made it clear that the sums appearing in the 'Trust Fund' column were intended for preparing files that would be used as back-up when looking for sponsors.

52. Taking into consideration the remark made by certain delegates, the Chairperson called participants' attention to the 'Conservation actions' element in the Budget which the 2002 contributions would probably not allow to be implemented, and suggested prioritizing conservation actions according to budgetary availability. After discussion, it was agreed that Item 6 of draft Resolution 1.6 would be changed to mandate the Bureau to decide, according to the financial means available, on priorities, from among the activities appearing in this element of the Budget.

53. The Executive Secretary presented Annex 2: 'Contributions 2002-2004' and made it clear that this key was drawn up on the basis of that of the United Nations, adapted to the ACCOBAMS area. In order to avoid management and covering expenses being higher than the contribution itself, she proposed a minimum contribution of 200 Euros being established. Furthermore, since the U.K. was only present in the area through special-status territories, the Secretariat had been unable to make a proposal as to the size of its contribution. The U.K. delegate again confirmed the position of his country and its wish to participate initially in the Agreement's Budget through a voluntary contribution.

54. The Meeting adopted Resolution 1.6 and its Annexes.

b) Establishing an additional conservation fund

55. The Executive Secretary presented draft Resolution 1.7 on creating an additional conservation fund (document MOP1/18/Rev.1). This fund would only be operational starting from the Second Meeting of the Contracting Parties, but provided for setting up a provisional mechanism. Thus, possible future contributions under this fund would be intended for implementing conservation actions provided for in the 2002-2004 Budget and, in ideal circumstances, initiating other activities adopted as international priorities for implementing the Agreement. This mechanism did not rule out the possibility of funding via bilateral or multilateral cooperation programmes, and the Secretariat asked that as far as possible information on such projects should be passed on to it to make best use of these.

56. Here the representatives of Whalecraft, a company that designs street furniture and advertising objects that promote the conservation of cetaceans, spoke about a project for partnership with the Agreement and participation in the additional conservation fund.

57. The Meeting adopted Resolution 1.7.

Item 13 of the Agenda : Adopting a format for the National Reports of the Parties

58. The Secretariat presented draft Resolution 1.8 on establishing a standard format for the national reports that the Parties are bound by the terms of Article III.7f) of the Agreement to adopt at their First Meeting. The pertinent document and its annex containing the various types of format were adopted by the Meeting.

Item 14 of the Agenda : Implementing the Agreement

a) State of knowledge about cetacean populations

59. Mr. Giuseppe Notarbartolo di Sciara, an expert helping the Secretariat, presented Document MOP1/Inf.6, which the Interim Secretariat had called on a group of internationally-renowned experts to prepare to sum up the state of knowledge about cetacean populations and the dangers to which these were exposed. The expert described sections 3, 4 and 5, respectively devoted to the following facets - 'Species of cetacean present in the Black Sea and in the Mediterranean', 'Conservation problems' and 'Needs and strategies as regards conservation'.

60. The Meeting took note of the document. At the suggestion of the Chairperson, bearing in mind that this was an information document which was of great scientific interest in the light of the aims of the Agreement, it was decided that participants could later on in the proceedings make remarks or ask questions about its contents, after having made themselves more familiar with them.

61. The representative of the American Society of International Law Wildlife Interest Group (JIWLP) underlined the interest for ACCOBAMS to study thoroughly the implementation of the "precautionary principle" applied to the Agreement's purposes, and, in this framework, the study of a project of guideline.

b) Conservation strategies

1) International priorities for implementation 2002-2006

62. Mr. Notarbartolo di Sciara gave a detailed presentation of the 18 priority actions of document MOP1/20, each of which refers to an article of the conservation plan and a corresponding budgetary line whose amount is indicative. He made it clear that the document had been drawn up as part of a wide-ranging consultation with Mediterranean cetologists and the Secretariat, without trying to put the various actions in any order of precedence.

63. This statement led several speakers to make the following remarks:

Action 3 (Creating a database on by-catch) : the search for fuller knowledge must not overshadow the urgency of the actions to be undertaken on reduction of this by-catch: the expert replied that a concrete project was explicitly provided for in the action.

Action 4 (Implementing pilot projects in areas containing critical habitats) : the Croatian representative spoke about the interest of her country, which had already started on actions for the Losinj-Cres archipelago, including the inscription of this area as part of the Emeraude network of the Bern Convention ; the Greek representative suggested that a pilot area should

be set up in the north of the Aegean Sea for porpoises, since it seemed that this species, which migrates from the Black Sea, was extremely threatened.

Action 5 (Methods of evaluating habitat degradation) : the Director of RAC/SPA said that his Centre was organizing a workshop in June 2002 on this subject, in cooperation with FAO-COPEMED, and that both programmes could be synchronized.

Action 6 (Planning cetacean conservation in the Black Sea) : the Executive Secretary of the CMS suggested that special attention be paid to identifying marine areas that could qualify as trans-boundary protected areas for inter alia small cetaceans, as so far, at least to his knowledge, only national marine sanctuaries existed or were at present envisaged in this sea.

Action 10 (Identifying sites of conservation importance for fin whales) : the representative from the WWF summed up the studies he was doing on the fin whale. He added that the projects focused on this species would also allow data to be gathered on other species in the areas under study.

Action 12 (Long-term training): ASCOBANS expressed its interest in cooperating with ACCOBAMS in developing and implementing a long-term training programme.

Action 14 (Creation of directories): one delegate asked that the Contiguous Atlantic Area be better borne in mind, pointing out that it had been insufficiently referred to during the Meeting.

64. After the expert's presentation of Action 13 (Educational tools), the SCS presented the 'ACCOBAMS training kit', put together at the request of the Interim Secretariat, which contains a practical file, slides, CD-ROM on the sounds made by the main species with corresponding spectrograms, and a video. For this project, which it saw as being of an on-going nature, the SCS asked for remarks and contributions.

65. As regards Actions 15, 16 and 17 (Strandings networks, scientific databanks and tissue banks), and more generally concerning all the actions being suggested, the Executive Secretary of the CMS, supported by the Chairperson and other delegates, urged the need to act in synergy to satisfy specific needs. In this respect, the interest of cooperation between ASCOBANS and ACCOBAMS was underlined as part of the concern to harmonize and standardize different bank systems. ASCOBANS also expressed its desire to cooperate with ACCOBAMS on the issue of setting up a strandings network. Two participants stressed the fact that the list of priority actions could not claim to be exhaustive: it was important to take into account the still very patchy state of knowledge, to pursue actions already entered on, and not to rule out other fields of action.

66. In the light of these considerations, it was decided to adopt Resolution 1.9, subject to a reformulation to which all those who had made remarks were invited to contribute.

2) *Databanks and networks on strandings*

67. Mr. Juan Antonio Raga, expert in animal biology at the University of Valencia, presented his 'Project for the establishment of a Mediterranean and Black Sea regional cetacean stranding network' (document MOP1/Inf.7/Rev.1) accompanied by a draft resolution addressing Spain's offer of adding to the MEDACES database to cover the whole of the Mediterranean region, entrusting RAC/SPA with managing it, and making the Permanent Secretariat responsible for finding the means to extend it to Black Sea data.

68. The Meeting decided to adopt Resolution 1.10 with a slight editorial change that aimed at making it clearer that the MEDACES bank would be developed in the interest, and with the help, of all the riparian States.

69. The representative from the WDCS noted the Parties' commitment to the rescue of live stranded animals and drew attention to a report describing the protocols for saving stranded cetaceans. This report and further information on this issue could be found at the following websites: <http://www.wdcs.org> and <http://www.bdmls.org>.

3) *Guidelines for commercial cetacean-watching activities*

70. Mr. Tullio Scovazzi, Professor of international law at the University of Milan-Bicocca, presented draft Resolution 1.11 on commercial cetacean-watching and the guidelines accompanying it. He indicated that the guidelines had been elaborated on the basis of an in-depth examination of legislation existing at national level, as in New Zealand and Queensland. The intention was not to stress the repressive aspects of cetacean-watching activities but to supervise these activities – which had for several years grown considerably – so that they would not have harmful effects on cetaceans, while allowing the public to be made more aware of the issue of their protection and economic resources to be created.

71. A lively debate started after this presentation. According to many speakers, saying at this stage that regulating was necessary, with a system of sanctions, would raise legal problems at the level of the Parties. Without rushing things, it would be better to adopt a recommendation setting forth a series of guidelines and to refer it to the Scientific Committee to develop these guidelines on the basis of the evolution of scientific knowledge. It was also proposed that specialized agencies such as the World Tourist Organization (WTO) and tour operators be linked to the process, to review certain details of the conditions set for behaviour towards cetaceans, and not to restrict the guidelines to the commercial ends of the cetacean-watching, which are not the only things being called into question. Lastly, according to the Director of RAC/SPA, as the requests that many countries make to the Centre to obtain help in elaborating and implementing pertinent laws showed, the financial constraints that a number of Parties were subject to were one element that must not be lost sight of.

72. Other speakers, most of them representing NGOs which have for many years been involved in this field, pleaded wholeheartedly for the adoption of the suggested guidelines, on the lines that `the best is the enemy of the good` and that trying to make the document too perfect would compromise any progress on a matter where regulation is needed in the ACCOBAMS area. Once the guidelines were recommended, any Party could adapt such recommendations to its specific needs through appropriate domestic legislation. Many associations had already published and disclosed codes of conduct, and the principle of subsidiarity authorized in this case envisaging guidelines as a general orienting framework that left each Party the latitude of fixing the precise modes of application.

73. The Chairperson considered that, while being wary of wishing to impose a regulatory framework which would go beyond the terms of the Agreement, the Meeting had now to send out a positive, strong message on the need for each Party to elaborate or strengthen a pertinent regulation while taking the guidelines into account and clearly stating to whom these were addressed. At his suggestion, it was decided that a drafting committee should review the text to submit it for adoption by the Meeting.

74. After the editorial committee had revised the document, Resolution 1.11 was adopted.

4) Conservation of the Black Sea *Tursiops truncatus*: Bottlenose dolphin

75. The Secretariat presented draft Resolution 1.12 on the conservation of the bottlenose dolphin *Tursiops truncatus* of the Black Sea, which invited Parties to strengthen prohibition measures for deliberate catch and trade for commercial purposes and to respond favourably to a request from CITES to participate in preparing a file with a view to transferring this population from Annex 2 to Annex 1 of the Convention.

76. Mr. Alexei Birkun, expert to the Secretariat, presented his report on the situation of the bottlenose dolphin in the Black Sea. He stressed the serious dangers to which the species was exposed: degradation of its habitats resulting from pollution of the marine environment, disturbance due to maritime traffic, military activities and fisheries, deliberate catches and massacres, and accidental by-catch and mortality.

77. During the exchange of views that followed on this presentation, a delegate having expressed doubts as to the possibility for the time being of getting a genetic identification which would permit affirmation that the bottlenose dolphin of the Black Sea is different from that of the Mediterranean, the Secretariat pointed out that the work it had pursued with experts in the region authorized it to think that this question could be settled before the CITES meeting. Another speaker thought that, confronted with the critical situation in which the species was situated, and the reality of the trade in these dolphins, the absence of convincing scientific elements could not be invoked as a reason for not acting, and that, anyway, recourse to the precautionary principle was fully justified.

78. According to another participant, the June 2002 adoption, within the context of the Bucharest Convention, of a protocol related to biodiversity which would include in an annex a list of threatened species where *Tursiops truncatus* would appear was an extremely favourable development and an additional incentive to adopting the resolution under consideration. He was backed up by a delegate who considered that this adoption was also essential for the visibility of ACCOBAMS, allowing the CITES to pride itself on an unambiguous stance by the Meeting. Lastly, to avoid this vicious circle that the trade in this species would take advantage of, it was suggested that at the same time the importing, exporting and reexporting of *Tursiops truncatus* from the States of the ACCOBAMS area, particularly from those bordering on the Black Sea, should be prohibited.

79. Noting the consensus emerging from the discussion, the Chairperson proposed that the drafting of the resolution should be revised to take account of the remarks that had been made, making sure, however, that the legal provisions which would be suggested should be made in the form of an invitation to the Parties.

80. After the editorial committee had revised Resolution 1.12, it was adopted by the Meeting.

5) GEF "medium size" project for the protection of Black Sea cetaceans

81. Mr. Alexei Birkun presented the GEF "medium size project" for restoring the biodiversity of the Black Sea and the sustainable use of biological resources by developing a regional system for the monitoring, conservation and management of cetacean populations (BLASCET). He said that the elaboration of this project had started two years ago on the initiative of the Agreement Interim Secretariat. This project, which covers the entire Black Sea region, could be submitted to the GEF/UNEP or the GEF/UNDP. This project covers two of the GEF priorities, the Operational Programme for marine and freshwater ecosystems (OP2), and the Operational Programme on contaminants (OP10). Setting aside the aim of improving knowledge on abundance, distribution, feeding, threats and genetics, this project should also permit the implementation of laws at both national and international level. These results should therefore be of great help, on the basis of the scientific information that would have been collected, in the elaborating of recommendations for restoring biodiversity and for the sustainable use of the biological resources of the Black Sea. The anticipated contributions were assessed at two million dollars over four years, for six countries, one million of which would come from the GEF.

82. The participants at the Meeting stressed the interest of this project and hoped that it would be presented to the GEF.

c) *National law*

83. The Secretariat said that a questionnaire had been sent out in November 2000 to gather information on the state of national laws. On the basis of the answers and of other available information, Mr. Scovazzi elaborated document MOP1/Inf.9 on the pertinent rules of national and international law.

84. Mr. Scovazzi said that the international legal framework of the ACCOBAMS area seemed to him to be quite complete and particularly dynamic; indeed, since his document had been completed, the Sanctuary for the Protection of Marine Mammals had come into being, the new 'critical situations' Protocol had been adopted, and a 'biodiversity' protocol was being prepared for the Black Sea. He made it clear that he had given particular thought to the creation of specially protected areas out at sea, for in the absence of an exclusive economic zone (EEZ) in the Mediterranean no law covered the high seas. In future, EEZs could be created in the Mediterranean and permit legal cover of the entire basin. He said that the situation was simpler in the Black Sea and in the Contiguous Atlantic Area, where EEZs had already been created. There were now many elements in current international law (the Barcelona, Bucharest and OSPAR Conventions) that allowed States to sign treaties and establish marine protected areas.

85. At national level, an examination of the laws of countries in the geographical area of the Agreement showed very different systems, gaps and – in certain cases – overlapping regulations. He said that some of the ACCOBAMS arrangements required being integrated within the Parties' national laws, particularly the ban on using drift-nets more than 2.5 km. long. Mr. Scovazzi said that marine protected areas could be established beyond the limit of the territorial sea, taking into account all existing rights and obligations.

86. The Chairperson stressed the interest of this document, and drew attention to France's recent steps to create an economic protection zone (EPZ) in the Mediterranean; he ended on the need to improve coordination between the various legal instruments and to transcribe these into national law.

87. The Secretariat said that the information on the national legal frameworks of the countries of the Agreement would be brought up to date, bearing in mind the data that would be given to them by the Parties in their national reports.

d) *Relations with other bodies*

88. The Executive Secretary presented draft Resolution 1.13 on attributing 'partnership status' to ACCOBAMS (document MOP1/24/Rev.1), which would enable the links between this Agreement and the pertinent bodies in the matter of protecting marine mammals to be strengthened.

89. After studying Annex 1 (Rules governing the attribution of ACCOBAMS 'partner' status), many delegations asked for this document to be modified to also allow national bodies to acquire this status. This suggestion was accepted. The Secretariat recalled that new applications for partnership would be put for examination on the Agenda of the Bureau meeting.

90. Another delegation asked for the term 'non-governmental organizations' to be changed in this document to 'organizations' so as not to restrict acquisition of this status to non-governmental organizations alone. This suggestion was accepted and Resolution 1.13 was adopted, subject to the above modifications.

Item 15 of the Agenda : Adoption of a logo for the Agreement

91. The Executive Secretary presented draft Resolution 1.14 on adopting a logo for the Agreement and the modes of its use,



stating that the logo illustrated the eight frequently-met species of the Mediterranean and the three Black Sea species, the entire design evoking the geographical area of the Agreement and the spoutings of the bigger species. This illustration is also presented on the stamp edited by the "Office Monégasque d'émission des Timbres Postes", on the occasion of the First Meeting of the Parties.

Resolution 1.14 was adopted.

Item 16 of the Agenda : Date and place of the Second Meeting of the Parties

92. The Executive Secretary explained the reasons for his proposal of holding the Second Meeting of the Parties in late 2004. Spain offered to host the Second Meeting of the Parties to the Agreement in the autumn of that year. This proposal was accepted and the countries thanked Spain for its generous offer. Following on this decision, the Chairperson suggested, and the Meeting agreed, that the vacant post of Vice-chairperson of the Bureau be attributed to Spain, thus permitting its continuity to be secured and facilitating the organizing of this Second Meeting of the Parties. Resolution 1.15 was adopted.

Item 17 of the Agenda : Miscellaneous

93. A draft Resolution (1.16) was submitted thanking the Principality of Monaco for organizing the present Meeting and the support which it had constantly shown for the Agreement, and congratulating the Interim Secretariat for the excellence of the preparation for the present Meeting, as well as the CMS and CIESM for their help. This Resolution was adopted.

Item 18 of the Agenda : adoption of the Meeting report

94. Under the Chairmanship of Spain, the participants adopted the Report of the Meeting after making some changes to it.

Item 19 of the Agenda : closure of the Meeting

95. After an exchange of the customary courtesies, the Chairperson pronounced the Meeting closed at 12.15 a.m. on Saturday 2 March 2002.

ANNEX I

RESOLUTIONS ADOPTED BY THE FIRST SESSION OF THE MEETING OF THE PARTIES TO THE ACCOBAMS

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RESOLUTION 1.1

ACCEPTING CANDIDATE PARTIES FOR THE RIGHT TO VOTE AT THE FIRST SESSION OF THE MEETING OF THE PARTIES TO THE AGREEMENT ON THE CONSERVATION OF CETACEANS OF THE BLACK SEA, MEDITERRANEAN SEA AND CONTIGUOUS ATLANTIC AREA

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

Aware of the fact that becoming a Party to the Agreement might be a long process that many States have embarked upon but have not yet been able to bring to completion in time for the start of the first Meeting of the Parties, on 28 February 2002;

Informed however by the Depository that some States have in fact completed the process in time for the start of the first Meeting of the Parties but must wait until the first day of the third month after the completion of its procedures in conformity with Article XIV, paragraph 2, of the Agreement;

Convinced that the decision-making process at the first Meeting of the Parties will benefit from the active participation of as many Parties as possible;

1. *Decides* that, Tunisia, although she is officially requested to wait, meet the above criteria for being a Party and shall exceptionally be granted the status of full participating Party with the right to vote;
2. *Instructs* the Credentials Committee to monitor the credentials of Tunisia according to the accepted procedures and report to the Meeting;
3. *Decides* that this derogation shall only apply at this first Meeting of the Parties.

RESOLUTION 1.2

ESTABLISHMENT OF THE PERMANENT SECRETARIAT FOR THE AGREEMENT ON THE CONSERVATION OF CETACEANS OF THE BLACK SEA, MEDITERRANEAN SEA AND CONTIGUOUS ATLANTIC AREA

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

Referring to Article III, paragraph 7.b) of the Agreement providing for the first Meeting of the Parties to establish an Agreement Secretariat,

Recalling Resolution 5.5 adopted at the fifth Meeting of the Conference of the Parties to the Convention, held in Geneva, in 1997, which *inter alia* :

- confirms that the decision on the location of the Secretariat for any particular Agreement, and all relevant other questions, is a matter to be determined solely by decision of the Meeting of the Parties of that Agreement;
- invites the Contracting Parties to the Agreement on the Conservation of Cetaceans of the Black Sea, Mediterranean Sea and Contiguous Atlantic Area to consider, in accordance with their procedures, to consolidate Secretariat functions in the Agreements Unit of the Convention Secretariat at their own expenses;

Thanks the Conference of the Parties to the Convention for its offer to consolidate ACCOBAMS Secretariat functions in the Agreements Unit;

Estimates however that it would be judicious, for obvious practical reasons, to locate the Secretariat in a Range State of the Agreement, without prejudice of the close connections to maintain with the Convention Secretariat as anticipated in Agreement article IV.

Considering furthermore with interest the offer of the Government of the Principality of Monaco to host the Secretariat and to provide its Staff and other relevant resources, as specified in a document submitted to this Meeting, on the Principality' expenses;

Decides

1. to accept the offer of the Government of the Principality of Monaco (hereafter defined as the "Host Country") to host the Permanent Secretariat,
2. to agree with the terms of reference of this Secretariat as annexed,
3. that this arrangement can be reviewed at each ordinary Meeting of the Parties at the request of the Host Country or any Party, which must reach the Secretariat and the Focal Points of the Agreement Parties not later than 60 days before the beginning of the Meeting of the Parties,
4. to provide the Secretariat for the Agreement with a budget as adopted under resolution MOP1/17.

ANNEX 1

TERMS OF REFERENCE FOR ARRANGEMENTS CONCERNING THE SECRETARIAT

The Permanent Secretariat will be governed by the following terms of reference:

1. The Permanent Secretariat will be made up of an Executive Secretary and a part-time Secretary provided by the Host Country, which will give them the means to devote the necessary time to carrying out their task successfully.
2. The Host Country is responsible for staff expenses (Executive Secretary and Secretary).
3. Secondment of staff members by Governments of the Parties will be encouraged, provided this is subject to mutually acceptable arrangements between the Host Country and the Government concerned.
4. The Executive Secretary of the Agreement will report to the Executive Secretary of the CMS on his/her relations with UNEP and with other international organizations. She will report to the Parties, especially at the Meeting of the Parties, and to the competent bodies of the Agreement, on his/her work program.
5. The Executive Secretary will report to the competent bodies of the CMS on the implementation of the Agreement and other matters of common interest. S/he will also ensure followed-up contact with the CMS Secretariat and the CMS Agreements Secretariats Unit, with which s/he will have regular meetings.

Financial Arrangements

6. The Agreement's Permanent Secretariat will have recourse to suitable local banking services to conduct day-to-day transactions.
7. The Host Country will facilitate the financial execution of the Agreement's budget, in particular authorizing tax-free expenses.
8. The Host Country will provide facilities and office equipment for the day-to-day functioning of the Secretariat.
9. Operating costs of the Permanent Secretariat: the Host Country will be responsible for use of telephone, photocopying and miscellaneous office supplies.

RESOLUTION 1.3

ESTABLISHMENT OF THE ACCOBAMS SCIENTIFIC COMMITTEE

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

Recalling that the Final Act of the negotiation meeting of the ACCOBAMS held in the Monaco, November 1996, invites the Interim Secretariat to take the necessary steps to elaborate the proposal of CIESM offering its marine mammal expert group to fulfil the function of the Scientific Committee,

Recalling Article VII of the Agreement on the general composition and tasks of the Scientific Committee,

Emphasising the need for establishing a close link between the Scientific Committee and the network of cetaceans experts in each Party, so that the Agreement may benefit from the existing knowledge and experience,

Recalling also Article VII.1 of the Agreement underlining the need for a balanced geographical representation within the Scientific Committee,

1. *Determines* that:

The Scientific Committee shall consist of 12 members:

- 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.
- Five qualified experts in cetacean conservation appointed by the General Secretariat of the CIESM following consultation with the Permanent Secretariat of the Agreement ;
- 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 individual Organization.

