



*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)*



# **REPORT OF THE EIGHTH MEETING OF THE SCIENTIFIC COMMITTEE OF ACCOBAMS**



*Monaco, 13<sup>th</sup> - 15<sup>th</sup> November 2012*

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## Introduction

1. The Eighth Meeting of the Scientific Committee (SC8) of ACCOBAMS was convened in Monaco from the 13<sup>th</sup> to the 15<sup>th</sup> November 2012. It was attended by Members of the Scientific Committee and Representatives from International Organisations and Observers including Partners of ACCOBAMS.
2. The full list of participants appears as [Annex 1](#) to this report.

## 1 Opening of the Meeting

3. Mr. Alexei Birkun, the Chair of the Scientific Committee, welcomed the participants and opened the Meeting at 8:30 am, Tuesday 13<sup>th</sup> November 2012, at the Congress Centre “Auditorium Rainier III” (Monaco). He thanked CIESM for its support and welcomed Mrs. Fannie Dubois, the incoming Secretary of the Pelagos Sanctuary, wishing strong collaboration between the Sanctuary and the Scientific Committee in the future.
4. Mrs. Marie-Christine Grillo-Compulsione, Executive Secretary of ACCOBAMS, also welcomed the participants and informed the Meeting about its organisational aspects.

## 2 Adoption of the agenda

5. The Chair introduced the provisional agenda of the Meeting contained in the Document ACCOBAMS-SC8/2012/Doc 01 and invited the participants to review and comment it.
6. Following a suggestion from a Member of the Scientific Committee, Drasko Holcer, the Meeting agreed to have under the item 8 of the agenda “Any other business”, a discussion about the evaluation of the project proposals submitted for the call for proposals under the Supplementary Conservation Grant Funds of ACCOBAMS and a discussion regarding military use of dolphins in Montenegro by the US Navy.
7. The Meeting adopted the agenda as it appears in [Annex 2](#) and the proposed timetable.
8. The Meeting decided to establish four *ad hoc* working groups (WG) to address the following specific issues:
  - Anthropogenic Noise: in order to draft Terms of Reference (ToR) for a consultant to bring forward the issue jointly with ASCOBANS and to draft a statement of concern relating to the seismic activities in the Hellenic Trench. Yanis Souami assisted by Mark Simmonds led this WG.
  - Climate change. Mark Simmonds led this WG.
  - Working programme of the Scientific Committee. Alexei Birkun led this WG.
  - Population structure. Greg Donovan led this WG.
9. The Meeting also agreed to establish *ad hoc* groups on particular items, where needed according to the discussions.

### **3 Progress in the implementation of the work programme for 2011-2013**

#### **3.1 The ACCOBAMS Survey Initiative (RMTM1)**

10. The Chair of the Scientific Committee introduced this agenda item and invited the Executive Secretary to inform the Meeting about the progress made in the preparation of the ACCOBAMS Survey Initiative (ACCOBAMS-SC8/2012/Doc05Rev1).
11. The Executive Secretary of ACCOBAMS, informed the Meeting that a MoU was signed between the French Agency of MPAs and IUCN which includes the appointment of a fundraiser for the ACCOBAMS Survey Initiative. She also informed the Meeting that as part of the activities of the Working Group on the ACCOBAMS Survey Initiative, a workshop was held in Rome (16-17 November 2011).
12. The Chair of the Scientific Committee introduced the report of the Working Group. It had been requested to re-examine the existing plan to place greater emphasis on the use of aeroplanes rather than vessels. This brings greater efficiency with respect to the objectives of distribution and abundance but removes the ability to conduct additional studies of photo-identification and biopsy sampling. The Scientific Committee's views on the great importance of this survey and a repeated recommendation for its timely undertaking are given as [Annex 3](#).
13. Mr Martin Lander informed the Meeting that his company (MacAlister Elliott & Partners) was awarded a contract by DG Mare of the European Commission to study the adverse fisheries impacts on cetacean populations in the Black Sea. The project started in August 2012 with an inception meeting in Brussels and a meeting with the national teams in Istanbul in September 2012.
14. He emphasised that the project will review and analyse the national and international legislation aimed at the protection and conservation of cetaceans in the Black Sea with identification of possible gaps and loopholes in legislation or its implementation. The project will (i) collect new data from Bulgaria, Romania, Turkey, and Ukraine and review existing information on the interaction of cetaceans and fisheries, (ii) study migration patterns and changes in populations, (iii) collect data on fishing fleets, fishing gears, and fishing effort and (iv) identify fisheries and fishing gear with the highest cetacean bycatch.
15. The project will implement vessel and aerial surveys in the western Black Sea in the territorial waters and EEZ of Bulgaria, Romania and Ukraine. It will also identify means of reducing cetacean bycatch and prepare a draft regional strategy. The most significant part of the project is the survey. The total survey area is 120,000 Sq. Km which is over 25% of the Black Sea. 30,000 Sq. Km will be inshore territorial waters surveyed by vessel and 90,000 Sq. Km will be EEZ waters that will be surveyed by air. He emphasised that the survey will take place in July 2013 and that there is no scope to alter this date due to contractual requirement of DG Mare.

16. Following a substantive discussion on the subject, recognising that it was not possible to extrapolate from the proposed 25% coverage to the full area, the Scientific Committee views and an associated recommendation appear in [Annex 3](#).
17. Ana Štrbenac informed the Meeting that the project entitled Network for the Conservation of Cetaceans and Sea Turtles in the Adriatic – NETCET was approved in mid 2012 for financing from the IPA Adriatic Cross-border Cooperation Programme 2007-2013. The main objective of the project is to develop common strategies for the conservation of sea turtles and cetaceans in the Adriatic through regional cooperation. The project will be implemented by institutions and organisations from Adriatic countries: Italy, Slovenia, Croatia, Montenegro and Albania.
18. The project foresees carrying out the aerial survey of cetacean and sea turtle populations in the Adriatic Sea (scheduled for 2013). This activity aims at establishing the baseline data on distribution, abundance and hot-spots for cetaceans and sea turtles in the Adriatic Sea. This data is necessary for all further activities aimed at conservation, mitigation or monitoring and future review of the effectiveness of conservation measures. In addition, a boat based photo ID surveys on cetacean populations will be carried out. The activity will provide more detailed information on the presence and numbers of cetaceans in areas identified as hot-spots through aerial monitoring.
19. Léa David informed the Meeting about the cetacean population survey programme implemented in France, emphasising that an aerial survey for cetacean, seabirds and megafauna led by the French Agency of Marine Protected Area (AAMP) was conducted in a large area off the French and Italian Mediterranean coasts during the winter in 2011-2012 and the summer in 2012. The surveyed area corresponded approximately to the strata planned for the region by the ACCOBAMS aerial survey initiative.
20. The Scientific Committee welcomed information on these surveys and looks forward to receiving detailed reports of the results.

### **3.2 Population structure**

21. In order to evaluate and prioritise threats to cetaceans at the population level, it is essential to understand population structure. However, this is a complex issue and a full evaluation requires incorporation of uncertainty regarding population structure into population modelling (IWC has great expertise in this regard). ACCOBAMS Scientific Committee has recognised the great importance of this issue and established a population structure working group. It had noted the great value of genetic studies in this regard but also noted that a full consideration of the matter should be based on information from a suite of techniques. This year it also received a proposal (ACCOBAMS-SC8/2012/Doc 07Rev1) for a five year study incorporating seascape genetics - this involves examining genetic breaks in relation to specific marine environmental parameters. There was insufficient time to review this proposal fully at this Meeting in the context of an overall evaluation of population structure

priorities. In order to develop a full programme within the ACCOBAMS region, it is essential to undertake a review of the existing information and available samples that can contribute to stock structure evaluation by species and area, in order to identify key information gaps and to identify priorities for data collection and analyses.

A start to this review has already been made in document ACCOBAMS-SC8/2012/Doc 07Rev1 as well as in the reviews carried out when developing the ACCOBAMS Survey Initiative. However, as noted in that document the review is not complete. Completing the review could form an important component of the proposed workshop.

ASCOBANS has also recognised the importance of this issue and has been working on it. It held a review in 2007 (ACCOBAMS-SC8/2012/Inf 03) that was published in 2009 and reviewed the available information for that region and proposed management units; this will form a strong basis for discussions for that region during the workshop.

The Committee recognises that the outcome of the workshop will be a workplan that will require considerable funding.

22. The Scientific Committee recognised the benefit of the two bodies joining forces on this issue and fully endorsed the plan for the joint workshop. Following a proposal by the Chair, the Scientific Committee decided to establish a working group to prepare Terms of Reference for the forthcoming workshop on population structure to be organised jointly by ACCOBAMS and ASCOBANS during the next ECS Conference. The ToRs prepared by the working group and later discussed and approved by the Meeting appear as [Annex 4](#) to this report.
23. The Coordinator of the Strategy, Ana Štrbenac, reminded the Meeting that there is a chapter on population structure in the draft strategy and she invited the Scientific Committee to review that section of the draft strategy and if necessary propose additional or revised activities to be included.

### 3.3 Species Conservation Plans

#### 3.3.1 Mediterranean short-beaked common dolphin (RMTM 3)

24. Joan Gonzalvo introduced Document ACCOBAMS-SC8/2012/Doc 08 (ToR for a Steering Committee for the Mediterranean Short-beaked common dolphin and Review of Ongoing Projects/Activities Concerning *D. delphis* in the Mediterranean and/or Future Initiatives). He explained that several years after the production in 2004 of the Conservation Plan for Mediterranean common dolphins, no significant progress has been done on the conservation of the species. During the ACCOBAMS SC7 it was proposed the creation of a Steering Committee for the conservation of Mediterranean common dolphins. No progress has been done since then. Recently, an attempt was made to re-take the matter of the creation of a Steering Committee. This time, all members listed below were previously contacted and agreed on being part of it:
  - Ana Cañadas (Alnilam Research and Conservation)
  - Greg Donovan (International Whaling Commission)



- Peter Evans (Sea Watch Foundation)
- Tilen Genov (Morigenos)
- Joan Gonzalvo (Tethys Research Institute)
- Aviad Schenin (Israeli Marine Mammal Research and Assistance Centre)
- Adriana Vella (University of Malta)

Giuseppe Notarbartolo di Sciara and Alexandros Frantzis have rendered themselves available for occasional advice. Ricardo Sagarminaga van Buiten, representative of ALNITAK, showed interest in joining the Steering Committee.

