



FINs

SPECIAL EDITION

November 2016



1996

2016

M. Toby WRIGHT created and generously donated the drawing on the front page at the occasion of the special edition of FINS marking the 20th Anniversary of ACCOBAMS



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November 2016

20 YEARS

ACCOBAMS

conserving cetaceans

1996 - 2016



Gouvernement Princier
PRINCIPAUTÉ DE MONACO



H.S.H Prince Albert II

Message of H.S.H Prince Albert II

This special issue of the FINS celebrates the 20th anniversary of the Agreement on the Conservation of Cetaceans of the Black Sea, Mediterranean Sea and contiguous Atlantic area (ACCOBAMS) signed in the Principality of Monaco in 1996. Twenty years of significant commitment engaging stakeholders in the conservation of cetaceans and the preservation of the marine food chain.

Twenty years have been very well spent! ACCOBAMS has grown from a small temporary office to the current established and active structure, uniting scientific communities' strengths and political stakeholders' power. During this period of time, it has achieved not only its initial goals, but broadened the range of tools available to raise the awareness of its impact on the whole marine environment globally.

ACCOBAMS has developed from its synergy with others and seeks to cooperate with politicians, scientists and NGOs. Over the past 20 years, many actions have been implemented both in its specific region and more globally. Nowadays few can ignore the importance of preserving marine biodiversity and protecting cetaceans.

Keeping the general public informed about ACCOBAMS' achievements and those of everyone involved in the sustainable management of marine biodiversity is a major challenge and FINS is a useful tool to achieve this objective.

I welcome this 20th anniversary special issue of FINS as I always sought to support the aims and ambitions of the Agreement. For twenty years ACCOBAMS has been yours; use it to support better sustainability of ours seas!

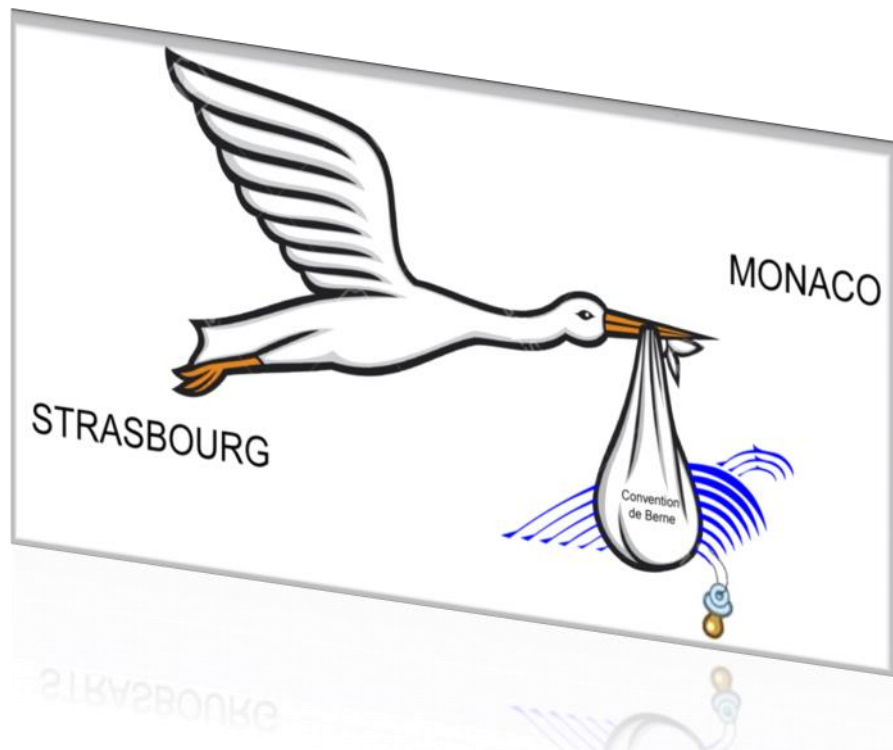
Albert, Prince of Monaco

ACCOBAMS

*Patrick Van Klaveren, Ambassador e.r., Senior International Environmental Policy Specialist
Eladio Fernández-Galiano, Secretary of the Bern Convention from 1985 till 2006*

THE CONCEPTION

Although its object is not the preservation of Alsace storks, it is in Strasbourg, far from the sea, that ACCOBAMS was conceived, within the framework of the Standing Committee of the Bern Convention on the Conservation of European Wildlife and Natural Habitats.



In December, 1989, "the Standing Committee discusses a proposal of the Secretariat concerning the creation, under the sponsoring of Greenpeace, of a small informal workgroup related to the small cetaceans, involving the Secretariats of the Bonn (CMS), Bern, Barcelona Conventions, the International Union for the Conservation of Nature and the chair of the Working group of the CMS on the small cetaceans. This group would establish a report on the preservation of small cetaceans in the Mediterranean Sea, particularly on the interaction with fishing activities, by studying the feasibility of an Agreement for the Mediterranean Sea in this domain". "The Standing Committee authorizes the creation of the group and suggests that it handles only with the Mediterranean Sea and essentially with cetaceans".

This proposal of the Secretariat of the Bern Convention, in dialogue with Greenpeace, led to the organization of a meeting in Palma de Majorca involving only seven participants, among whom 2 of Greenpeace, 3 representatives of three involved Conventions and 2 university professors. The participants - without any representation of the governments - concluded that it was convenient to propose a text for the elaboration of a legal instrument for the protection of the small cetaceans in the Mediterranean Sea on the basis of Greenpeace's project.

Later, a preference was underlined for the drafting of an Agreement within the framework of the CMS, Agreement which had to apply to waters of the Mediterranean Sea and the Black Sea (including the Marmara Sea) and of the area of the Atlantic Ocean (up to the meridian of the Cape S. Vicente in Portugal).

In December 1991, the Standing Committee of the Bern Convention encouraged the Parties and range States to the Convention on small cetaceans of the Black Sea and the Mediterranean Sea and the adjacent waters to support the conclusion of such an Agreement. The governmental negotiations - on the basis of the Greenpeace's first text - began in 1992 in Athens. Very quickly the question of the exclusion from the large species (in line with the competence of the IWC) was solved and both sperm whales and fin whales were added to the other species.

THE GESTATION

In September 1995, the first session of an intergovernmental negotiation on the basis of a new text drafted within the Secretariat of CMS in association with the Principality of Monaco, opened in Monaco. This text was linked to the "Cetaceans Action Plan" of the UNEP/Mediterranean Action Plan.

This first version was largely endorsed but several points remained open and, in particular:

- The zone covered by the Agreement with:
 - ◊ The inclusion or not of the adjacent Atlantic zone;
 - ◊ The continuity between the Mediterranean Sea and Black Sea integrating the zone of the Marmara Sea and the "Straits" (Turkey having to take care of the Montreux Convention regarding the regime of the straits);
 - ◊ The Azov sea;
- The question of the scale of the contributions and its relation to the UN ones;
- The mention of the UN Convention on the Law of the sea;
- The possibilities of emitting reserves of general character;
- The referral to existing instruments for the creation of Specially Protected Areas;
- The creation of a consultative Committee.

In November 1996, the second meeting of consultation was held.

- The geographical coverage area was adopted covering three distinct zones including the neighbouring Atlantic zone. A particular mention concerning internal waters was added to it which are connected or which connect maritime waters of the Mediterranean Sea and Black Sea. It was about the Sea of Marmara, the straits as well as the Azov sea (for which Russian and Ukrainian delegations had declared to collaborate closely);

- The mentions to the Montego Bay Convention were replaced by the reference to the maritime law and to the Montreux Convention on the regime of the straits;
- No principle of general reserve was adopted except State reservation in respect of a specifically delimited part of its internal waters;
- The referral to the Barcelona and the Bucharest Conventions for the creation of Specially Protected Areas was confirmed;
- A Scientific Committee was created.

THE BIRTH

On November 24th, 1996, in Monaco, the Agreement was officially adopted and opened for signatures during a plenipotentiary Conference.



THE ADOLESCENCE

As agreed in the final act of this Conference, Monaco and CMS insured jointly during four years the tasks of an interim Secretariat. The Principality, depositary of the Agreement, committed diplomatic contacts encouraging the necessary ratifications for the entering into force of the Agreement.