2. *Instructs*, referring to Article V.c), the Sub Regional Co-ordination Units to fully participate in the work and the meetings of the Scientific Committee;

3. *Invites* the Chairman of the Scientific Committee in consultation with the Executive Secretary, when necessary and if the following disciplines are not already represented on the Scientific Committee, to complement the Meeting with representative specialists in environmental law, fisheries and socio-economics, as “special guests”.

4. *Thanks* CIESM for covering the participation cost of the five qualified experts appointed by this Organization to the Scientific Committee meeting;

5. *Urges* the Scientific Committee to adopt its Rules Procedure at its first meeting.

6. *Appoints* the following persons, in their capacity as experts representing regions of the Agreement Area to the Scientific Committee until the second session of the Meeting of the Parties :

- *Mr. Abdellatif BAYED* (Western Mediterranean and near Atlantic)
- *Mr. Holcer DRASKO* (Central Mediterranean)
- *Mrs. Anastasia KOMNENOU* (Eastern Mediterranean)
- *Mr. Akaki KOMAKHIZE* (Black Sea)

Alternate

- *Mr. Juan Antonio RAGA*
- *Mr. Alfred BALDACCHINO*
- *Mrs. A. METAXATOU*
- *Mr. Tzvetan STANEV*

ANNEX 1

DIVISION OF THE GEOGRAPHICAL SCOPE OF THE AGREEMENT INTO FOUR REGIONS AND REGIONAL REPRESENTATIONS

Article 1

In order to insure a balanced-geographical representation in the Scientific Committee, the geographical scope of the Agreement is divided into four regions.

Article 2

Due to their particular geographical situation, Greece, Italy, Tunisia and Turkey can, at the Meeting of the Parties, select their attachment to a region during the designation of qualified regional experts :

- " Western Mediterranean " or " Central Mediterranean" for Greece, Italy and Tunisia;
- " Central Mediterranean " or " Eastern Mediterranean" for Greece;
- " Black Sea " or " Eastern Mediterranean " for Turkey.

The European Community will choose its working region.

Article 3

This Article 2 applies also to any Party enabling it, if it wishes, to associate with another region, unless one Party disagrees.

Article 4

The regional repartition of Parties is drawn up as follows:

Regions	Riparian States and Regional Economic Integration Organizations
WESTERN MEDITERRANEAN AND CONTIGUOUS ATLANTIC AREA	Algeria, (European Community), France, (Italy), Monaco, Morocco, Portugal, Spain, (Tunisia), United Kingdom.
CENTRAL MEDITERRANEAN	Albania, Bosnia Herzegovina, Croatia, (European Community), (Greece), (Italy), Libya, Malta, Slovenia, (Tunisia), Former Yugoslav Republic.
EASTERN MEDITERRANEAN	Cyprus, Egypt, (European Community), (Greece), Israel, Lebanon, Syria, (Turkey).
BLACK SEA	Bulgaria, Georgia, Romania, Russian Federation, (Turkey), Ukraine.

RESOLUTION 1.4

ESTABLISHING THE SUB REGIONAL CO-ORDINATION UNIT FOR THE MEDITERRANEAN SEA AND CONTIGUOUS ATLANTIC AREA

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

Referring to Article III, paragraph 7.c), of the Agreement providing for the first Meeting of the Parties to appoint for each sub-region, as defined in Article I.3.j), within an existing institution, a co-ordination Unit to facilitate implementation of the measures prescribed in Annex 2 to the Agreement;

Recalling the Final Act of the Negotiation Meeting of the Agreement on the Conservation of Cetaceans of the Black Sea, Mediterranean Sea and contiguous Atlantic area, held in Monaco, in November 1996, which recommends that the interim Secretariat approach relevant intergovernmental Organisations in the Black Sea and the Mediterranean Sea with a view to facilitating identification of the Sub-Regional Co-ordination Units;

Adopts with appreciation the offer made by the Contracting Parties to the Barcelona Convention to entrust its Regional Activities Centre for Specially Protected Areas (RAC/SPA) with this task;

Urges Parties to support co-ordination between their National Agreement Focal Point and their RAC/SPA National Focal Points in order to ensure a good co-ordination;

Decides

1. to create a Sub Regional Co-ordination Unit for the Mediterranean Sea and contiguous Atlantic area within the framework of the RAC/SPA;
2. to provide financial support through the ACCOBAMS budget to implement this task carried out by the RAC/SPA according to the functions defined in Article V of the Agreement;
3. that this arrangement shall be reviewed at each Ordinary Meeting of the Parties at the request of the RAC/SPA or any ACCOBAMS Party, request which must reach the Secretariat and the national Focal Points of the Parties to the Agreement not later than 60 days before the beginning of the Meeting of the Parties,

Urges the Secretariat to sign a Memorandum of Cooperation with the RAC/SPA.

RESOLUTION 1.5

ESTABLISHMENT OF THE SUB REGIONAL CO-ORDINATION UNIT FOR THE BLACK SEA

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

Referring to Article III, paragraph 7.c) of the Agreement providing for the first Meeting of the Parties to designate in each sub-region, as defined in Article I.3.j), within an existing institution, a co-ordination Unit to facilitate implementation of the measures prescribed in annex 2 to this Agreement;

Recalling the Final Act of the negotiation meeting to adopt the ACCOBAMS, held in Monaco, in November 1996, which recommends the Interim Secretariat to approach relevant intergovernmental Organisation in Black Sea and Mediterranean Sea with a view to facilitating identification of the Sub-Regional Co-ordination Units;

Adopts with appreciation the positive response by the Black Sea Commission to perform this task;

Urges Parties to support co-ordination between their Agreement national focal points and their relevant subsidiary bodies of Black Sea Commission national focal point in order to ensure co-ordination;

Decides

1. to create the Sub-regional Co-ordination Unit for the Black Sea in the frame of the Black Sea Commission;
2. to provide a financial support through the ACCOBAMS budget to implement this task by the Sub-Regional Co-ordination Unit according to the functions defined in Article V of the Agreement;
3. that this arrangement shall be reviewed at each ordinary Meeting of the Parties at the request of the Sub-Regional Co-ordination Unit or any ACCOBAMS Party, which must reach the Secretariat and the national focal points of the Agreement Parties not later than 60 days before the beginning of the Meeting of the Parties.

Urges the Secretariat to sign a memorandum of understanding with the Black Sea Commission.

RESOLUTION 1.6

FINANCIAL AND ADMINISTRATIVE MATTERS

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

Recalling Article IX, paragraphs 1 and 2, of the text of the Agreement, stating that Parties shall determine the scale of contributions to the budget and that the Meeting of the Parties shall adopt a budget by consensus;

Appreciating the voluntary contributions of the Principality of Monaco during the period of the functioning of the Interim Secretariat;

Recognising the importance of all Range States being able to participate in the implementation of the Agreement and related activities;

1. *Confirms* that all Parties shall contribute to the budget adopted at the scale agreed upon by the Meeting of the Parties;
2. *Agrees* that, thanks to substantive budgetary savings due the hosting by the Principality of Monaco of the Permanent Secretariat, a budget line for conservation measures is created;
3. *Adopts* the budget for 2002 - 2004 attached as annex 1 to the present Resolution;
4. *Agrees* to the scale of contributions of Parties to the Agreement, and a standard fixed contribution as listed in annex 2 to the present Resolution, and to the application of that scale, *pro rata* to new Parties as described in annex 3, paragraph 6;
5. *Decides*, in order to ensure immediately a minimum Agreement implementation, to pay for 2002 a contribution calculated according to annex 2 and to rely on the agreed scale as of 2003, unless circumstances require measures adopted for 2002 to be applied again;
6. *Invites* the Secretariat as far as possible to use ordinary contributions from any new Parties or voluntary contributions towards the conservation actions listed in Annex I of the present resolution, according to the priorities approved by the Bureau;
7. *Requests* all Parties to pay their contributions as promptly as possible but in any case no later than the end of June of the year to which they relate;
8. *Invites* States not Parties to the Agreement, governmental, intergovernmental and non-governmental Organisations and other sources to consider contributing to the implementation of the Agreement on a voluntary basis;
9. *Approves*, without prejudice to the decisions related to the financial exercises 2002 and 2003 as stated in paragraphs 5 and 6 of the present Resolution, the terms of reference for the administration of the Agreement budget as set out in annex 3 to the present Resolution for the period 2002–2004 and the guidelines for the acceptance of financial voluntary contributions as in annex 4.

ANNEX 1

Budget 2002 - 2004

		2 002		2 003		2 004	
		Trust Funds	Voluntary contributions	Trust Funds	Voluntary contributions	Trust Funds	Voluntary contributions
		€	€	€	€	€	€
Administrative functions							
100	Staff						
101	Executive Secretariat*		76 000		79 000		81 000
102	Fund management controller	2 300		2 400		2 500	
103	Secretary (1/2 time, full time when MOP)*		15 000		15 500		32 000
110	Support to sub regional coordination Units	15 000		15 500		16 000	
120	Consultants						
121	Administrative Consultants	5 000		6 000		10 000	
200	Premises						
201	Rent and maintenance cost*						
210	Equipment						
211	Office equipment*						
212	Miscellaneous office supplies*						
220	Operation and maintenance						
221	Computer*						
222	Photocopy*						
223	Other*						
300	Communication						
301	Postage and miscellaneous	950		1 000		2 500	
302	Telephone and fax*						
400	Travel on official business						
401	Secretariat staff	7 700		8 000		9 500	
402	Experts or Secretariat representative on mission	3 000		3 500		3 500	
500	Meetings						
501	Meeting of the Parties**					26 000	
502	Meeting of the Scientific Committee	13 000		13 000		13 000	
503	Meeting of the Bureau			7 000			
504	Interpreters (MOP***, Sc. Com)	1 500		1 500		7 000	
505	Reviewer (MOP)***					12 000	
506	Secretariat staff (MOP)***					4 200	
600	Reporting costs						
601	Reports of Meetings	1 000		1 050		2 000	
602	Promotional material (bulletin, poster,...)	15 000		15 500		16 000	
603	Translators (MOP***, Sc.Com.)	7 700		8 000		9 500	
604	Web site maintenance*						
700	Documentation, suscription, cotisations	800		850		850	
800	Hospitality	2 000		2 100		2 150	
	Sub total administrative items	74 950	91 000	85 400	94 500	136 700	113 000

		2 002		2 003		2 004	
		Trust Funds	Voluntary contributions	Trust Funds	Voluntary contributions	Trust Funds	Voluntary contributions
		€	€	€	€	€	€
Conservation actions							
910	Adoption and reinforcement of national legislations						
911	Technical and legal support to Contracting Parties	4 000		4 000		4 000	
912	Harmonisation of whale watching regulation	4 000		4 000			
920	Assessment and management of human-cetacean interactions						
921	Competitive interaction between coastal dolphins and artisanal fisheries	4 000	4 000	10 000	10 000	10 000	10 000
922	Cetacean bycatch database	4 000		4 000		4 000	
930	Habitat protection						
931	Development and implementation of pilot conservation and management actions in well defined key areas containing critical habitats for populations belonging to priority species	10 000	10 000	15 000	15 000	15 000	15 000
932	Workshop on methods for the evaluation of habitat degradation and its effects on cetaceans populations				50 000		
940	Research and monitoring						
941	Conservation plan for cetaceans in the Black Sea						
942	Conservation plan for short-beaked common dolphin (<i>Delphinus delphis</i>) in Mediterranean Sea	4 000		4 000		4 000	
943	Conservation plan for common bottlenose dolphin (<i>Tursiops truncatus</i>) in Mediterranean Sea	4 000		4 000		4 000	
944	Basin-wide Mediterranean sperm whale (<i>Physeter macrocephalus</i>) survey (first steps)	8 000					
950	Capacity building, training and education						
951	Establishment and implementation of a long-term training program on cetacean research, monitoring and conservation/management techniques and procedures	5 000	15 000	5 000	15 000	5 000	15 000
952	Educational tools for the organisation of research projects and basic technical studies	6 000	6 000	10 000	5 000	10 000	5 000
953	Information missions in countries	6 000		7 000		3 500	
960	Collection and dissemination of information						
961	Regional directory of national authorities, research and salvage centres, of scientists and governmental and non-governmental organisations concerned with the Agreement's objectives			2 000			
962	Stranding network	4 000		4 000		4 000	
963	Synthesis of national reports					3 000	
964	Development and availability of a network of specialised bibliographic collections and databases	5 000	35 000	2 000	35 000	2 000	35 000
965	Centralised tissue bank	4 000					
970	Response to emergency situation						
971	Development of intervention protocols and codes of conduct to be implemented in case of emergency situations.	4 000		4 000		4 000	
Sub total conservation actions		76 000	70 000	79 000	130 000	72 500	80 000
total		150 950	161 000	164 400	224 500	209 200	193 000

* provided by the host country insofar the Secretariat is hosted by the Principality (Only personnel costs have been calculated).

** participation costs of 16 developing or economy in transition countries. Cost of Meeting facilities is considered to be provided by the host Country of the Meeting.

*** Unless provide by the host Country of the Meeting. In such a case, Parties will decide at their Meeting the affectation of the economy realized.

ANNEX 2

contributions 2002- 2004 avec une contribution plancher de 200 € with a minimum contribution of 200 €	2002				2003				2004			
	clef / Key	clef	Contributions	clef	clef / Key	clef	Contributions	clef	clef / Key	clef	Contributions	clef
	ONU 2002	zone	€	ACCOBAMS	ONU 2003	zone	€	ACCOBAMS	ONU 2003	zone	€	ACCOBAMS
Albanie / Albania	0,003	0,017	200	0,134	0,003	0,017	200	0,123	0,003	0,017	200	0,097
Algérie / Algeria	0,071	0,405	1 065	0,714	0,070	0,402	1 145	0,705	0,070	0,402	1 450	0,705
Bosnie Herzégovine / Bosnia Herzegovina	0,004	0,023	200	0,134	0,004	0,023	200	0,123	0,004	0,023	200	0,097
Bulgarie / Bulgaria	0,013	0,074	200	0,134	0,013	0,075	213	0,131	0,013	0,075	269	0,131
Chypre / Cyprus	0,038	0,217	570	0,382	0,038	0,218	622	0,383	0,038	0,218	787	0,383
Croatie / Croatia	0,039	0,223	585	0,392	0,039	0,224	638	0,393	0,039	0,224	808	0,393
Égypte / Egypt	0,081	0,462	1 215	0,815	0,081	0,465	1 325	0,815	0,081	0,465	1 678	0,816
Espagne / Spain	2,534	14,464	32 533	21,823	2,518	14,449	35 478	21,829	2,518	14,449	45 096	21,914
Fédération de Russie / Russian Federation	1,200	6,850	18 002	12,076	1,200	6,886	19 632	12,080	1,200	6,886	24 866	12,083
France	6,503	37,119	32 533	21,823	6,466	37,102	35 478	21,829	6,466	37,102	45 096	21,914
Géorgie / Georgia	0,005	0,029	200	0,134	0,005	0,029	200	0,123	0,005	0,029	200	0,097
Grèce / Greece	0,542	3,094	8 131	5,454	0,539	3,093	8 818	5,426	0,539	3,093	11 169	5,427
Israël / Israel	0,418	2,386	6 271	4,206	0,415	2,381	6 790	4,178	0,415	2,381	8 599	4,179
Italie / Italy	5,090	29,054	32 533	21,823	5,064	29,058	35 478	21,829	5,064	29,058	45 096	21,914
Jamahiriya Arabe Libyenne/ Libyan Arab Jamahiriya	0,067	0,382	1 005	0,674	0,067	0,384	1 096	0,674	0,067	0,384	1 388	0,675
Liban / Lebanon	0,012	0,068	200	0,134	0,012	0,069	200	0,123	0,012	0,069	249	0,121
Malte / Malta	0,015	0,086	225	0,151	0,015	0,086	245	0,151	0,015	0,086	311	0,151
Maroc / Morocco	0,045	0,257	675	0,453	0,044	0,252	720	0,443	0,044	0,252	912	0,443
Monaco	0,004	0,023	200	0,134	0,004	0,023	200	0,123	0,004	0,023	200	0,097
Portugal	0,466	2,660	6 991	4,690	0,462	2,651	7 558	4,651	0,462	2,651	9 573	4,652
République Fédérale de Yougoslavie/ Yougoslavian Republic Federation	0,020	0,114	300	0,201	0,022	0,126	360	0,221	0,022	0,126	456	0,222
République de Syrie / Syrian Republic	0,081	0,462	1 215	0,815	0,081	0,465	1 325	0,815	0,081	0,465	1 678	0,816
Roumanie	0,059	0,337	885	0,594	0,058	0,333	949	0,584	0,058	0,333	1 202	0,584
Slovénie / Slovenia	0,081	0,462	1 215	0,815	0,080	0,459	1 309	0,805	0,080	0,459	1 658	0,806
Tunisie / Tunisia	0,031	0,177	465	0,312	0,030	0,172	491	0,302	0,030	0,172	622	0,302
Turquie / Turkey	0,044	0,253	666	0,447	0,044	0,255	726	0,447	0,044	0,255	920	0,447
Ukraine	0,053	0,303	795	0,533	0,053	0,304	867	0,534	0,053	0,304	1 098	0,534
Royaume Uni / United Kingdom**												
CE / EC***			1 874				2 135				3 418	
Totaux	17,519	100	150 950	100	17,427	100	164 400	100	17,427	100	209 200	100

* Clef des Nations Unies adaptée au nombre de Pays riverains de la zone ACCOBAMS compte tenu qu'aucune Partie ne doit contribuer à plus de 22%

** UN key adapted to the ACCOBAMS zone riparian Countries taking into account that no Party should cover more than 22% of the budget

** Etant présent dans la zone au travers de territoires à statut particulier, le Royaume Uni proposera à la première Réunion des Parties sa contribution au budget de l'Accord

** Being present in the Agreement zone only by special statute territories, United Kingdom will propose its contribution to the Agreement budget to the first Meeting of the Parties

*** 2,5% des charges de fonctionnement/ 2.5 % of the administrative charges

ANNEX 3

TERMS OF REFERENCE FOR THE ADMINISTRATION OF THE TRUST FUND FOR THE AGREEMENT ON THE CONSERVATION OF CETACEANS OF THE BLACK SEA, MEDITERRANEAN SEA AND CONTIGUOUS ATLANTIC AREA

1. The terms of reference for the Trust Fund of the Agreement on the Conservation of Cetaceans of the Black Sea, Mediterranean Sea and contiguous Atlantic area shall refer to the financial years beginning early 2002 and ending 31 December 2004.
2. The Trust Fund shall be administered by the Executive Secretary.
3. The administration of the Trust Fund shall be governed by the financial regulations and rules of the Host Country.
4. The financial resources of the Trust Fund shall be derived from:
 - a) contributions from the Parties according to annex 2, including contributions from any new Party; and
 - b) other voluntary contributions from Parties, contributions from States not Party to the Agreement, other governmental, intergovernmental and non-governmental Organisations and other sources.
5. All contributions to the Trust Fund shall be paid in Euros.
6. For contributions from States that become Parties after the beginning of the financial period, the initial contribution (from the first day of the third month after deposit of the instrument of ratification, acceptance or accession till the end of the financial period) shall be determined *pro rata* based on the contribution of other Parties using the United Nations scale of assessments, and depending on the remaining annual financial exercise.
However, if the contribution of a new Party determined on this basis is more than 22 per cent of the budget, the contribution of that Party shall be 22 per cent of the budget for the financial year of joining (or *pro rata* for a part year).
7. The scale of contributions for all Parties shall then be revised by the Secretariat on 1 January of the following year. Contributions shall be paid in annual instalments.
8. The contributions are due on 1 April 2002, 1 January 2003 and 1 January 2004. Contributions should be paid into the following account:

Account holder: ACCOBAMS

<i>SWIFT :</i>	<i>Domiciliation :</i>	<i>Code Banque :</i>	<i>Code Guichet</i>	<i>N° de Compte :</i>	<i>Clé RIB :</i>
CFMOMCMX	Crédit Foncier de Monaco	12739	00070	0107023000 M	76

Domiciliation:

CREDIT FONCIER DE MONACO
11, Boulevard Albert 1^{er}
MC 98000 MONACO

9. For the convenience of the Parties, the Executive Secretary shall notify the Parties to the Agreement of their assessed contributions, for each of the years of the financial period, as soon as possible.

10. Contributions received into the Trust Fund and not immediately required to finance activities, shall be invested at the discretion of the executive Secretary, and any income shall be credited to the Trust Fund.
11. The Trust Fund shall be subject to audit by a fund management Controller.
12. The budget estimates covering income and expenditures for each of the calendar years of the financial period to which they relate, shall be prepared in Euros and submitted to the Meeting of the Parties to the Agreement.
13. The estimates of each of the calendar years covered by the financial period shall be divided into sections and objects of expenditure; they shall be specified according to budget lines, shall include references to the programs of work to which they relate, and shall be accompanied by such information as may be required by or on behalf of the contributors. In particular, estimates shall also be prepared for each program of work for each of the calendar years, with expenditure itemized for each program corresponding to the sections, the objects of expenditure, and budget lines.
14. The proposed budget, including all the necessary information, shall be dispatched by the Secretariat to all Parties at least ninety days before the date fixed for the opening of the Meeting of the Parties.
15. The budget shall be adopted by consensus at the Meeting of the Parties.
16. Following authorization of the Bureau, the Secretariat of the Agreement can make transfers from one budget line to another.
17. Should the Secretariat anticipate a shortfall in resources over the financial period as a whole, the Secretariat shall consult the Bureau as to its priorities for expenditure.
18. Commitments against the resources of the Trust Fund may be made only if they are covered by sufficient incomes.
19. At the end of each calendar year¹ of the financial period, The Secretariat shall submit the accounts of the year to the Bureau. These shall include details of actual expenditure compared to the original provisions for each budget line.
20. The Secretariat shall provide the Bureau with an estimate of proposed expenditures for the coming year simultaneously with, or as soon as possible after, distribution of the accounts and reports referred to in the preceding paragraphs.
21. The Secretariat shall present the audited accounts for the financial exercise to the Meeting of the Parties.
22. The present terms of reference shall be implemented by the Executive Secretary.

¹ : The calendar year 1 January to 31 December is the accounting and financial year, but the accounts official closure date is 31 March of the following year.

ANNEX 4

GUIDELINES FOR ACCEPTING VOLUNTARY FINANCIAL CONTRIBUTIONS

1. General Rules

No voluntary contribution, gift or donation for a specific purpose may be accepted if incompatible with the policies and aims of the United Nations.

2. Approval of donors

- 2.1 Donors who are not governmental Institutions of Parties or Economic Integration Organisations or riparian States not Party to the Agreement, must be approved as such by the Bureau before their contributions are accepted by the Secretariat.
- 2.2 Sources known to have been involved in interests or activities which conflict with the aims of the Agreement or the CMS and any organization or individual who has deliberately brought, or might bring, the Agreement into public disrepute, shall be excluded. The same shall apply where there is a risk that this source might try to influence the decisions of any organ of the Agreement where in the opinion of the Scientific Committee, this source has, or has had in the past, an environmentally unfriendly attitude.