25. The main goals for the Steering Committee are given below.

- (1) To identify and facilitate the implementation of the priority actions of the Conservation Plan for short-beaked common dolphins in the Mediterranean Sea. Regrettably, the 2004 Action Plan has been largely ignored for a number of years; it was suggested that one of the first actions of the Committee should be to consult with stakeholders and streamline and revise the Plan and in particular to identify a subset of priority actions within the Action Plan that might be more likely to be effectively implemented in the short-term, therefore increasing the chances of success.
- (2) To obtain information on distribution and abundance of the species, particularly in the southern and eastern portions of the Mediterranean basin. Clearly an essential component of this is the prompt undertaking of the ACCOBAMS Survey Initiative (see [Annex 3](#))
- (3) To facilitate the establishment of a collaborative framework for organizations involved in neighbouring areas (or in some case within the same area) to collaborate and avoid replication of effort and minimize the waste of resources that could be dedicated to other complementary initiatives

26. The Scientific Committee requested that the ACCOBAMS Secretariat provides support to the Steering Committee and facilitates contacts with GFCM and relevant authorities. The importance of including a member of the Subcommittee on the marine environment and ecosystems of the GFCM's Scientific Advisory Committee was also highlighted.

27. Ricardo Sagarminaga van Buiten suggested that in the table of organisations and research programmes it would probably be interesting to separate ALNITAK's work by regions of study: Alborán, Balearic Sea, Malta, highlighting the new EC LIFE+ MIGRATE Project which should contribute to filling in the gap of knowledge of cetaceans in this region with the identification of areas of special interest.

28. Mr. Zitouni Boutiba highlighted that scientific studies on cetaceans from Algerian waters (marine surveys, strandings, parasitology, impact of marine pollution and fishing) have been published, the majority in French. He will provide relevant literature to improve and complete the Review of Projects/Activities concerning *D. delphis* in the Mediterranean. He emphasized the importance of French language in scientific studies implemented and published in many Countries of the ACCOBAMS area.



### 3.3.2 Black Sea cetaceans (RMTM 4)

29. The Chair presented the Progress report on the implementation of actions for the conservation of cetaceans in the Black Sea in 2010-2012 (ACCOBAMS-SC8/2012/Inf 04). This document was prepared by the Black Sea Sub-Regional Coordination Unit. The Chair noted that some paragraphs and some information of this report are incomplete or not accurate. He suggested that in the future the reports by the Sub-Regional Coordination Units should be reviewed by a cetacean specialist before their submission to the Parties. He will liaise with the Black Sea Commission to determine whether (1) a revised 2010-2012 progress report can be produced and submitted to ACCOBAMS and (2) to establish a process to ensure that accurate and complete reports can be submitted in the future.
30. The Chair also informed the Meeting that there was a progress in the conservation of cetaceans in the region. More precisely Ukraine has started the process of establishing MPAs for the conservation of cetaceans, including a transboundary MPA in the Kerch Strait in collaboration with the Russian Federation. Furthermore, a European Union Project will be implemented between 2013 and 2014 to improve the knowledge about the interactions between fisheries and cetaceans and the distribution of the species in the western Black Sea and maybe in the whole basin.
31. The representative of OceanCare, Niki Entrup, welcomed the progress on the implementation of actions for the conservation of cetaceans in the Black Sea and alerted the Scientific Committee about reports of live removals of bottlenose dolphins at least in waters of Georgia in the Black Sea. He stressed that concerns were expressed about the impact of such removals on the wild population as well as the fact that such activities violate the provisions of the ACCOBAMS Agreement. He referred to a similar situation in Turkish waters a few years ago and invited the Committee to explore options to address this issue, such as preparing a factual statement of concern and make it available to the Black Sea Commission as well as to the Bern Convention. Chair underlined the need to inform the Black Sea Commission.
32. The Chair informed the Meeting that similar removal activities have been taken place in Ukraine. After some discussion the Scientific Committee conclusions and recommendation can be found as [Annex 5](#).

### 3.3.3 Mediterranean bottlenose dolphin (RMTM 5)

33. The Chair thanked Caterina Fortuna for her efforts in coordinating the work of the Scientific Committee on bottlenose dolphins and informed the Meeting that Guido Gnone is now in charge of the ACCOBAMS conservation plan for this species.
34. Following a debate on the subdivision of the Mediterranean in sub areas for the purpose of the conservation plan, Guido Gnone agreed to reconsider the present subdivisions in the plan, recognising that these were pragmatic sub-divisions for co-ordination purposes rather

than sub-divisions reflecting population structure. He will also investigate whether it would be useful to have the same subdivision system for all ACCOBAMS conservation plans.

35. He suggested that increased effort should be expended to try to obtain a simpler and more focused report from each sub-area. From this, it will be possible to produce, a synoptic map at Mediterranean level that will facilitate the organisation of the available data within a structured and more rational system (on a web-GIS platform).
36. He also suggested that data gaps could be reduced or removed by overlapping the Bottlenose Dolphin Action Plan with the ACCOBAMS Survey Initiative. The implementation of the Plan should be improved by increased collaboration amongst local research groups and the aforementioned organisation of the data in a rational system. This research effort and the results of some ongoing projects, such as the IPA project in Adriatic Sea (please refer to point 17), should provide knowledge in relation to: (a) distribution; (b) abundance; (c) chemical pollution; and (d) geographical limits of genetic units. On the basis of the results of the above mentioned actions, conservation measures at a local level should be supported focusing on known or likely threats such as: (a) overfishing; (b) chemical pollution; and (c) boat traffic.
37. The Committee welcomed the report and the suggestions from Gnone and thanked him for his initiative. During discussion, a number of suggestions were made to assist the implementation of the Plan. In particular it was agreed that the Conservation Plan should be reviewed in conjunction with appropriate stakeholders in order to develop a realistic set of high priority actions have a feasible chance of being achieved in reasonable time-frames. These can be at a regional and a local level.
38. A number of more specific suggestions were also made including those listed below.
  - (1) Genetic and photo-identification studies should be undertaken to examine links between animals found in the Black and Red Seas and those in the Mediterranean.
  - (2) Special attention should be paid to the existing case studies on bottlenose dolphin in the area.
  - (3) Incorporation of the available information from Algeria in particular around the islands in west of Algeria where an MPA was established and listed as SPAMI. The existing publications could be used to improve the provisions of the conservation plan in the south areas of the Mediterranean. In this context, the main needs are capacity building, in particular in genetic studies.
  - (4) Attention should be paid to developing actions related to pollution.

Finally some specific word changes were proposed by the representative of Alnitak: in the first paragraph of "ANNEX 1 AREA 2 – Alborán Sea" should add: "There is a large amount of high quality information in the northern Alborán Sea on different biological parameters of bottlenose dolphins, coming from the research carried out in this area over the past 20 years primarily by ALNITAK." Also Map #1 should read "Proposed Marine Protected Areas in Alborán Sea and Gulf of Vera taken from the "Project for the identification of areas of special interest for cetaceans in the Spanish Mediterranean "developed by ALNITAK for the Spanish Ministry of Agriculture, Food and Environment.

39. In summary, the Scientific Committee welcomed the work of Guido Gnone, supported his approach and looked forward to receiving future progress reports.
40. Léa David informed the Meeting about a project which will start in 2013 in sub-area 5 of the ACCOBAMS concerning the bottlenose dolphin. It is a French project led by GIS3M, with employing photo-ID, biopsy sampling and acoustics and with the aim of improving knowledge on the population and setting up conservation measures if needed. It could be seen as a pilot action, made in collaboration with Italian teams and perhaps also with Spanish teams. It will use an existing collaborative tool, INTERCET, with hopes to expand further along the Mediterranean coasts.  
Mark Simmonds, noted the significance of the ongoing threat posed by chemical pollution to this species, and recommended that , if possible, it should be included in such studies.

#### 3.3.4 Fin whale (RMTM 6)

41. Simone Panigada reported on a recent project on satellite telemetry applied to fin whales in the Pelagos Sanctuary. This project has been supported by the Italian Ministry for Environment and Territory and Sea, Direction for the Protection of Nature and Sea and was carried out in September 2012. This initiative aims to obtain information on fine scale movements and habitat use, the existence of potential fin whale breeding areas, the degree of population exchange between the Mediterranean and the Atlantic, and their migratory routes. This will enable the identification of areas in particular need of special protection. Moreover, migratory routes can provide valuable information to mitigate against threats. For example, in combination with information on maritime traffic it may be possible to develop measures to reduce collisions with vessels - an identified and serious problem for fin whales in the Mediterranean. The research has been conducted on special authorizations by the competent authorities of France, Italy, and the Principality of Monaco and is carried out in the utmost respect of both legal and ethical animal welfare criteria. Eight fin whales have been tagged with two different kinds of telemetry devices, two of them are still transmitting data. An important component of the project was to evaluate the strengths and weaknesses of tag design and deployment to assist in worldwide effort to improve research on this topic.
42. After the presentation and the discussion, the Scientific Committee took note of this research and emphasized that the value of this kind of activities is to provide important information on the movement of the animals that could be used to develop conservation actions. Ayaka Ozturk expressed the need to establish a list of priorities.
43. The representative of the NGO Souffleurs d'Ecume, Pascal Mayol, underlined that the data provided through telemetry activities could be really useful to improve the model used in the REPCET system for defining ship strike risk areas based on the initial sighting position of the whales.

44. After some discussion, the Scientific Committee conclusions and recommendation can be found in [Annex 6](#).

### 3.3.5 *Cuvier's beaked whale (RMTM 7)*

45. The Chair introduced document ACCOBAMS-SC8/2012/Doc 10 (ACCOBAMS collaborative effort to map highly used areas by beaked whales in the Mediterranean Sea) prepared by Ana Cañadas and asked the participants to comment the document and express their opinion about how to use it.
46. The Scientific Committee agreed that, even if it is not a pure scientific approach and that efforts should be focused to identify other sensitive areas, the document is an important contribution and give ideas on conservation actions and mitigation measures to be undertaken in the future. Issues should be used carefully.
47. Yanis Souami highlighted that such documents are very useful especially for the French Navy in order to understand Ziphius distribution and to know sensitive areas.
48. The Scientific Committee suggested that the Permanent Secretariat prepare, with guidance from the authors, a fact sheet based on this study to communicate on this issue targeting in particular decision makers, navy sector and the general public. The Scientific Committee suggested also that a side-event on this issue could be organised on this issue at the next MOP.
49. The Chair presented the document ACCOBAMS-SC8/2012/Inf 05 prepared by the Scientific Committee regarding Statement of Concern about Atypical Mass Strandings of Beaked Whales in the Ionian Sea. The Executive Secretary informed the Meeting that the Statement was sent to focal points in March 2012, but it received no feedback from them on this issue.
50. The Meeting established a drafting group (Giuseppe Notarbartolo di Sciara, Natacha Aguilar, Ana Cañadas, Niki Entrup, Tim Lewis and Walter Zimmer) to draft, by January 2013, a Recommendation reiterating the elements of the previous relevant recommendations from Scientific Committee and of the Statement of Concern. The fact sheet will be annexed to the recommendation.
51. The Meeting also recommended that Ana Cañadas proceeds as soon as possible with the publication of the paper in a peer reviewed journal and Niki Entrup suggested that data should be transferred to relevant European Commission DGs.