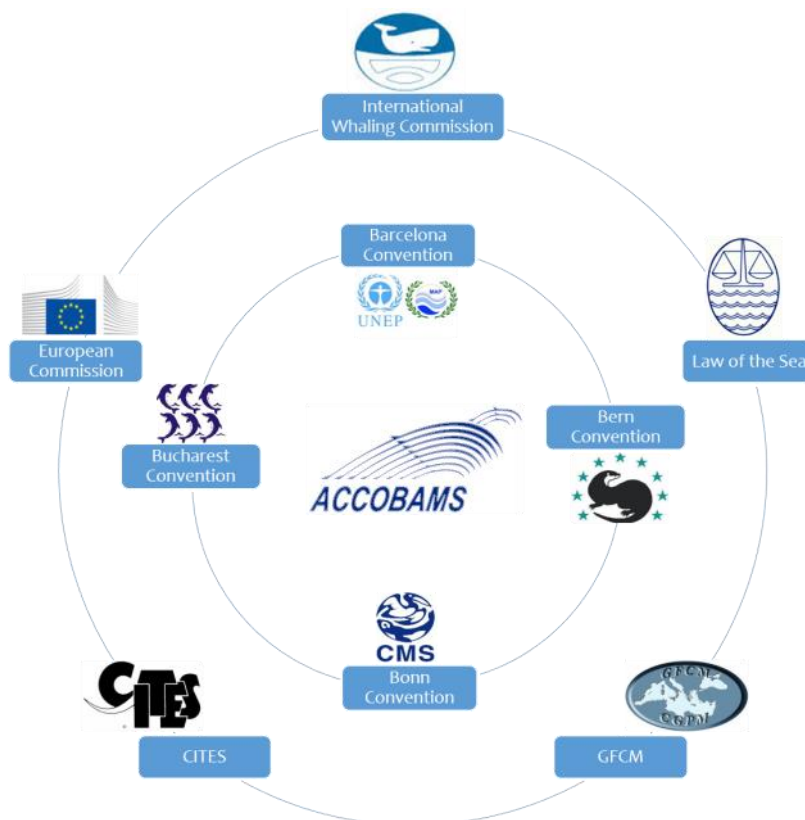
About this entering into effect, it is interesting to tell the legal problem which arose. The Article XIII of the Agreement stipulates that the signature could be made "without reservation in respect of ratification, acceptance or approval" or "with reservation in respect of ratification, acceptance or approval, followed by ratification, acceptance or approval" - distinction which was lacking precision and no signatory emitted any reservation with his signature. As such, it could have been considered that all signatures were worth ratification. All the signatories specially contacted on this point confirmed that the classic processes of ratification must be followed in their Countries. Only Greece considered that its signature was worth ratification and, in good conscience, considered to have to pay a contribution since the day of the signature.

The first works of the temporary Secretariat allowed to draft a work plan and to finalize the relations with the Barcelona and Bucharest Conventions concerning their function of sub-regional coordination Units. Nothing at that time forecasted the settlement of a Permanent Secretariat in the Principality of Monaco. Indeed, the Agreement, in its article IV, specified that, subject to the approval of the Conference of the Parties to the CMS, a Permanent Secretariat of the Agreement would be established within the Secretariat of the CMS. It also specified that if the Secretariat of the CMS was not able, whatever moment it is, to perform these functions, the Meeting of the ACCOBAMS Parties would take the necessary measures.

In April, 1997, the 5th Meeting of CMS's Parties stated on the implementation of its Resolution 4.4 (adopted during the fourth session of the Conference of the Parties - Nairobi, 1994), which, among others, stipulated that the signatories of certain Agreements concluded under the auspices of the CMS should be invited to collocate the functions of their Secretariat in the office of the CMS within an Agreement Unit financed altogether by their respective Parties.

During the discussion related to this decision, it emerged that this grouping would imply, in fact, more than a collocation but an integration in the UNEP system with all its financial and administrative consequences. For ACCOBAMS, it would have settled a Secretariat out of the geographical coverage area. The delegation of the Principality in this meeting reacted to these implications and underlined that the Parties to ACCOBAMS, as to the other Agreements, had to remain sovereign in the choice of the settlement of their Head Quarter. Obviously a solution to reconcile this position with the respect of the decision of Nairobi and the article IV of the ACCOBAMS was to be found.

This idea was drafted under the CMS Resolution 5.5 which, while underlining the interest of co-localisation, confirmed that the decision of the settlement of the Secretariat for a particular Agreement and for all the issues to it related, remains a subject to rely only on decision of its Meeting of the Parties. As such, the Resolution simply proposed to the Contracting Parties of the Agreements - not located in Bonn - to consider, according to their respective rules, the offer to collocate, on their specific budget, their Secretariat functions within the CMS Agreements Unity.



THE EMANCIPATION

In January 1st, 2001 ACCOBAMS entered into force. The first Meeting of the Parties was organized at the end of February, 2002.

Essentially focused on administrative and financial matters, this first Meeting had to rule on the settlement of a Permanent Secretariat.

On the basis of the CMS Resolution related with the Agreements' Secretariats collocation, the Meeting of the Parties thanked CMS for its offer but considered that it would be rational, for obvious practical reasons, to locate the Secretariat in a Range State of the Agreement. While recommending to keep close reports with the CMS Secretariat, as stated in the Article IV the Agreement, the Meeting welcomed the offer of the Principality to host the Permanent Secretariat.

The corollaries to this arrangement, which was reproduced only by the ACAP (Agreement for the Conservation of Albatross and Petrels of the southern hemisphere - hosted in Australia), was that the Permanent Secretariat would adapt some management rules such as annexed in the CMS Resolution 5.5. These rules, which since have evolved, initiated what is now called the CMS "family". In particular, the Secretariat have to:

- report activities of the Agreement during CMS meetings,
- keep a link with the CMS scientific Committee and
- maintain narrow relations with the other marine mammals relevant Agreements.
- play a role in the promotion of CMS and its Agreements in its Parties and range States.

Regarding the management of the Secretariat, CMS left the whole freedom to the Contracting Parties but wished (cf. third Reunion of the ACCOBAMS Parties) that a minimum of harmonization is realized between the remuneration of the Executive Secretary and its counterparts based in Bonn.

20 YEARS LATER

The vitality of ACCOBAMS in the past 20 years has only been growing. Often recognized as model both in its contents and in its implementation, ACCOBAMS was the subject of several University thesis and inspired other Agreements, *memoranda*, and action plans elsewhere in the world. In the course of extension along the Atlantic Coasts of the Iberian Peninsula it is coveted by the riparian Red Sea States where technical cooperation may be foreseen.

Several of its Guidelines were also recognized in intergovernmental fora and professional communities.

This will be further described in the following pages...



Painting by Patrick Van Klaveren

THE ACCOBAMS PERMANENT SECRETARIAT

Florence Descroix-Comanducci
ACCOBAMS Executive Secretary

20 years of an Agreement is also 20 years of its Secretariat's existence. A long story....

After the signature of the Agreement in Monaco in November 1996, a temporary Secretariat was established in a small office hosted by the Department of International Cooperation for Environment and Development, of the Government of the Principality of Monaco. During almost four years, the missions of this temporary Secretariat were formally jointly ensured by Monaco and the Convention on Migratory Species.

The Permanent Secretariat was created in 2001 through Resolution 1.2. It was originally composed of an Executive Secretary and a Secretary, both part time, provided by Monaco. However, given the missions to be undertaken, they were rapidly employed full time... Acknowledging this contribution of the Principality, several countries responded to the call by Parties for additional support to the Secretariat. Italy, Spain and Turkey provided either personnel to the Secretariat or funds for their recruitment. There was even a German scientist on a voluntary basis! Recognizing the need for securing the orientations taken by the Secretariat, more dedicated to relation to Parties and to concrete conservation actions, Parties created a position of administrative assistant at their Second Meeting in 2004. Hence, during the triennium 2002-2004, the Secretariat was composed up to six persons. The voluntary contribution from Italy remained until 2007.

In 2005, the Monegasque Government, wishing to provide the Permanent Secretariat with appropriate means, transferred the Secretariat to new and larger premises in Monaco.

In 2010, the status of the Permanent Secretariat changed with the adoption of the Headquarters Agreement with the Principality of Monaco, conferring a legal personality and formally recognizing its autonomy from the Monegasque administration.

In 2014, willing to benefit from extra budgetary funded opportunities for cetacean conservation projects, the Fifth Meeting of Parties decided to reinforce the Secretariat with the recruitment of a Project/Fundraising Officer dedicated to support the implementation of conservation actions.



The ACCOBAMS Permanent Secretariat, beyond its formal role, is among all the human adventure of a small, motivated and dedicated team, spending its time and energy, without counting, to assist Countries and to collaborate with the Scientific Community, the ACCOBAMS Partners and all international actors with similar marine biodiversity conservation vision and commitment.

Over time, the Secretariat staff has been able to:

- ◆ get the Agreement known not only among international Organizations but also Ministries;
- ◆ make the case of cetacean conservation a recognized issue;
- ◆ establish formal collaborations with key players, i.e. CMS, CBD, UNEP/MAP, GFCM, IUCN, MedPAN, ...the last ones being the MoU signed with the UNEP/MAP on February 2016 and a strategical alliance among Secretariats for space-based management and conservation measures;
- ◆ launch large regional studies on underwater noise impact and projects on the interactions with fisheries and on cetacean population's distribution at the ACCOBAMS area scale.