3. Acceptance of extraordinary contributions

- 3.1 Voluntary contributions shall only be accepted when the purpose is consistent with the policies and aims of the Agreement.
- 3.2 No voluntary contributions shall have an immediate or ultimate financial liability for the Agreement Trust Fund without the prior consent of the Meeting of the Parties or the Bureau.
- 3.3 All monetary contributions shall be paid in freely convertible currency; exceptions may, however, be made for special projects if the currency in question can effectively be used.
- 3.4. Voluntary contributions in kind may be accepted, provided that they are used to cover activities approved by the Meeting of the Parties. These may include *inter alia*, direct or indirect involvement in a joint project, free office accommodation, equipment, or the secondment of staff.

RESOLUTION 1.7

ESTABLISHMENT OF A SUPPLEMENTARY CONSERVATION GRANTS FUND

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

Aware that, in some countries, the basic implementation of the Agreement will be severely constrained by the lack of adequate financial resources;

Taking into account that Article IX, paragraph 3, of the Agreement authorises the Meeting of the Parties "to establish a supplementary conservation Fund from voluntary contributions of Parties or from any other source in order to increase the funds available for monitoring, research, training and projects relating to the conservation of Cetaceans";

Recalling that Article IX, paragraph 4, of the Agreement encourages Parties to provide *inter alia* financial support to other Parties on a multilateral and bilateral basis to assist them in implementing the Agreement;

1. *Decides* to establish a Supplementary Conservation Grants Fund (the Fund) to facilitate the implementation of the Agreement and the international priorities adopted by the Parties, to become operational from the time of the second session of the Meeting of the Parties;
2. *Instructs* the Agreement Secretariat, to submit to the second session of the Meeting of the Parties proposals for the operation of the Fund, including administration, eligibility criteria, submission and evaluation of proposals, allocation of funds and fund-raising;
3. *Further instructs* the Agreement Secretariat to establish an interim mechanism to enable Parties and other donors to make voluntary contributions for the purpose of providing grants to facilitate the implementation of the Agreement between the first and second session of the Meeting of the Parties;
4. *Urges* Parties and donors to make voluntary contributions to this Fund;
5. *Decides* that the contribution should be accepted following the guidelines adopted with the financial matters;
6. *Instructs* the Secretariat, with the assistance of the Scientific Committee and the Sub-Regional Co-ordination Units to consult with Parties and potential sponsors concerning sponsorship;

RESOLUTION 1.8

ESTABLISHMENT OF A TRIENNIAL NATIONAL REPORT FORMAT FOR THE AGREEMENT ON THE CONSERVATION OF CETACEANS OF THE BLACK SEA, MEDITERRANEAN SEA AND CONTIGUOUS ATLANTIC AREA

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

Referring to Article VIII of the Agreement asking Parties to prepare for each ordinary session of the Meeting of the Parties a report on its implementation of the Agreement;

Desiring that ACCOBAMS adopts form of national reporting which are not unnecessarily complex and do not duplicate the data and information gathering already undertaken by other Conventions and related international programs;

Aware of the ongoing efforts under the auspices of UNEP to co-ordinate reporting systems;

Further noting that Article III paragraph 7.f) of the Agreement calls on the Meeting of the Parties at its first session to determine the format of reports;

1. *Adopts* the attached format of national reports;
2. *Stresses* the need to review the implementation of Resolutions of the Meetings of the Parties within their national reports and, for this purpose,
3. *Instructs* the Secretariat, in relation with the Bureau, to amend periodically the national report format;
4. *Recommends* that Parties consult, if appropriate, with relevant non-governmental Organisations and others with technical expertise in the preparation of national reports;
5. *Instructs* the Scientific Committee, the Sub-Regional Co-ordination Units and Agreement Secretariat to liaise actively with related international Conventions, the UNEP/World Conservation Monitoring Centre and other international Organisations concerning all this aspects of the implementation of the Agreement, especially the harmonisation of data and information collection and management, so as to encourage the development of synergies;
6. *Urges* all Parties to prepare national reports and submit them to the Meeting of the Parties at its second session in accordance with the timetable outlined in Article VIII, paragraph b), of the Agreement;
7. *Requests* the Meeting of the Parties, at its second session, to review the national reporting format in the light of experience and, if necessary, recommend changes that may be desirable.

ANNEX 1

FORMAT FOR NATIONAL REPORTS OF THE PARTIES TO THE AGREEMENT ON THE CONSERVATION OF CETACEANS OF THE BLACK SEA, THE MEDITERRANEAN AND THE CONTIGUOUS ATLANTIC AREA

General remarks

In conformity with Article VIII, paragraph b) of the Agreement, the Parties prepare for each of the ordinary sessions of the Meeting of the Parties a report on the implementing of the Agreement. The contents, structure and presentation of the Parties' national reports will be defined at the first session of the Meeting of the Parties. Each Party's first national report is to be provided for the second session of the Meeting of the Parties.

The aim of the present document is to submit to the first session of the Meeting of the Parties (Monaco, from 28 February to 2 March 2002) a suggestion as to content and form for the Parties' national reports¹.

To avoid redundancy and repetition in the successive reports, it is suggested that a content be adopted for the first report submitted by each Party and a more succinct content for following reports.

Moreover, a slightly different content is suggested for reports to be submitted by the Parties that do not border on the area of the Agreement.

This framework does not take into account follow-up of the Resolutions adopted by the Meeting of the Parties. It will be amended in consequence at the end of each Meeting of the Parties by the Office, in cooperation with the Secretariat.

I. Format and deadline for presenting reports

The national report is to be made in English or in French, in triplicate, and accompanied by an electronic version on floppy disk or CD-Rom. It must be submitted to the Secretariat of the Agreement at least one hundred and twenty days before the Meeting of the Parties for which it is destined. States or regional economic integration Organizations which become Parties to the Agreement less than six months before an ordinary session of the Meeting of the Parties will submit their first report at least one hundred and twenty days before the third next ordinary session of the Meeting of the Parties.

II. Method of circulation

National reports will be filed by the Secretariat of the Agreement and will be opened at public consultations at the Secretariat headquarters and at the level of the Sub-regional Coordinating Units. The electronic version of each report received will be immediately available on the Agreement's internet site.

¹ : In the European Commission report only the pertinent headings will be reported on

FORM I
First report of riparian Parties of the Agreement area

1. **Name of Party** ^{2 3};
2. **Date when report finalized;**
3. **Focal Point (full name, organization, function, address, telephone, fax, e-mail);**
4. **Definition of the areas under national jurisdiction included in the Agreement's field of application (over which the Agreement applies);**
5. **Say whether the Party is a member of an organization of economic integration** (as defined in Article I, paragraph h) of the Agreement);
6. **Date when signed, ratified, accepted, approved or joined the ACCOBAMS;**
7. **Date when ratified the amendment** (if amendment there be);
8. **Possible reservations expressed in accordance with Article XV or Article X of the Agreement**⁴;
9. **National authorities, organizations, research centres and rescue centres active in the field of study and conservation of cetaceans;**
10. **Main national legislative and regulatory texts pertinent to cetaceans:**

Title of text	Date when promulgated	Authorities responsible for application

11. **Bilateral or multilateral fishing agreements with regard to the area of the Agreement** (Countries concerned, object, date, entry into force, duration, etc.);

² : In the European Commission report only the pertinent headings will be reported on

³ : Turkey's report will specify, where necessary, actions related to the Mediterranean area and those related to the Black Sea

⁴ : If a reservation was withdrawn, indicate the date of entry into force of the withdrawal of the reservation

12. Relevant International Conventions and Agreements to which the country is Party:

	Date of entry into force of the Ratification, Acceptance, Approval or Adhesion
Convention on Biological Diversity (Rio, 1992)	
Convention on the Conservation of Migratory Species of Wild Animals (Bonn, 1979)	
Convention on the Conservation of European Wildlife and Natural Habitats (Berne, 1979)	
United Nations Convention on the Law of the Sea (Montego Bay, 1982)	
Protocol concerning Specially Protected Areas and Biological Diversity in the Mediterranean (Barcelona, 1995)	
Agreement on the Conservation of Small Cetaceans of the Baltic and North Seas (ASCOBANS)	
Convention on International Trade in Endangered Species of Fauna and Flora (CITES - Washington, 1973)	
International Convention for the Regulation of Whaling (Washington, 1946)	
Agreement on Straddling Fish Stocks and Highly Migratory Fish Stocks(1995)	
General Fisheries Commission for the Mediterranean	
La Commission Internationale pour l'Exploration Scientifique de la Méditerranée	

13. Networks set up for monitoring cetacean strandings

(coordinating system, agents, means available, databases, MEDACES data transmission, publishing of results);

14. Emergency plans

(conditions of activating, coordinating system, agents, means available, databases, publishing of results);

15. List of cetaceans reported in the area under the jurisdiction of the country included in the distribution area (as defined in Article I, paragraph 3 f) of the Agreement);

		Common	Rare	Occasional
<i>Balaenoptera acutorostrata</i>	Minke Whale			
<i>Balaenoptera borealis</i>	Rudolph's Whale			
<i>Balaenoptera physalus</i>	Fin Whale			
<i>Delphinus delphis</i>	Common Dolphin			
<i>Eubalaena glacialis</i>	Northern Right Whale			
<i>Globicephala melas</i>	Long-finned Pilot Whale			
<i>Grampus griseus</i>	Risso's Dolphin			
<i>Kogia simus</i>	Dwarf Sperm Whale			
<i>Megaptera novaeangliae</i>	Humpback Whale			
<i>Mesoplodon densirostris</i>	Blainville's Beaked Whale			
<i>Orcinus orca</i>	Killer Whale			

<i>Phocæna phocæna</i>	Harbour Porpoise			
<i>Physeter macrocephalus</i>	Sperm Whale			
<i>Pseudorca crassidens</i>	False Killer Whale			
<i>Stenella cæruleoalba</i>	Striped Dolphin			
<i>Steno bredanensis</i>	Rough-toothed Dolphin			
<i>Tursiops truncatus</i>	Bottlenose Dolphin			
<i>Ziphius cavirostris</i>	Cuvier's Beaked Whale			

16. Information on the national fishing fleet active in the area of the Agreement:

Type of fishing	Number of units
Fishing boats with fixed gill-nets	
Fishing boats with spinning seine nets	
Fishing boats with drift-nets	
Fishing boats with floating palangre	
Other types of fishery able to interact with cetaceans	

17. Scientific assessment of the state of cetacean conservation in the area under national jurisdiction included in the distribution area (as defined in Article I, paragraph 3 f) of the Agreement);

The assessment must be based on scientific data. Append the list of bibliographical references used.

18. Conservation measures introduced to attain and maintain a state of conservation favourable to cetaceans;

- Measures introduced to eliminate deliberate removal
- Measures introduced to reduce man/cetacean interaction
- Measures introduced to create and maintain a network of specially protected areas to protect cetacean habitats
- Measures related to the reduction of pollution
- Measures introduced to strengthen the national capacities, the institutional framework, the collection and dissemination of information and education
- Other measures

19. Research work done to improve knowledge of the biology and ecology of cetaceans

20. Programmes of continuous monitoring undertaken

21. Measures linked to implementing bilateral or multilateral cooperation programmes

22. Specific information linked to the agenda of the session at which the report is submitted

FORM II

Reports of riparian Parties of the Agreement area, starting from their second ordinary session of the Meeting of the Parties

1. **Name of Party^{5 6}**
2. **Period covered by the report**
3. **Date when report finalized**
4. **Focal point (full name, organization, function, address, telephone, fax, e-mail)**
5. **Say whether the Party is a member of an economic integration organization** (as defined in Article I, paragraph h) of the Agreement)
6. **Date when ratified the amendments not notified in the previous report to the Parties** (if amendments there be)
7. **Possible reservations expressed in accordance with Article X or withdrawal⁷ of reservation; including those of article XV**
8. **National authorities, organizations, research centres and rescue centres active in the field of study and conservation of cetaceans**
9. **Main national legislative and regulatory texts pertinent to cetaceans that were promulgated or amended during the period covered by the report:**

Title of text	Date when promulgated	Authorities responsible for application

10. **Bilateral or multilateral fishing agreements with regard to the area of the Agreement**
 - a) Indicate possible changes happening during the period covered by the report, for the Agreements notified by previous reports;
 - b) New Agreements signed during the period covered by the report (countries concerned, object, date, entry into force, duration, etc.).

⁵ : In the European Commission report only the pertinent headings will be reported on

⁶ : Turkey's report will specify, where necessary, actions related to the Mediterranean area and those related to the Black Sea

⁷ : If a reservation was withdrawn, indicate the date of entry into force of the withdrawal of the reservation

11. Relevant International Conventions and Agreements to which the country is Party:

	Date of entry into force of the Ratification, Acceptance, Approval or Adhesion
Convention on Biological Diversity (Rio, 1992)	
Convention on the Conservation of Migratory Species of Wild Animals (Bonn, 1979)	
Convention on the Conservation of European Wildlife and Natural Habitats (Berne, 1979)	
United Nations Convention on the Law of the Sea (Montego Bay, 1982)	
Protocol concerning Specially Protected Areas and Biological Diversity in the Mediterranean (Barcelona, 1995)	
Agreement on the Conservation of Small Cetaceans of the Baltic and North Seas (ASCOBANS)	
Convention on International Trade in Endangered Species of Fauna and Flora (CITES - Washington, 1973)	
International Convention for the Regulation of Whaling (Washington, 1946)	
Agreement on Straddling Fish Stocks and Highly Migratory Fish Stocks(1995)	
General Fisheries Commission for the Mediterranean	
La Commission Internationale pour l'Exploration Scientifique de la Méditerranée	

12. Changes happening during the period covered by the report concerning the networks set up for monitoring cetacean strandings

(coordinating system, agents, means available, databases, MEDACES data transmission, publishing of results)

13. Changes happening during the period covered by the report concerning emergency plans

(conditions of activating, coordinating system, agents, means available, databases, publishing of results)

14. Information on the national fishing fleet active in the area of the Agreement:

Type of fishing	Number of units (date)
Fishing boats with fixed gill-nets	
Fishing boats with spinning seine nets	
Fishing boats with drift-nets	
Fishing boats with floating palangre	
Other types of fishery able to interact with cetaceans	

15. Results, obtained during the period covered by the report, of scientific assessments of the state of cetacean conservation in the area under national jurisdiction included in the distribution area (as defined in Article I, paragraph 3 f) of the Agreement)

The assessment must be based on scientific data. Append the list of bibliographical references used.

16. Measures introduced during the period covered by the report to implement the Conservation Plan:

- Measures introduced to eliminate deliberate removal
- Measures introduced to reduce man/cetacean interaction
- Measures introduced to create and maintain a network of specially protected areas to protect cetacean habitats
- Measures related to the reduction of pollution
- Measures introduced to strengthen the national capacities, the institutional framework, the collection and dissemination of information and education
- Other measures

- 17. Research work done during the period covered by the report to improve knowledge of the biology and ecology of cetaceans**
- 18. Continuous monitoring programmes undertaken during the period covered by the report**
- 19. Measures linked to implementing bilateral or multilateral cooperation programmes**
- 20. Information on possible disagreements arising during the period covered by the report with one or several Parties**
- 21. Possible difficulties encountered for implementing the Agreement;**
- 22. Dispensations allowed in accordance with Article II, paragraph 2 of the Agreement and paragraph 6 of Annex 2**
- 23. Ongoing projects and Funds set aside for conservation and research**
- 24. Main events (meeting, symposium, etc.) organized during the period covered by the report or planned for following years**
- 25. Specific information linked to the agenda of the session at which the report is submitted.**

FORM III
First report of non riparian Parties of the Agreement area

1. **Name of Party;**
2. **Date when report finalized;**
3. **Focal Point (full name, organization, function, address, telephone, fax, e-mail);**
4. **Sub-region/s concerning the Party;**
5. **Say whether the Party is a member of an economic integration organization** (as defined in Article I, paragraph h) of the Agreement);
6. **Date when signed, ratified, accepted, approved or joined the Agreement;**
7. **Reasons why the Party joined the Agreement;**
8. **Date when ratified the amendments** (if amendment there be);
9. **Possible reservations expressed in accordance with Article XV or Article X of the Agreement⁸;**
10. **National authorities, organizations, research centres and rescue centres active in the field of study and conservation of cetaceans;**
11. **Main national legislative and regulatory texts pertinent for cetaceans:**

Title of text	Date when promulgated	Authorities responsible for application

12. **Bilateral or multilateral fishing agreements with regard to the area of the Agreement** (countries concerned, object, date, entry into force, duration etc.);

⁸ : *If a reservation was withdrawn, indicate the date of entry into force of the withdrawal of the reservation*

13. Relevant International Conventions and Agreements to which the country is Party:

	Date of entry into force of the Ratification, Acceptance, Approval or Adhesion
Convention on Biological Diversity (Rio, 1992)	
Convention on the Conservation of Migratory Species of Wild Animals (Bonn, 1979)	
Convention on the Conservation of European Wildlife and Natural Habitats (Berne, 1979)	
United Nations Convention on the Law of the Sea (Montego Bay, 1982)	
Protocol concerning Specially Protected Areas and Biological Diversity in the Mediterranean (Barcelona, 1995)	
Agreement on the Conservation of Small Cetaceans of the Baltic and North Seas (ASCOBANS)	
Convention on International Trade in Endangered Species of Fauna and Flora (CITES - Washington, 1973)	
International Convention for the Regulation of Whaling (Washington, 1946)	
Agreement on Straddling Fish Stocks and Highly Migratory Fish Stocks(1995)	
General Fisheries Commission for the Mediterranean	
La Commission Internationale pour l'Exploration Scientifique de la Méditerranée	

14. Networks set up to monitor cetacean strandings

(coordinating system, agents, means available, databases, MEDACES data transmission, publishing of results);

15. Emergency plans

(conditions of activating, coordinating system, agents, means available, databases, publishing of results);

16. Information on the national fishing fleet active in the area of the Agreement (indicate the main ports used in the area of the Agreement):

Type of fishing	Number of units (date)
Fishing boats with fixed gill-nets	
Fishing boats with spinning seine nets	
Fishing boats with drift-nets	
Fishing boats with floating palangre	
Other types of fishery able to interact with cetaceans	

17. Conservation measures introduced to attain and maintain a state of conservation favourable to cetaceans:

- Measures introduced to eliminate deliberate removal
- Measures introduced to reduce man/cetacean interaction
- Measures introduced to create and maintain a network of specially protected areas to protect cetacean habitats
- Measures related to the reduction of pollution
- Other measures

- 18. Research work done to improve knowledge of the biology and ecology of cetaceans;**
- 19. Measures linked to implementing bilateral or multilateral cooperation programmes concerning the area of the Agreement;**
- 20. Specific information linked to the agenda of the session at which the report is submitted.**

FORM IV

Reports of non riparian Parties of the Agreement area, starting from their second ordinary session of the Meeting of the Parties

1. **Name of Party**
2. **Period covered by the report**
3. **Date when report finalized**
4. **Focal Point (full name, organization, function, address, telephone, fax, e-mail)**
5. **Say whether the Party is a member of an economic integration organization** (as defined in Article I, paragraph h) of the Agreement)
6. **Dates of ratification of amendments not notified in the previous report to the Parties** (if amendment there be)
7. **Possible reservations expressed in accordance with Article X or withdrawal⁹ of reservation; including those of article XV**
8. **National authorities, organizations, research centres and rescue centres active in the field of study and conservation of cetaceans**
9. **Main legislative and regulatory texts pertinent to cetaceans promulgated or amended during the period covered by the report:**

Title of text	Date when promulgated	Authorities responsible for application

10. **Bilateral or multilateral fishing agreements with regard to the area of the Agreement:**
 - a) Indicate possible changes happening during the period covered by the report for the Agreements notified by previous reports;
 - b) New Agreements signed during the period covered by the report (countries concerned, object, date, entry into force, duration, etc.).

⁹ : If a reservation was withdrawn, indicate the date of entry into force of the withdrawal of the reservation

11. Relevant International Conventions and Agreements to which the country is Party:

	Date of entry into force of the Ratification, Acceptance, Approval or Adhesion
Convention on Biological Diversity (Rio, 1992)	
Convention on the Conservation of Migratory Species of Wild Animals (Bonn, 1979)	
Convention on the Conservation of European Wildlife and Natural Habitats (Berne, 1979)	
United Nations Convention on the Law of the Sea (Montego Bay, 1982)	
Protocol concerning Specially Protected Areas and Biological Diversity in the Mediterranean (Barcelona, 1995)	
Agreement on the Conservation of Small Cetaceans of the Baltic and North Seas (ASCOBANS)	
Convention on International Trade in Endangered Species of Fauna and Flora (CITES - Washington, 1973)	
International Convention for the Regulation of Whaling (Washington, 1946)	
Agreement on Straddling Fish Stocks and Highly Migratory Fish Stocks(1995)	
General Fisheries Commission for the Mediterranean	
La Commission Internationale pour l'Exploration Scientifique de la Méditerranée	

12. Changes happening during the period covered by the report concerning the networks set up to monitor cetacean strandings

(coordinating system, agents, means available, databases, MEDACES data transmission, publishing of results)

13. Changes happening during the period covered by the report concerning emergency plans

(conditions of activating, coordinating system, agents, means available, databases, publishing of results)

14. Information on the national fishing fleet active in the area of the Agreement (indicate the main ports used in the area of the Agreement):

Type of fishing	Number of units (date)
Fishing boats with fixed gill-nets	
Fishing boats with spinning seine nets	
Fishing boats with drift-nets	
Fishing boats with floating palangre	
Other types of fishery able to interact with cetaceans	

15. Results, obtained during the period covered by the report, of the scientific assessments of the state of conservation of cetaceans in the area under national jurisdiction included in the distribution area (as defined in Article I, paragraph 3 f) of the Agreement);

The assessment must be based on scientific data. Append the list of bibliographical references used.