### 3.3.6 *Sperm whale (RMTM 8)*

52. The Chair introduced this agenda item and called on the participants to discuss the current state of knowledge for this species. The ACCOBAMS Executive secretary reminded the meeting that common activities with IFAW had been undertaken and suggested that new

activities regarding sperm whale be identified and included in the working program of the next triennium.

53. Participants were informed of a workshop organized last November in Ischia at which reports of many research activities on sperm whales in the Mediterranean were received, including ongoing work in the Hellenic trench. The Committee agreed that the Ischia report will provide valuable resource on sperm whales in the region once available.
54. The Scientific Committee agreed that the sperm whale will be a priority species for the next triennium and consideration will be given to developing a Conservation Plan for the species.
55. A statement of concern regarding seismic activities in the Hellenic Trench, which can affect species such as the sperm whale can be found as ([Annex 8](#)).

### 3.3.7 *Other species and populations (RMTM 9)*

56. As there are cetaceans that are currently not assessed in the IUCN Red List for Mediterranean subpopulations and others species were assessed as data deficient, the Scientific Committee decided to identify experts to review the present state of knowledge of these species within the region and consider the need for re-evaluation under the IUCN listing (especially those listed as data deficient and not assessed) and/or the value in developing concise research and conservation actions, within or outside the context of full conservation plans.
57. The Scientific Committee agreed on the following list of potential contributors on other cetacean species represented by populations regularly present in the Mediterranean Sea and Contiguous Atlantic Area:

Common Name	Scientific Name	Mostly found in	Conservation Status (ACCOBAMS)	Lead Contributor
Killer whale	<i>Orcinus orca</i>	Strait of Gibraltar and Contiguous Atlantic Area	Critically Endangered	Renaud de Stephanis
Long-finned pilot whale	<i>Globicephala melas</i>	throughout the western Mediterranean and Contiguous Atlantic Area	Data Deficient	Ana Cañadas
Risso's dolphin	<i>Grampus griseus</i>	throughout the Mediterranean and Contiguous Atlantic Area	Data Deficient	Stefania Gaspari
Rough-toothed dolphin	<i>Steno bredanensis</i>	Levantine Sea and possibly in the Contiguous Atlantic Area	Not assessed	Tim Lewis
Striped dolphin	<i>Stenella coeruleoalba</i>	throughout the Mediterranean and Contiguous Atlantic Area	Vulnerable	Alex Aguilar
Harbour porpoise	<i>Phocoena phocoena phocoena</i>	Contiguous Atlantic Area	Least Concern	Marina Sequeira
Cuvier's beaked whale	<i>Ziphius cavirostris</i>	throughout the Mediterranean and Contiguous Atlantic Area	Data Deficient	Ana Cañadas
Short-beaked common dolphin	<i>Delphinus delphis</i>	Contiguous Atlantic area	Not assessed	to be determined later
Bottlenose dolphin	<i>Tursiops truncatus</i>	Contiguous Atlantic area	Not assessed	to be determined later

58. Heidrun Frisch (UNEP/CMS and UNEP/ASCOBANS) encouraged that work on small cetacean species in the Contiguous Atlantic Area should include experts of the ASCOBANS Advisory Committee and that any products should be joint initiatives of the two Agreements. The Committee agreed with this proposal.

### **3.4 By-catch and interaction with fisheries (RMTM 10)**

59. The Chair informed the Meeting about the joint ACCOBAMS/GFCM workshop on bycatch held in December 2011 in Antalya making reference to the Report of the workshop contained in Document ACCOBAMS-SC8/2012/Inf 07. He also reported that the main purpose of the EC project in Black Sea is the mitigation of cetacean bycatch, including the elaboration of a regional strategy. He added that the project will address also the IUU fishing and will include the development of on board observer programme aimed at collecting data to assess the extent of bycatch in the area and mitigate bycatch. The project will be implemented by scientists from four Black Sea countries and from other countries.
60. Chedly Raïs presented the main decisions of relevance to ACCOBAMS that were recently taken by GFCM, emphasising that the Secretariat of ACCOBAMS signed a collaboration MOU with the Secretariat of GFCM and that GFCM adopted at its last session a recommendation on mitigation of incidental catches of cetaceans in the GFCM area (Recommendation GFCM/36/2012/2).
61. Célia Le Ravallec presented the project proposal being jointly developed by ACCOBAMS and GFCM on cetacean by-catch and depredation reduction in the Mediterranean and Black Seas fisheries. She emphasised that the main objective of the project is to provide detailed assessment of the extent of by-catch in cetacean and to propose technical and management solutions to reduce adverse interactions between cetaceans and fisheries through case pilot studies in the Mediterranean Sea and the Black Sea. The project will aim also to (a) expand and improve data collection, especially on technical characteristics and practices responsible of impacts on marine mammals, (b) increase the awareness of fishers and (c) include some case studies where mitigation measures should be urgently applied.
62. She informed the Meeting that the Focal Points of ACCOBAMS and GFCM were contacted to designate partner organisations from their countries to propose case studies and develop the project activities. Once finalised at the level of the partner national organisations, the project will be submitted to the Scientific Committee of ACCOBAMS.
63. Concerning the proposal made by the Scientific Committee to convene a joint ACCOBAMS/GFCM workshop on the ecological aspects of the interactions between fishing and Common Dolphin, the Scientific Committee recommended to reiterate the proposal to GFCM and proposed the following elements for Terms of reference of the workshop:
- a) identification of the areas where both ecological and/or operational interactions between common dolphins and local fisheries are present (or suspected);

- b) examine and evaluate existing mitigation approaches/regulations, and identify mitigation measures for priority populations/areas to be complemented with ecosystem-based approaches such as the establishment of Marine Protected Areas; and
- c) develop scientific and conservation recommendations and a two-year work plan for consideration by ACCOBAMS, GFCM and others.

64. Greg Donovan noted that a number of bodies were involved in the serious problem of cetacean bycatch, including an ICES working group. He also noted that the IWC and its Scientific Committee has long been interested in this issue for both large and small cetaceans. It regularly collects bycatch data as part of its national progress reports and submits this to the FAO 'FIRMS' initiative ([firms.fao.org/firms/en](http://firms.fao.org/firms/en)). It has also held workshops on the disentanglement of large whales ([www.iwcoffice.org/entanglement](http://www.iwcoffice.org/entanglement)). He proposed collaboration with these other bodies both with respect to the obtaining and verification of bycatch data and the development of mitigation strategies, recognising that there is no universal solution and that, in particular, pingers should not be recommended unless they have been shown to be effective for the species and gear in question, as it is stipulated by Res. 2.12 and Res. 4.9 of the ACCOBAMS MoPs.

### 3.5 Anthropogenic noise (RMTM 11)

65. The Chair presented the document ACCOBAMS-SC8/2012/Inf 10 (Scientific synthesis on the impacts of underwater noise on marine and coastal biodiversity and habitats and draft decisions to be considered by CBD COP 11) and invited Yanis Souami to inform the Meeting about the progress of the Working group on noise and to introduce Document ACCOBAMS-SC8/2012/Doc 13 (Progress report of the Working group on noise and appropriate mitigation measures).
66. Yanis Souami recalled the history of the Noise Working Group and stressed that when resolution 4.17 was drafted a number of operators (navy, seismic operators, etc.) found that the operational and field constraints were not taking into account by the Guidelines contained in Resolution 4.17. The year 2011 was dedicated to contact numerous organisations and make them aware about the guidelines. A contact database was created especially of industries. He added that a joint ACCOBAMS/ ASCOBANS Working Group on noise was created during the 19th ASCOBANS Advisory Committee. After collecting opinion from different actors (industries, states, scientists, NGOs and others), a working platform was created in 2012 to exchange document on noise with the view of preparing a synthesis. Furthermore, a questionnaire was circulated to industries and experts. However, both actions were not very effective due to the voluntary character of the working group and the heavy agenda of its members. The ad hoc working group that met during the scientific committee meeting proposed appointing a consultant for this specific work and asked the Scientific Committee to define Terms of Reference. These were developed by the ad hoc working group and are annexed here ([Annex 7](#)).



67. Yanis reminded the meeting that MOP4 had requested the collection of information on noise sources in the ACCOBAMS area in order to detect the most affected sites.
68. Heidrun Frisch (UNEP/CMS and UNEP/ASCOBANS) confirmed that ASCOBANS was very pleased that collaboration with ACCOBAMS on noise was now formalised through a joint working group. ASCOBANS also shared the view that it would be good to have a consultant able to invest the time needed to bring this work forward.
69. She was pleased to announce that CMS also wanted to join this initiative, making this a global review and also joining in the fundraising efforts to finance the consultant. CMS had passed several resolutions on underwater noise, most recently at COP10 in 2011, which called for application of Best Environmental Practice (BEP) and Best Available Technique (BAT), so interest in progressing work on this issue was high.
70. She added that CMS Resolution 10.15 (Global Programme of Work for Cetaceans) requests the CMS Secretariat to increase linkages and synergies within the CMS Family by promoting joint priorities and the sharing of technical expertise and resources. It also established the Scientific Council's Aquatic Mammals Working Group as a standing intersessional working group, and one of its mandates was to provide support to the regional agreements, including ACCOBAMS. The Committee should therefore consider involving the CMS Aquatic Mammals Working Group in the work of the Joint ACCOBAMS/ASCOBANS Working Group on Noise. Having the backing of the Convention would give additional emphasis to its calls for information and activities.
71. A symposium about sound and marine mammal had been organised by the French Navy. The French Maritime Cluster (FMC) has decided to create an industrial working group on noise. The FMC is a 'business network' including all organisations related to the sea: fishermen, seismic survey, renewable energy, military, marine protected area, etc. The FMC also created think tank about transversal topics such as workers at sea, security, innovation and noise. Members of this working group reviewed the guidelines and responded to the questionnaire. In order to go forward in this process, 3 to 5 meetings would be convened to better understand industrial point of view about noise.
72. The ACCOBAMS Scientific Committee has been informed by several NGOs of a programme of seismic survey work scheduled to take place in the region of the Hellenic Trench including in international waters and reported to be starting in early November. Unfortunately, details of this have not been received by the Secretariat. This region constitutes an area of critical habitat for the endangered Mediterranean sperm whale, whose population only numbers a few hundred individuals at best, and which, as a deep diving species, may be strongly affected by the loud noise used in such surveys. The Hellenic Trench is also an important habitat for Cuvier's beaked whale, another particularly vulnerable species, and the bottlenose dolphin, striped dolphin, common dolphin and Risso's dolphin are also found there. This is an area which ACCOBAMS has proposed should be designated as an Area of Special Importance/MPA because of its cetacean populations.