The temporary Secretariat of 20 years ago is now playing in the top league and is recognized as a key international actor of the biodiversity conservation as proven by the invitation made to the Secretariat to participate in the negotiations of the 1st preparatory Committee for the establishment of a new international legally binding instrument under UNCLOS on the Conservation and Sustainable Use of Marine Biological Diversity of Areas beyond National Jurisdiction.

Firmly focused on future, the Permanent Secretariat aspirations are to further support the development of knowledge for the establishment of mitigation measures addressing threats to cetaceans, to reinforce and enlarge the awareness on the impact of human activities on cetaceans which will also benefit to the global sustainable management of marine biodiversity and to carry also its actions at a local scale, in the field, by involving ACCOBAMS Partners and local communities for a better and proper recognition of services rendered by cetacean conservation.

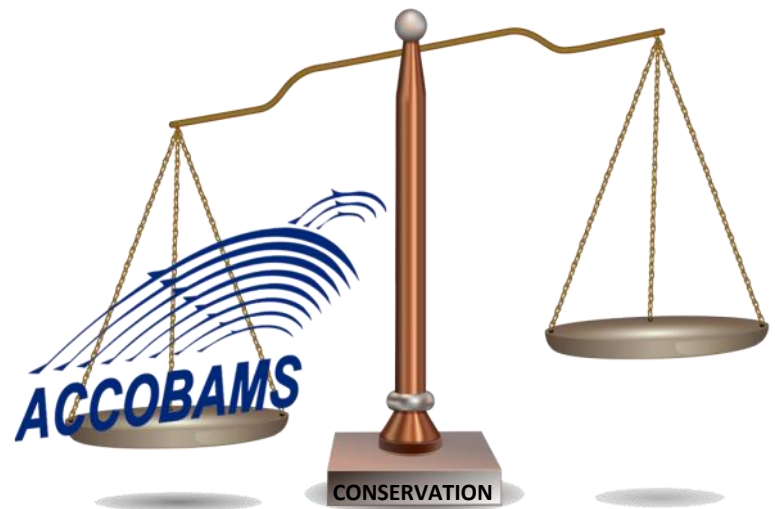
THE ACCOBAMS ADDED VALUE

Tullio Scovazzi
Legal Expert

ACCOBAMS is one of the products of the spirit of international co-operation that has developed as a result of the UN Conference on Environment and Development (Rio, 1992). The major environmental principles embodied in the Rio Declaration are reflected in the Agreement. The Parties recognize that cetaceans must be conserved for the benefit of present and future generations (so-called principle of inter-generational equity) and that their conservation is a common concern. They acknowledge the importance of integrating actions to conserve cetaceans with activities related to socio-economic development, including fishing and free circulation of vessels (principle of sustainable development). They are committed to apply the precautionary principle in implementing the measures prescribed under the Agreement. They require an environmental impact assessment for allowing activities that may affect cetaceans or their habitat, including fisheries, offshore exploration and exploitation, nautical sports, tourism and cetacean watching, as well as for establishing the conditions under which such activities may be conducted. They promote co-operation among all the stakeholders, namely States, regional economic integration organizations, intergovernmental organizations and the non-governmental sector. They call for the provision of assistance, in a spirit of solidarity, to developing range States for research, training, monitoring and the establishment or improvement of scientific and administrative institutions.

ACCOBAMS also applies to cetacean species the principles of the 1969 Bonn Convention on the Conservation of Migratory Species of Wild Animals. Given that that each generation of man holds the resources of the earth for future generations and has an obligation to ensure that this legacy is conserved and, where utilized, is used wisely, wild animals in their innumerable forms are considered as an irreplaceable part of the earth's natural system which must be conserved for the good of mankind.

However, ACCOBAMS goes beyond a mere enunciation of fundamental principles. In its provisions, including those in Annex 2, it sets forth very precise obligations that constitute the value added by ACCOBAMS to the general regime applicable to cetaceans. In particular, ACCOBAMS clearly states that any deliberate taking of cetaceans is prohibited and defines “taking” in a very broad way, as including taking, hunting, fishing, capturing, harassing, deliberate killing, or attempting to engage in any such conduct. Not only whaling in any of its forms, but also all activities that are likely to harass cetaceans are banned from the Agreement area. Exceptions to the prohibition are very strictly defined and are limited to emergency situations and to the purpose of non-lethal *in situ* research aimed at maintaining a favourable conservation status for cetaceans. This is the best way to apply Arts. 65 and 120 of the 1982 United Nations Convention on the Law of the Sea that allow for special regimes applying to marine mammals.



After twenty years since its adoption in Monaco, ACCOBAMS has proved to be quite a successful Agreement. The great majority of States bordering the Agreement area have become parties to it. Throughout their meetings, the parties have adopted a number of resolutions, covering a broad range of subjects relevant for the protection of cetaceans, and have developed various forms of scientific cooperation aimed at acquiring a better knowledge on cetaceans and their environment. In 2013 an ACCOBAMS follow-up procedure has been created whereby also non-governmental entities (so-called ACCOBAMS partners) have a role to play. As it is inevitable, open questions exist – for instance, more marine protected areas specifically devoted to maintaining a favourable conservation status for cetaceans should be established; the risks posed by underwater noise or collisions between cetaceans and ships should be addressed by effective measures. However, it is a matter of fact that the States bordering the ACCOBAMS area have established a framework for the protection of an irreplaceable component of the marine environment and have been working in a reliable way for this purpose.

THE ACCOBAMS SCIENTIFIC COMMITTEE

Giuseppe Notarbartolo di Sciara
Former Chair of the ACCOBAMS Scientific Committee
President of the Tethys Research Institute

Working with the ACCOBAMS Scientific Committee has been an important element of my professional existence. The idea of being able to insert my life-long dedication to the conservation of Mediterranean marine biodiversity within the institutional framework provided by such a specific multilateral agreement as ACCOBAMS had been part of my dreams, nourished during the long negotiations which I was engaged in, and which eventually led to the agreement's signature in Monaco in November 1996.



The ACCOBAMS Secretariat was established soon thereafter, and Marie-Christine Grillo Van Klaveren, ACCOBAMS' first Executive Secretary, immediately engaged me in the setting up of the future Scientific Committee's work, and in the preparation of the first Meeting of Parties (MOP), which took place in Monaco in 2002.



That meeting nominated me Chair of the Scientific Committee, a position I maintained until 2010, when at the 4th MOP, again in Monaco, I decided to step down to stimulate a healthy turnover of roles.

I remember my tenure as first Chair of the ACCOBAMS Scientific Committee, during which I chaired six of the Committee's formal meetings, as a very exciting time. The Committee's work saw the consolidation of a true international scientific community dedicated to

cetacean conservation, a formidable advancement in the cetacean ecological knowledge which has transformed the Mediterranean into one of the world's best studied marine regions, and some progress (albeit never enough!) in the diffusion of capacity building throughout the Agreement area.

Have all these advances been paralleled by simultaneous results in the conservation status of cetaceans in the region? Certainly yes: who knows what the status of many cetacean species would be today, had ACCOBAMS never existed. This is not to say, however, that we are out of the danger zone. There is a big difference between not losing ground and advancing. This still remains the challenge, and one which leaves no room for complacency.



A fin whale invited itself during the 4th Meeting of the Scientific Committee in Monaco in 2006.



KNOWLEDGE & CONSERVATION OUTCOMES

20 YEARS OF MAJOR ACHIEVEMENTS



IMPROVING THE CONSERVATION STATUS OF CETACEANS: THE ROLE OF CONSERVATION AND MANAGEMENT PLANS

Greg Donovan
Head of Science
International Whaling Commission

When considering 'status', we are usually interested in (a) where a population is now compared to where it was originally and (b) where it is going in the future. Thus while good baseline information is essential (for example see the section on the ACCOBAMS Survey Initiative in this newsletter) information is also needed on trends. The importance of long-term monitoring cannot be over-emphasised.



Cetaceans in the ACCOBAMS region, as well as in the rest of the world, face an array of existing and emerging threats which include fishery bycatch, ship strikes, chemical and acoustic pollution, marine debris, habitat loss and climate change. Considerable efforts to understand these threats and ways to mitigate them are undertaken by the ACCOBAMS Scientific Committee and individual range states, as well as other intergovernmental organisations such as the IWC, CBD and CMS. Most cetacean populations are cross-boundary and face multiple threats which are most effectively addressed through co-ordinated international efforts.