- 16. Measures introduced, during the period covered by the report, to implement the Conservation Plan:**
 - Measures introduced to eliminate deliberate removal
 - Measures introduced to reduce man/cetacean interaction
 - Measures introduced to create and maintain specially protected areas to protect cetacean habitats
 - Measures related to the reduction of pollution
 - Measures introduced to strengthen the national capacities, the institutional framework, the collection and dissemination of information and education
 - Other measures

- 17. Research work done, during the period covered by the report, to improve knowledge of the biology and ecology of cetaceans**

- 18. Continuous monitoring programmes undertaken during the period covered by the report**

- 19. Bilateral or multilateral cooperation measures concerning the area of the Agreement**

- 20. Information on possible disagreements arising during the period covered by the report with one or several Parties**

- 21. Possible difficulties encountered for implementing the Agreement**

- 22. Dispensations allowed in accordance with Article 2, paragraph 2 of the Agreement and paragraph 6 of Annex 2**

- 23. Ongoing projects and Funds set aside for conservation and research**

- 24. Main events (meeting, symposium, etc.) organized during the period covered by the report or planned for following years**

- 25. Specific information linked to the agenda of the session at which the report is submitted.**

RESOLUTION 1.9

INTERNATIONAL IMPLEMENTATION PRIORITIES FOR 2002-2006

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

Aware that resources for the implementation of the Agreement (information, research expertise and funds) are unequally distributed throughout the Agreement area, and that an effective implementation of the Agreement will require strong international co-operation;

Aware that scientific research in the Agreement area is essential to identify the populations having the least favourable conservation status and to address the conservation priorities;

Considering that Parties, particularly developing countries and countries with economies in transition, require a clear prioritisation of conservation and research activities in order to apply their limited resources most effectively,

Further considering that bilateral and multilateral donors will be greatly assisted in their allocation of funds for international co-operation, by a clear prioritisation of needs,

Recalling that Article IX.3. calls for voluntary contributions in order to increase the funds available for monitoring, research and training and projects relating to conservation;

Recalling Resolution 1.7 establishing a Supplementary Conservation Fund;

Recalling that Article IX.4. encourages Parties to provide technical and financial support on a bilateral or multilateral basis to assist Range States which are developing countries or countries with economies in transition to implement the provisions of the Agreement;

1. *Notes* the particular importance for the Agreement of focusing on known scientific gaps (both thematic and geographic), and of identifying remaining gaps;
2. *Adopts* the international implementation priorities for 2002-2006, as in annex I, without prejudice to the pursuance of existing conservation actions;
3. *Urges* Parties and specialised international Organisations to develop international co-operation projects for the implementation of the Agreement, in line with the priorities listed in annex I, and to keep the Agreement Secretariat fully informed of progress;
4. *Recommends* that the creation or extension of databases, for example under items 3, 11 and 16 of Annex of the present document, be co-ordinated to maximize synergies with existing databases such as the Global Register of Migratory Species (GROMS) of CMS and information held by the UNEP – World Conservation Monitoring Centre (UNEP-WCMC).
5. *Further urges* Parties, the Agreement Secretariat and specialised International Organisations to seek innovative mechanisms and partnerships in particular with fishermen and other relevant professionals, to enable implementation of the Conservation Plan and the priorities listed in annex I. This could include joint ventures, twinning arrangements, secondment and exchange programmes, corporate sector sponsorships and species adoption programmes;
6. *Requests* bilateral and multilateral donors to provide financial assistance to Range States for the implementation of the Agreement, by supporting implementation of its priorities using the financial mechanism of the Agreement;

7. *Instructs* the Agreement Secretariat to disseminate the international implementation priorities for 2002-2006, to co-ordinate closely with related Conventions and International Organizations, in particular CIESM and "ACCOBAMS' Partners", for their implementation, to seek appropriate donors, and, following the recommendations of the Sub-Regional Co-ordination Units and the Scientific Committee, to bring to each session of the Meeting of the Parties reports on progress with implementation and an updated list of priorities.
8. *Calls on* the Scientific Committee to further develop the actions needed to implement the priorities listed and described in Annex 1, fully bearing in mind all the Resolutions agreed on at this Meeting of the Parties.

ANNEX 1

International Implementation Priorities FOR 2002-2006

*prepared by
Giuseppe Notarbartolo di Sciara, consultant¹
under contract to the Interim Agreement Secretariat*

The following list of 18 priority actions was prepared to assist Contracting Parties to implement priorities for international cooperation during the period 2002-2006. This list was generated by extracting from, and modifying, a broader list of activities, developed during a CIESM Workshop which was held in Monte Carlo in September 2001. With the intent of optimising effort among concurrent international organisations, some of the actions proposed here are inspired by, and partly coincide with, similar conservation actions proposed in the most recent Cetacean Action Plan of the World Conservation Union (*R.R. Reeves, B.D. Smith, E. Crespo, G. Notarbartolo di Sciara. In press. Dolphins, whales, and porpoises: status, threats, and conservation action plan for cetaceans. IUCN, Gland*).

The order in which actions are listed in this document does not imply priority. Rather, actions are arranged following the order in which conservation measures are listed in the Conservation Plan (Annex 2 of the Agreement). For each action, references to the corresponding paragraphs of the Conservation Plan and to the budget item in Doc. MOP1/17 are presented to the left of the activity's title. For each item the types of activity involved are listed, along with the projected timescale. An indicative budget is indicated as well, mostly for an initial two-year period, corresponding to the figures quoted in Doc.MOP1/17, and in some cases concerning the action's first phase. Whenever possible, the budget for the completion of the action is also indicated. Detailed project proposals will be successively required, once their funding and implementation will be assured.

¹ Comments and suggestions by Giovanni Bearzi, Alexei Birkun, Jr., J. Antonio Raga, and Mark Simmonds are gratefully acknowledged.

International Implementation Priorities for 2002 – 2006

List of Actions

1. Development of criteria and provision of *ad hoc* support for the harmonisation of commercial whale watching regulations with science-based knowledge on the protection needs of the involved cetacean populations.
2. Investigation of competitive interactions between coastal dolphins and artisanal fisheries.
3. Creation of a cetacean bycatch database (first phase).
4. Development and implementation of pilot conservation and management actions in well-defined key areas containing critical habitat for populations belonging to priority species.
5. Workshop on methods for the evaluation of habitat degradation and its effect on cetacean populations.
6. Conservation plan for cetaceans in the Black Sea.
7. Conservation plan for short-beaked common dolphins (*Delphinus delphis*) in the Mediterranean Sea.
8. Conservation plan for common bottlenose dolphins (*Tursiops truncatus*) in the Mediterranean Sea.
9. Basin-wide Mediterranean sperm whale (*Physeter macrocephalus*) survey.
10. Identification of Mediterranean sites of conservation importance for fin whales (*Balaenoptera physalus*) in addition to the Ligurian-Corsican-Provençal (CLP) basin, and assessment of the functional relationships of such sites to the LCP basin with respect to the species' habitat needs.
11. Development of photo-identification databases and programmes encompassing the entire ACCOBAMS Area.
12. Establishment and implementation of a long-term training programme on cetacean research, monitoring and conservation/management techniques and procedures.
13. Development of an educational tool for the organisation of research projects and basic technical studies.
14. Creation of sub-regional directories of national authorities, research and rescue centers, scientists, governmental and non-governmental organisations concerned with the Agreement's objectives.
15. Support to the implementation of national stranding networks, and their co-ordination into a wider regional network.
16. Development of a network of specialised bibliographic collections and databases.
17. Establishment of a system of tissue banks.
18. Establishment of a Task Force for special mortality events.

Action n°	Cons. Plan Art. n°	Budget item n°	Title:
1	1	912	Development of criteria and provision of <i>ad hoc</i> support for the harmonisation of commercial whale watching regulations with science-based knowledge on the protection needs of the involved cetacean populations

As commercial whale watching operations develop in the Agreement area, it is anticipated, as well as desirable, that regulatory measures will be prepared and implemented by the concerned countries, to ensure that such development proceeds in a sustainable and respectful fashion. Although all whale watching regulations share a common matrix, which depends on the nature of this activity, it is important that regulations be framed within the specific ecological and biological context in which they apply. Cetacean populations may show varying degrees of susceptibility to disturbance depending on their species-specific behavioural traits, behavioural state, socio-ecological context, overall level of disturbance from other causes, degree of habituation, etc. Guidelines should be developed to assist countries in adapting regulations to the needs of the populations targeted by whale watching, and *ad hoc* scientific support should be provided to allow the development and implementation of adaptive whale watching management. In addition, to assist in this process, a centralised inventory of commercial whale watching operations in the Agreement area should be established and maintained.

Activities: desk study, consultations, centralised inventory
Possible synergies: 4
Duration: guidelines: 1 year; scientific support: ongoing.
Indicative budget: guidelines and scientific support (2002): € 4,000
scientific support (2003-2004): € 4,000
scientific support (2005-2006): € 4,000

Action n°	Cons. Plan Art. n°	Budget item n°	Title:
2	2	921	Investigation of competitive interactions between coastal dolphins and artisanal fisheries

A workshop sponsored by Italy in Rome in May 2001 investigated and evaluated efforts by fishermen and others to deter dolphins from nets. It was concluded that although the problem of dolphin depredation has become a major issue in the eyes of Mediterranean fishermen, and therefore deserves to be addressed in a responsible manner by government agencies and conservation groups, there is a danger that the *ad hoc* and even experimental use of noise-making deterrence devices could have unintended adverse effects on other species, as well as prove ineffective for reducing fishery-dolphin conflicts. The workshop produced a series of recommendations for research and development, and concluded that high-intensity acoustic devices that are typically used to keep pinnipeds away from aquaculture facilities are inappropriate for use in alleviating conflicts between dolphins and fisheries in the Mediterranean.

This project would consist in the implementation of the recommendations made by the Rome workshop. In particular, in addition to obtaining detailed quantitative information on the characteristics of common bottlenose and short-beaked common dolphin populations in the Mediterranean (see Actions 7 and 8), data should be collected on the spatial, seasonal, and operational features of small-scale coastal trammel and gillnet fisheries in the region. Identification of a small number of exemplary «problem areas» where overlap occurs (i.e., high dolphin densities matched with high levels of fishing activity) should be followed by rigorous site-specific pilot studies to characterise and quantify the costs of dolphin depredation. Where serious problems are found to exist, rigorous tests of potential solutions should be conducted after extensive consultations with fishermen as well as technical experts. It is important that due consideration be given to the real or potential adverse side effects of any mitigation approach. Non-acoustic means of reducing conflicts, such as changes in methods of gear deployment,

the use of quieter engines, the introduction of compensation or insurance mechanisms and the development of parallel dolphin watching activities, all hold promise and deserve to be evaluated.

Activities: field surveys in 2-3 pilot areas, desk study, fishermen interviews, research, consultations
 Possible synergies: 3, 4, 7, 8
 Duration: 4 years
 Indicative budget: 2002-2004: € 48,000;
 2005-2006: € 60,000

Action n°	Cons. Plan Art. n°	Budget item n°	Title:
3	2	922	Creation of a cetacean bycatch database (first phase)

Cetacean mortality through accidental capture and drowning in fishing gear – most notably, pelagic driftnets in the Mediterranean and bottom gillnets in the Black Sea - is considered a major conservation concern in the Agreement area. However, very little data exist on bycatch numbers and rates, on species and fishing gear involved, and on the geographical and seasonal variability of bycatch events. Such information is of fundamental importance, among other things, if bycatch rates are to be related to population sizes, thereby assessing whether mortality deriving from fishery activities is sustainable or not. The goal of this action is to facilitate the incorporation of reporting of cetacean bycatch incidents into fishery management practice throughout the Agreement Member States, and to encourage the use of independent observers aboard vessels to collect unbiased data. The project involves the establishment of a bycatch Task Force under the purview of the Agreement, which will coordinate efforts during an initial 3-year pilot phase in three experimental areas (ideally, one in a northern Mediterranean country, one in a southern Mediterranean country, and one in a Black Sea country). Procedures learned during this pilot phase may then be applied in the remaining portion of the Agreement area. The bycatch Task Force should: (a) work in close contact with the fishery management authorities of the selected countries; (b) provide technical support, data quality control, training, awareness building, advice and recommendations as needed; and (c) help in the creation of the first nucleus of a centralised bycatch database. Cooperation with the appropriate effort currently undertaken by the European Commission to monitor cetacean bycatch in European waters is strongly recommended.

Activities: coordination, consultations, training, awareness programmes, database
 Possible synergies: 2, 4, 15
 Duration: 3 years (first phase)
 Indicative budget: € 12,000

Action n°	Cons. Plan Art. n°	Budget item n°	Title:
4	3	931	Development and implementation of pilot conservation and management actions in well-defined key areas containing critical habitat for populations belonging to priority species²

In spite of the recent growth of scientific knowledge and attention on cetacean ecology in the Agreement area, and of the awareness of the survival threats these mammals are subject to, evidence is accumulating that some populations are declining in numbers and becoming increasingly fragmented within their shrinking range. Particular concern exists for short-beaked common dolphins in the Mediterranean, as well as for harbour porpoises, common bottlenose dolphins, and sperm whales. In some well-known instances, relic population units of these species are presently seen to be undergoing dramatic reductions in their numbers,

² *Delphinus delphis*, *Phocoena phocoena*, *Physeter macrocephalus*, *Tursiops truncatus*.

and are thought likely to disappear soon if prompt measures are not taken. This action proposes to select four areas, each of them containing critical habitat for one of the four priority species, in which pilot conservation and management projects be developed and implemented immediately. Areas should be selected on the basis of sufficient available knowledge and characteristics of the area allowing the creation of a model, which can then be applied to other similar situations in the Agreement area. The following areas show particular promise as possible candidates: (a) the coastal waters surrounding the island of Kalamos, western Greece (short-beaked common dolphins); (b) the coastal area of southern Crimea, Ukraine, comprised between Cape Sarych and Cape Khersones (harbour porpoises and Black Sea common bottlenose dolphins); (c) the offshore waters of southern Crete, Greece (sperm whales); and (d) the waters of the Loëinj-Ères Archipelago, Croatia (Mediterranean common bottlenose dolphins). Conservation measures should involve the establishment of *ad hoc* protected areas encompassing critical habitat for the target species and the adoption of experimental management plans with the involvement of local people and user groups; measures should include intensive monitoring of the cetacean population, targeted research, regulation of impacting human activities, education efforts directed at the local fishing communities and recreational users, and promotion of more compatible, alternative activities (e.g., whale watching) and resource uses.

Activities: desk study, field studies, consultations, awareness and education campaigns, area protection
 Possible synergies: 1, 2, 6, 7, 8, 9
 Duration: ongoing
 Indicative budget: 2002-2004: € 80,000

Action n°	Cons. Plan Art. n°	Budget item n°	Title:
5	3	932	Workshop on methods for the evaluation of habitat degradation and its effect on cetacean populations

Physical and biological habitat degradation represents one of the greatest concerns for the conservation of cetaceans in the Agreement area. However, very little is known in terms of the real mechanisms at work, and how habitat degradation does impact on populations. To address the problem, a workshop is proposed to determine and help develop a framework and methodology to assess the significance for cetaceans of changes in their habitats, and to facilitate the eventual development of a research plan for the evaluation and quantification of cetacean habitat degradation in specific case studies. A scoping meeting for the preparation of such workshop, having the Mediterranean Sea as its focus, was conducted in 2001 under the auspices of the IWC, with funds from Italy and the UK. The workshop would focus on the following three points: (a) review available information on cetaceans and their habitats in the Agreement area and, in particular, studies that allow the comparisons to be made between segments of populations that appear to be responding to different levels of environmental stress; also, review available information on studies of major perturbations of cetacean habitat; (b) review and develop the concept of cetacean critical habitat and the development of quantifiable indices that may be applied to it; and (c) review and develop modelling approaches as part of a framework and methodology to assess the significance of changes in these parameters, with a view to developing a strategy for monitoring critical habitat quality, identifying thresholds which may affect cetaceans, assessing proposals for activities that might affect cetacean habitat, and, thereby, helping the Agreement in its work to conserve cetacean populations.

Activities: Consultations, commissioning of papers, three-day workshop (25 partic.), workshop report
 Duration: 1 year
 Indicative budget: € 50.000

Action n°	Cons. Plan Art. n°	Budget item n°	Title:
6	4	941	Conservation plan for cetaceans in the Black Sea

This project envisages the co-operation between ACCOBAMS and the Black Sea Commission to prepare a proposal to be submitted to the GEF, concerning a comprehensive conservation and management plan for Black Sea cetaceans. The plan should include efforts to fill the existing knowledge gaps concerning the distribution, abundance, population structure, and factors threatening the conservation of the three species involved, as well as management measures such as the establishment of specially protected areas, the development and implementation of regulations to increase sustainability of human activities in the subregion, and the organisation of training, education and awareness initiatives.

Activities: consultations, proposal writing and submission
Possible synergies: 3, 4, 5, 12, 13, 15,
Duration: 1 year
Indicative budget: -

Action n°	Cons. Plan Art. n°	Budget item n°	Title:
7	4	942	Conservation plan for short-beaked common dolphins (<i>Delphinus delphis</i>) in the Mediterranean Sea

Short-beaked common dolphins in the Mediterranean have undergone a dramatic decline in abundance during the last few decades, and have almost completely disappeared from large portions of their former range. Recent line-transect surveys resulted in an estimate of about 15,000 common dolphins in the southwestern Alboran Sea, but abundance was not estimated for the rest of the western Mediterranean due to the low number of sightings. Regions where common dolphins no longer occur include the northern Adriatic Sea, the Balearic Sea, and the Ligurian-Corsican-Provençal basin. Currently, the main threats facing common dolphins in the subregion possibly include accidental killing in fishing gear, reduced availability of prey due to overfishing and habitat degradation, and the effects of toxic contaminants. While epizootics and reproductive disorders appear to have affected striped dolphins primarily, common dolphins may also be at risk because of their similarly high contaminant burdens. As a first step towards the implementation of a conservation plan for the species, a comprehensive assessment of its status and problems in the subregion should be prepared, leading to the identification of critical habitats and to determine distribution and abundance throughout the study area. This project would entail a series of localised surveys, with a priority in the eastern Mediterranean, aimed at the identification of existing remaining concentrations. Standard methods should be used so that results can be compared over time and from one region to another. Biopsies should be collected for genetic and contaminant analyses. Samples should be archived in a central repository, and collaborative studies should be initiated to better understand population structure and identify regional differences in contaminant exposure. For the first phase of the project it is proposed that a steering committee be established with the task of completing the preparation of the project, including the elaboration of organisation, logistic, scientific, technical and financial aspects. It is envisaged that the complete proposal will be presented for approval to MOP2.

Activities: consultations, planning, proposal writing, fundraising
Possible synergies: 3, 4, 5, 6, 8, 9, 11, 15, 17
Duration: 3 years
Indicative budget: € 12,000

Action n°	Cons. Plan Art. n°	Budget item n°	Title:
8	4	943	Conservation plan for common bottlenose dolphins (<i>Tursiops truncatus</i>) in the Mediterranean Sea

In the Mediterranean Sea, common bottlenose dolphins occur in scattered inshore communities of perhaps 50-150 individuals, and the gaps between them appear to be constantly increasing. Conservation threats are roughly similar to those facing short-beaked common dolphins and other small cetaceans of the region, except that common bottlenose dolphins in the Mediterranean Sea may be particularly vulnerable to human activities due to their near-shore occurrence and the fragmented character of their population structure. Incidental kills in trammel and gillnets occur frequently in some areas, probably at unsustainable rates. Overfishing of demersal fish may have affected the prey base for common bottlenose dolphins in some areas. Direct kills resulting from competitive interactions between common bottlenose dolphins and artisanal coastal fisheries are also a source of increasing concern. A series of population assessments across the Mediterranean subregion should be organised, where common bottlenose dolphins are known to occur, combined with larger-scale but less intensive surveys to identify previously unknown «hotspots» of occurrence. A comprehensive map of common bottlenose dolphin presence along the Mediterranean continental shelf should be created, with the identification of concentration zones (where critical habitat is likely to occur) and gaps. Photo-identification data should also be collected during the surveys, to help the creation of a pan-Mediterranean catalogue. Surveys should be designed to obtain data suitable for subsequent assessment of the species distribution and relative sighting frequency over time (e.g., consistent surveys conducted at 3-year intervals). Existing information and data recorded by research groups (either published or unpublished) should be inventoried in a comprehensive database, and made available to the wider community. Collection and analysis of time series data indicative of population trends should be favoured. Finally, efforts should be directed to monitor incidental catches and direct kills, and to investigate the possible role of contaminants and of nutritional stress from reduced availability of suitable prey. For the first phase of the project it is proposed that a steering committee be established with the task of completing the preparation of the plan, including the elaboration of the organisation, logistic, scientific, technical and financial aspects. It is envisaged that the complete proposal will be presented for approval to MOP2.

Activities: consultations, planning, proposal writing, fundraising
Possible synergies: 2, 3, 4, 5, 6, 7, 11, 15, 17
Duration: 3 years
Indicative budget: € 12,000

Action n°	Cons. Plan Art. n°	Budget item n°	Title:
9	4	944	Basin-wide Mediterranean sperm whale (<i>Physeter macrocephalus</i>) survey (first phase)

In the Mediterranean, sperm whales occur primarily in deep offshore waters of the Alboràn, Ligurian-Corsican-Provençal, Tyrrhenian, Ionian, Aegean and Levantine Seas. Differences in vocal repertoire, year-round observations of all age-classes and both sexes in the eastern Mediterranean, and the scarcity of sightings in the Strait of Gibraltar, provide circumstantial evidence of demographic isolation from sperm whales in the North Atlantic. Although no estimates of abundance are available, encounter rates for sperm whales have been unexpectedly low during recent years, in striking contrast with older accounts of localised abundance of this whale species in portions of the Mediterranean. A possible decrease of sperm whales in the region may have been caused by a number of factors: (a) a large number of sperm whales have been found drowned in the high seas driftnet fishery for swordfish, and (b) noise and disturbance from intense traffic, mineral prospecting, military operations, and dynamite fishing has been constantly increasing in the

Mediterranean in recent decades. A comprehensive survey is urgently needed to assess abundance, distribution and presence of critical habitat of sperm whales in the Mediterranean. This project would be implemented most effectively using a combination of visual and acoustic techniques. It is suggested to divide the Mediterranean into a number of cells (possibly 10-15) that could each be covered by one vessel equipped with a towed hydrophone array within a four-week period, and then to conduct simultaneous surveys of these cells from platforms of opportunity (e.g., sailing vessels), in July, when the seas are calmest. While the surveys will be specifically targeted to determine sperm whale abundance, distribution, habitat use, and critical habitat, they will create a unique opportunity for obtaining other useful results, such as the gathering of knowledge on presence, distribution and sighting frequencies of other cetacean species in Mediterranean pelagic and slope areas where observations have never been carried out; the project would also entail the involvement of a conspicuous number of trainees in a major, region-wide research effort. In an initial phase is proposed that a steering committee be established with the task of completing the preparation of the project, including the elaboration of the needed organisational, logistic, scientific, technical and financial aspects. It is envisaged that the complete proposal will be presented for approval to MOP2, and that the surveys be possibly conducted in July 2005.

Activities: consultations, planning, proposal writing, fundraising
 Possible synergies: 4, 7, 8, 10, 11, 12
 Duration: 2 years
 Indicative budget: € 8,000

Action n°	Cons. Plan Art. n°	Budget item n°	Title:
10	4	Not budgeted	Identification of Mediterranean sites of conservation importance for fin whales (<i>Balaenoptera physalus</i>) in addition to the Ligurian-Corsican-Provençal (CLP) basin, and assessment of the functional relationships of such sites to the LCP basin with respect to the species' habitat needs

Fin whales, represented in the Mediterranean by a genetically distinct population thought to reside year-round in the subregion, are found in greatest concentrations in the Ligurian-Corsican-Provençal (CLP) basin; here an international cetacean sanctuary was recently established by France, Italy and Monaco, and a SPAMI declared by the Contracting Parties of the Barcelona Convention. In the LCP basin fin whales gather during summer to feed, and a portion of the population is known to remain there throughout winter. However, fin whales are wide-ranging migratory mammals, and it is not known where they move to when they depart from the LCP basin. Data on fin whale distribution and habitat use in the Mediterranean, outside of the LCP basin and throughout the year, are incomplete; lack of knowledge on the location(s) of habitat critical for the species' breeding and nursing is particularly disturbing. Aim of this project is to help elucidate details of habitat use and movement patterns of fin whales in the Mediterranean outside of the LCP basin, to help enhancing the species' conservation status. Data on fin whale presence and relative abundance during summer throughout the subregion will be gathered through visual sightings as a by-product of Action 9 (basin-wide sperm whale survey). In addition, long-term tracking with satellite tags should be performed on an adequate sample of individuals, to detect seasonal movement patterns and identify possible autumn and winter destination areas. Although no budget was proposed on this account for the 2002-2004 period, this action was included in the list in consideration of the uncertain conservation status of this whale species, and to highlight the potential for synergies between ACCOBAMS and other concerned organisations in the common effort to conserve Mediterranean fin whales.