73. In the context to the discussion about the Hellenic Trench and potential negative impacts caused by seismic surveys to cetacean species, OceanCare pointed out to the fact that it was the Greek Government itself which has published a call for proposals to engage in seismic surveys and potentially engage in the exploitation of oil & gas resources in the region. It is the understanding of the NGO that there are no indications that applicants are informed about nor asked to apply with the Guidelines developed by the Scientific Committee and welcomed by the Parties in Resolution 4.17.
74. Ana Štrbenac suggested to develop partnerships with oil & gas companies, in particular OGP, in order to establish a better synergy with such actors and Yanis Souami added that ACCOBAMS and ASCOBANS should propose pilot projects on this issue.
75. The Scientific Committee prepared a statement of concern about the ongoing seismic survey work in the area of the Hellenic Trench ([Annex 8](#)) and requested the ACCOBAMS Secretariat to transmit it to the appropriate authorities and companies.

### **3.6 Ship strikes (RMTM 12)**

76. Heidrun Frisch (UNEP/CMS/ASCOBANS) presented the Project Report: Risk Assessment of Potential Conflicts between Shipping and Cetaceans in the ASCOBANS Region (SC8/2012/Inf 11) which combine shipping and cetacean data in order to identify the main areas and seasons for potential conflicts. The region analysed included the common ASCOBAMS/ACCOBAMS area.
77. Richard Bull, ORCA representative, gave a presentation about ship strikes in the Bay of Biscay. In April 2012, ORCA and WSPA held an international ship strike workshop in collaboration with scientific institutions, the British Chamber of Shipping; Brittany Ferries; CMA CGM; Maersk; P&O Ferries and several European NGOs. This solutions-driven workshop highlighted the need for more information about ship strike in general and particularly in the Bay of Biscay. The workshop agreed to produce training materials for Bridge crews operating in the area. Now ORCA has produced a set of 'toolbox talk' for seafarers to use when navigating around the western edge of the Bay of Biscay. These tools also urge industry to report ship strikes to the IWC ship strike database.
78. After considerable discussion, the Scientific Committee conclusions on this issue and recommendation can be found in [Annex 9](#).

### **3.7 Whalewatching (RMTM 13)**

79. The Secretariat informed the Meeting about the initiatives to develop sustainable whalewatching activities being promoted by ACCOBAMS in Tunisia and Morocco with financial support from France. It also introduced Document ACCOBAMS/SC8/2012/Inf 13 on the ongoing whale watching activities in the ACCOBAMS area and Document

ACCOBAMS-SC8/2012/Inf 12 containing a review of whale watch guidelines and regulations around the world - version 2011.

80. Léa David presented a study concerning the high risk areas of disturbance, harassment and collision of cetaceans by leisure vessels and whale-watching in the north-western Mediterranean Sea. The study recommended that measures should be based on the existing network of coastal MPAs; that measure should be enforced for cetacean protection and conservation in these areas: and that awareness and education concerning threats should be encouraged along with the use of the code of conduct when approaching cetaceans.
81. Greg Donovan informed the Committee that the IWC Scientific and Conservation Committees have developed a five-year strategic plan for whalewatching that has been adopted by the Commission.
82. The Scientific Committee recommendation on this issue can be found in [Annex 10](#).

### **3.8 Response to emergency situations (RMTM 14)**

83. The Chair introduced document ACCOBAMS-SC8/2012/Doc15 on the List of contact persons and experts able to intervene over the whole Agreement area in case of emergency events prepared by Sandro Mazzariol.
84. Giuseppe Notarbartolo di Sciara recommended to take advantage of what was already done in the past by ACCOBAMS, in particular the workshop on rescue efforts organised in Monaco in 2008.
85. The Scientific Committee created a working group (Sandro Mazzariol, Ayaka A. Öztürk, Sergey Krivokhizhin and Mark Simmonds) to pursue this preliminary work. This working group is charged to draft a list of criteria to identify the relevant experts according to their field of expertise and to prepare 2 lists of experts:
  - those involved in unusual mortality events
  - those that could assist and provide advice during rescue events
86. For each list, field of expertise of each expert will be specified.
87. In the next steps, the working group will be charged to prepare what was requested by MOP4 in Resolution 4.16, in particular to establish task forces and to prepare the contingency plans for each task force.

### **3.9 Marine Protected Areas (RMTM 15)**

88. Giuseppe Notarbartolo di Sciara introduced Document ACCOBAMS-SC8/2012/Doc 16 (Draft Terms of Reference for Workshops on MPAs to be organized through ACCOBAMS and ASCOBANS in 2013). He informed the Meeting about 2 upcoming events on this issue in the

Mediterranean which will take place in 2013: the annual ECS conference in Spring, and the IMPAC 3, the main MPA world conference which will be held in September in Marseilles, France, hosted by the French MPA Agency. He suggested that two workshops be convened in 2013, one at ECS in Portugal in spring 2013 on MPA management, and one at IMPAC 3 in Marseilles 21-25 October 2013, to support the inclusion of the cetacean conservation element in the wider process of MPA development.

89. The Scientific Committee agreed on the Terms of Reference of these two workshops as presented in [Annex 11](#) of the present report.
90. Heidrun Frisch (UNEP/CMS and UNEP/ASCOBANS) expressed her gratitude to Erich Hoyt and Giuseppe Notarbartolo di Sciara for developing these terms of reference. The ASCOBANS Advisory Committee had proposed organizing the workshop at the 2013 ECS Conference, but had not elaborated on the content. Although there had not been opportunity to consult the Advisory Committee, she believed that the proposals made would be fully supported by ASCOBANS.
91. Taking into consideration the slow progress in declaring MPAs for cetaceans based on ACCOBAMS Scientific Committee recommendations and the already well advanced initiatives to bring the creation of MPAs in the ACCOBAMS region into the wider context of the Barcelona Convention/ UNEP MAP, OSPAR and the Convention on Biological Diversity (CBD), the Committee proposed that ACCOBAMS and ASCOBANS work together to contribute to these wider initiatives, ensuring that cetacean habitat is included in future MPA proposals in the region, but recognizing that collaborations with broader-based conventions which include other species and ecosystem approaches will be the most likely to obtain positive results.
92. Ayaka A. Öztürk (CIESM/TUDAV) informed the Meeting about an EU-funded FP7 Project named COCONET (Towards Coast to Coast Network of Marine Protected Areas Coupled with Sea-base Wind Energy Potential, [www.coconet-fp7.eu](http://www.coconet-fp7.eu)) that has an ultimate goal of creating MPAs in the Mediterranean and Black Seas. The consortium consists of 39 institutes mainly in the Mediterranean and Black Sea regions and intergovernmental bodies such as CIESM, MedPAN, RAC/SPA and the Black Sea Commission are found in the External Advisory Committee. It has many components regarding the coastal MPAs but it also includes some potential MPAs in open waters. The direct goal of the project within the duration of 4 years (2012-2015) is to prepare guidelines for the creation of MPA networks. She encouraged all Members of Scientific Committee, including the observers, to contact national partners to make sure to include cetacean components in their proposals for the guidelines.
93. Tilen Genov provided the Scientific Committee with a short update on new developments with respect to Marine Protected Areas (MPAs) in the northern Adriatic. He informed the Committee that, at the Marine Mediterranean Seminar, held in Brindisi (Italy) in June 2010, the European Commission noted deficiencies in Slovenia's implementation of the Habitats Directive and marine Natura 2000, particularly with respect to the bottlenose dolphin. As a result, Tilen Genov and Morigenos (ACCOBAMS Partner) were approached by the Slovenian

government on this issue in 2011. Activities are now underway by Morigenos and the Slovenian Institute of Nature Conservation, for the potential designation of Sites of Community Importance (pSCI) that would lead to Special Areas of Conservation (SAC) for bottlenose dolphins, taking into account other species of community importance in the area. Tilen Genov pointed out that funding any work in this respect has been a major challenge. This will likely be a long process, but will hopefully eventually add to a network of protected areas for the bottlenose dolphin.

94. Ricardo Sagarminaga van Buiten informed the Meeting that in the context of the EC LIFE+ Project INDEMARES, 10 new NATURA 2000 sites will be integrated in the Spanish Habitat Directive proposal for SCIs. Among these, several will include the bottlenose dolphin as key species. In the Alborán Sea, a new site will be proposed specifically for *Tursiops truncatus* in the South of Almeria according to the proposal made by Alnitak. He added that In the context of the EC LIFE+ Project MIGRATE coordinated by MEPA, KAI Marine be conducting surveys in 2013 and 2014 for the identification of sites of special interest for cetaceans under the framework of the EU Habitat Directive.

### **3.10 Chemical pollution and marine litter (RMTM 16)**

95. The Chair introduced this item and invited Heidrun Frisch (UNEP/CMS/ASCOBANS) to present the document ACCOBAMS-SC8/2012/Inf 17 (Report of the ECS/ASCOBANS /ACCOBAMS workshop on chemical pollution and marine mammals (ECS, Cadiz, Spain, March 2011))
96. She explained the purposes of the workshop, which helped to bring out a number of recommendations as the research needs on understudied contaminants, including newly emerging ones; effects of pollutants on individual animals; population level effects; priority areas, which include the Mediterranean and Black Seas; priority species; as well as biomarkers and gene expression analyses. Based on these recommendations ASCOBANS adopted the Resolution 7.4 which is available on the ASCOBANS web site.
97. Greg Donovan reported that the IWC is working on the issue of marine debris and will hold a workshop on the topic prior to its next Scientific Committee Meeting in Jeju, Korea, probably in late-May 2013. Information will be placed on the IWC website ([www.iwcoffice.org](http://www.iwcoffice.org)). He also reminded participants of the IWC's POLLUTION 2000+ initiative which is now in its second phase. An important component of this phase is the work being undertaken by Ailsa Hall of the Sea Mammal Research Unit in the UK who is developing a modelling framework to examine potential population level effects.
98. Mark Simmonds introduced the information document ACCOBAMS-SC8/2012/Inf 18 (Information document concerning cetaceans and marine debris). He emphasised that marine debris in the oceans continues to grow and he noted that plastics and other marine debris have been found in the gastrointestinal tracts of cetaceans, including instances where large quantities of material have been found that are likely to interfere with digestive processes and other examples, where other morbidity and even death have resulted (Simmonds, 2012). In some instances, debris may have been ingested as a result of the

stranding process and, in some others, it may have been ingested when feeding. Published information suggests that those species that are suction or “ram” feeders may be most at risk. There is also evidence of entanglement of cetaceans in marine debris. However, it is usually difficult to distinguish entanglement in active fishing gear from that in lost or discarded gear and more work needs to be done on this.