One important tool to address such threats where a particular population or region is known to be in great need of conservation action is that of Conservation and Management Plans (CMPs). CMPs are conservation strategies that consolidate the best available science and management expertise. They must be living documents that are regularly reviewed in the light of progress and new information. CMPs should guide and co-ordinate effective management efforts amongst *all* stakeholders including national and regional governments, industry, non-governmental organisations and affected communities. They should be science based but precautionary – where a threat is likely but not formally proven, mitigation actions should not wait. ACCOBAMS, ASCOBANS and the IWC have worked together when developing guidelines and principles for such plans.

In drawing up a rangewide CMP, a number of stages are necessary – (1) an understanding of the distribution and status of the population(s) involved, (2) evaluation of actual and potential threats, an initial prioritisation of them and outline of possible mitigation measures, (3) knowledge of the available legal instruments and bodies to address threats, (4) a monitoring programme to determine whether mitigation is working. The most important component is the development of a manageable number of well-specified 'Actions' – these must be pragmatic and achievable in a reasonable period of time, covering topics such as focussed conservation research, management and legislative actions, compliance, monitoring, capacity building, public awareness and co-ordination. Experience has shown effective CMPs must have a dedicated full-time co-ordinator, a stakeholder steering group and true ownership of the plan by range states.



ACCOBAMS is reviewing existing CMPs (Mediterranean common dolphins and Black Sea cetaceans) against the new guidelines as well as developing new potential CMPs such as Mediterranean fin whales and bottlenose dolphins. It is essential that these be made effective if ACCOBAMS is to meet its objectives but it must be remembered that they are not a substitute for general region-wide conservation actions that affect all populations.

THE ACCOBAMS SURVEY INITIATIVE (ASI): WHEN A DREAM COMES TRUE

Simone Panigada
Chair of the Scientific Committee

The first time the ACCOBAMS Scientific Committee started to discuss about the Survey Initiative was a while ago, during its second meeting, held in Istanbul, Turkey, in November 2003. During the meeting, a recommendation for a basin-wide survey for sperm whales was presented and discussed. Following this original idea, the Scientific Committee agreed that the highest priority for research in the ACCOBAMS area was to ‘obtain baseline population estimates and distributional information of cetaceans within the area as soon as possible (including information on stock structure)’. This need was – and still is – largely based upon the fact that any comprehensive consideration of the distribution of cetaceans in the Mediterranean is hampered by the uneven distribution of the research effort, and in particular the very low or complete absence of effort in the southern and eastern waters.

Without these crucial information (followed by a suitable and systematic monitoring programme) it would be impossible to *inter alia* determine whether ACCOBAMS is meeting its conservation objectives. These data are clearly essential for the assessment of risk, the determination of appropriate mitigation measures and the associated implementation of priority actions.



The *first stage* of the Survey Initiative would be to obtain simultaneously in the Mediterranean Sea, the Black Sea and the Atlantic contiguous waters baseline information on abundance, distribution and stock structure for all cetacean species. The *second stage* of the proposed project would be to develop a long-term monitoring framework, both at basin-wide level and in identified local key areas.

The Scientific Committee is under no illusions about the difficulties of such an ambitious task. With over 28 Countries owning coastlines in the proposed survey area, the Committee is well aware that to be effective this should be a joint multi-national effort, involving to the possible extent all riparian states, covering all body of waters.

Time has passed since that meeting in November 2003 and the ACCOBAMS Survey Initiative is now very close to be realized, thanks to the constant commitment of several people, to the generous contribution of Countries and to the great support of the Mava Foundation. The most ambitious, exciting and ground-breaking project is going to be implemented during the summer 2018. As said, the aim is to provide the states of the Mediterranean and Black Seas, as well as contiguous Atlantic waters, with the tools needed to develop an informed and effective conservation strategy for the cetaceans of the region, and to transform the ACCOBAMS area from a place where relatively little is known about cetacean distribution and abundance to an example of good practice for cetacean conservation.



This is obviously not going to be a one-man show and can only be achieved through strong partnership: governments, scientists, managers, industry and the public will have to work closely to: a) provide a solid scientific understanding of the situation, including estimation of sustainable removal levels to interpret by-catch, ship strike levels and even habitat degradation; b) establish priorities for scientific and management actions; c) develop fair and effective mitigation measures to threats - including MPAs, creating thematic maps showing high use and/or high risk areas; d) monitor to verify that identified mitigation measures are working.

In order to enable all Countries to contribute to effective conservation efforts in the long term, training and capacity building is a vital part of the Initiative. This will build up local scientific capacity, allow authorities and industry to understand the scientific tools developed under the Initiative and encourage the participation in monitoring by different stakeholders.

Finally, dissemination and public awareness is crucial to the success of any conservation initiative, with education leading to participation and effectiveness; in fact the Survey Initiative will also increase awareness of the complexity of the marine ecosystem and the potential threats to it, and to allow the public at large to participate in the development of a comprehensive, fair and effective conservation strategy.

ACCOBAMS CAPACITY BUILDING

Ayaka Amaha Ozturk

Faculty of Fisheries, Istanbul University and Turkish Marine Research Foundation (TUDAV)

Capacity building is one of the most important activities to improve the conservation status of any wild animal populations, including cetaceans. As some riparian countries of the Mediterranean and Black Seas which are member states of ACCOBAMS do not have much experience on monitoring cetaceans, capacity building is particularly useful in our basins to achieve the main goal of the Agreement.

Supplementary Conservation Funds of ACCOBAMS have provided many institutions around the Mediterranean and Black Seas chances of learning new skills and developing conservation strategies. With this fund, Bulgarian colleagues have trained coastal municipality persons to collect information of strandings, Moroccan and Tunisian colleagues worked on the feasibility of whale watching in their coastal water, colleagues of Black Sea riparian countries were trained for photo ID studies.



One of other successful activities has been the Biennial Conference on Cetacean Conservation in South Mediterranean countries which were held in 2010, 2012, and 2014. It helped researchers to exchange information between each other and to create collaborative projects across borders where they often share same problems.

ACCOBAMS also elaborated several workshops organized in conjunction with the annual conference of the European Cetacean Society, which is a unique scientific organization within Europe, but the geographical scope extends to the Black Sea and the southern Mediterranean Sea. New educational materials “Cetacean Module” have been introduced and the first series of lectures were

given in Malta 2014. It is envisaged to organize several seminars in the coming years at various locations around the Mediterranean and Black Seas to educate graduate students as well as young researchers.



As technology develops in terms of monitoring and researches, another level of capacity building will be needed. As problems for cetaceans become more and more diverse and complicated, resulting in synergetic effects of such problems, we need to tackle them in multidisciplinary ways. It is, however, always essential to train people to monitor cetaceans and to conduct such researches at a local level. One of the main targets of ACCOBAMS, thus, has been and always will be capacity building of the people engaged in conservation activities for cetaceans.

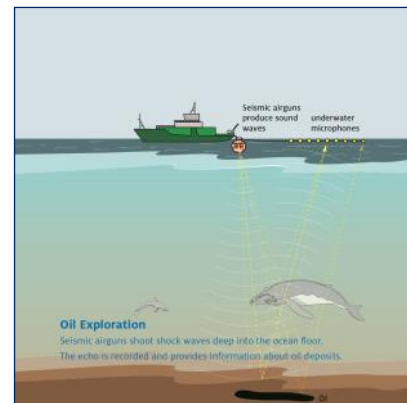


FROM NOISE FILLED REGIONS TO THE CONCEPT OF “QUIET ZONES” : THE WORK OF THE JOINT NOISE WORKING GROUP

Sigrid Lüber & Yanis Souami

Co-Chairs of the Joint ACCOBAMS/ASCOBANS/CMS Noise Working Group

While the ocean is certainly a sound-filled environment and many natural (or biological) sounds are very loud, wildlife are not adapted to anthropogenic noise. Marine wildlife rely on sound for their vital life functions, including communication, prey and predator detection, orientation and for sensing surroundings. Animals exposed to elevated or prolonged anthropogenic noise can suffer direct injury and temporary or permanent auditory threshold shifts. Noise can mask important natural sounds, such as the call of a mate, the sound made by prey or a predator. A voluntary expert group assists ACCOBAMS, ASCOBANS and CMS to support governments to address the growing impact of marine noise.



From ACCOBAMS beginnings to a CMS Family working group

The Scientific Committee of ACCOBAMS first drew the impact of anthropogenic marine noise to the attention of ACCOBAMS Parties in 2003. At that time a precautionary approach was needed because it was difficult to define the levels of noise in the marine environment and Mediterranean and Black Seas in particular. Since then the body of knowledge has grown, and there is more certainty about the impact to all the ACCOBAMS cetaceans.

Science has progressed considerably in the past 14 years. It is now understood that these impacts are experienced by a wide range of species including fish, crustaceans and cephalopods, pinnipeds (seals, sea lions and walrus), sirenians (dugong and manatee), sea turtles, polar bear, marine otters as well as cetaceans (whales, dolphins and porpoises).