Activities: consultations, field study involving satellite tagging
 Possible synergies: 9
 Duration: 4 years

Action n°	Cons. Plan Art. n°	Budget item n°	Title:
11	4	Not budgeted	Development of photo-identification databases and programmes encompassing the entire ACCOBAMS Area

Studying free-ranging cetacean populations using photo-identification techniques has become a common, powerful research practice during the past decade in many areas of the world, including portions of the Agreement area. Such studies have proven, among other things, to hold considerable conservation value. Recently, a three-year programme, «Europhlukes», was funded by the European Commission with the goals of developing an European cetacean photo-id system as a support tool for marine research and conservation, to initiate a European network which will link providers with end-users of the European cetacean photo-id system, and to ensure future growth and maintenance of the system and its databases. Although a budget for this action could not be secured for the 2002-2004 period, it is highly recommended that an operational link be established between ACCOBAMS and the «Europhlukes» project management, to explore possibilities for future co-operative effort, for the extension of the programme to non-European partners within the Agreement Range States, and to help ensuring the indefinite continuation of this worthy initiative after the European project is terminated.

Activities: consultations, meetings
Possible synergies: 4, 6, 7, 8, 9, 10, 12, 13
Duration: ongoing

Action n°	Cons. Plan Art. n°	Budget item n°	Title:
12	5	951	Establishment and implementation of a long-term training programme on cetacean research, monitoring and conservation/management techniques and procedures

Cetacean research and monitoring techniques have made considerable progress in recent decades, and provide significant support to the conservation and management effort. While such techniques are currently consistently applied, and even developed, in portions of the Agreement area, they are largely ignored elsewhere. Diffusing research and monitoring abilities throughout the region thus seems like a timely challenge and one of the highest priorities as far as cetacean conservation is concerned. The problem to be addressed is twofold: (a) transmitting knowledge through appropriate, effective and long-lasting training procedures, and (b) ensuring that such hard-gained knowledge is put to good, long-term use once the trainees endeavour to apply it at home. Accordingly, this activity will firstly consist in the organisation of field-based training courses in areas providing ideal research facilities and opportunities, to teach standard research techniques and provide selected participants with a hands-on experience. Secondly, follow-up support to the selected trainees in their countries, to assist with the development and implementation of research and conservation projects, will have to be provided through a co-operative effort between the Agreement Secretariat, or the appropriate Co-ordinating Unit, and the concerned Contracting Party.

Activities: contracts to teaching and training organisations, travel, participation in national and international research programmes
Possible synergies: 4, 6, 7, 8, 9,
Duration: ongoing
Indicative budget: 2002-2004: € 60,000

Action n°	Cons. Plan Art. n°	Budget item n°	Title:
13	5	952	Development of an educational tool for the organisation of research projects and basic technical studies

Several countries have indicated their need for guidance and training in research and monitoring techniques and procedures. The budget covers the production and distribution of a «pedagogic kit» based on a prototype, the basic elements of which have been identified by the Interim Secretariat. Items contained in the kit should include a basic scientific background on cetaceans, a description and identification guide of the species living in the Agreement area, protocols for the approach and observation of cetaceans at sea, sampling protocols and basic instructions for intervention in the case of strandings, a selection of legal documentation, a list of MPAs, training and education opportunities, and a list of useful addresses.

Activities: kit preparation and distribution
Possible synergies: 12, 14
Duration: 2 years
Indicative budget: € 42,000

Action n°	Cons. Plan Art. n°	Budget item n°	Title:
14	5	961	Creation of sub-regional directories of national authorities, research and rescue centres, scientists, governmental and non-governmental organisations concerned with the Agreement's objectives

Since a Mediterranean directory was already prepared through a co-operation between the RAC/SPA, the Tethys Research Institute and the Interim Secretariat, only the costs of updating the existing directory, extending it to the Black Sea and contiguous Atlantic area publishing it are covered here.

Activities: desk study, correspondence, directory preparation and diffusion
Duration: 1 year (2003)
Indicative budget: € 2,000

Action n°	Cons. Plan Art. n°	Budget item n°	Title:
15	5	962	Support to the implementation of national stranding networks, and their co-ordination into a wider regional network

Cetacean strandings create an important opportunity for the gathering of much needed knowledge on natural and human-induced mortality of cetacean populations, and provide an available source for precious additional information, among other things, on the biology, pathology, toxicology and population genetics of the concerned species. Stranding networks exist in the Agreement area, each of them having various degrees of the extent of their spatial and temporal coverage, efficiency, and institutional involvement. Goals of this action are to: (a) improve the efficiency, when needed, of national stranding networks, (b) help extending the appropriate know-how to countries where strandings are currently not monitored, and (c) create the basis for the establishment of a wider network at the regional level. As a first step, a coordination mechanism should be established, consisting of a centralised cetacean stranding database managed for the Agreement Secretariat, to promote the exchange of information on cetacean strandings among the Agreement Range States. A number of additional steps are proposed: (a) the promotion of an ACCOBAMS-RAC/SPA agreement, to take the best advantage of the Mediterranean Database of Cetacean Strandings (MEDACES;

(b) its widening, through the Agreement secretariat, to include the Black sea data; (c) the organisation of specialised training; (d) the establishment of an appropriate interface with a regional system of tissue banks; (d) the creation of a website; and (f) the publication and diffusion of a comprehensive stranding protocol and of an ethical code.

Activities: database, website, consultations, training, desk study
 Possible synergies: 3, 5, 6, 7, 8, 12, 13, 14, 17, 18
 Duration: ongoing
 Indicative budget: 2002-2004: € 12,000
 2004-2006: € 28,000

Action n°	Cons. Plan Art. n°	Budget item n°	Title:
16	5	964	Development of a network of specialised bibliographic collections and databases

One of the greatest hindrances to the region-wide development of a cetacean science tradition - a fundamental prerequisite to conservation and, ultimately, to the fulfilment of the purposes of the Agreement - is the diffused current unavailability of up-to-date specialised literature in most Range States' scientific and academic environment. This action proposes the establishment of a working group, which should include specialised librarian expertise, to examine the current availability of pertinent bibliographic material across the Agreement area, to strengthen existing facilities, and to identify locations where additional specialised libraries should be established. Support should be provided to existing libraries containing significant cetological bibliographic collections, to ensure continued updating and expansion, to facilitate access to information to the local scientific community, and to provide a framework for capacity building that will encourage documented cetacean research in the Agreement area. Modern document transfer and exchange technology should be adopted and promoted, and library databases should be managed within the context of a network that facilitates cross-library research and exchange of materials.

Activities: consultations, desk study, bibliographic database, website
 Possible synergies: 3, 11, 12, 13, 14, 15, 17
 Duration: ongoing
 Indicative budget: 2002-2004: € 114,000

Action n°	Cons. Plan Art. n°	Budget item n°	Title:
17	5	965	Establishment of a system of tissue banks

Central repositories of cetacean tissues, mostly deriving from strandings, bycaught animals and biopsies (also known as «tissue banks») have the potential of greatly enhancing the current capabilities of the scientific community of understanding pathological and toxicological mechanisms leading to the development of critical conservation events at the regional level. At the present moment, two tissue banks are being established in the Mediterranean subregion, one in Spain (University of Barcelona), with a focus on pollutants, and one in Italy (University of Padova), with a focus on pathology. Goal of this action is to assist in the co-ordination between existing initiatives, and promote the enlargement of the geographical scope of the bank system to the entire Agreement area, Black Sea included.

Activities: consultations
 Possible synergies: 3, 5, 6, 7, 8, 14, 15

Duration: ongoing
 Indicative budget: € 4,000

Action n°	Cons. Plan Art. n°	Budget item n°	Title:
18	6	971	Establishment of a Task Force for special mortality events

In recent years the Agreement area has been the scene of major cetacean mortality events, involving mass strandings over wide geographical areas, which have evoked great concern and have attracted considerable attention from the scientific community. To face possible new mortality outbreaks, as well as major accidental events affecting cetacean populations or their critical habitats, the establishment of a Task Force for marine mammal mortality and special events, formed by international experts, is highly recommended. When necessary, and if requested by the Secretariat, the Task Force will convene and arrange for a small team of experts to assess the situation on the ground and advise national groups. The development of intervention protocols and of code of conducts to be followed in case of emergency situations should also be included within the tasks of such group.

Activities: consultations, task force, meetings, desk study, travel
 Possible synergies: 12, 13, 14, 15
 Duration: ongoing
 Indicative budget: € 12,000

RESOLUTION 1.10

COOPERATION BETWEEN NATIONAL NETWORKS OF CETACEAN STRANDINGS AND THE CREATION OF A DATA BASE

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

Recalling that Article II, paragraph 3.e), of the Agreement, invites the Parties “to reinforce capacity building, the collection and dissemination of information, formation and education”;

Recalling in addition that the Conservation Plan binds the Parties to :

- develop “systematic research programmes on dead, stranded, wounded or sick animals, to determine the main interactions with human activities and to identify present and potential threats” (paragraph 4.d);
- “develop the systems for collecting data on observations, by-catches, strandings, epizootics and other phenomena related to cetaceans “ ; (paragraph 5.a)
- “establish, as appropriate, a sub regional or regional data bank for the storage of information collected” (paragraph 5.e).

Recalling also that the Conservation Plan states that “such actions shall be conducted in concert at the sub regional and Agreement level, supported by the Agreement Secretariat, the Co-ordination Units and the Scientific Committee and carried out in collaboration with competent international institutions or organisations.”

Recalling that Resolution 1.9 considers in the Action 15 of the Annex 1 the support to the Implementation of National Strandings Networks and the coordination into wider Regional Network, with specific mention to the Black Sea.

Aware that, within the Agreement area, there are already several networks, follow-up systems, and collections of data from stranded animals, as well as a Mediterranean co-ordination initiative directed by the CAR/ASP and known as the MEDACES;

1. *Takes into account* the Secretariat’s report, based on the questionnaire distributed by the interim Secretariat at the end of 2000, presenting the state of national structures on the follow-up procedure for stranded animals and a co-ordination project for these networks.
2. *Recommends* each Party individually :
 - to implement, if not already done, or to complete at a national level, networks or information structures for intervening and collecting data on strandings;
 - to reinforce the co-ordination so that the data collected can be effectively used;
 - to increase as needed the participation of the NGO and scientific community in such actions;
 - to support the introduction in cetacean training courses, of appropriate methods of field-work .
3. *Recommends* the co-ordination of national networks and the creation of a data base covering the Agreement zone;
4. *Welcomes with pleasure* the Spanish offer, in collaboration with the University of Valencia, to increase coverage of the data base MEDACES, which should be develop in the interest and help of all the Riparian States, to the whole of the Mediterranean sub-region/Atlantic zone of the Agreement.
5. *Entrusts* the administration of this, as far as the Mediterranean sub-region/adjacent Atlantic zone is concerned, to the CAR/ASP as a Sub-regional Co-ordination Unit;

6. *Urges* the Secretariat to find the means to establish and manage the equivalent data base for the Black Sea and to connect it, as far as possible, with that of Mediterranean/Atlantic area of the Agreement;
7. *Invites* the other riparian countries of the zone to participate in these actions;
8. *Invites* Parties who are also Parties to the CITES to register competent laboratories with the CITES Secretariat, in application of the CITES Resolution Conf.11/15, which allows for free exchange of specimens between their scientists (MOP 1/Inf.11);
9. *Asks* the Scientific Committee, on the occasion of its first Meeting, to approve a general protocol on measures to be taken when confronted with stranded animals and also to approve a code of deontology assuring the quality and use of the data base and defining practical methods for setting up the network;
10. *Asks*, in addition, the Scientific Committee to report on the progress of the project;
11. *Offers* the possibility for organizations and institutions participating in these projects, to use the ACCOBAMS Partner's Logo, for work relating to these questions, following approbation from the Executive Secretary.

RESOLUTION 1.11

GUIDELINES FOR COMMERCIAL CETACEAN -WATCHING ACTIVITIES IN THE ACCOBAMS AREA

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

Considering

- that cetacean-watching activities for commercial purposes are increasingly being developed in the ACCOBAMS area and require to be regulated;
- that commercial cetacean-watching activities, where properly conducted, do contribute to the building of education and awareness on cetaceans and their habitat;

Noting

- that the International Whaling Commission, at its 48th annual meeting (1996), adopted the Scientific Committee's recommendations on the general principles for the management of whale-watching (IWC Resolution 1996-2);
- that the Workshop on the Legal Aspects of Whale Watching, held in Punta Arenas, Chile, in 1997 and sponsored by IFAW (International Fund for Animal Welfare), drafted the Options for the Development of Legislation or Guidelines Related to Whale Watching;
- the code of conduct for cetacean watching drafted under the Agreement between France, Italy and Monaco on the Mediterranean Sanctuary for Marine Mammals;
- that legislation or guidelines applying to cetacean-watching activities have been adopted by a number of countries;

Acknowledging

- that under Article II.1, of ACCOBAMS the Parties shall prohibit and take all necessary measures to eliminate any deliberate taking of cetaceans, including harassing or attempting to engage in any such conduct;
- that under Chapter 2 of Annex 2 to ACCOBAMS, when necessary, the Parties shall develop guidelines and/or codes of conduct to regulate or manage activities which create interactions between humans and cetaceans, such as touristic activities;
- that under Chapter 1.c) of Annex 2 to ACCOBAMS the Parties shall require impact assessments to be carried out in order to provide a basis for either allowing or prohibiting the continuation or the future development of activities that may affect cetaceans or their habitat in the ACCOBAMS area, including tourism and cetacean-watching, as well as establishing the conditions under which such activities may be conducted;
- that under Article III.8.c) of ACCOBAMS, the Meeting of the Parties makes recommendations to the Parties as it deems necessary or appropriate and adopts specific actions to improve the effectiveness of ACCOBAMS;

Aware that it is desirable that other guidelines be developed in the near future to specifically address cetacean watching activities for research or non-commercial recreational purposes;

1. *Recommends* the Contracting Parties to take into consideration the Guidelines annexed below when drafting or updating their domestic legislation on cetacean watching;
2. *Asks* the Scientific Committee to develop these Guidelines on the basis of the evolution of scientific knowledge

ANNEX 1

GUIDELINES FOR COMMERCIAL CETACEAN-WATCHING ACTIVITIES IN THE ACCOBAMS AREA

Point 1

Scope of the Guidelines

These Guidelines address cetacean-watching activities carried out for commercial purposes and subject to the jurisdiction of the Parties to ACCOBAMS.

Point 2

Impact assessment

1. Before allowing cetacean-watching activities, the Parties shall require an assessment on their impact on the favourable conservation status for cetaceans.
2. The impact assessment shall be based on the best available scientific information.
3. No cetacean-watching activity are authorized if there are threats of significant adverse impact on the behavioural patterns or physiological well-being of cetaceans, having regard to the number and effect of existing cetacean-watching operations.
4. Based on the results of the impact assessment, the Parties should establish special conditions to carry out cetacean-watching activities.
5. The impact assessment shall be repeated at periodic intervals.
6. The impact assessment shall be carried out under the special procedure established by the Parties.

Point 3

Permit

1. Any commercial cetacean-watching activity should be carried out under a permit granted by the competent authority.
2. Every applicant for a permit for a vessel or aircraft cetacean-watching operations should submit to the competent authority an application in writing setting out:
 - a) the type, number and speed of vessels or aircraft intended for use and the maximum number of vessels or aircraft the operator proposes to operate at any time;
 - b) information relating to the noise level of each vessel or aircraft both above and below the sea;
 - c) the area of operation;
 - d) the base of operation;
 - e) the duration and frequency of trips;
 - f) the species of cetaceans with which the operation will have contact and the kind of contact;
 - g) the method of location of cetaceans;
 - h) the maximum number of passengers to be taken on board;
 - i) the persons in command of the vessel or aircraft;
 - j) the educational materials provided to the passengers;
 - k) the altitude of the aircraft.

3. No permit should be granted if the competent national authority is not satisfied that:
- a) the operator and the staff who come into contact with cetaceans have sufficient experience with cetaceans;
 - b) the operator and the staff have sufficient knowledge of the local area and of sea and weather conditions;
 - c) the operator and the staff who come into contact with cetaceans have no convictions for offences involving the mistreatment of animals;
 - d) the operation proposed has sufficient educational value to the public.
4. The competent national authority may at any time suspend or revoke a permit, or restrict the operation authorized by a permit, where:
- a) the holder contravenes or fails to comply with any statutory requirement relating to cetacean-watching or any condition specified in the permit;
 - b) to suspend, revoke or amend a permit is necessary, on reasonable grounds, for maintaining the favourable conservation status for cetaceans.

Point 4

Behaviour around cetaceans

The following conditions should apply where cetacean-watching activities are being carried out:

- a) vessels and aircraft should be operated so as not to disrupt the normal movement or behaviour of cetaceans;
- b) contact with cetaceans should be abandoned at any stage if they show signs of becoming disturbed or alarmed;
- c) no cetacean should be separated from a group;
- d) no rubbish or food should be thrown near or around the cetaceans;
- e) no sudden or repeated change in the speed or direction of vessels or aircraft should be made except in the case of an emergency;
- f) where a vessel stops to enable the passengers to watch a cetacean, the engines should be placed in neutral;
- g) no aircraft should be flown below 150 metres above sea level;
- h) no vessel should approach within 50 metres of a cetacean;
- i) no vessel should cut off the path of a cetacean
- j) no cetacean should be prevented from leaving the vicinity of the vessel;
- k) a vessel less than 300 metres from cetaceans should move at a constant speed no faster than the slowest cetacean in the vicinity;
- l) a vessel departing from the vicinity of cetaceans should proceed slowly until the vessel is at least 300 metres from the nearest cetacean;
- m) aircraft should be operated in such a manner that, without compromising safety, the aircraft's shadow is not imposed directly on cetaceans;
- n) only one vessel or aircraft at any one time should be allowed to stay in the watching area;
- o) the presence in the watching area should be limited to around 15 minutes for vessels or 2 minutes for aircraft, especially if other vessels or aircraft are waiting for their turn;
- p) no vessel should approach within 100 metres of any cetacean that is accompanied by a calf;
- q) vessels should approach a cetacean only diagonally from the rear side;
- r) activities such as swimming with cetaceans should be specifically authorised and regulated;
- s) cetaceans should not be in any other way disturbed or harassed.

Point 5

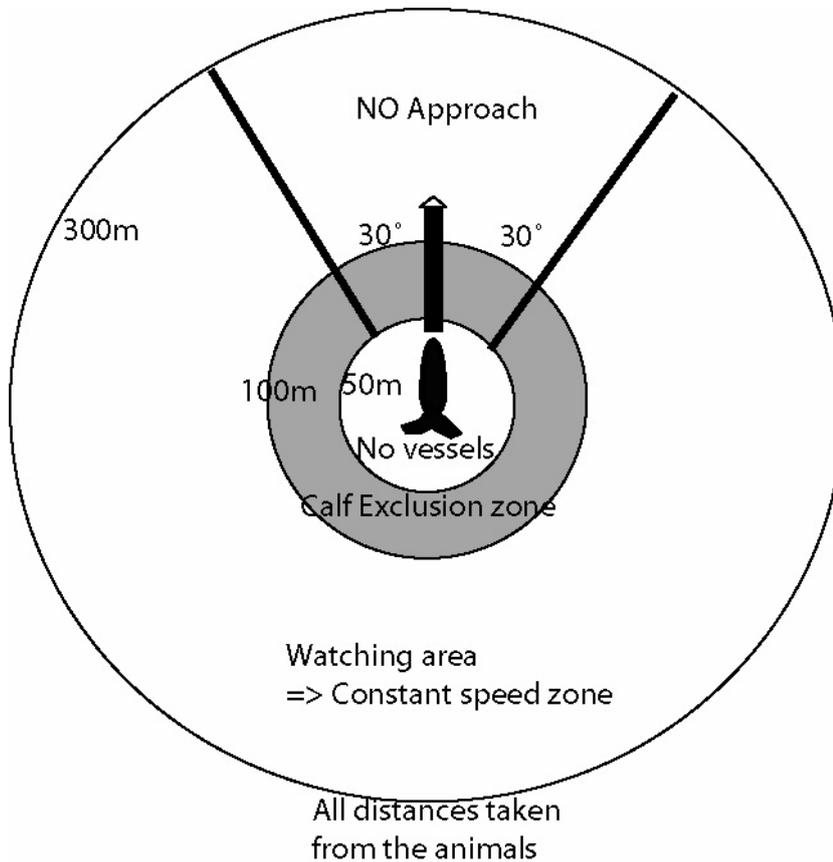
Training and special quality mark

1. The Parties should organise training courses for operators and staff and grant them a certificate
2. The Parties should allow the use of a special quality mark to the operators who have behaved in conformity with the applicable regulations or guidelines, have obtained a training certificate and have a qualified guide on board.

Point 6

Sanctions and remedies

1. The Parties should impose sanctions of sufficient gravity to deter violations of the present Guidelines, including the suspension or revocation of permits.
2. Those who are responsible of violations should be required to compensate the damage in the form of restitution or mitigation.



RESOLUTION 1.12

CONSERVATION OF THE BLACK SEA *Tursiops truncatus* : BOTTLENOSE DOLPHIN

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

Recalling Article II.1 of the Agreement on the Conservation of Cetaceans of the Black Sea, Mediterranean Sea and contiguous Atlantic area, stating that Parties shall prohibit and take all necessary measures to eliminate, where this is not already done, any deliberate taking of cetaceans.

Taking note of the report of the status of the Black Sea *Tursiops truncatus* (MOP1/inf 8) and the figures concerning its international trade;

Concerned that *Tursiops truncatus* is severely threatened in the Black Sea due to multiple anthropogenic pressures;

Aware of the obligations towards this species under the Convention on the Conservation of European Wildlife and Natural Habitats (Bern Convention), the Convention on the Conservation of Migratory Species of Wild Animals (Bonn Convention) and the Barcelona Convention Protocol relating to Specially Protected Areas and Biological diversity in the Mediterranean;

Recognizing that domestic and international commercial trade in Black Sea *Tursiops truncatus* may increase the stress on its population;

Recognizing also that the trade pressure could impede the conservation measure taken by the range States in respect of this population;

Recalling that the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES) is the competent body to regulate international trade in endangered species, but that its efficacy is reliant upon efficient control tools and enforcement of its provisions in exporting and importing states, and;

Recalling further that CITES Article XV 2.b) provides that, in order to determine the appropriate level of protection for marine species in international trade, CITES shall consult inter-governmental Bodies having a function in relation to those species especially with a view to obtaining scientific data these bodies may be able to provide and to ensuring co-ordination with any conservation measures enforced by such bodies;

Having in mind the CITES Decisions 11.91 and 11.139¹ on the Black Sea *Tursiops truncatus* calling for a co-ordination of measures with relevant international Organization and specifically ACCOBAMS;

Acknowledging that the genetic identification of this population is not yet well established and that this increases the difficulties of implementing trade control measures, but;

Aware that Article II. 4 of the ACCOBAMS Agreement appeals for the application of the precautionary principle in implementing such measures;

Having also in mind the Bern Convention recommendation n°86 (2001)²;

¹ : see MOP1/Inf.10 : CITES Decisions 11.91 and 11.139.