99. He stressed that, globally, the significance of the threat from ingested plastics and other debris remains unclear for any population or species of cetaceans, although there are clear concerns for some taxa, including at the population level and. The planned IWC Scientific Committee workshop on marine debris aims to help better understand this threat and he encouraged the Members of the Scientific Committee to provide information and take part.
100. The Executive Secretary informed the Meeting that, in the last Meeting of the Barcelona Convention a decision was adopted concerning ghost fishing. The ACCOBAMS Permanent Secretariat proposed to collaborate with the Medpol program in order to develop cooperation for this subject.
101. The Chair proposed that projects be developed to evaluate the level of ghost fishing and its influence in cetacean population in the Mediterranean and Black Seas, taking into account the past and ongoing projects.
102. Heidrun Frisch (UNEP/CMS and UNEP/ASCOBANS) said that the ASCOBANS Advisory Committee had established a correspondence working group on marine debris at its last Meeting. Its tasks included establishing recommendations for research methodologies to assess debris as seen during cetacean surveys conducted at sea, aiming for a standardised approach to recording types of debris, and advising on a standardized protocol for necropsies. She saw opportunities for information exchange between both Agreements’ activities and collaboration regarding marine debris.
103. The Scientific Committee noted the importance of continued work in the ACCOBAMS area in relation to both chemical pollution and marine debris. It is especially important to develop projects that will: (a) complement the work already done on pollutant levels and put them in a modelling context to be able to evaluate potential population level effects; (b) allow the evaluation of the level of ghost fishing in order to consider the threats it poses to populations in the Mediterranean and Black Seas; and (c) evaluates previously unstudied pollutants or newly identified potential threats such as microplastics. It took note of past and ongoing projects (e.g. in Italy, Algeria, Black Sea Countries) and encouraged to further collaboration with ASCOBANS and the IWC on these issues.

### **3.11 Climate change (RMTM 17)**

104. At its 6<sup>th</sup> Meeting (Casablanca, 11-13 January 2010), the Committee had agreed recommendation 6.8 on climate change. It recognised that some climate change scenarios envisaged rapid environmental changes to occur in the marine ecosystems of the Agreement area. It also recognised a related and potentially exacerbating issue is marine acidification. Building upon the work undertaken by the IWC and others, it had agreed that it was timely to

hold an IWC workshop on this topic and had established a steering group under Simmonds to progress this.

105. Mark Simmonds informed the Meeting about the progress made in the organisation of the workshop on climate change. He emphasized that it will probably be held early in 2013 and presented the document containing the provisional Terms of Reference of the workshop (ACCOBAMS-SC8/2012/Doc17).

### **3.12 Capacity building (CB1 – CB5)**

106. Tilen Genov presented the initiative to contribute cetacean datasets within ACCOBAMS area to OBIS-SEAMAP referring to document ACCOBAMS-SC8/2012/Inf 20. He informed the Meeting that OBIS-SEAMAP curators launched a special ACCOBAMS page within the existing OBIS-SEAMAP website, which includes most contributors from ACCOBAMS area. He underlined that the collection of datasets now includes some of the largest datasets in the region, such as those of Alnitak and Tethys. All main seas within the Mediterranean Sea are represented by at least small datasets but he pointed out that more effort is needed if the database is to be representative of the current data coverage in ACCOBAMS region, as there are more existing data than is currently included in the database. There is clear lack contributed data from southern Mediterranean, despite an effort to contact potential data holders in each country.
107. Referring to document ACCOBAMS-SC8/2012/Inf 21, Guido Gnone presented the INTERCET database. INTERCET is an on line platform to share and analyze geo-referred data in relation to the presence of cetaceans and sea turtles in the Pelagos Sanctuary waters. It was developed within the project named GIONHA. GIONHA (Governance and Integrated Observation of marine Natural Habitat) is a project funded by the European Cross Border Cooperation Programme Italy-France “Maritime”. The partners of GIONHA were ARPAT (Agenzia Regionale per la Protezione dell’Ambiente Toscano), Regione Liguria (Dipartimento Ambiente, Settore Ecosistema Costiero), Regione Sardegna (Servizio Tutela della Natura), Provincia di Livorno (U.S. Pianificazione e Tutela del Suolo) and OEC (Office de l’Environnement de la Corse). The aims of the project were to exploit the natural resources of the Pelagos Sanctuary, to awaken public opinion to marine habitat protection and to monitor the status of cetaceans and sea turtles in the Pelagos area. INTERCET was planned and developed by Acquario di Genova for Regione Liguria as an applicative tool of GIONHA. INTERCET is a Web-GIS application, thought to support aggregation, visualization and integrated analysis of data coming from various institutions connected to the platform. INTERCET joins together the GIS (*Geographic Information System*) technology and the Web logic of sharing data and information. It was developed with ArcGIS Server, a Web-GIS provided by ESRI. The data aggregation allows to get information on the habitat, home range and abundance of the cetaceans and sea turtle species within the study area covered by the research partners connected to the platform. INTERCET will favor a better homogeneity in the data collection techniques, following a stronger connection between the research teams involved. The platform will be able to welcome as many partners as needed also including



new study areas. INTERCET could also include new research themes and target species, connecting with already existing analogous network platforms (OBIS SEA-MAP).

108. Following a discussion on the harmonisation between OBIS-SEAMAP and INTERCET databases it was agreed to integrate the content of the two databases to the extent possible.
109. Guido Gnone informed the Meeting that the access to the INTERCET database would be open soon to everyone interested to join in. The objective is that everybody could join the platform.
110. The Scientific Committee recognised the INTERCET database as an extremely powerful tool. It requested that it be kept informed of its evolution and implementation at the next Scientific Committee Meeting. It sees great value in this tool to encourage cetacean specialists working in the ACCOBAMS area to collaborate and exchange data in an effective way that increases the conservation value of the available data.
111. Vassilis Tsigourakos, from the ACCOBAMS Secretariat, presented the on-going project for developing an ACCOBAMS Interactive database to be displayed on the ACCOBAMS website. He explained that this database compiles administrative information on the Parties, information on activities carried out in the ACCOBAMS area by the countries and the scientific community, and information on cetacean distribution taken from the literature. The Scientific Committee welcomed the work done by the Secretariat.
112. Ayaka Öztürk recommended including the references and the sources of the information provided in this database.
113. Giuseppe Notarbartolo di Sciara proposed to link the information provided on cetacean distribution with a work carried out by Dr. Fiorenza Micheli (Stanford University) on the distribution of impacts (<http://globalmarine.nceas.ucsb.edu/mediterranean/>), considering that it could be interesting to overlay the two works.
114. Regarding capacity building issue, the Chair emphasized that the training of national authorities should be a priority.
115. Several participants underlined that when developing capacity building activities it is also important to plan what follows next and to pursue the collaboration with the persons who were trained to confirm their commitment.
116. Ayaka Öztürk underlined that, as a means of capacity building it is very important to promote participation in international conferences regarding cetaceans, such as ECS annual conferences, CIESM congress. By attending these conferences and Meeting experts and other colleagues, will get even more motivated and more active when they return to their countries. She urged ACCOBAMS Parties, Bureau and Secretariat to support such participation.

117. The Scientific Committee Members recognised that capacity building is a key component to improve conservation within the region. It noted that its high priority recommendation on the ACCOBAMS Survey Initiative incorporates an important capacity building component. It requests that the Secretariat prepares and presents to the next Meeting of the Scientific Committee an overview of what was already achieved in terms of capacity building activities. This will enable the Scientific Committee to develop a prioritized strategy for future capacity building efforts.

### **3.13 Institutional issues**

118. The Executive Secretary presented information on the past and forthcoming Meetings related to implementation of the Agreement. Since the Fourth Meeting of the Parties (November 2010), the Permanent Secretariat was represented to Meetings and workshops in order to liaise with other Organisations and to strengthen collaboration. During these contacts, the Secretariat presented the activities of the Agreement, disseminated information material and investigated with the Country representatives ways of strengthening cooperation for the implementation of ACCOBAMS. She then gave a summary of the Seventh Meeting of the ACCOBAMS Bureau (13-14 December 2011, Monaco) and continued by giving some information about the Five Regional Workshops held in June 2012.
- RW1- "Western Mediterranean Workshop" (10-11 June 2012, Hammamet, Tunisia) : Italy, France, Monaco, Morocco, Spain and Portugal ;
  - RW2- "Central Mediterranean Workshop" (13-14 June 2012, Hammamet, Tunisia) : Croatia, Italy, Malta, Montenegro, Slovenia (no representative from Albania);
  - RW3- "Southern Mediterranean Workshop" (15-16 June 2012, Hammamet, Tunisia) : Algeria, Egypt, Libya, Tunisia ;
  - RW4- "Eastern Mediterranean Workshop" (26-27 June 2012, Istanbul, Turkey): Greece, Lebanon (no representative from Cyprus and Syria) ;
  - RW5- "Black Sea Workshop" (28-29 June 2012, Istanbul, Turkey): Bulgaria, Georgia, Romania and Ukraine.
119. The Scientific Committee took note of this information.

## **4 Cooperation with international organizations**

### **4.1 Contribution to the Marine Strategy Framework Directive**

120. The Executive Secretary reminded the Meeting that the MOP4 had asked the Scientific Committee to start a process for identifying environmental targets and measures for cetacean conservation that should be incorporated in the marine strategies in the ACCOBAMS area, including the identification of thresholds for pressures and impacts of certain human activities, as well as providing information for abundances and dynamic populations. She also noted that a common Working Group was created with ASCOBANS. Activities have not yet started and the Terms of Reference of the Working Group were for discussion before the Meeting.

121. She emphasised that within the framework of the MFSD, the European Union members had to send the data to the European Commission. Both ASCOBANS and ACCOBAMS Secretariats proposed to collect these data and use them to start a process to help Parties in identifying environmental targets and measures for cetacean conservation that should be incorporated in the national marine strategies.
122. Vincent Ridoux introduced the document ACCOBAMS-SC8/2012/Doc 18 (Terms of Reference of the Working Group on MSFD for cetacean conservation in the ACCOBAMS area)
123. Heidrun Frisch (UNEP/CMS and UNEP/ASCOBANS) noted that, based on the document presented and following consultations with ACCOBAMS and ASCOBANS contacts, the working group's terms of reference had been officially adopted by the ASCOBANS Advisory Committee ([Annex 12](#)). The list of group members was still open and volunteers were encouraged to indicate their wish to participate to one of the Secretariats. If this Meeting wished to make any amendments, these would need endorsement from the ASCOBANS Parties, which she proposed to obtain by means of a written consultation in order to avoid further delays and allow the group to start its activities as soon as possible. Since no changes to the terms of reference were requested by the Committee, the two Secretariats would now jointly communicate the agreed terms of reference to all group members and focal points and make a call for nomination of a working group convener.
124. The Scientific Committee agreed that a coordinator be designated for the Working Group.