In 2010 the ACCOBAMS Parties adopted ‘Guidelines to address the impact of anthropogenic noise on cetaceans in the ACCOBAMS area’ (Resolution 4.17) and a Working Group was established to provide advice on the mitigation of the noise impact issues. ACCOBAMS was amongst the first international bodies to develop such guidelines and remains a leader in this policy area even today.

Over time the working group merged with a similar working group for ASCOBANS and now also includes CMS. Known as the Joint Noise Working Group (JNWG), members have prepared a number of advisory notes for ACCOBAMS in the past few years.

Key work of the past few years

In 2014, Convention on Biological Diversity (CBD) Parties agreed to define ‘Marine and coastal biodiversity: ecologically or biologically significant marine areas (EBSAs)’ as a tool to assist with great marine conservation focus. CBD Parties are encouraged to make use of the scientific information for each EBSA when carrying out marine spatial planning.

In 2015, the ACCOBAMS Secretariat commissioned members of the JNWG to define the areas in the Mediterranean where there were a number of noise generating industries operating, with species known to have a particular sensitivity to noise. They created a ‘Hot Spots’ report and map to further serve regulators in applying the ACCOBAMS Noise Guidelines to their decisions.



In the past few months the JNWG has overlaid the ACCOBAMS Hot Spots with the CBD EBSAs as well as specific information about cetacean species known to reside in these areas. This information has been presented as an advisory statement so that ACCOBAMS Parties can easily identify the regions where Mediterranean species may be sensitive to elevated noise levels. These areas are a signal to decision-makers and industry about where noise needs to be carefully controlled. These areas are a principle, or a philosophy, stemming from the ACCOBAMS Noise Guidelines. Calling them ‘quiet zones’ has been one proposal. In time a more detailed definition can be produced to indicate what levels of noise would be acceptable and what expectations Parties have of each other in these sensitive areas of the ACCOBAMS region.

It will be important to invite industry to engage with this information to develop constructive solutions about how they can operate without significant noise. The JNWG looks forward to engaging with these discussions in the years to come.

CLIMATE CHANGE & ACCOBAMS


Mark Peter Simmonds

Visiting Fellow, University of Bristol and Senior Marine Scientist
Humane Society International

The primary effects of climate change on marine mammal species are expected to involve the relationship between ocean temperature and the availability of prey (Simmonds, 2016). Globally, shifts in distributions, changes in the timing of migrations, some mortality events and changes in reproductive success have all been associated with climatic factors and predictions include movements towards the poles of warmer water species and a contraction of the ranges of those typically found in colder waters. Climate change will interact with other variables, including exposure to chemical pollution and pathogens, to synergistically impact marine mammals, and resulting population losses may be sudden. The speed of change will challenge conventional conservation approaches and recommendations include improving the resilience of marine mammals to other threats such as the protection of key habitats, and the development of conservation tools that allow appropriately swift and adaptive responses to changes.

The cetaceans of the ACCOBAMS region may be especially vulnerable to climate change for reasons that include their relatively restricted distributions and potential inability to move away from inhospitable conditions. ACCOBAMS, in recognition of this, held a workshop on this matter in Monaco in June 2014. The main outputs from this workshop were two sets of recommendations. Firstly, key messages to Governments and others as follows:

1. Whilst gaps remain in our knowledge, there is evidence that climate change, especially in combination with other pressures, presents a profound threat to cetaceans in the ACCOBAMS region.
2. More attention needs to be given generally to the effects of climate change in the marine environment, and the Mediterranean and Black Seas are globally amongst the ecosystems most likely to be rapidly impacted, leading to further biodiversity loss.
3. Cetaceans have a value as sentinels of the ecosystem effects of climate change and we recommend their consideration in the development of indicators for environmental status to be used in relation to ongoing international initiatives.
4. Whilst investigations and wider actions continue related to climate change, every effort should be made to address all of the stressors adversely impacting cetaceans in order to help mitigate climate change effects.
5. Significant opportunities exist at this time to develop positive synergies in the work being conducted on climate change across a number of MEAs [multilateral environmental agreements] and we encourage strengthening of cooperation and actions.
6. The workshop supports the draft resolution of CMS [the Convention for the Conservation of Migratory Species] “Programme of Work on Climate Change and Migratory Species” and welcomes the opportunities for collaboration. It invites CMS and ACCOBAMS to liaise closely to identify joint activities and synergies. [CMS subsequently passed resolution 11.26 at its Conference of Parties in November 2014 in which it acknowledged the workshop recommendations. This resolution can be found here: <http://www.cms.int/en/publication/conference-parties-proceedings-11th-meeting>]
7. Increasing capacity-building and public awareness activities are of high importance, and we note the importance of marine protected areas in this regard.



Looking out for climate change!

Secondly, the workshop advocated a series of research recommendations which included stressing the importance of the maintenance of long-term studies to help understand climate change's implications and increasing efforts to better understand the relations between predators and prey. The workshop also encouraged reinforcing links between the climate modeller community and ecologists. The full report of the workshop can be found on the ACCOBAMS website (www.accobams.org). The test of the full effectiveness of this workshop will be to now take stock of whether its recommendations can be seen to be having an effect.

Simmonds, M.P. (2016) *Impacts and effects of global warming on marine mammals*. In: Laffoley, D., & Baxter, J.M. (editors). *Explaining ocean warming: Causes, scale, effects and consequences*. Full report. Gland, Switzerland: IUCN. pp. 303-322.

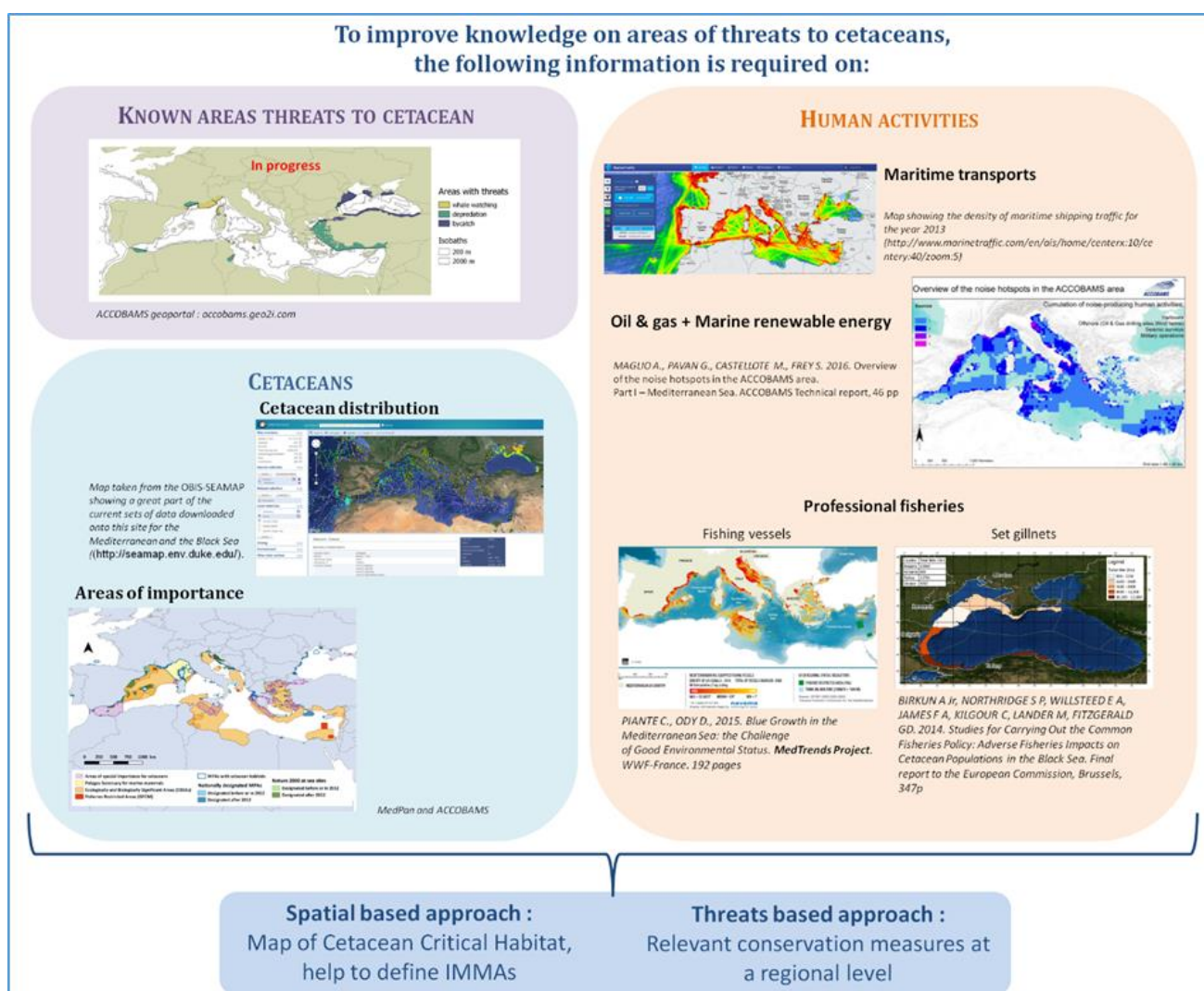
AN ACCOBAMS THREAT-BASED APPROACH IN THE IDENTIFICATION OF NEW AREAS OF IMPORTANCE FOR CETACEAN CONSERVATION