² : see MOP1/Inf.10 : Bern Convention Recommendation n°86 (2001)

1. *Invite* the Parties to make every effort to strictly enforce the prohibition of deliberate taking and keeping of Black Sea *Tursiops truncatus*;
2. *Invite* also the Parties to ban importation, exportation and re-exportation of *Tursiops truncatus* from the ACCOBAMS area Range States and particularly Black Sea riparian countries;
3. *Advises* Parties who are also Parties to the CITES to notify this prohibition to the Secretariat and to the others Parties to the CITES³.
4. *Calls* upon other countries and especially other range states of *Tursiops truncatus* to implement the same measures;
5. *Supports*
 - The CITES Secretariat, and Parties to CITES that have not yet done so, to ensure the full implementation of CITES Decision 11.139;
 - The CITES Animals Committee, and Parties to CITES that have not yet done so, to ensure the full implementation of Decision 11.91;
6. *Calls* upon the CITES Parties to provide better protection to this population by inter alia upgrading it to appendix I;
7. *Requests* the Scientific Committee :
 - to advise on further research to be carried out on this topic;
 - to consider to the status review of *Tursiops truncatus* by the International Whaling Commission's Small Cetaceans Sub Committee of the Scientific Committee in 2002
8. *Urges* the Sub Committee to consider the status of *Tursiops truncatus ponticus* at this time, rather than in 2003;

³ : see MOP1/Inf.10 : example of Argentina (Notification to Parties 2001/029)

RÉSOLUTION 1.13

AWARDING OF THE STATUS "ACCOBAMS' PARTNER"

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

Considering that a number of Organisations and Institutions technically qualified in Cetacean Conservation play a significant role in the relevant activities of the Agreement;

Recognising fully the active collaboration with the Interim Secretariat and the important role played by American Society of International Law - Wildlife Interest Group European Cetacean Society (ECS), Istituto Centrale per la Ricerca Applicata al Mare (ICRAM), National Institute for marine research and development "Grigore Antipa", Oceanographic Museum of Monaco, Pelagos Cetacean Research Institute, Swiss Cetacean Society (SCS), Tethys Research Institute, University of Valencia, Whale and Dolphin Conservation Society (WDCS), BREMA Laboratory.

Aware that the status of "ACCOBAMS' Partner" emerges as a consequence of the historical relationship between the above-mentioned Organisations with the interim Secretariat, facilitating cooperation in assessment and management activities of Man-Cetaceans interactions but also in activities of capacity building, collection and dissemination of information, training and education.

Further aware that other Organisations and Institutions, have the potential to contribute to the mission of the Agreement,

Decide:

1. to adopt the attached rules (annex 1) for conferring the status of "ACCOBAMS' Partner" ;
2. to formally confirm this status for the following organisations : American Society of International Law - Wildlife Interest Group, European Cetacean Society (ECS), Istituto Centrale per la Ricerca Applicata al Mare (ICRAM), National Institute for marine research and development "Grigore Antipa", Oceanographic Museum of Monaco, Pelagos Cetacean Research Institute, Swiss Cetacean Society (SCS), Tethys Research Institute, University of Valencia, Whale and Dolphin Conservation Society (WDCS), BREMA Laboratory.
3. that Organisations and Institutions interested in formal recognition as Partners to the ACCOBAMS should present an application to the Permanent Secretariat of the Agreement for its inclusion in the agenda of the next meeting of the Bureau for decision;
4. that this status will facilitate their involvement in the implementation of the international priorities adopted by the Contracting Parties and financed by the budget of the Agreement or by the supplementary conservation fund, and receive scientific committee information in priority;
5. to urge the Agreement Secretariat to provide the Organisations and Institutions which are "partners" a logo with the label "ACCOBAMS' Partner", which they will be authorised to use for all relevant activities of the Agreement;
6. that the status "ACCOBAMS' Partner vis-à-vis the Agreement may be reviewed by the Meeting of the Contracting Parties on the basis of a report submitted by the Bureau.

ANNEX 1

RULES FOR CONFERRING THE STATUS OF "ACCOBAMS' PARTNER"

1. Organisations and Institutions technically qualified in the conservation of cetaceans formally recognised as Partners of the ACCOBAMS by the Meeting of the Contracting Parties will be expected to contribute on a regular basis and to the best of their ability to the further development of policies, technical and scientific tools of the Agreement and to their application;
2. Partners shall be invited to participate in an observer capacity and as advisors in all activities of the Agreement, except when otherwise provided by the Meeting of the Parties;
3. Partners may also be invited, if required, to contribute to the evaluation of project proposals, project implementation, and the evaluation of project results, as well as to participate in the development of policy and technical and/or scientific instruments for the application of the Agreement;
4. Thus, the status of Partner shall be conferred to Organisations and Institutions taking into account the following characteristics:
 - 4.1. Having a statement of purpose that explicitly, or by clear implication, includes conservation of Cetaceans and of their habitat, or Man-Cetacean interactions, or other activities relevant to the Agreement;
 - 4.2. Having a track record of experience in providing support to and/or implementing on-the-ground projects of research, collection and analyses of information, or other educative and training activities that contribute to Cetacean Conservation, or for having realised these projects;
 - 4.3. Having demonstrated experience in implementing partnership ventures such as training and education, technical and/or scientific expertise, policy development, and/or evaluation and assessment, particularly when such ventures would bring new and additional benefits to the functioning of the ACCOBAMS partnership;
 - 4.4. Having a positive reputation for being willing and able to cooperate with National and International Bodies, including both Governmental and Non-Governmental ones;
 - 4.5. Having stated their readiness to actively contribute on a regular basis to further development of policies and tools of the Agreement and their application, particularly by assisting Contracting Parties to meet their obligations under the Agreement;
 - 4.6. Being prepared to exchange letters with the Secretariat, within which the partnership agreement should be clearly defined.

RESOLUTION 1.14

ADOPTING A LOGO FOR THE AGREEMENT, AND CONDITIONS FOR ITS USE

The Meeting of the Parties to the Agreement on the Conservation of the Cetaceans of the Black Sea, Mediterranean Sea and Contiguous Atlantic Area,

Considering that any direct visual identification of the Agreement could only be beneficial for mediation and to promote public awareness of the Agreement;

Hoping that the Agreement Partners could also identify their activities and proposals under this identification;

1. *Adopt* the logo of the Agreement shown below and the plan for its diffusion to all “ACCOBAMS Partners”;
2. *Instruct* the Secretariat to use the logo to identify actions and proposals concerning the Agreement, the Scientific Committee, the Sub Regional Coordination Units, combined when possible with their own logo, as well as for any activity occurring under ACCOBAMS sponsorship.
3. *Instruct* international Organizations and ACCOBAMS Partners Institutions to use this logo, designed for their intention, for all activities concerning the Agreement’s objectives.
4. *Instruct* the Secretariat to inform on the use of the logo at each ordinary Meeting of the Parties.

ACCOBAMS Logo



"ACCOBAMS' Partner" Logo



RESOLUTION 1.15

DATE, VENUE AND FUNDING OF THE SECOND SESSION OF THE MEETING OF THE PARTIES TO THE AGREEMENT ON THE CONSERVATION OF OF THE CETACEANS OF THE BLACK SEA, MEDITERRANEAN SEA AND CONTIGUOUS ATLANTIC AREA

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

Recalling Article III, paragraph 2, of the Agreement, which states that the Agreement Secretariat shall convene, in consultation with the Convention Secretariat, ordinary sessions of the Meeting of the Parties at intervals of not more than three years, unless the Meeting of the Parties decides otherwise,

Noting that the first session of the Meeting of the Parties was hosted by the Principality of Monaco, from the 28th February to 2nd March 2002,

Appreciating the benefits that may accrue to the Agreement and to Parties, particularly developing Countries or those with economies in transition, that host sessions of the Meeting of the Parties in different regions in the Agreement area,

1. *Decides* that the second session of the Meeting of the Parties shall take place end of 2004;
2. *Welcomes* and accepts with great appreciation the offer from Spain to host the second session of the Meeting of the Parties to the Agreement on the Conservation of the Cetaceans of the Black Sea, Mediterranean Sea and contiguous Atlantic area.

RESOLUTION 1.16

TRIBUTE TO ORGANISERS

The Meeting of the Parties to the Agreement on the Conservation of Cetaceans of the Black Sea, the Mediterranean Sea and the Contiguous Atlantic Area,

Aware of the significant efforts, necessary for preparing and organizing the present session of the Meeting of the Parties, made by the Government of the Principality of Monaco in collaboration with the Secretariat of the Convention on the Conservation of Migratory Species of Wild Animals,

Expresses its gratitude to the Government of the Principality of Monaco for having made available all the means necessary for holding this Meeting and having facilitated the participation of a maximum number of States of the area covered by the Agreement,

Congratulates the Interim Secretariat on the excellence of the preparation for this present session of the Meeting of the Parties to the Agreement,

Expresses its gratitude to the Secretariat of the mother Convention and of its Agreements for their cooperation and support in organizing this session,

Also thanks the Commission Internationale pour l'Exploration Scientifique de la Méditerranée (CIESM) for its great help and its experts for their major contribution.

ANNEX II

**RULES OF PROCEDURE FOR THE MEETINGS OF THE CONTRACTING PARTIES TO
THE AGREEMENT ON THE CONSERVATION ON CETACEANS OF THE BLACK SEA,
MEDITERRANEAN SEA AND CONTIGUOUS ATLANTIC AREA**

Adopted by the Meeting of the Parties on February the 28th 2002

PURPOSE

Article 1

1. These rules of procedure shall apply to any Session of the Meeting of the Contracting Parties to the Agreement on the Conservation on Cetaceans of the Black sea, Mediterranean sea and contiguous Atlantic area, convened in accordance with article III of the Agreement.
2. Insofar as they are applicable, these rules shall apply *mutatis mutandis* to any other meeting held in the framework of the Agreement on the Conservation on Cetaceans of the Black sea, Mediterranean sea and contiguous Atlantic area.

DATE AND PLACE OF MEETINGS

Article 2

1. Ordinary sessions of the Meeting of the Parties shall be held at intervals of not more than three years.
2. The Meeting of the Parties shall take place in the country chosen by the previous Meeting of the Parties on the basis of a formal invitation that should have been issued to this effect by the responsible authority of that country. If more than one Party issues an invitation to host the next session of the Meeting of the Parties, and two or more invitations are maintained after informal consultations, the Meeting of the Parties shall decide on the venue of the next session by secret ballot.
3. If no invitation has been received, the Meeting of the Parties shall be held in the country where the Secretariat has its seat, unless other appropriate arrangements are made by the Secretariat of the Agreement or the Secretariat of the Convention.
4. Extraordinary sessions of the Meetings of the Parties shall be convened by the Agreement Secretariat on the written request of at least two thirds of the Parties.

DELEGATES, CREDENTIALS, OBSERVERS

Article 3

Representatives

1. A Party to the Agreement (hereafter referred to as a "Party"¹) shall be entitled to be represented at the meeting by a delegation consisting of a Head of Delegation and such Alternative Representatives and Advisers as the Party may deem necessary.

¹ See Articles I, paragraph 3.i), and XIV of the Agreement. A Party is a State which has deposited with the Government of the Principality of Monaco its instrument of ratification, acceptance, approval or accession in due time before the Meeting.

2. Without prejudice to the provisions of Article 14, paragraph 2, the Representative of a Party shall exercise the voting rights of that Party. In his absence, an Alternative Representative of that Party shall act in his place.
3. Logistic and other limitations may require that no more than four delegates of any Party be present at a plenary session. The Secretariat shall notify Parties, observers and other participants of any such limitations in advance of the meeting.

Article 4 Credentials

1. The Representative or any Alternative Representative of a Party shall, before exercising the voting rights of the Party, have been granted powers by, or on behalf of, a proper authority, such as the Head of State, the Head of Government or the Minister of Foreign Affairs or the head of an executive body of any regional economic Organization, enabling them to represent the Party at the meeting and to vote.
2. Such credentials shall be submitted to the Secretariat of the Agreement at the beginning of the meeting.
3. A Credentials Committee of not more than five representatives shall examine the credentials and shall report thereon to the meeting. Pending a decision on their credentials, delegates may participate provisionally in the meeting.
4. If credentials are submitted in a language other than one of the working languages of the meeting (French and English), they shall be accompanied by a suitable translation into one of these two languages to permit their efficient validations by the Credentials Committee.

Article 5 Observers²

1. The United Nations, its Specialized Agencies, the International Atomic Energy Agency and any State not a Party to the Agreement may be represented at the meeting by observers
2. Any Body or Agency technically concerned *inter alia* with the conservation of cetaceans and fisheries management, which is either :
 - a) an international Agency or Body; or
 - b) an international non-governmental Agency or body, or a national governmental Agency or body; or
 - c) a national non-governmental Agency or Body which has been approved for this purpose by the State in which it is located;and which has informed the Secretariat of the Agreement of its desire to be represented at the meeting by observers, shall be permitted to be represented unless, for those referred to in paragraph 2b and 2c, at least one-third of the Parties present object.
3. Bodies and Agencies desiring to be represented at the meeting by observers shall submit the name of their representatives and in the case of Bodies and Agencies, referred to in paragraph 2b and 2c, of this Article, evidence of the approval of the State in which they are located, to the Secretariat of the Agreement prior to the opening of the meeting.

² See Agreement, Article III, paragraph 4-

4. Logistic and other limitations may require that no more than two observers from any non-Party State, Body or Agency be present at the meeting. The Secretariat shall notify Parties, observers and other participants of any such limitations in advance of the meeting.

AGENDA

Article 6

1. The Secretariat shall prepare the provisional agenda of each meeting, in consultation with the Convention Secretariat and the Sub Regional Coordination Units.
2. The provisional agenda of each ordinary session of the Meeting of the Parties shall include, as appropriate:
 - a) Items arising from the articles or the Annexes of the Agreement;
 - b) Items, the inclusion of which has been decided at a previous meeting or which emanate from decisions taken at a previous meeting;
 - c) Items referred to in paragraph 6 of the present article;
 - d) Any item proposed by a Party, the Scientific Committee or the Secretariat.
3. The Secretariat shall, in consultation with the Bureau, include any item that has been proposed by a Party and has been received by the Secretariat after the provisional agenda has been produced, but before the opening of the meeting, in a supplementary provisional agenda.
4. The Meeting of the Parties shall examine the provisional agenda together with any supplementary provisional agenda. When adopting the agenda, it may add, delete, defer, or amend items. Only items, which are considered by the Meeting of the Parties to be urgent and important, may be added to the agenda.
5. The provisional Agenda for an extraordinary session of the Meeting of the Parties shall consist only of those items proposed for consideration in the request for this session. The provisional agenda and any necessary supporting documents shall be distributed to the Parties at the same time as the invitation to the extraordinary session.
6. Any item of the agenda of an ordinary session of the Meeting of the Parties, consideration of which has not been completed at the session, shall be included automatically in the agenda of the next session, unless otherwise decided by the Meeting of the Parties.

Article 7

Documents

The documents for each ordinary session of the Meeting of the Parties, as per Article 6 paragraph 5 and proposals received from the Parties, as per Article 12 of the Rules of Procedure, shall be distributed to the Parties in the two working languages by the Secretariat at least sixty days before the opening of the meeting.

BUREAU

Article 8

1. At opening session of each ordinary meeting, the acting Chairperson, or in the absence of the Chairperson, a representative of the same Party or in its absence the Head of the Delegation of the host

country of the Meeting of the Parties, shall preside until the Meeting of the Parties has elected its Chairperson.

2. At the commencement of the first sitting of each ordinary meeting³, a Chairperson and a maximum of three Vice Chairpersons shall be elected from among the representatives of the Parties present at the meeting based on informal consultations conducted by the Secretariat.
3. The Chairperson shall participate in the meeting in that capacity and shall not at the same time exercise the rights of a representative of a Party. The Party concerned shall designate another representative who shall be entitled to represent the Party in the meeting and to exercise the right to vote.
4. If the Chairperson and/or one of the Vice-Chairpersons resign or are otherwise unable to complete the assigned term of office or to perform the functions of the office, a representative of the same Party shall be named by the Party concerned to replace the said officer for the remainder of that office's mandate.
5. For the purpose of the meeting of the Parties and the meeting of the Bureau, and throughout session, one of the Vice Chairpersons will be Reporter.

RULES OF ORDER AND DEBATE

Article 9

Powers of Presiding Officer and Vice-Presiding

1. In addition to exercising powers conferred elsewhere in these Rules, the Presiding Officer shall at plenary sessions of the meeting:
 - a) open and close the session;
 - b) direct the discussions;
 - c) ensure the observance of these rules;
 - d) accord the right to speak;
 - e) put questions to the vote and announce decisions;
 - f) rule on points of order; and
 - g) subject to these Rules, have complete control of the proceedings of the meeting and the maintenance of order.
2. The Presiding Officer may, in the course of discussion at a plenary session of the meeting, propose to the Meeting of the Parties:
 - a) time limits for speakers;
 - b) limitation of the number of times the members of a delegation or the observers from a State not a Party, body or agency may speak on any question;
 - c) the closure of the list of speakers;
 - d) accord the right of reply to any delegate after the closure of the speakers;

³ See Agreement, Article VI, paragraph 1.

- e) the adjournment or the closure of the debate on the particular subject or question under discussion; and
- f) the suspension or adjournment of the session.

1. Without prejudice to Article 8, paragraph 4, for the debates the Presiding officer may be supply by the Vice-Presiding.

Article 10
Seating, Quorum

1. Delegations shall be seated in accordance with the alphabetical order of the names of the Parties in the French language.
2. A quorum for plenary sessions of the meeting shall consist of more than one-half of the Parties having delegations at the meeting. No plenary session shall take place in the absence of a quorum.

Article 11
Right to Speak

1. The Presiding Officer shall call upon speakers in the order in which they signify their desire to speak, with precedence given to the delegations of the Parties.
2. A delegate or observer may speak only if called upon by the Presiding Officer, who may call a speaker to order if the remarks are not relevant to the subject under discussion.
3. A speaker shall not be interrupted except on a point of order. The speaker may, however, with the permission of the Presiding Officer, give way during their speech to allow any delegate or observer to bring complement on a particular point in his speech.
4. The Chairperson of a committee or working group may be accorded precedence for the purpose of explaining the conclusions arrived at by that committee or working group.

Article 12
Submission of Proposals for Amendment of the Agreement and its Appendices

1. As a general rule, subject to any provisions of the Agreement itself,
 - a) proposals shall have been communicated at least 150 days before the session to the Secretariat, which shall have circulated them to all Parties in the working languages of the meeting⁴,
 - b) proposals arising out of discussion of the foregoing may be discussed at any plenary session of the meeting provided copies of them have been circulated to all delegations not later than the day preceding the session.
2. The Presiding Officer may also permit the discussion and consideration of urgent proposals arising after the period prescribed with the subparagraph a) of this Article provided that they relate to proposed amendments which have been circulated in accordance with the subparagraph b) of this Article and that their consideration will not unduly inhibit the proceedings of the meeting. The Presiding Officer may, in addition, permit the discussion of motions as to procedures, even though such motions have not been circulated previously.
3. After a proposal has been adopted or rejected by the Meeting it shall not be reconsidered unless a two-thirds majority of the Representatives participating in the meeting so decide. Permission to speak on a

⁴ See Agreement, Article X, paragraph 2

motion to reconsider a proposal shall be accorded only to a delegate from each of two Parties wishing to speak against the motion, after which the motion shall immediately be put to the vote.

Article 13
Point of Order

1. During the discussion of any matter, a delegate may rise to a point of order, and the Presiding Officer in accordance with these Rules shall immediately decide the point of order. A delegate may appeal against any ruling of the Presiding Officer. The appeal shall immediately be put to the vote, and the decision of the Presiding Officer shall be maintained unless a majority of the Representatives present and voting otherwise decide. A delegate rising to a point of order may not speak on the substance of the matter under discussion.
2. The following motions shall have precedence in the following order over all other proposals or motions before the Meeting:
 - a) to suspend the sitting;
 - b) to adjourn the sitting;
 - c) to adjourn the debate on the particular subject or question under discussion;
 - d) to close the debate on the particular subject or question under discussion.

VOTING
Article 14
Methods of Voting

1. Without prejudice to the provisions of Article 4, paragraph 1, each delegation shall have one vote. Regional economic integration organizations, in matters within their competence, shall exercise their right to vote with the number of votes equal to the number of their member States which are Parties. In such case, the member States of such organizations shall not exercise their right individually⁵.
2. Representatives of Parties which are three or more years behind in paying their subscriptions on the date of the opening session of the Meeting of the Parties shall not be eligible to vote. However, the Meeting of the Parties may allow such Parties to continue to exercise their right to vote if it is satisfied that the delay in payment arises from exceptional circumstances.
3. The Meeting shall normally vote by show of hands, but any Representative may request a roll-call vote. The roll-call vote shall be taken in the French alphabetical order. The Presiding Officer may require a roll-call vote on the advice of the tellers where they are in doubt as to the actual number of votes cast and this is likely to be critical to the outcome.
4. All votes in respect of the election of officers or of prospective host countries for the next Meeting shall be by secret ballot and, although it shall not normally be used, any Representative may request a secret ballot for other matters. 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.
5. Voting by roll-call or by secret ballot shall be expressed by "Yes", "No" or "Abstain". Only affirmative and negative votes shall be counted in calculating the number of votes cast.
6. Procedural decisions are taken by a simple majority.
7. If votes are equal, a second vote shall be taken. If the vote is also equal, the motion or amendment shall not be carried.

⁵ See Agreement, Article III, paragraph 5.

8. The Presiding Officer shall be responsible for the counting of the votes and shall announce the result. Tellers appointed by the Secretariat may assist the Presiding Officer.
9. After the Presiding Officer has announced the beginning of the vote, it shall not be interrupted except by a Representative on a point of order in connection with the actual conduct of the voting. The Presiding Officer may permit Representatives to explain their votes either before or after the voting, and may limit the time to be allowed for such explanations.

Article 15

Majority

Except where otherwise provided for under the provisions of the Agreement, these Rules or the Terms of Reference for the Administration of the Trust Fund, all votes on procedural matters relating to the forwarding of the business of the meeting shall be decided by a simple majority of votes cast, while all other decisions shall be taken by a two-thirds majority of votes cast.

Article 16

Procedure for Voting on Motions and Amendments

1. A delegate may move that parts of a proposal or of an amendment be voted on separately. If objection is made to the request for such division, the motion for division shall be voted upon first. Permission to speak on the motion for division shall be accorded only to a delegate from each of two Parties wishing to speak in favour of and a delegate from each of two Parties wishing to speak against the motion. If the motion for division is carried, those parts of the proposal or amendment that are subsequently approved shall be put to the vote as a whole. If all operative parts of the proposal or the amendment have been rejected, the proposal or the amendment shall be considered to have been rejected as a whole.
2. When an amendment is moved to a proposal, the amendment shall be voted on first. When two or more amendments are moved to a proposal, the Meeting shall vote first on the amendment furthest removed in substance from the original proposal and then on the amendment next furthest removed there from, and so on until all amendments have been put to the vote. When, however, the adoption of one amendment necessarily implies the rejection of another amendment, the latter amendment shall not be put to the vote. If one or more amendments are adopted, the amended proposal shall then be voted upon. A motion is considered an amendment to a proposal if it merely adds to, deletes or revises part of that proposal.
3. If two or more proposals relate to the same question, the Meeting shall, unless it decides otherwise, vote on the proposals in the order in which they have been submitted. The Meeting may, after voting on a proposal, decide whether to vote on the next proposal.