#### **4.2 Identification of cetaceans for the needs of CITES**

125. The Executive Secretary informed the Meeting that the idea to prepare a Resolution on the identification of origin of cetacean bred or kept in captivity, came from the Ukrainian focal point who received complaints from the Bern Convention on the direct catch of bottlenose dolphins *Tursiops truncatus* in the Ukrainian waters. The Ukrainian focal point wished to inform the CITES on the different methods of identification of the species and strengthen the genetic studies. A draft resolution has been prepared but unfortunately the Ukrainian authorities had not enough time to review and validate the draft in order to present it to the 16th COP of CITES (3-15 March 2013). As a result it will be presented in the next COP in two years. The Executive Secretary proposed that the Meeting should comment on this draft Resolution.
126. The Chair noted that everything in this draft Resolution was important. He asked to Nicolas Entrup to present the draft statement of concern that was prepared for the bottlenose dolphins that are in captivity in Ukraine and Georgia.
127. Nicolas Entrup reminded the Meeting of the reasons why such a statement had been prepared. More precisely many reports highlighted that live removals occurred in Georgia and Ukraine. At this level he stressed the problem that it is quite difficult to verify the claims whether the animals are of captive origin or whether there have been replaced by wild animals. In order to reduce this type of practice he addressed in the draft statement the

possibility of marking and registering the animals so that for future cases there is more transparency to verify whether the animals are substituted or not. He then presented the different paragraphs of the draft statement of concern. The first paragraph is recalling the provisions of ACCOBAMS which makes live removals illegal; the second paragraph reminds there is a Conservation plan for the cetaceans of the Black sea that really tries to eliminate the live removals; the third paragraph is recalling the state decision by CITES to prevent further trade with the zero quota in appendix II as well as the fact that the bottlenose dolphin of the Black Sea is recognized in the red List of the IUCN; the fourth paragraph is taking from a previous statement of concern of ACCOBAMS Scientific Committee regarding the captures in Turkish waters for the purposes of addressing the situation in Georgia and Ukraine referring to the IUCN conservation action plan of cetacean and the existing scientific literature. He recommended to the Scientific Committee to suggest that the Permanent Secretariat should submit a letter of concern to the governments of Ukraine and Georgia, on the illegality of the situation and asking them to elaborate an assessment of the individual identity for all bottlenose dolphins kept in captivity, to provide proper administrative measures in order to prevent substitution of animal taken from the wild. Furthermore, he suggested that this statement is brought to the attention of the Bern Convention Secretariat.

128. Greg Donovan noted that a number of IWC countries have DNA registers and the IWC Scientific Committee has developed guidelines for such registers and for genetic standards. He noted that genetic methods are more reliable than photo-identification in this context.
129. The Chair proposed to recommend that the governments of Ukraine and Georgia should follow the Guidelines developed by the IWC Scientific Committee.

#### **4.3 Proposal to include the Cuvier's beaked whale in Appendix I of the CMS**

130. The Scientific Committee welcomed Document ACCOBAMS-SC8/2012/Doc 11 "Draft proposal to include Cuvier's beaked whale in Appendix I of CMS" and fully endorses its conclusions. The Scientific Committee encourages ACCOBAMS Parties to sponsor this proposal at the next CMS COP. The Scientific Committee also discussed the status of Cuvier's beaked whale populations in the Mediterranean Sea and resolved to ask Ana Cañadas and the other authors to review the current assessment IUCN and see if it can be proposed as Vulnerable (VU) and to urge IUCN Red List Authority to give priority to reviewing this population's Red List status.
131. Heidrun Frisch (UNEP/CMS and UNEP/ASCOBANS) explained that to qualify for Appendix I listing, a species or population needed to be endangered, but the CMS Scientific Council did not require corresponding red list status. She confirmed that the CMS Appointed Councillor for Aquatic Mammals, Bill Perrin, had looked at the draft proposal and found it sound and well-reasoned. He had also expressed his gratitude for its production, which had been encouraged by the 17<sup>th</sup> Scientific Council Meeting. He expected that it would be well received by the Council. She emphasised that once endorsed by the Committee, the proposal should be submitted for consideration by the next CMS Scientific Council Meeting, which was foreseen to take place in autumn 2013. After endorsement or comments from the Council, a

CMS Party or several Parties would be needed to formally sponsor the listing proposal and submit it to the CMS Secretariat at least 150 days before the next Meeting of the CMS Conference of the Parties in 2014.

#### **4.4 Atlantic area shared by ACCOBAMS and ASCOBANS**

132. The Executive Secretary introduced document ACCOBAMS-SC8/2012/Inf 22 on “Ongoing activities in the common ACCOBAMS/ASCOBANS area”. She emphasized that this document was elaborated to support the Members of the Scientific Committee to identify activities to be developed in collaboration with ASCOBANS and to be included in the Scientific Committee programme of work. She also reminded the Meeting that Resolution 7.3 was adopted at the last ASCOBANS MOP held in October 2012 in which five items were identified by the Parties to ASCOBANS for collaboration with ACCOBAMS:

- populations structure
- abundance
- ship strikes
- by-catch impacts
- stranding data

133. After discussion the Scientific Committee agreed that it is important to cooperate with ASCOBANS on all issues related to the conservation status of cetaceans in the shared area.

#### **4.5 Other organizations**

134. The Executive Secretary informed the Meeting that two MoU had been signed with GFCM and with MEDPAN. A third should be signed with Black Sea Commission Permanent Secretariat end of November 2012.

### **5 Future Strategy of ACCOBAMS**

135. The facilitator of the working group, Ana Štrbenac, tasked to prepare the ACCOBAMS Strategy informed about the progress in the ACCOBAMS Strategy development (ACCOBAMS-SC8/2012/Doc 20). She reminded the Meeting about the decision of the last Meeting of Parties, reflected in the Resolution 4.24; to prepare a long-term Strategy based on the analysis of the Agreement's effectiveness, task the Working Group to prepare the Strategy proposal through facilitated process and submit it to the 5th Meeting of Parties for adoption. The results of the analysis, covering the period between 2002 and 2010, showed that in the circumstances defined with significant human pressures, various stakeholders and established international legislation framework, certain work has been done, but that the Agreement succeed partially to achieve its objectives. Conservation status of cetacean populations is still poor, but ACCOBAMS have contributed to better cooperation between countries and scientists in the region.
136. The first draft of the Strategy was compiled by a facilitator, based on inputs of the Strategy Working group and representatives of the national focal and contact points participating in

regional workshops in 2012. The document includes seven main elements: Analysis of present state of ACCOBAMS affairs; ACCOBAMS Mission; Vision; Objectives; Action plan; Implementation and financing; Monitoring and revision of the Strategy.

137. The overall objective is to improve current conservation status of cetacean in the ACCOBAMS area, more specifically to achieve that status of at least all the regularly present species listed as endangered (EN) in the IUCN Red List downgraded to at least vulnerable (VU), with support of ACCOBAMS. Altogether 68 activities: 27 for good management of the Agreement and 41 as part of concrete cetacean conservation efforts were proposed to support the achievement of that objective.
138. Margi Prideaux, Migratory Wildlife Network, commended the work by the WG and Ana Štrbenac and emphasized that the proposal for a compliance mechanism is perhaps the most important element of the Strategy. Without policy implementation the investigations, discussions and recommendations of the Scientific Committee will be ineffective. She commented that ACCOBAMS has reached a maturity now that it cannot really avoid this crucial stage of critical assessment. The role of the Scientific Committee to the Agreement should be moving into an 'assessment of progress phase', reporting back to Parties about their level of success so that they can make the political decisions to adapt directions and measures. With this in mind, she urged that the compliance mechanism nested within the strategy is strongly advocated for by the Committee. She added that there will be a need for structure and rigor to the process of assessment – critical assessment needs design – and that a continuation of a loose and unstructured reporting process will not give the Agreement the foundation it needs to move forward.
139. OceanCare voiced strong support of the comments made by the representative of the Migratory Wildlife Network.
140. Giuseppe Notarbartolo di Sciara welcomed the intense work that has gone into the preparation of the strategic workplan and drew specific attention to the question of implementation, compliance and enforcement of conservation action and reminded the participants that at the 6<sup>th</sup> Meeting of the Scientific Committee a Declaration had been adopted and included into the Report (Annex 6, p.49) which already specifically addresses these questions. While the precise proposals of activities within the strategic workplan are of great importance, he emphasized that it was vital to improve the implementation of conservation actions decided by the Parties at the appropriate MOPs. This is an area where ACCOBAMS has a clear deficit which has been well documented by the outcome of the work by the WG. Various Members of the Scientific Committee agreed and suggested to the Secretariat that Parties are urged in the run up to the MOP to give the upmost attention to the development of a compliance regime and implementation model, as also referenced in the discussed Document.
141. After the presentation and discussion, the Scientific Committee members thanked Ana Štrbenac for her work. They were then invited to send the comments to the first draft Strategy to facilitator until 25 November 2012, using corresponding commenting form

provided by facilitator. The document with incorporated comments will be presented to the next Bureau Meeting, scheduled for December 2012. The wider public consultation is planned for February 2013. The draft Strategy including the comments received from both the Scientific Committee and the Bureau will be published on the ACCOBAMS website. Representatives of Parties, Scientific Committee, Partners, Sub-Regional Coordination Units, CMS, other participants of regional workshops and Meetings of the Scientific Committee etc., will be informed about the consultation process and invited to provide further comments. Comments should be received until 25 February 2013. The draft Strategy based on received comments will be presented to the Extended Bureau and subsequently to the MOP 5.

## **6 Composition of the Scientific Committee in the future**

142. The Chair introduced the document ACCOBAMS-SC8/2012/Doc 21 on the “Suggestions on future composition of the Scientific Committee and selection criteria”. He explained that the first part of the document was prepared by the Task Manager on procedural issues, Giuseppe Notarbartolo di Sciara, in cooperation with several Scientific Committee Members, and that it was approved by the Scientific Committee as a whole. He pointed out that the second part of the document was prepared by the Secretariat further to the comments made by the ACCOBAMS Bureau during its Seventh Meeting held in December 2011.
143. The Scientific Committee decided to reject without any discussion the additional options underlining that some of them have sense but are not suitable for ACCOBAMS and recommended to follow its own recommendations, including on criteria, as they appear in the document prepared by the Scientific Committee.

## **7 Working programme of the Scientific Committee for the Triennium 2014-2016**

144. The Chair of the Scientific Committee informed the Meeting that the Working Programme will be prepared in accordance with the template proposed in the draft strategy. It will be circulated to the members of the Scientific Committee and sent to the Secretariat not later than 30<sup>th</sup> November 2012 for the submission to the next Bureau Meeting.