Léa David
EcoOcéan Institut

According to the ACCOBAMS Conservation Plan (Annex 2 to the Agreement), Parties shall endeavour to establish and manage specially protected areas corresponding to the areas which serve as habitats of cetaceans. For several years, Parties and the Scientific Committee of ACCOBAMS have been engaged in identifying areas of importance for cetaceans. In parallel to spatial management objectives, it has been decided to promote the threat-based management approach. For that purpose, all spatial information on Cetaceans Critical Habitat, human activities and threats are being sought for the whole ACCOBAMS area. This work is currently undertaken in a long term process with the help of relevant experts. The spatial mapping of threats to cetaceans will enable: 1) to identify regional and national efforts that should be implemented to create appropriate conservation areas and 2) to implement relevant conservation measures. Indeed, the idea is also to facilitate communication between Countries (or organisms) facing the same issues in the ACCOBAMS area, in order to join efforts and to identify solutions at the regional level.

Process

To work in collaboration with all relevant experts and organizations (such as IUCN, GFCM, MedPAN, WWF...) in order to share knowledge, existing data and GIS layers.



The identification of new areas of importance for cetaceans, through the threat-based and spatial-based approaches, depends mainly on the gathering of relevant data by the ACCOBAMS experts. The implementation of the ACCOBAMS Survey Initiative would make it possible to largely overcome these shortcomings. The ACCOBAMS interactive platform (www.netccobams.com) shall facilitate exchanges between experts.

In collaboration with members of the Scientific Committee and ACCOBAMS Partners, as Aissi M., Benamer I., Di-Méglio N., Gozalbes Aparicio P., Khalaf G., Mikhailov K., Moulins A., Öztürk A., Popov D., Raïs C. and Sequeira M.

REPCET

A SYSTEM TO LIMIT THE RISK OF COLLISION WITH CETACEANS

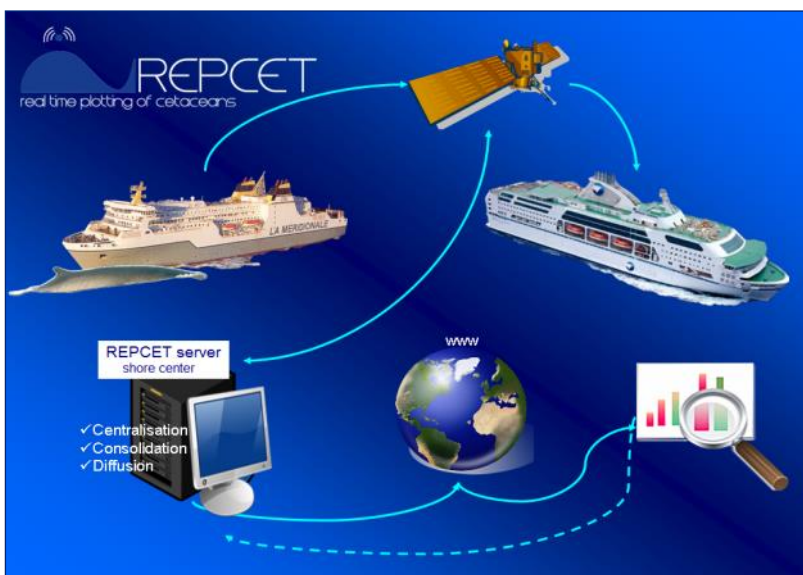
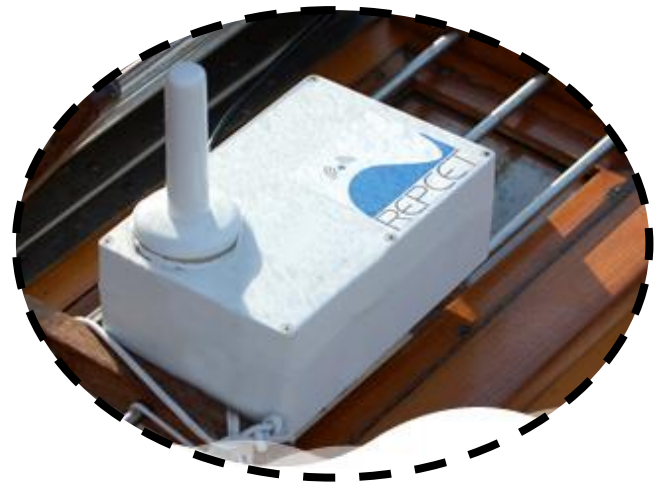
Pascal Mayol, Alizée Martin & Morgane Ratel
Souffleurs d'écume

Since the advent of navigation, marine animals have been obliged to share sea and ocean surfaces with humans. If ships are able to collide with each other in this space, it is also possible for them to collide with cetaceans. In the Mediterranean Sea, ship strikes are considered one of the main causes of mortality for fin whales and sperm whales. It is estimated that between 7 and 33 fin whales could be killed each year by collisions only.



To reduce the risk of ship strikes, scientists, shipping companies, environmental managers and engineers joined forces to create the REPCET system (www.repcet.com). REPCET (REal-time Plotting of CETaceans) is a collaborative software that allows equipped ships to communicate the positions of large cetaceans they spot on their way to each other in real-time thanks to a satellite communication. This system is part of a larger program that comprises applied research work (development of specific observation protocols, monitoring of collisions by implementation of a Collisions network), development of technical instruments for the use of navigation companies and training of navigation professionals.

Thirteen ships are currently equipped with the system REPCET. The existing fleet is composed of 3 car-ferries from *La Méridionale*, the cable layer from *Orange Marine*, 3 vessels from *GDF Suez/Gazocéan*, a private sailing boat used for research purposes, an aviso from the French Navy, a speedboat from the Maritime Affairs and a high-sea tugboat from *Bourbon* chartered by the French Navy. Three “shore” versions have also been equipping the French Mediterranean Marine Rescue Coordination Centre (CROSSMED), the Port-Cros national Park and Souffleurs d'Ecume for several years. Moreover, two NGOs (WWF France and Participe Futur) were also provided with a REPCET device during their cetacean surveys last summers. In 2015, a total of 429 observations were sent by these members from the Mediterranean and 36 observations were sent by ships operating in other oceans around the world.



The collaborative nature of the system means it relies on the density of commercial maritime traffic. Other vessels are also welcome to voluntarily contribute to the system by reporting cetacean sightings, especially military vessels, scientists at sea, whale watching operators, and pleasure boaters. To facilitate the transmission of these additional observations, a smartphone application has been launch this summer.

The REPCET network should soon include new members since the French Ministry of Environment is consulting a decree establishing the obligation for ships flying the French flag to acquire a "sharing positions device to prevent ship collisions with cetaceans in Pelagos (Mediterranean) and Agoa (French Antilles) marine sanctuaries”.

Responsible whale watching in the ACCOBAMS region

Marina Sequeira

*As whale watchers, we are a part of a global effort to teach people to protect whales and their environment
(IFAW, 1997)*

The ACCOBAMS region is an important area for a great number of cetacean species, whether as a permanent habitat, a breeding or feeding ground or a migratory corridor. The presence of such a diversity of cetaceans has led to the development of whale watching activities, both on a commercial and recreational basis, which until present still maintains a steady and regular growth within the region.



With more than 200 registered companies and NGO's involved in whale watching in the ACCOBAMS area, this clearly shows the importance of this activity as a sustainable non-lethal use of cetaceans, a key conservation initiative for cetaceans, an economic generator and an initiative that produces conservation benefits. Although several countries in the region have already implemented specific codes of conduct and national legislation aimed at regulating and monitoring the activity, this particular form of tourism is not necessary benign. If not properly managed cetacean watching activities can potentially have adverse impacts on populations, including disruption of behavior, displacement from habitat, chronic stress and serious injury.



Some whale species being the focus of whale watching activities in the ACCOBAMS area are considered threatened according to the IUCN Red List. Although being a desirable alternative to whaling and the keeping of cetaceans in captivity, whale watching is not necessarily considered an advantage to whales.