Article 17

Elections

1. If in an election to fill one place no candidate obtains the required majority in the first ballot, a second ballot shall be taken restricted to the two candidates obtaining the largest number of votes. If in the second ballot the votes are equally divided, the Presiding Officer shall decide between the candidates by drawing lots.
2. If in the first ballot there is a tie amongst candidates obtaining the second largest number of votes, a special ballot shall be held amongst them to reduce the number of candidates to two.
3. In the case of tie amongst three or more candidates obtaining the largest number of votes in the first ballot, a special ballot shall be held amongst them to reduce the number of candidates to two. If a tie then results amongst two or more candidates, the Presiding Officer shall reduce the number to two by drawing lots, and a further ballot shall be held in accordance with paragraph 1 of this Article.

SECRETARIAT

Article 18

1. The Agreement Executive Secretary shall be the Secretary of the Meeting of the Parties.
2. The Secretariat shall provide and direct the staff as required by the Meeting of the Parties.

Article 19

1. The Secretariat shall⁶ :
 - a) Arrange for interpretation at the meeting;
 - b) Prepare, receive, translate, reproduce and distribute the documents which will be useful during the meeting;
 - c) Draft the report of the Meeting, under the guidance of the Reporter, for consideration by the Bureau first and for final approval by the Meeting of the Parties;
 - d) Make and arrange for keeping of sound recordings of the meeting;
 - e) Arrange for the custody and preservation of the documents of the meeting
 - f) Publish and circulate the official documents which result from the meeting;
 - g) Generally perform all other work that the Meeting of the Parties may require.

LANGUAGES AND RECORDS

Article 20

Official and Working Languages

1. French and English shall be the official and working languages of the meetings.
2. The official documents of the meeting shall be distributed in those two languages.
3. Speeches made in any of the working languages shall be interpreted into the other working language.

Article 21

Other Languages

1. A delegate may speak in a language other than a working language. He shall be responsible for providing interpretation into a working language, and interpretation into the other working language may be based upon that interpretation.
2. Any document submitted to the Secretariat in any language other than a working language shall be accompanied by a translation into one of the two working languages, this translation being trustworthy.

Article 22

Report

1. The report of the meeting shall be circulated to all Parties in the official languages of the meeting.
2. Committees and working groups shall decide upon the form in which their report shall be presented.

PUBLICITY OF DEBATES

Article 23

Plenary Sessions

All plenary sessions of the meeting shall be open to the public, except that in exceptional circumstances the Meeting may decide, by a two-thirds majority of Representatives present and voting, that any single session be closed to the public.

⁶ : see Article IV of the Agreement.

Article 24

Sessions of Committees and Working Groups

As a general rule, sessions of committees and working groups shall be limited to the representatives and to observers invited by the Chairpersons of the committees or working groups.

THE BUREAU, OTHER COMMITTEES AND WORKING GROUPS

Article 25

1. During the Meeting of the Party, the Bureau and the Reporter of the Meeting shall meet as often as necessary on request of his Chairman.

Article 26

Credentials Committee and Working Groups

1. In addition to the Credentials Committee, the Meeting of the Parties may establish working groups as may be necessary to enable them to carry out their functions. They shall define the terms of reference and composition of each working group, the size of which shall be limited according to the number of places available in assembly rooms.
2. The Meeting of the Parties may decide that any such working group may meet in the period between ordinary meetings.
3. The Credentials Committee and each working group shall elect their own officers.
4. Insofar as they are applicable, these Rules shall apply *mutatis mutandis* to the proceedings of committee and working groups; however interpretation may not be provided in sessions of the committee and working groups.

Article 27

Scientific Committee

The Meeting of the Parties shall elect the qualified experts representing the regions in the Scientific Committee, and their alternates, upon proposition of the delegates of the regions after informal consultations with the Subregional Co-ordination Units.

AMENDMENT

Article 28

These Rules may be amended as required by decision of the Meeting.

ANNEX III

**RULES OF PROCEDURE FOR THE BUREAU OF THE CONTRACTING PARTIES TO
THE AGREEMENT ON THE CONSERVATION ON CETACEANS OF THE BLACK
SEA, MEDITERRANEAN SEA AND CONTIGUOUS ATLANTIC AREA**

Adopted by the Meeting of the Parties on February the 28th 2002

The composition and functions of the Bureau are settled by the Agreement¹.

Rules of procedure of the Bureau, acting as Bureau of the Meeting of the Parties, are already stated in the general Rules of procedures of the Meeting of the Parties which will applied *mutatis mutandis* to the meetings of the Bureau.

PURPOSE

Article 1

The Bureau shall:

- a) provide general policy guidance and operational and financial direction to the Agreement Secretariat and the Sub-Regional Co-ordination Units concerning the implementation and promotion of the Agreement;
- b) carry out, between sessions of the Meeting of the Parties, such interim activities on its behalf as may be necessary or assigned to it by the Meeting of the Parties; and
- c) represent the Parties *vis-à-vis* the Government of the Host Country of the Agreement Secretariat and of the Meeting of the Parties, of Depositary and Parties to other international Organizations on matters relating to the Agreement and its Secretariat.

DATE AND PLACE OF MEETINGS

Article 2

1. At the request of its Chairperson, the Bureau shall normally meet once per annum at the invitation of the Agreement Secretariat, which shall inform all Parties of the date, venue and agenda of such meetings².
2. The Bureau will meet in the Secretariat, unless invited in one of its member's Country.

AGENDA

Article 3

The Secretariat shall prepare the provisional agenda of each meeting, in consultation with the Chairman of the Bureau.

RECORDS

Article 4

The Bureau shall provide a report on its activities for each session of the Meeting of the Parties that will be circulated to all Parties in advance of the session by the Agreement Secretariat.

¹ : see article VI of the Agreement.

² : see article VI.3 of the Agreement.

OBSERVER
Article 5

The Chairperson of the Scientific Committee shall be invited to participate as an observer in the meetings of the Bureau.

SECRETARIAT
Article 6

The Agreement Secretariat shall provide secretariat services for the Bureau meetings.

AMENDMENT
Article 7

These rules may be amended as required by the Meeting of the Parties.

ANNEX IV

LIST OF DOCUMENTS PRESENTED TO THE FIRST MEETING OF THE PARTIES

Document	Point of the agenda	Title
Meeting Papers		
MOP 1.1	5	Provisional Agenda
MOP 1.2 rev 1	5	Annotated Provisional Agenda
MOP 1.3 rev 3	-	List of documents
MOP 1.4	-	Provisional Timetable
MOP 1.5	3	Rules of Procedure of the Parties
MOP 1.6	4	Rules of Procedure of the Bureau
MOP 1.7	7	List of Observers
MOP 1.8	9a	Report of the Secretariat
MOP 1.9	9b	Report of the Depositary
MOP 1.10	2	Draft Resolution n° 1.1 : Accepting Candidate Parties for the right to vote at MOP1
MOP 1.11 rev 1	11a	Draft Resolution n° 1.2 : Establishment of the Permanent Secretariat <i>annex 1 rev 1</i> : Terms of reference for Secretariat arrangements
MOP 1.12	11b	Explanatory note on the establishment of the Scientific Committee
MOP 1.13	11b	Draft Resolution n° 1.3 : Establishment of the Scientific Committee <i>annex 1</i> : Division of the geographical scope of the Agreement in four regions and regional representation
MOP 1.14	11c	Draft Resolution n° 1.4 : Establishment of the Mediterranean Sub-Regional Co-ordination Unit and contiguous Atlantic area
MOP 1.15	11c	Draft Resolution n° 1.5 : Establishment of the Black Sea Sub regional Co-ordination Unit
MOP 1.16 rev 1	12a	Explanatory notes on the Budget 2002-2004
MOP 1.17 rev 1	12a	Draft Resolution n° 1.6 : Financial and administrative matters <i>annex 1 rev 2</i> : Budget 2002 – 2004 <i>annex 2 rev 2</i> : Scale contributions <i>annex 3</i> : Terms of reference for the administration of the trust fund for ACCOBAMS <i>annex 4</i> : Guidelines for the acceptance of financial voluntary contributions
MOP 1.18 rev 1	12b	Draft Resolution n° 1.7 : Establishment of a supplementary Conservation Fund
MOP 1.19 rev 1	13	Draft Resolution n° 1.8 : Establishment of a National Report format <i>annex 1 rev 1</i> : Format for reports of the Parties
MOP 1.20	14b	Draft Resolution n° 1.9 : International implementation priorities for 2002-2006 <i>annex 1 rev 1</i> : List of International implementation priorities for 2002-2006
MOP 1.21	14b	Draft Resolution n° 1.10 : Establishment of a stranding network and a data base
MOP 1.22 rev 1	14b	Draft Resolution n° 1.11 : Establishment of Guidelines for the regulation of the Whale watching <i>annex 1</i> : Guidelines for the regulation of the Whale watching
MOP 1.23 rev 1	14b	Draft Resolution n° 1.12 : Conservation of the Black Sea <i>Tursiops truncatus</i>
MOP 1.24 rev 1	14d	Draft Resolution n° 1.13 : Awarding of the status of "ACCOBAMS' Partner". <i>annex 1</i> : Rules for conferring the status
MOP 1.25	15	Draft Resolution n° 1.14 : Adoption of the logo for the Agreement
MOP 1.26	16	Draft Resolution n° 1.16 : Date, Venue and Funding Second Meeting of the Parties

Information documents		
MOP 1/ Inf.1	9b	First Day Cover of Monaco ACCOBAMS Stamp
MOP 1/ Inf.2	9b	List of Contracting Parties and signatories
MOP 1/ Inf.3	9a	List of national Focal Points
MOP 1/ Inf.4	11c	Memorandum of cooperation between the Secretariat of ACCOBAMS and the Regional Activity Centre for Specially Protected Areas of the Mediterranean Action Plan concerning the Sub-Regional Co-ordination Unit for the Mediterranean and the contiguous Atlantic area
MOP 1/ Inf.5	11c	Memorandum of cooperation between the Secretariat of ACCOBAMS and the Secretariat of the Commission for the Protection of the Black Sea against pollution concerning the Sub-Regional Co-ordination Unit for the Black Sea
MOP 1/ Inf.6	14a	Cetaceans of the Mediterranean and Black Sea state of knowledge and conservation strategies
MOP 1/ Inf.7 rev 1	14b	Project for the establishment of a Mediterranean and Black Sea regional cetacean stranding network and a data base
MOP 1/ Inf.8	14b	The current status of bottlenose dolphins (<i>Tursiops truncatus</i>) in the Black Sea
MOP 1/ Inf.9	14c	ACCOBAMS and the relevant provisions of domestic and international law
MOP 1/ Inf.10 rev 1	14b	Bern Convention Recommendation n°86 (2001); CITES Decisions n°11.91 and 11.139; CITES Notifications to Parties n° 2001/029
MOP 1/ Inf.11	-	CITES Resolution : Conf.11.15
MOP 1/ Inf.12	-	Provisional list of Participants
MOP 1/ Inf.13	-	GEF medium-sized project concept paper

ANNEX V

LIST OF PARTICIPANTS

PARTIES

ALBANIE

Albania

- **HEMA Tatiana :** Deputy Minister
Ministry of Environment of Albania
RRUGA E DURRESIT, NR 27
Tirana
ALBANIA

Tél : 355 4 270630 /625
Fax : 355 4 270627 / 625
E-mail : albnea@albnet.net

BULGARIE

Bulgaria

- **KARADIMOVA Maria :** Expert at the National Nature
Protection Service Ministry of
Environment and Water
22, Maria Luisa Boulevard
1000, Sofia
BULGARIA

Tél : 359 2 9406629
Fax : 359 2 9816610
E-mail : mariakara@moew.govrn.bg

CROATIE

Croatia

- **STRBENAC Ana :** Expert associate
Ministry of Environmental Protection and Physical Planning
Biological and Landscape Diversity
Conservation Department,
UI. Grada Vukovara
78/III, 1000 Zagreb
CROATIA

Tél : 385 1 6106522
Fax : 385 1 6118388
E-mail : ana.strbenac@duzo.tel.hr

ESPAGNE
Spain

- **MORILLO Cosme :**
Head of Department in Strategies and Conservation Plans
Directorate-General for Nature Conservation
Ministry of Environment
Gran Via de San Francisco, 4
28005-Madrid
SPAIN

Tél : 34 91 597 55 59
Fax : 34 91 597 55 66
E-mail : cosme.morillo@dgc.n.mma.es
 - **PANTOJA Javier :**
Head of Division in Marine Conservation
Directorate-General for Nature Conservation
Ministry of Environment
Gran Via de San Francisco, 4
28005-Madrid
SPAIN

Tél : 34 91 597 54 11
Fax : 34 91 597 55 66
E-mail : javier.pantoja@dgc.n.mma.es
 - **DE PABLO Maria Jesus :**
Technical Advisor
Directorate-General for Nature Conservation
Ministry of Environment
Gran Via de San Francisco, 4
28005-Madrid
SPAIN

Tél : 34 91 597 54 11
Fax : 34 91 597 55 66
E-mail : mariajesus.depablo@dgc.n.mma.es
 - **RAGA Juan Antonio :**
Professor
Department of Animal Biology
University of Valencia
Dr. Moliner 50
46100 Burjasot, Valencia
SPAIN

Tél : 34 963864375
Fax : 34 963864372
E-mail : toni.raga@uv.es
-

GÉORGIE
Georgia

- **KARTSIVADZE Josef :** Head of Biodiversity Conservation Department
Ministry of Nature Protection
680, Kostava Str.
Tbilisi 380 015
GÉORGIA

Tél : 995 32 537125
Fax : 995 32 537124
E-mail : info@nacres.org
Site web : www.nacres.org

 - **GURIELIDZE Zurab :** Leading Specialist
Ministry of Nature Protection
680, Kostava Str.
Tbilisi 380 015
GÉORGIA

Tél : 995 32 537125
Fax : 995 32 537124
E-mail : zurab.gurielidze@nacres.org
-

MALTE
Malta

- **BALDACCHINO Alfredo :** Principal Environment Officer
Head of Biodiversity Unit
Environment Protection Department
Corradino PLA 08
MALTA

Tél : 356 699 66122
Fax : 356 667779
E-mail : alfred.e.baldacchino@magnet.mt
-

MAROC
Morocco

- **MESKI Driss:** Directeur
Ministère des Pêches Maritimes
Direction de la Coopération et des Affaires Juridiques
B.P.476 Agdal Rabat
MAROC

Tél : 212 37 68 81 96
Fax : 212 37 68 81 94
E-mail : meski@mp3m.gov.ma
-

MONACO
Monaco

- **S.E.M FAUTRIER Bernard :** Ministre plénipotentiaire chargé de la Coopération Internationale pour l'Environnement et le Développement
« Villa Girasole », 16 Bld de Suisse
MC-98000 MONACO

Tél : 377 93 15 83 33
Fax : 377 93 50 95 91
E-mail : bfautrier@gouv.mc
 - **ANCIAN Anne-Marie :** Secrétaire à la Direction des Relations Extérieures
Ministère d'état
Place de la Visitation
MC-98000 MONACO

Tél : 377 93 15 85 54
Fax : 377 93 15 41 98
E-mail : aacian@gouv.mc
 - **TAMBUTTE Sylvie :** Chargée de Recherche
Centre Scientifique de Monaco
« Villa Girasole », 16 Bld de Suisse
MC-98000 MONACO

Tél : 377 93 30 12 11
Fax : 377 93 50 52 97
E-mail : stambutte@gouv.mc
 - **BOISSON Michel :** Secrétaire Général
Centre Scientifique de Monaco
« Villa Girasole », 16 Bld de Suisse
MC-98000 MONACO

Tél : 377 93 15 85 96
Fax : 377 93 15 86 74
E-mail : mboisson@gouv.mc
 - **VAN KLAVEREN Patrick :** Conseiller Technique
Coopération Internationale pour l'Environnement et le Développement
« Villa Girasole », 16 Bld de Suisse
MC-98000 MONACO

Tél : 377 93 15 81 48
Fax : 377 93 50 95 91
E-mail : pvanklaveren@gouv.mc
-
- **WÜRTZ Maurizio :** Expert Scientifique
Responsable des Collections
Musée Océanographique de Monaco
Avenue Saint Martin
MC-98000 MONACO

Tél : 377 93 15 36 00
Fax : 377 93 50 52 97
E-mail : m.wurtz@oceano.org

ROUMANIE
Romania

• **NICOLAEV Simion :**

General Director
National Institute for Marine Research and Development
"Grigore Antipa"
B-dul Mamaia Nr 300
Constantza
ROMANIA

Tél : 40 41 543288
Fax : 40 41 831274
E-mail : nicolaev@alpha.rmri.ro

BOSNIE ET HERZEGOVINE
Bosnia and Herzegovina

- **LAGANIN Ozren :**
Professional Associate
Ministry of Environment
TRG SRPSKIH JUNAKA 4
51000 Banja Luka
BOSNIA HERZEGOVINA

Tél : 00 387 51 214 198
Fax : 00 387 51 214 198 / 215 548
E-mail : bj_minurb@blic.net
-

COMMISSION EUROPÉENNE
European Commission

- **RIZO José :**
Commission européenne
200, rue de la Loi
B-1049 Bruxelles
BELGIQUE

Tél : 322 295 01 06
Fax : 322 296 88 24
E-mail : jose.rizo-martin@cec.eu.int
-

ÉGYPTE
Egypt

- **GALAL Nasser :**
Assistant Director for Planning
Nature Conservation Sector
Egyptian Environmental Affairs Agency
Ministry of State for Environment
5 rue Misr-Helwan – El-Zirai
Maadi, Cairo
EGYPT

Tél : 202 524 8792 (EEAA)
Fax : 202 524 8792
E-mail : ngalal@link.net / ncs@link.net (Director Dr. M. FOUDA)
-

FRANCE

- **BIGAN Martine :**
Chef du Bureau Faune et Flore Sauvage
Ministère de l'Aménagement du Territoire et de l'Environnement
20 Avenue de Ségur
75302 Paris 07 FP
FRANCE

Tél : 33 1 42 19 18 70
Fax :
E-mail : martin.bigan@environnement.gouv.fr
 - **BEAUBRUN Pierre :**
Maître conférences
Ecole Pratique des Hautes Etudes
Université de Montpellier 2, P.O. 94
Place Eugène Bataillon
34095 Montpellier
FRANCE

Tél : 33 04 67 14 47 91
Fax : 33 04 67 63 33 27
E-mail : beaubrun@crit.univ-montp2.fr
 - **ROBERT Philippe :**
Responsable scientifique
Parc National de Port Cros
Castel Sainte Claire
83418 HYERES cedex
FRANCE

Tél : 33 4 94 12 82 30
Fax : 33 4 94 12 82 31
E-mail : p.robert@pnpc.com.fr
-

GRÈCE ***Greece***

- **KOMNENOU Anastasia :**
CITES Management Authority
Hellenic Ministry of Agriculture
3 - 5 Ippocratus Street
106 70 Athens
GREECE

Tél : 30 10 2124612 / 30 945 531850
Fax : 30 31 0994443
E-mail : daspro1@minagr.gr
natakomn@vet.auth.gr
Site web : www.minagr.gr

- **SKOUNTIS Vassilios :**
Lt Cmdr Hellenic Coast Guards
Head of Unit in Fisheries Department
Ministry of Merchantile Marine
150 Grig. Lambraki Street
185 18 Piraeus
GREECE

Tél : 30 10 4285720 / 3045 4519901
Fax : 30 10 4191561
E-mail : kpa@mail.yen.gr
Site web : www.yen.gr
 - **METAXATOU A. :**
Oceanographer - Ichthyologist
Greek Ministry of Agriculture
Acharnon 381
Athens
GREECE

Tél : 010 212 52 72
Fax : 010 212 52 73
E-mail : minasgrig@hol.gr
-

JAMAHIRIYA ARABE LIBYENNE
Libyan Arab Jamahiriya

- **AMER Mohamed M. :**
Acting EGA Head
Environment General Authority
PO BOX 3639, Tripoli
LYBIA

Tél : 218 21 48311316
Fax : 218 21 48399991
E-mail : ega@egalibya.org
-

LIBAN
Lebanon

- **KHALAF Gaby :**
Director of the National Marine Sciences Centre
BATROUN
LEBANON

Tél : 961 3 303 969
Fax : 961 6 741 584
E-mail : gkhalaf@cnrs.edu.lb
bihar@cnrs.edu.lb
-

PORTUGAL

Portugal

- **SEQUEIRA Marina :**

Instituto da Conservação da Natureza
Rua Ferriera Lapa 29-5th
1150-169 Lisboa
PORTUGAL

Tél : 351 21 316 05 20
Fax : 351 21 352 04 74
E-mail : sequeiram@icn.pt

ROYAUME UNI

United Kingdom

- **LEE-BAPTY Steve :**

Global Wildlife Division 4
Department for Environment, Food and Rural Affairs
1/14, Temple Quay House,
2, The Square, Temple Quay, Bristol BS1 6EB
UNITED KINGDOM

Tél : 44 117 372 8295
Fax : 44 117 372 8317
E-mail : steve.lee-bapty@defra.gsi.gov.uk

- **VAGG Robert :**

International Conservation Policy Adviser
Global Wildlife Division
Department for Environment, Food and Rural Affairs
1/14, Temple Quay House,
2, The Square, Temple Quay, Bristol BS1 6EB
UNITED KINGDOM

Tél : 44 117 372 8110
Fax : 44 117 372 8317
E-mail : robert.vagg@defra.gsi.gov.uk

- **TASKER Mark :**

Scientific Advisor
Joint Nature Conservation Committee
Dunnet House
7 Thistle Place, Aberdeen
AB10 IUZ
UNITED KINGDOM

Tél : 44 1224 655 701
Fax : 44 1224 621 488
E-mail : mark.tasker@jncc.gov.uk

TUNISIE

Tunis

- **CHOUAYAKH Ahmed :** Directeur de la Préservation des Ressources Halieutiques
Directeur Général de la Pêche et de l'Agriculture
32 rue Alain Savary
P.O. 1002
Tunis
TUNISIE

Tél : 216 71 89 67 84

Fax : 216 71 79 94 01

TURQUIE

Turkey

- **KEMALOGLU Safak :** Head of Section
Ministry of Environment
Department of Animals Protection
Eskisehiryolu 8. Km. Bilkent Kavşagi
Ankara
TURKEY

Tél : 90 312 287 99 63 - 24 16

Fax : 90 312 286 22 71

E-mail : safakkemaloglu@yahoo.com

UKRAINE

Ukraine

- **DOMASHLINETS Volodymyr :** Head of Fauna Division
Bioresources Department
Ministry of the Environment and Natural Resources of Ukraine
5 Khreshchatyk str.
Kyiv-1, 01601
UKRAINE

Tél : 380 44 224 22 39

Fax : 380 44 224 22 39 / 228 20 67

E-mail : vgd@land.freenet.kiev.ua

PROGRAMME DES NATIONS UNIES POUR L'ENVIRONNEMENT (PNUE)
United Nations Environment Program (UNEP)

- **HEPWORTH Robert :**
Deputy Director
Division of Environmental Conventions
United Nations Environment Programme
P.O. BOX 30552, Nairobi
KENYA