## **8 Any other business**

145. The Committee spent some time discussing the process for the review of proposals for the Conservation Funds. It confirmed that the objective is for an open, fair and transparent process that ensures that the limited money available is spent on high quality projects that will forward the scientific and conservation objectives of ACCOBAMS.
146. It recognises that developing a system that meets this objective can be difficult and may involve some trade-offs with respect to e.g. the possibility of conflicts of interest. The present system addresses the question of fairness with a very strong statement regarding eligibility: ‘4.4- Proposals from Governmental Institutions and NGOs having direct link with one or more members of the Bureau of the Contracting Parties or one, more members of the



Scientific Committee or one or more staff of the Permanent Secretariat of ACCOBAMS are not eligible’.

147. The Committee is concerned that this extremely broad condition has some unanticipated side effects that may work against the ultimate objective of high quality projects that will forward the scientific and conservation objectives of ACCOBAMS. This is especially the case with respect to the relatively small cetacean conservation community in those ACCOBAMS countries that fall into the category of either developing countries or countries with economies in transition. In many such countries ‘everyone knows everyone’ and the Committee believes it would be extremely unfortunate if inadvertently the rule effectively punishes those who serve ACCOBAMS in the Bureau or the Scientific Committee (or indeed the Secretariat).
148. The issue of potential conflict of interest also affects other international organisations and funding bodies. The Committee requests that the Secretariat collates a number of examples from such bodies (e.g. IWC, CMS, ASCOBANS) to see if a fair and transparent system can be adopted that avoids the problem of exclusion discussed above. This collation and a suggestion based upon it developed by the Secretariat and the Chair of the Scientific Committee should be presented for consideration and possible adoption by the Bureau at its next Meeting. The Scientific Committee recommends that the process of reviewing proposals submitted under the present tender should be postponed until after the Bureau Meeting.
149. In addition to the question of eligibility criteria, the Committee also discussed the questions of (1) the language of submissions; (2) the need for minimum standard; and (3) the question of the choice of proposals when funds are insufficient. As a guide to the Chair of the Committee and the Secretariat when presenting their recommendation to the Bureau after the review of procedures in other bodies, the Committee suggests that in refining the review process the following be considered:
- (1) the Scientific Committee establishes a Proposal Review Steering Group (the membership of the group will comprise scientists that have no direct connection to any of the proposers) that allocates proposals to at least three reviewers (who may be within or outside the Committee) based on:
- The expertise of the scientists with respect to the subject of the proposal
  - Their fluency in the language of the proposal (in special circumstances the proposals may require translation which should be organised by the Secretariat)
  - Their independence from the proposers.
- (2) the Steering Group receives the reviews and based upon them and publicly declared criteria, recommends a prioritised list to the Secretariat and the Bureau, based upon the known available funds. The Steering Group should have the flexibility to recommend that some projects receive less than the maximum 15,000 Euros. Of course, it will not recommend any projects that do not meet minimum standards even if funding is available. The Scientific Committee endorses the work of the Steering Group’s report to the Bureau which must include the group’s rationale.

The publicly declared criteria could include: relevance of the proposal to ACCOBAMS objectives; scientific quality of the proposal; conservation priority of the proposal; likelihood

of the proponents being able to successfully implement their proposal; value for money; geographical spread).

150. Drasko Holcer and the Chair of the Scientific Committee informed the Meeting about the recent military involvement by the US Navy using bottlenose dolphins searching for, detecting and locating sea mines in the waters of Montenegro. In that context OceanCare asked the Secretariat whether it had consulted the US and/or the Montenegro authorities in reaction to the information received or been informed by the two countries prior to this operation and whether any information has been provided documenting methods to reduce or eliminate the risk of introducing diseases into the habitat.
151. The Secretariat responded that it had contacted the authorities in Montenegro referring to the provisions set in the Guidelines adopted in Resolution 3.20, but it has not received any response. The Scientific Committee strongly recommended that the Secretariat inform the Bureau about this issue and the concern the Scientific Committee expressed as for the serious negative impacts (eg. The danger of emission of foreign pathogens into the Mediterranean Sea and/or genetic pollution) that could be generated by such practices.

## **9 Adoption of conclusions and recommendations**

152. The Meeting reviewed the draft report prepared by the Secretariat. The amended draft report will be send to the participants for comments and adoption through email.

## **10 Closure of the Meeting**

153. After the customary exchange of courtesies, the Chair closed the Meeting at 8.15 p.m. on Thursday 15<sup>th</sup> November 2012.

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## **ANNEX 2 - Agenda**

### **1. Opening of the Meeting**

### **2. Adoption of the agenda**

### **3. Progress in the implementation of the Work Programme for 2011-2013**

- 3.1 Survey Initiative
- 3.2 Population Structure
- 3.3 Conservation Plans
  - 3.3.1 *Mediterranean common dolphin*
  - 3.3.2 *Black Sea cetaceans*
  - 3.3.3 *Mediterranean bottlenose dolphin*
  - 3.3.4 *Fin whale*
  - 3.3.5 *Cuvier's beaked whale*
  - 3.3.6 *Sperm whale*
  - 3.3.7 *Other species and populations*
- 3.4 Bycatch and interactions with fisheries
- 3.5 Anthropogenic noise
- 3.6 Ship strikes
- 3.7 Whale-watching
- 3.8 Responses to emergency situations
- 3.9 Marine Protected Areas
- 3.10 Chemical pollution and marine litter
- 3.11 Climate change
- 3.12 Capacity building
- 3.13 Institutional issues

### **4. Cooperation with international organizations**

- 4.1 Contribution to the Marine Strategy Framework Directive
- 4.2 Identification of cetaceans for the needs of CITES
- 4.3 Proposal to include the Cuvier's beaked whale in Appendix I of the CMS
- 4.4 Atlantic area shared by ACCOBAMS and ASCOBANS
- 4.5 Other organizations

### **5. Future strategy of ACCOBAMS (2013-2023)**

### **6. Composition of the Scientific Committee in the future**

### **7. Working programme of the Scientific Committee for the triennium 2014-2016**

### **8. Any other business**

### **9. Adoption of conclusions and recommendations**

### **10. Closure of the Meeting**

## ANNEX 3 - Recommendation 8.1 : Recommendations related to the ACCOBAMS Survey Initiative

### 1. Background

In 2003, the Scientific Committee first drew the attention of the ACCOBAMS Parties to:

- the fundamental importance of obtaining baseline population estimates and distributional information of cetaceans within the area as soon as possible;
- the fact that without such information (and a suitable monitoring programme) it is impossible to *inter alia* determine whether ACCOBAMS is meeting its conservation objectives;
- its great importance in the assessment of risk, the determination of appropriate mitigation measures and the associated determination of priority actions.

The Committee agreed then, and has frequently strongly reiterated since, that such work thus represents the highest priority for research within the ACCOBAMS area.

### 2. Recommendations

Nine years, several workshops and at least two MoP Resolutions strongly supporting the initiative later, the survey has still not taken place. This has been for financial rather than scientific reasons. An enormous amount of work has gone into planning the surveys and developing proposals – and indeed revising them. The most recent re-evaluation occurred at a workshop held in Rome in 2011 (SC8/Doc 05Rev); this resulted in a fully-developed cost-effective programme with a primarily aerial component. The Scientific Committee **strongly endorses** this updated proposal and **strongly recommends** that it be undertaken as soon as possible. Its 2003 view of its importance has not changed and indeed the long time period since has only increased its importance. This time and again in the Committee's discussions on a wide range of subjects, the need for this synoptic survey has been **reiterated**, including capacity building. It is also fundamental to the ability of ACCOBAMS to meet its objectives and the new proposed ACCOBAMS strategy. It can also make a fundamental contribution to initiatives outside ACCOBAMS, including for example the MSFD of the European Commission. While the synoptic concept is fundamental to the ACCOBAMS Survey Initiative, it was agreed that for the scientific reasons outlined in SC8/Doc 05Rev, it is possible to undertake the survey related to the Black Sea and adjacent waters separately (and see below).

With respect to the Mediterranean component of the survey, the Scientific Committee noted that there is a Coproject led by the Sea Mammal research Unit in the UK to cover offshore Atlantic waters previously covered by the SCANS and CODA programmes, as well as a further T-NASS survey covering the remainder of the North Atlantic for 2015. While it is not practical to undertake the Mediterranean Survey in the same year, [2014] or 2016 are realistic if funding can be found and the Committee **agrees** that there are advantages in establishing a link between the ACCOBAMS survey initiative and these other surveys. For example, this could allow synergies in terms of method development, implementation and logistics (e.g. in chartering aircraft/ships, hiring and training observers, etc). The feasibility of such a link should be initially investigated by the Scientific Steering Group proposed in SC8/Doc 05Rev (Birkun, Cañadas, Donovan, Hammond, Fortuna, Panigada).

The Committee **reminds** the Bureau and the Parties of ACCOBAMS previous **strong** commitments to the survey. It was informed by the Secretary that a fund-raiser is being hired under an agreement with IUCN and the French *Agence des aires marines protégées*. It **recommends** that this be undertaken without delay. It also **reiterates** its previous recommendation of the need to hire a co-ordinator (initially part-time and with a focus on the Black Sea extension discussed below). The co-ordinator would work in close co-operation with the fund-raiser and the Scientific Steering Group.

With respect to the Black Sea area, the Committee received information on a survey being funded by DG-Mare in summer 2013 that will cover about 25% of the Black Sea in its northwestern shallow water area. While the Committee welcomes news of the survey it **reiterates** the great importance of undertaking a synoptic survey of this region. Interpretation of the results from this quarter alone will be difficult and it is certainly not possible to extrapolate the results from that area to the full Black Sea. The Committee **strongly recommends** that the whole of the Black Sea is covered this summer. It was informed that the Secretariat already has funds of €150,000. The Committee strongly **recommends** that this money be allocated to ensuring that the Black Sea region is covered.

The Committee agrees that as a matter of urgency the Scientific Steering Group examines the existing plan for the Black Sea and determines the funds required to complete the Black Sea and adjacent waters in 2013, at the coverage level identified in SC8/Doc 05Rev. The Scientific Steering Group will determine options for the level of coverage based on the available funding and develop a final design and protocol. For the survey to succeed it agrees that it is essential that some funding be made available for the co-ordinator. The Committee strongly welcomed the offer from MacAlister Elliot to work with the Steering Group to facilitate coverage of the whole area in a consistent manner. This work should be undertaken as a matter of urgency and investigation and precautionary applications for permits should begin immediately, in conjunction with scientists from the relevant range states (e.g. Turkey, Russia, Georgia). The Scientific Committee **reiterates** the greatly increased conservation and scientific value of covering the whole area synoptically. It **urges** the Bureau, the Black Sea Commission and the ACCOBAMS Secretariat to do all they can to ensure that the necessary funds and permits are made available. An important unique opportunity will be lost if this does not happen and only the northwestern corner is covered.