Responsible whale watching is therefore a key to ensure the long term sustainable use of cetaceans as a natural resource, and in order to address this issue ACCOBAMS has been promoting and implementing whale watching guidelines and developing a “High Quality Whale Watching®” logo. It is up to all of ACCOBAMS Parties to ensure sustainable tourism activities and relevant capacity-building that promote environmental awareness, conserve and protect the environment, respect wildlife, flora, biodiversity, ecosystems and cultural diversity, and improve the welfare and livelihoods of local communities by supporting their local economies and the human and natural environment as a whole (in “The Future We Want”, Rio de Janeiro 2012).

ADDRESSING INTERACTIONS BETWEEN CETACEANS AND FISHERIES A PRIORITY FOR ACCOBAMS

*Chedly Rais, Consultant for the ACCOBAMS Secretariat
Célia Le Ravallec, ACCOBAMS Project Officer*

By-catch in fishing gear constitutes one of the major sources of human-induced mortality of cetaceans. Some progresses were made in terms of enforcement of conservation measures in the ACCOBAMS area, in particular with the ban, by most of the Mediterranean countries, of the drift nets that were responsible for the killing of thousands of cetaceans annually in the Mediterranean during the 90s. However, some fishing gears and technics are still particularly detrimental for cetaceans, as for example in the Black Sea where the bottom set gillnets for turbot are reported to be a considerable threat to cetaceans.



Interactions between cetaceans and fisheries include also depredation, when for example dolphins remove bait or steal catches from the fishing gears, causing losses of commercial catches and damages to the fishing gears. Such interactions generate conflicts between fishers and dolphins and may undermine the conservation efforts.

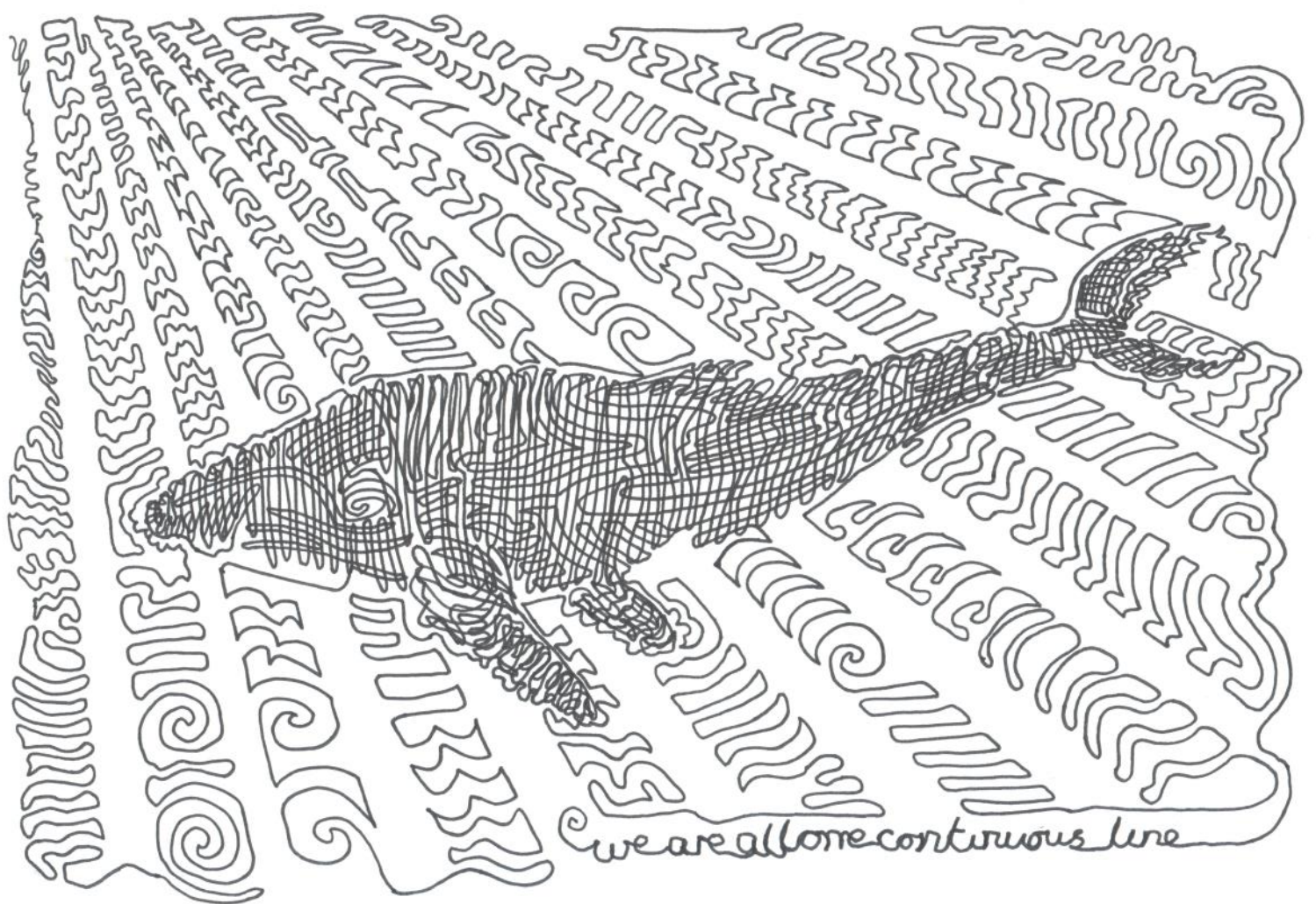
ACCOBAMS has considered and addressed by-catch and depredation issues through the adoption of Resolutions, the development by its Scientific Committee of by-catch monitoring tools and through providing support to field projects in Bulgaria, Georgia, Morocco, Tunisia and Romania, using the available resources under the ACCOBAMS Supplementary Conservation Funds.



Furthermore, thanks to the financial support provided by the MAVA Foundation, the Secretariat of ACCOBAMS launched in 2015 the project on mitigating the negative interactions between threatened marine species and fishing activities. The project is being jointly implemented by the Secretariats of ACCOBAMS and of GFCM (General Fisheries Commission for the Mediterranean), in collaboration with RAC/SPA (Regional Activity Center for Specially Protected Areas) of UNEP/MAP. It aims at assisting countries (Algeria, France, Morocco, Tunisia and Spain) and at promoting collaboration to better understand the causes and mechanisms of interactions and to undertake experiments of mitigation measures adapted to the concerned species and fisheries.



MESSAGES & SUCCESS STORIES

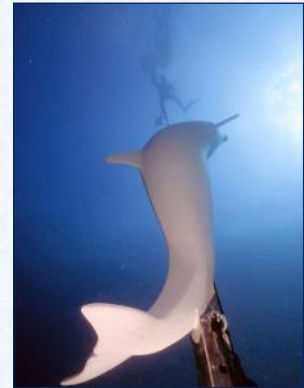


Drawing by Mark Peter Simmonds

Novembre 2016.... 20 ans déjà ! Ce nouvel anniversaire de l'ACCOBAMS me remémore celui de ses 10 ans, déjà célébré en Principauté de Monaco.

Quelle émotion, quelle joie mais aussi quelles inquiétudes pour à cet accord face aux objectifs si difficiles à atteindre et à satisfaire sans une pleine collaboration entre les pays riverains. Ces pays, le jour du 17 septembre 2006, étaient tous là, prêts à célébrer la naissance de l'ACCOBAMS et résolus à manifester leur gratitude à la Principauté de Monaco pour son accueil du Secrétariat et son support aux activités de l'Accord, gratitude adressée à la Famille princière et tout particulièrement à SAS le Prince Rainier III de Monaco qui avait manifesté son souhait d'installer le Secrétariat de l'ACCOBAMS en Principauté de Monaco et à SAS le prince Albert II de Monaco qui a perpétué cette volonté.

A cette occasion un dauphin grandeur nature, Mimo, a été immergé dans la Réserve marine du Larvotto en présence du Prince Souverain. Avec l'appui du gouvernement monégasque et une équipe de collaborateurs passionnés et performants, nous avons pu monter une manifestation qui je l'espère a laissé un excellent souvenir à tous mes amis et collaborateurs du bassin Méditerranéen et de la mer Noire.



Que d'émotions ce jour là!

La première a été la plongée dans la Réserve: j'accompagnais Monseigneur le Prince Albert pour déposer Mimo sur le fond devant une plaque commémorative dédiée au prince Rainier. Au delà de l'honneur d'accompagner le Prince Albert dans un milieu assez inhabituel.... c'était le grand réconfort et l'immense encouragement à poursuivre nos efforts que Sa présence nous apportait.

C'est au cours de la soirée que je retrouvais les représentants des pays de Méditerranée et de Mer noire qui s'étaient spécialement déplacés pour fêter l'anniversaire auprès du Souverain et des représentants du Gouvernement monégasque.