Tél : 254 2 62 32 60
Fax : 254 2 62 39 26
E-mail : robert.hepworth@unep.org
-

PROGRAMME DES NATIONS UNIES POUR L'ENVIRONNEMENT
PLAN D'ACTION POUR LA MÉDITERRANÉE (PNUE-PAM)
United Nations Environment Program
Coordinating Unit for the Mediterranean Action Plan (UNEP-MAP)

- **CHABASON Lucien :**
Coordinator
Coordinating Unit for Mediterranean Action Plan
P.O Box 18019
48 Vassileos Konstantinou Avenue
11610 Athens
GREECE

Tél : 30 10 72731 01
Fax : 30 10 7253196 - 7
E-mail : chabason@unep.gr
Site web : www.unepmap.org
-

CONVENTION SUR LA CONSERVATION DES ESPECES MIGRATRICES
APPARTENANT A LA FAUNE SAUVAGE
Convention on the Conservation of Migratory Species of Wild Animals (CMS)

- **MÜLLER-HELMBRECHT Arnulf:**
Executive Secretary
UNEP/CMS Secretariat
Martin-Luther-King, Str. 8
53175 Bonn
GERMANY

Tél : 49 228 815 24 01 / 2
Fax : 49 228 815 24 49
E-mail : cms@cms.unep.de
-

***CENTRE D'ACTIVITÉS RÉGIONALES DE LA CONVENTION DE BARCELONE POUR LES
AIRES SPÉCIALEMENT PROTÉGÉES (CAR/ASP)
Regional Activity Centre of the Barcelona Convention for Specially Protected Areas (SPA/RAC)***

- **HENTATI Mohamed Adel :** Directeur
Centre Régional d'Activités pour les Aires Spécialement Protégées
Boulevard de l'Environnement
B.P 337
1080 Tunis Cedex
TUNISIE

Tél : 216 71 795 760
Fax : 216 71 797 349
E-mail : car-asp@rac-spa.org.tn

 - **OUERGHI Atef :** Expert en Biologie Marine
Centre Régional d'Activités pour les Aires Spécialement Protégées
Boulevard de l'Environnement
B.P 337
1080 Tunis Cedex
TUNISIE

Tél : 216 71 795 760
Fax : 216 71 797 349
E-mail : car-asp@rac-spa.org.tn
-

***ACCORD SUR LA CONSERVATION DES PETITS CETACES DE LA MER BALTIQUE ET
DE LA MER DU NORD
Agreement on the Conservation of Small Cetaceans Of the Baltic And North Seas (ASCOBANS)***

- **STREMPEL Ruediger :** Executive Secretary
United Nations Premises
Martin Luther King Str.8
53175 Bonn
GERMANY

Tél : 49 22 88 15 24 16
Fax : 49 22 88 15 24 40
E-mail : rstempel@ascobans.org
Site web : www.ascobans.org

 - **TASKER Mark :** Chair of the Advisory Committee of ASCOBANS
Joint Nature Conservation Committee
Dunnet House
7 Thistle Place, Aberdeen
AB10 IUZ
UNITED KINGDOM

Tél : 44 1224 655 701
Fax : 44 1224 621 488
E-mail : mark.tasker@jncc.gov.uk
Site web : www.jncc.gov.uk
-

AUTRES ORGANISATIONS INTERGOUVERNEMENTALES
Other Intergovernmental Organisations

COMMISSION BALEINIÈRE INTERNATIONALE (CBI)
International Whaling Commission (IWC)

- **ALLISON Cherry :**
The Red House
135 Station Road
Impington, Cambridge
CB4 9NP
UNITED KINGDOM

Tél : 44 12 23 23 39 71
Fax : 44 12 23 23 28 76
E-mail : secretariat@iwcoffice.org
Site web : www.iwcoffice.org
-

COMMISSION INTERNATIONALE POUR L'EXPLORATION SCIENTIFIQUE DE LA
MEDITERRANEE (CIESM)

- **BRIAND Frédéric :**
Directeur Général
Commission internationale pour l'Exploration Scientifique de la
Méditerranée
« Villa Girasole », 16 Bld de Suisse
MC – 98000 MONACO

Tél : 377 93 30 38 79
Fax : 377 92 16 11 95
E-mail : fbriand@ciesm.org
Site web : www.ciesm.org
-

CONVENTION DE BERNE
Council of Europe

- **BAUER Françoise :**
Assistante administrative principale
Conseil de l'Europe / Convention de Berne
Division du Patrimoine Naturel
67075 Strasbourg cedex
FRANCE

Tél : 33 3 88 41 22 61
Fax : 33 3 88 41 37 51
E-mail : francoise.bauer@coe.int
Site web : www.coe.int
-

NATO SACLANT CEN

- **CARRON Michael :**

Senior Principal Scientist
SACLANT Undersea Research Center
Viale San Bartolomeo 400
19138 La Spezia
ITALY

Tél : 39 0187 527 445

Fax :

E-mail : carron@saclantc.nato.int

Site web : <http://solmar.saclantc.nato.int>

UNION MONDIALE POUR LA NATURE (UICN) The World Conservation Union (IUCN)

- **BEARZI Giovanni :**

Member of Cetacean Specialist Group / IUCN
c/o Venice Natural History Museum
Santa Croce 1730
30135 Venezia
ITALY

Tél : 39 041 27 50 206

Fax : 39 041 721 000

E-mail : bearzi@inwind.it

ORGANISATIONS NON GOUVERNEMENTALES
Non Governmental Organisations

AMERICAN SOCIETY OF INTERNATIONAL LAW WILD LIFE INTEREST GROUP
(ASIL – WIG)

- **BURNS William C. G. :** Co-Chair
American Society of International Law Wild Life Interest Group
1702 Arlington Boulevard, El Cerrito
CA-94530
USA

Tél : 1 650 281 9126
Fax : 1 801 838 4710
E-mail : jiwlp@pacbell.net
Site web : www.eelink.net/~asilwildlife / www.jiwlp.com
-

ASSOCIATION DE SAUVEGARDE DES MAMMIFÈRES MARINS (ASMS)
Swiss Working Group For the Protection of Marine Mammals

- **FREY Silvia :** Project Leader, “Cetacean research”
Postfach 30
CH-8820
Wadenswill
SWITZERLAND

Tél : 41 17806688
Fax : 41 17806808
E-mail : silvia.frey@bluemail.ch
Site web : www.asms-swiss.ch et www.swisswhales.com
-

BLUE WORLD

- **FORTUNA Caterina Maria:** Research Director
Blue World
Zad bone 11
51551 Veli Losinj
CROATIA

Tél : 385 51 236406
Fax : 385 51 520275
E-mail : caterina.fortuna@adp.hr
Site web : www.adp.hr
-

EUROPEAN CETACEAN SOCIETY (ECS)

- **LOCKYER Christina :**
Chairman of European Cetacean Society
c/o DANISH INSTITUTE FOR FISHERIES RESEARCH
Charlottenlund Castle,
Charlottenlund DK-2920
DANEMARK - FRENCH

Tél : 45 33 963373
Fax : 45 33 963333
E-mail : chl@dfu.min.dk
-

GROUPE DE RECHERCHE SUR LES CETACES (GREC)

- **DROUOT Violaine :**
GREC
BP 751
06633 Antibes Cedex
FRANCE

Tél : 33 4 93 65 89 36
Fax : 33 4 93 65 89 36
E-mail :
-

GREENPEACE

- **SIFAOUI Brigitte :**
c/oGREENPEACE FRANCE
22 rue des Rasselins
75020 PARIS FRANCE

Tél : 01 44 64 02 02
Fax :
E-mail : sifaoui@micronet.fr
Site web : www.greenpeace.fr
-

MAREVIVO

- **REPETTO Nadia :**
Délégation Camogli de MAREVIVO
Via Pini D'Aleppo 32/a
Varazze
ITALY

Tél : 39 01 990817 / 32 96 891329
Fax :
E-mail : nadia.repetto@libero.it
-

MEDITERRANEAN PROTECTED AREAS NETWORK (MEDPAN)

- **ROBERT Philippe :**
Responsable scientifique
Réseau des espaces protégés de Méditerranée
PNPC, Castel Sainte Claire
83418 HYERES cedex
FRANCE

Tél : 33 4 94 12 82 30
Fax : 33 4 94 12 82 31
E-mail : p.robert@pnpc.com.fr
-

SOS GRAND BLEU

- **SIDOIS Jean Pierre :**
Directeur
SOS Grand Bleu
BP29 Quai du Vieux Port
06230 Saint Jean Cap Ferrat
FRANCE

Tél : 33 4 93 76 17 61
Fax : 33 4 93 76 17 61
E-mail : gb@sosgrandbleu.asso.fr
Site Web : www.sosgrandbleu.asso.fr
 - **ORIOU Murielle :**
Chargée de Mission et du Développement Associatif
SOS Grand Bleu
BP29 Quai du Vieux Port
06230 Saint Jean Cap Ferrat
FRANCE

Tél : 33 4 93 76 17 61
Fax : 33 4 93 76 17 61
E-mail : murielle.oriol@sosgrandbleu.asso.fr
Site Web : www.sosgrandbleu.asso.fr
 - **KIWIOR Sophie :**
Chargée de Communication
SOS Grand Bleu
BP29 Quai du Vieux Port
06230 Saint Jean Cap Ferrat
FRANCE

Tél : 33 4 93 76 17 61
Fax : 33 4 93 76 17 61
E-mail : sophie.kiwior@sosgrandbleu.asso.fr
Site Web : www.sosgrandbleu.asso.fr
-

SWISS CETACEAN SOCIETY (SCS)

- **BOURCOUD Max Olivier :**

Swiss Cetacean Society
Case Postale
CH-1023 Crissier
SUISSE

Tél : 41 21 634 2626
Fax : 41 21 635 5858
E-mail : mbourcou@worldcom.ch
Site web : www.oenology.ch/scs

- **GAUTHIER Yves :**

Vice Président
Swiss Cetacean Society
Case Postale
CH-1023 Crissier
SUISSE

Tél : 41 21 634 2626
Fax : 41 21 635 5858
E-mail : mbourcou@worldcom.ch
Site web : www.oenology.ch/scs

- **CUTTELOD Annabelle :**

Scientific Coordinator
Swiss Cetacean Society
Av. Dapples 18 private
CH-1006 Lausanne
SUISSE

Tél : 41 21 617 23 03
E-mail : annabelle.cuttelod@span.ch

TETHYS RESEARCH INSTITUTE

- **BEARZI Giovanni :**

President
Tethys Research Institute
c/o Venice Natural History Museum
Santa Croce 1730
30135 Venezia
ITALY

Tél : 39 041 27 50 206
Fax : 39 041 721 000
E-mail : bearzi@inwind.it
Site web : www.tethys.org

- **AIROLDI Sabina :**
Coordinator
Cetacean Sanctuary Research
Tethys Research Institute
Via le G.B.Gadio 2.
21121 Milano
ITALY

Tél : 39 0184 26 10 27 / 348 694 88 13
Fax : 39 02 72001946
E-mail : sabina.airoldi@iol.it
Site web : www.tethys.org

 - **ZANARDELLI Margherita :**
Tethys Research Institute
c/o Acquario Civico,
Via le G.B. Gadio 2
21121 Milano
ITALY

Tél : 39 02 72 001947
Fax : 39 02 72 001946
E-mail : marghez@tin.it
Site web : www.tethys.org

 - **PANIGADA Simone :**
Tethys Research Institute
c/o Acquario Civico,
Via le G.B. Gadio 2
21121 Milano
ITALY

Tél : 39 02 72 001947
Fax : 39 02 72 001946
E-mail : panigada@inwind.it
Site web : www.tethys.org

 - **REVELLI Eletta :**
Tethys Research Institute
c/o Acquario Civico,
Via le G.B. Gadio 2
21121 Milano
ITALY

Tél : 39 02 72 001947 / 39 02 48707382
Fax : 39 02 72 001946
E-mail : eletta.revelli@inwind.it
Site web : www.tethys.org
-

WHALE AND DOLPHIN CONSERVATION SOCIETY (WDCS)

- **SIMMONDS Mark :**
Director of Science
Whale and Dolphin Conservation Society
Brookfield House
38 St. Paul Street
CHIPPENHAM
WILTSHIRE SNISILY UK

Tél : 01 249 449 500
Fax : 01 249 449 501
E-mail : marks@wdcs.org
-

WORLD WIDE FUND FOR NATURE (WWF/ - France)

- **MOREAU Didier :**
Responsable Mission
WWF France
188 rue de la Roquette
75011 Paris
FRANCE

Tél : 33 1 55 25 84 58
Fax :
E-mail : ldebas@wwf.fr

 - **ODY denis :**
Program officer
WWF France
6 rue des Fates
13001 Marseille
FRANCE

Tél : 33 4 96 11 69 44
Fax :
E-mail : dody@wwf.fr
-

AUTRES ORGANISMES OU INSTITUTS
Other Bodies or Institutes

***ISTITUTO CENTRALE PER LA RICERCA SCIENTIFICA E TECNOLOGICA APPLICATA
AL MARE (ICRAM)***

- **GIANCARLO Lauriano:**
ICRAM
Via di Casalotti 300
00166 Roma
ITALY

Tél : 39 06 61570409
Fax : 39 06 61550581
E-mail : lauriano@tin.it
-

MUSÉE OCÉANOGRAPHIQUE DE MONACO

- **DUFRENNE Michèle :**
Directrice du Musée
Musée Océanographique de Monaco
Avenue Saint Martin
MC-98000 MONACO

Tél : 377 93 15 36 00
Fax : 377 93 50 52 97
E-mail : m.dufrenne@oceano.mc
-

AUTRES
Others

BLUWEST

• **M.STURLESE :**

Commandante del "Corsaro"
Via Scarincio 12,
18100 IMPERIA
ITALY

Tél : 39 01 83 769 364
Fax : 39 01 83 765 954
E-mail : info@whalewatch.it
Site web : www.whalewatch.it

• **MOJOLI Guido :**

Membre d'équipage "Corsaro"
Via Cason della Guardia 60
18100 IMPERIA
ITALY

Tél : 39 01 83 29 62 01
Fax : 39 01 83 765 954
E-mail : info@whalewatch.it
Site web : www.whalewatch.it

• **NANI Barbara :**

Researcher-Biologist
Tethys Research Institute
Via Delle Palme 21
18014 Ospedaletti
Imperia
ITALY

Tél : 39 338 31 58 125
Fax : 39 0184 683 581
E-mail : barbara.nani@tiscalinet.it

WHALECRAFT

• **LOPEZ Philippe :**

Directeur Artistique
Avenue du Docteur Montus
Résidence la Plage du Cap - Bat. La Daurade
13620 Carry le Rouet
FRANCE

Tél : 33 4 42 45 46 04 / 33 6 72 74 54 40
Fax : 33 4 42 45 46 04
E-mail : whalecraft-europe@libertysurf.fr
Site web : www.whalecraft.org

- **CASSAR Christophe :**

Directeur Commercial
Avenue du Docteur Montus
Résidence la Plage du Cap - Bat. La Daurade
13620 Carry le Rouet
FRANCE

Tél : 33 4 42 45 46 04 / 33 6 72 74 54 40

Fax : 33 4 42 45 46 04

E-mail : whalecraft-europe@libertysurf.fr

Site web : www.whalecraft.org

EXPERTS

- **BIRKUN Alexei :**
Laboratory of Ecology and Experimental Pathology Crimean
Medical University
Bevd. Lenin 5/7
95006 - Simferopol, Crimea
UKRAINE

Tél : 380 652 253 503
Fax : 380 652 253 503
E-mail : AlexeiBirkun@home.cris.net

 - **NOTARBARTOLO DI SCIARA :**
Giuseppe
Expert scientifique
Via B. Marcello 43
20124 Milano
ITALY

Tél : 39 02 29 40 19 27
Fax : 39 02 900 518 468
E-mail : disciara@tin.it

 - **RAGA Juan Antonio :**
Department of Animal Biology
University of Valencia
Dr. Moliner 50
46100 Burjasot, Valencia
SPAIN

Tél : 34 963864375
Fax : 34 963864372
E-mail : toni.raga@uv.es

 - **SCOVAZZI Tullio :**
professor
Facoltà di Giurisprudenza
Università di Milano-Bicocca
Piazza dell'Ateneo Nuovo 1
20126 Milan
ITALY

Tél : 39 2 761 01 49
Fax : 39 2 761 01 49
E-mail : tullio.scovazzi@unimib.it
-

SECRETARIAT

- **VAN KLAVEREN Marie-Christine :** Secrétaire Exécutif
Villa Girasole
16 boulevard de Suisse
MC 98000 MONACO

Tél : 377 93 15 80 10
Fax : 377 93 50 95 91
E-mail : mcvanklaveren@gouv.mc
Site web : www.accobams.mc

- **FANTINEL Philippe :** consultant technique
Villa Girasole
16 boulevard de Suisse
MC 98000 MONACO

Tél : 377 93 15 87 97
Fax : 377 93 50 95 91
E-mail : fantinel@club-internet.fr
Site web : www.accobams.mc

- **PLATINI Frédéric :** Rédacteur
Villa Girasole
16 boulevard de Suisse
MC 98000 MONACO

Tél : 377 93 15 89 63
Fax : 377 93 50 95 91
E-mail : fplatini@gouv.mc
Site web : www.accobams.mc

- **LALLEMAND Agnès :** support administratif
Villa Girasole
16 boulevard de Suisse
MC 98000 MONACO

Tél : 377 93 15 89 63
Fax : 377 93 50 95 91
E-mail : alallemand@gouv.mc
Site web : www.accobams.mc

- **BERNARDI Emmanuelle :** Support administratif
Villa Girasole
16 boulevard de Suisse
MC 98000 MONACO

Tél : 377 93 15 20 78
Fax : 377 93 50 95 91
E-mail : ebernardi@gouv.mc
Site web : www.accobams.mc

ANNEX VI

SCIENTIFIC COMMITTEE MEMBERS

QUALIFIED EXPERTS REPRESENTING THE REGIONS

Western Mediterranean and near Atlantic:

- M. Abdellatif BAYED
Professeur
Unité d'Océanologie Biologique
Institut Scientifique
Avenue Ibn Battouta
B.P 703 Agdal
CP 10106 Rabat - MAROC

Tél : 212 37 77 45 48
Fax : 212 37 77 45 40
e-mail: bayed@israbat.ac.ma
- *alternate* : M. Juan Antonio RAGA
Professor
Department of Animal Biology
University of Valencia
Dr. Moliner 50
46100 Burjasot, Valencia - SPAIN

Tél : 34 963864375
Fax : 34 963864372
E-mail : toni.raga@uv.es

Central Mediterranean :

- M. Holcer DRASKO:
Président - Zoologist
Blue World - Croatian Natural History Museum
Zad bone 11
51551 Veli Losinj
CNHM, Demetrova 1
10000 Zagreb - CROATIE

Tél : 385 1 4851 700
Fax : 385 1 4851 644
e-mail: drasko.holcer@hpm.hr
Site web: www.adp.hr ou www.hpm.hr

- *alternate* : M. Alfred BALDACCHINO

Principal Environment Officer
Head of Biodiversity Unit
Environment Protection Department
Corradino PLA 08 - MALTA

Tél : 356 699 66122
Fax : 356 667779
E-mail : alfred.e.baldacchino@magnet.mt

Eastern Mediterranean :

- Mme Anastasia KOMNENOU :

CITES Management Authority
Hellenic Ministry of Agriculture
3 - 5 Ippocratus Street
106 70 Athens - GREECE

Tél : 30 10 2124612 / 30 945 531850
Fax : 30 31 0994443
E-mail : daspro1@minagr.gr
natakomn@vet.auth.gr
Site web : www.minagr.gr

- *alternate* : Mme. A. METAXATOU

Oceanographer – Ichthyologist
Greek Ministry of Agriculture
Acharnon 381 Athens - GREECE

Tél : 010 212 52 72
Fax : 010 212 52 73
E-mail : minasgrig@hol.gr

Black Sea :

- M. Akaki KOMAKHIDZE :

Director
Georgian Marine Ecology and Fisheries Research Institute
Black Sea Regional Activity Centre for Biodiversity Conservation
51 Rustaveli Str P.O. box 58
384500 Batumi - GEORGIA

Tél : 995 222 74640
Fax : 995 222 74642 ou 43
E-mail : mefri@batumi.net

- *alternate*: M. Tzvetan STANEV :

Marine Mammals Specialist
IFA - Institute of Fisheries and Aquaculture Varna
4, Primorski boulevard
9000 Varna P.O.box 72 - BULGARIA

Tél : 359 52 257876
Fax : 359 52 257876
E-mail : ifr@abcis.bg

EXPERTS APPOINTED BY CIESM

Alex AGUILAR

Department of Animal Biology (Vertebrates)
Faculty of Biology
University of Barcelona
08071 Barcelona-
SPAIN

Tél.: + 34 93 403 45 56
Fax. :+34 93 403 45 54
alexa@porthos.bio.ub.es

Pierre BEAUBRUN

Ecole Pratique des Hautes Etudes
Université de Montpellier 2, P.O. 94
Place Eugène Bataillon
34095- Montpellier- FRANCE

Tél.:+33 04 67 14 47 91
Fax. : +33 04 67 63 33 27
beaubrun@crit.univ-montp2.fr

Alexei BIRKUN

Biotechnological Research in Ecology, Medecine and Aquaculture
BREMA Laboratory
Luxemburg Str. 27-2a
95006 - Simferopol, Crimea UKRAINE
+380 652 253 503
+ 380 652 253 503
AlexeiBirkun@home.cris.net

Alexandros FRANTZIS

Institute of Marine Biological resources
National Center for Marine Reserach
Agios Kosmas
GR- 166 04 Hellenikon- GREECE
+30 1 98 21 354
+30 1 98 11 713
afrantzis@otenet.gr

Giuseppe NOTARBARTOLO di SCIARA

ICRAM (Istituto centrale per la Ricerca Scientifica e Tecnologica
Applicata al Mare)
Via di casalotti, 300
00166 Roma ITALY
+39 06 61 57 04 12
+39 06 61 55 05 81
disciara@tin.it

EXPERTS APPOINTED BY THE IWC, IUCN AND ECS

Members will be appointed later by the Organisations.

ANNEX VII

LIST OF ACRONYMS

ASCOBANS :	Agreement on the Conservation of Small Cetaceans of the Baltic and North Seas
CIESM :	Commission Internationale pour l'Exploration Scientifique de la Méditerranée
CITES :	Convention on International Trade in Endangered Species of wild fauna and flora
CMS :	Convention on the Conservation of Migratory Species of wild animals
ECS :	European Cetacean Society
FAO :	Food and Agricultural Organization
GEF :	Global Environmental Fund
IUCN :	International Union for Nature Conservation
IWC :	International Whaling Commission
OSPAR :	The Convention for the Protection of the Marine Environment of the North-East Atlantic
UNDP :	United nations for Development Program
UNEP :	United Nations for Environment Program
UNEP / MAP :	United Nations for Environment Program / Mediterranean Action Plan
RAC / SPA :	Regional Activity Centre / Specially Protected Areas
WDCS :	Whales and Dolphins Conservation Society
WTO :	World Tourism Organization
WWF :	World Wide Fund for Nature Conservation

PART II

Opening Statements

(Reproduced in the form submitted to the Secretariat)