



Agreement on the Conservation of Cetaceans of the Black Sea, Mediterranean Sea and contiguous Atlantic area, concluded under the auspices of the Convention on the Conservation of Migratory Species of Wild Animals (CMS)



Accord sur la Conservation des Cétacés de la Mer Noire, de la Méditerranée et de la zone Atlantique adjacente, conclu sous l'égide de la Convention sur la Conservation des Espèces Migratrices appartenant à la Faune Sauvage (CMS)

Seventh Meeting of the Parties to ACCOBAMS

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DRAFT RESOLUTION 7.11 INTERACTIONS BETWEEN FISHERIES AND CETACEANS

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This document will be available only in electronic format during the Meeting.*

DRAFT RESOLUTION 7.11**INTERACTIONS BETWEEN FISHERIES AND CETACEANS**

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

Recalling the provisions of Article II, paragraph 3, of the Agreement, inviting Parties to implement, within the limits of their sovereignty and/or jurisdiction and in accordance with their international obligations, appropriate measures for the assessment and management of human-cetacean interactions and stressing that measures concerning fisheries activities shall be applied in respect of any vessel under their flag or registered within their territory, including in all waters under their sovereignty and/or jurisdiction, and outside these waters,

Recalling the following Resolutions:

- Resolution 2.12 on guidelines for the use of acoustic deterrent devices,
- Resolution 2.13 on pelagic gillnets,
- Resolution 2.21 on assessment and mitigation of the adverse impacts of interactions between cetaceans and fishing activities in the ACCOBAMS area,
- Resolution A/3.1, amending Annex 2 to the ACCOBAMS, as regards the use of drift nets,
- Resolution 3.8 strengthening collaboration with the General Fisheries Commission for the Mediterranean,
- Resolution 4.9 on fisheries interactions with cetaceans,
- Resolution 6.16 on interactions between fisheries and cetaceans,

Taking into consideration Recommendation 12.3 of the 12th ACCOBAMS Scientific Committee Meeting on “Cetacean interactions with fisheries: bycatch, predation and prey depletion”,

Fully aware of the complexity of the cetacean-fisheries interaction issue with its negative impacts on cetacean populations, as well as its socio-economic implications in some zones of the Agreement Area, in particular the situation of severe conflicts generated between fishermen and dolphins due to the damages caused to fishing gear,

Recognizing that by-catch poses the main threat to cetaceans in the Black Sea and a significant threat in the Mediterranean Sea,

Recalling the commitment of the Contracting Parties to the Barcelona Convention to reduce cetacean-fisheries interaction through the implementation of Decision IG.22/12 related to the adoption of the updated Action Plan for the Conservation of Cetaceans in the Mediterranean Sea,

Conscious of the related work underway under the Convention on the Conservation of Migratory Species of Wild Animals (UNEP/CMS), and *recalling* related decisions, in particular UNEP/CMS Resolution 12.22 on Bycatch,

Conscious of the related work underway under the Agreement on the Conservation of Small Cetaceans of the Baltic, North East Atlantic, Irish and North Seas (ASCOBANS), and *recalling* related decisions, in particular ASCOBANS Resolution 8.5 on Monitoring and Mitigation of Small Cetacean Bycatch,

Welcoming the establishment of the Joint Bycatch Working Group with ASCOBANS,

Commending the collaboration bounds established between the Secretariats of ACCOBAMS and the General Fisheries Commission for the Mediterranean (GFCM), in particular regarding the mitigation of the adverse impacts of interactions between cetaceans and fishing activities in the Agreement area,

Noting with appreciation the recommendations adopted by the GFCM on the mitigation of incidental catches of cetaceans in the GFCM area (Recommendation GFCM/36/2012/2) and on the establishment of a set of minimum standards for bottom-set gillnet fisheries for turbot and conservation of cetaceans in the Black Sea (Recommendation GFCM/37/2013/2), as well as the guidelines included in the manual “Monitoring incidental catch of vulnerable species in the Mediterranean and Black Sea: Methodology for Data Collection”, developed by GFCM in collaboration with other partners,

Noting the validation by GFCM of the Data Collection Reference Framework (DCRF), that includes incidental catches of vulnerable species,

Taking note of the documents “Review of by-catch rates of cetaceans in the Mediterranean and the Black Sea” and “Mitigation measures for protected species”, distributed at this Meeting of the Parties,

Taking into consideration the European Council Regulation (EC) No 812/2004 laying down measures concerning incidental catches of cetaceans in fisheries,

Greatly appreciating the financial support provided by the MAVA Foundation for the projects aimed at addressing the issues of interactions between fisheries and cetaceans,

1. *Reaffirms* the commitments of the Parties to protect cetacean species against by-catch;
2. *Stresses* the need to produce a realistic estimate of cetacean and other megafauna species by-catch for different types of legal fishing activities, for illegal, unreported and unregulated (IUU) fishing and for ghost net fishing;
3. *Requests* Parties to assess the level of cetacean by-catch arising from their fisheries using a combination of methods, following the guidelines included in the manual “Monitoring incidental catch of vulnerable species in the Mediterranean and Black Sea: Methodology for Data Collection”, developed by GFCM in collaboration with other partners, such as:
 - a) trained observers on board fishing vessels;
 - b) fishermen interview surveys;
 - c) self-sampling by fishermen;
 - d) strandings data collection;
 - e) remote electronic monitoring;
4. *Further requests* Parties that socio-economic studies be conducted on the extent of depredation caused by cetaceans, in order to elaborate possible mitigation measures, which may help to prevent retaliation actions by fishermen;
5. *Recommends* that the Parties and non-Party Range States make every effort to support global and regional

initiatives to investigate the most appropriate measures to mitigate by-catch and depredation and implement them, as necessary, in close collaboration with the fishing communities and other relevant stakeholders, including through relevant regional instruments;

6. *Recommends* that assessments be conducted to evaluate the sustainability of fish stocks, while securing prey availability for cetacean species, in parallel with the aforementioned actions;
7. *Recommends* Parties who have fish farms and/or tuna pens in their marine areas, to ensure that the operators of such farms/tuna pens avoid feeding dolphins as this may cause an ecological issue;
8. *Invites* the Permanent Secretariat to provide assistance to Parties in addressing the issue of interactions between cetaceans and fishing activities, including IUU fishing, taking into account the social and economic aspects of this issue, ensuring that all activities undertaken in this context are in line with the objectives of ACCOBAMS and considering mutual impacts of mitigation measures;
9. *Invites* the Scientific Committee, in close collaboration with the Permanent Secretariat, to keep a watch over the recent advances in technology regarding the acoustic devices for mitigating the interactions between cetaceans and fishing gears and, where necessary, propose amendments to the Guidelines for the use of acoustic deterrent devices adopted by the Parties (Resolution 2.12);
10. *Invites* the Permanent Secretariat to pursue its collaboration with the GFCM Secretariat and strengthen its involvement in the relevant works and initiatives undertaken under GFCM;
11. *Invites* the Permanent Secretariat to strengthen its collaboration also with the Secretariats of UNEP/CMS, ASCOBANS, IWC and other relevant Organizations to investigate approaches for achieving significant decrease in the cetacean by-catch levels, using, as appropriate, the recommendations of the Scientific Committee;
12. *Decides* that the present Resolution replaces Resolution 6.16.