Retrouver ces collègues et souvent amis constituait pour le Secrétariat un réel soutien moral et garantissait une provision d'énergie pour réaliser les actions à venir et affronter les inévitables difficultés qui se présenteraient.

Aujourd'hui ACCOBAMS a grandi, il a muri, les connaissances scientifiques sont allées de l'avant. L'intégration des mesures concrètes de conservation au sein des réalités économiques n'est certainement pas plus facile qu'il y a 10 ans mais nous pouvons souhaiter que la prise de conscience des gouvernements se soit renforcée et que dans chaque pays une voix forte s'élève pour que la conservation des baleines et des dauphins soit inscrite dans les esprits comme un devoir et non pas une obligation...

Marie-Christine Grillo-Compulsione
Premier Secrétaire Exécutif de l'ACCOBAMS

ACCOBAMS est sans doute, avec la Commission Baleinière Internationale, l'Accord international que j'ai suivi le plus longtemps très directement puisque, en tant que représentante du ministère chargée de l'écologie en France, j'ai été associée à sa préparation puis en ai été le point focal jusqu'à ma retraite fin 2014. Pendant toutes ces années, j'ai à titre personnel beaucoup apprécié l'engagement de cet Accord dans la conservation des cétacés, le dynamisme, la compétence et la conviction de son Secrétariat qui a su mobiliser les Parties, tâche parfois difficile. Pour cela un grand merci à Marie-Christine, à Florence et à leur équipe. Merci aux scientifiques, ONG et Etats qui se sont investis et continue de s'investir dans la belle famille ACCOBAMS. A l'heure où tant de menaces pèsent sur la conservation des cétacés, il est rassurant de voir agir des Accords de coopération tel que celui-ci.
Bon Anniversaire !

Martine Bigan
Point Focal pour la France de la Signature de l'Accord jusqu'en 2014

Notre aventure avec ACCOBAMS remonte à février l'an 2000 avec notre première participation à un atelier de travail, dédié aux cétacés, tenu à Montpellier. Par suite et suite à l'insistance et la volonté du secrétariat d'ACCOBAMS nous avons été présents à, presque, toutes les manifestations scientifiques relatives aux cétacés et organisées par ACCOBAMS.

Le Liban ratifia l'accord ACCOBAMS en 2004. En 2008 et suite à un concours de circonstances positives, à savoir : la signature d'un Mémorandum d'Entente avec le Secrétariat de l'ACCOBAMS, l'acquisition d'un bateau scientifique « CANA » donation du gouvernement italien, l'acquisition d'un matériel d'observation et de photos don de la principauté de Monaco et la réception au Liban des experts en cétologie pour nous initier au suivi de cétacés, nous nous sommes lancés dans les activités relatives à la conservation des cétacés et nous sommes devenus présents sur la carte mondiale de ces mammifères. Actuellement nous sommes fiers d'appartenir à la famille ACCOBAMS et nous garderons toujours un très bon souvenir.

Gaby Khalaf
Point Focal pour le Liban
Plus grand fan des « filles du Secrétariat »...

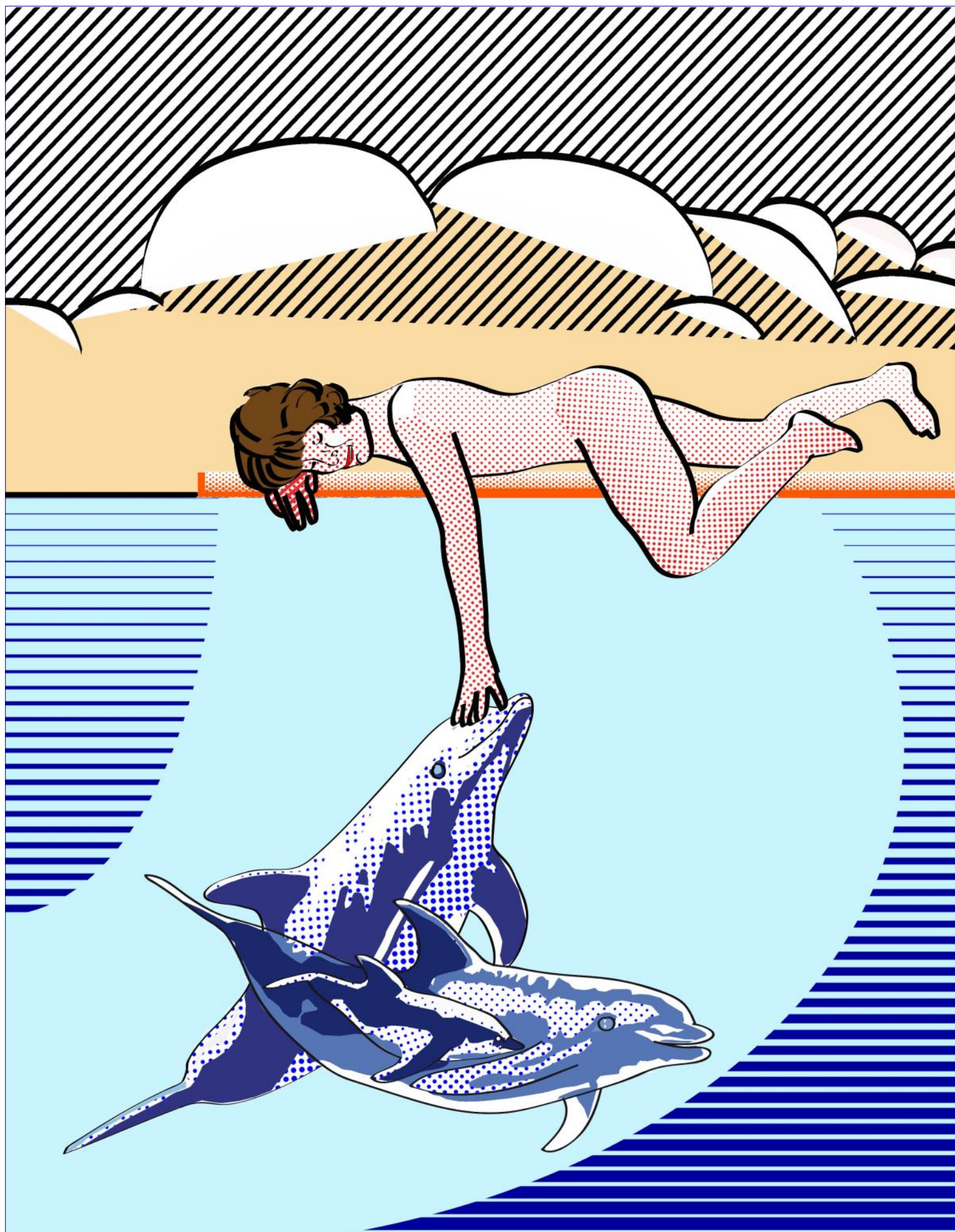
Cetaceans are an important element of biodiversity, playing a significant role in the functioning of marine ecosystems. To us humans, these charismatic animals also have cultural and aesthetic values. At the same time, cetaceans are under significant pressure of human activities.

When joining the Agreement on the Conservation of Cetaceans in the Black Sea Mediterranean Sea and Contiguous Atlantic Area (ACCOBAMS), countries have taken the responsibility to make all necessary efforts to reach one simple goal: to maintain healthy cetaceans populations in regional seas. However, many species in the ACCOBAMS area are enlisted in the IUCN Red List, with some on the verge of extinction. And yet, there are significant gaps in our knowledge. Presence and abundance of cetaceans in many areas is unknown. For example, only few years ago, we did not have any idea about cetaceans in the Adriatic Sea. But, inspired by efforts for preparation of the ACCOBAMS Survey Initiative project and thanks to the cooperation between Adriatic countries, we realized that the Adriatic Sea harbours such a variety and abundance of cetaceans.

From this example, it is clear cetaceans, unlike humans, do not recognize state borders and that in order to preserve them, we should work together. And that is the spirit of the ACCOBAMS. During its first 20 years ACCOBAMS has grown into important regional framework for cetaceans conservation, bringing together governments, non-governmental organisations, scientists, experts and other relevant stakeholders.

There are many obstacles on the way, but even in the complex circumstances, we can make a difference. Viewing the substantial work done so far within the ACCOBAMS, and activities planned for the future, I believe we are on the right way to preserve cetacean populations for the benefit of present and future generations.

Ana Štrbenac
National Focal Point for Croatia
Member of the ACCOBAMS Bureau 2013 – 2016
Former Chair of the ACCOBAMS Bureau (2007 – 2010)



Amitié sans frontières

Patrick Van Klaveren

***The Permanent Secretariat warmly thanks all the contributors
for this very special edition of FINS marking the 20th Anniversary of ACCOBAMS.***

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