## **ANNEX 4 - Terms of Reference for a joint ACCOBAMS-ASCOBANS population structure workshop as part of the forthcoming ECS meeting**

### **1- Background**

In order to evaluate and prioritise threats to cetaceans at the population level, it is essential to understand population structure. However, this is a complex issue and a full evaluation requires incorporation of uncertainty regarding population structure into population modelling (IWC has great expertise in this regard). ACCOBAMS Scientific Committee has recognised the great importance of this issue and established a population structure working group. It had noted the great value of genetic studies in this regard but also noted that a full consideration of the matter requires consideration of information from a suite of techniques. This year it also received a proposal (SC8\_Doc07rev1) for a five year study incorporating seascape genetics - this involves examining genetic breaks in relation to specific marine environmental parameters. There was insufficient time to review this proposal fully at this meeting in the context of an overall evaluation of population structure priorities. In order to develop a full programme within the ACCOBAMS region, it is essential to undertake a review of the existing information and available samples that can contribute to stock structure evaluation by species and area, in order to identify key information gaps and to identify priorities for data collection and analyses.

A start to this review has already been made in document SC8\_Doc07rev1 as well as in the reviews carried out when developing the ACCOBAMS Survey Initiative. However, as noted in that document the review is not complete. Completing the review could form an important component of the proposed workshop.

ASCOBANS has also recognised the importance of this issue and has been working on it. It held a review in 2007 that was published in 2009 summarising the available information for that region and proposing management units; this will form a strong basis for discussions for that region during the workshop.

The Committee recognises that the outcome of the workshop will be a workplan that will require considerable funding.

### **2- Terms of reference**

The objectives of the workshop are to:

- (1) summarise the available techniques (including seascape genetics) for examining cetacean population structure and their incorporation into population modelling exercises that enable quantification of threats;
- (2) review the existing information and sample availability throughout the ASCOBANS and ACCOBAMS regions in the light of the above techniques (e.g. see whether all or only some techniques would be applicable to said regions);
- (3) identify and prioritise information gaps and means to address those gaps in the light of likely conservation needs;
- (4) prioritize species in the relevant regions based on the above and on the relative projected ease of gap-bridging (e.g. coastal species with a relatively high stranding rate).
- (5) develop recommendations for future work including the analyses of existing data as well as the collection of new data.

### **3- Steering group**

A successful workshop requires a dedicated steering group. We propose that a workshop steering group be established co-chaired by Gaspari and Natoli, and including Birkun, Donovan, Evans,

Hoelzel. The final composition will be determined after consultation with all members of the ACCOBAMS population structure working group.

The steering group's tasks will be to:

- a) develop a short list of invited key speakers to set the scene, especially related to (1) to guarantee the existence of a minimum level of expertise to ensure that the objectives can be met;
- b) develop a general call (and format) for information to be distributed to researchers within the regions via the ECS and other networks, as well as a list of directed contacts;
- c) develop a focussed draft agenda based on the objectives of the workshop;
- d) identify a chair for the workshop and rapporteurs to ensure the timely development of a report that will be submitted to the SCs of ACCOBAMS and ASCOBANS;
- e) work with the ECS organisers with respect to the logistical details of the workshop, including the duration of the workshop.

## **ANNEX 5 - Recommendation 8.2: Recommendation addressing the continued live removals of bottlenose dolphins in the Black Sea**

Recalling that Article II of ACCOBAMS requires Parties to “prohibit and take all necessary measures to eliminate, where this is not already done, any deliberate taking of cetaceans”, the Scientific Committee expresses its concern about reports indicating the continued live removals, an additional direct take on top of the already high bycatch levels, of bottlenose dolphins (*Tursiops truncatus ponticus*) from the Black Sea.

Such activities are also contrary to both the objective set within the Black Sea Conservation Plan for Cetaceans, which foresees the elimination of live captures of cetaceans, and the provisions of the Bern Convention.

The Scientific Committee also notes that the Black Sea subspecies of bottlenose dolphin was assigned a zero trade quota by CITES in 2002 with respect to live captured animals and classified as *Endangered* under the IUCN Red List

The Scientific Committee agrees with the concerns expressed in the IUCN Cetacean Specialist Group in the 2002-2010 Conservation Action Plan for the World’s Cetaceans which stated that ‘live-capture can become a serious threat to local cetacean populations and especially when it is undertaken ‘without a rigorous program of research and monitoring’. The Scientific Committee is unaware of any stock assessment of any kind that has been carried out in relation to the reported live-captures in Georgia and Ukraine (e.g. Notarbartolo di Sciara & Birkun, 2010).

While reports about illegal live removals do not describe the scale of such activities, concerns have to be expressed over the lack of official recognition by the Georgian and Ukrainian governments of those facts that indicate the presence of illegal practice of taking live bottlenose dolphins from the wild and keeping them in captivity.

### **Therefore the Scientific Committee suggests to the Secretariat to:**

Send a letter of concern to the Georgian and Ukrainian governments recalling the illegality of live removals of cetaceans from the Black Sea and asking them to carry out an inventory and thorough assessment of individual identity of all bottlenose dolphins kept in captivity by means of genetic, morphological and photo-ID methods and to provide appropriate administrative measures in order to prevent substitution of dolphins that die in captivity by animals taken from the wild. The Committee notes that the IWC Scientific Committee has guidelines on the practical aspects of the use of DNA registers for cetaceans.

The Scientific Committee recommends the ACCOBAMS Secretariat that the communication shall be brought to the attention of Bern Convention Secretariat, the Black Sea Commission and the CITES Secretariat.

## **ANNEX 6 - Recommendation 8.3: Recommendation to work towards a Conservation Plan for fin whales of the Mediterranean**

### **Background:**

Fin whales in ACCOBAMS area face a number of actual and potential anthropogenic threats, including collisions with vessels, chemical and acoustic pollution, entanglement in fishing gear and disturbance by boats and climate change. ACCOBAMS has been working on issues related to the conservation of fin whales for some time and has established a steering group under Simone Panigada to further this work.

Appropriate habitat use and distribution studies, to describe fin whales' habitat preferences and to investigate the existence of critical habitats for this species, are therefore needed to aid implementation of management measures to regulate naval traffic, fishing and whale watching. The Pelagos Sanctuary can be an important reference area for both research work and the development of appropriate mitigation measures that can then be applied throughout the full range of the fin whales in the Mediterranean.

A workshop on 'fin whales research and conservation in the Mediterranean Sea' was held in Cadiz (Spain), on March 20th 2011, during the European Cetacean Society Annual Conference. The workshop participants agreed to improve coordination between scientific groups operating at the Mediterranean level and to improve communications between researchers. The participants to the workshop agreed on a list of priority actions to be pursued, including among others:

- update actions listed in the "ACCOBAMS fin whale workshop" held in 2005,
- draft concise research actions to fill the gaps, and
- prepare a list of experts active at the Mediterranean level.

The need for a conservation plan was also discussed and the final decision was to wait for the report and the list of actions to be evaluated before deciding about the need for a full conservation plan following the approach developed by Donovan *et al.* (2008). This is not to suggest that some level of conservation concern for Mediterranean fin whales does not exist.

One of the primary issues identified was the collection and analysis of information regarding the distribution, abundance and threats to fin whales in the whole ACCOBAMS area. This clearly relates strongly to the ACCOBAMS Survey Initiative.

Based on the discussions at the workshop and at the present SC meeting, the Committee agreed on a number of research and conservation priorities, including:

(A) The maintenance or establishment of long-term systematic programmes to monitor trends in abundance and shifts in distribution in selected targeted areas and in other areas of importance for the species such as:

- (1) Gulf of Lion and in general productive areas west of the Pelagos Sanctuary (mostly off France)
- (2) Central Tyrrhenian Sea to the south of the Sanctuary
- (3) Sicily Strait, particularly in late Winter – early Spring
- (4) Western Ionian Sea and possibly southern Adriatic
- (5) Eastern Mediterranean Sea (not fully surveyed, but increased incidental report suggest the area warrants further consideration)

(B) The use of existing photo-identification databases as a long-term management and conservation tool and especially to compare photo-id data from the Strait of Gibraltar and western Mediterranean with data from the North Atlantic area.

(C) Population structure and movements. This clearly relates strongly to actions to be undertaken under the population structure initiative, but will clearly involve information from further genetic analyses, photo-identification data and telemetry data (see Resolution 4.10 from MOP4). The Committee welcomed the information from a recent telemetry study provided by Simone Panigada and looks forward to receiving the results of this work which *inter alia* will begin to provide



important information on destinations of fin whales in winter time and possible links with the wider North Atlantic, with important conservation implications. Acoustic data can also play an important role.

**The Scientific Committee recommends:**

- (1) the importance of continuing work to elucidate the stock structure and movements of fin whales in the ACCOBAMS area, especially with respect to photo-identification, acoustics, telemetry and genetics – the movement information is particularly important with respect to developing focussed mitigation against threats such as ship strikes;
- (2) the importance of the ACCOBAMS Survey initiative to provide a summer snapshot of distribution throughout the whole region as well as a reliable estimate of total abundance;
- (3) that the Steering Group to contact all of the working groups working in the area to update available information on fin whales, including those related to potential threats (e.g. see the work of Fossi on micro plastics /ref.) to consult on priorities for future work with a focus on conservation;
- (4) that the Steering Group works on an outline of draft conservation plan to bring together a summary of the available information (including the report of the ACCOBAMS climate change workshop) and priorities for the next meeting of the Scientific Committee, with a view to reviewing whether the time is ripe to engage with stakeholders to develop a full plan.

The Scientific Committee **reiterates** the great importance of collaboration amongst research groups to forward conservation of fin whales within the ACCOBAMS region.

## **ANNEX 7 - Terms of Reference of the consultant for providing bibliographic synthesis and consulting of noise-producer**

The aim of these terms of reference is to precise the work that need to be done regarding:

Part 1: the state of this art about what is apply

Part 2: the consultation of noise-producer to know what they are applying

This reference document is necessary to improve guidelines and write a methodological guide to facilitate their implementation.

The draft document must be submitted to the working group approval.

Items to be address:

- 1) What are regulation, directive, resolution, national laws, etc., about noise? (Example: Marine Frameworks Strategy of European Commission, etc.)
- 2) What are the guidelines already in place to address noise issue? (Example: JNCC Seismic Guidelines, Guidelines of Res. 4.17, etc.)
- 3) What are the Current Available Practices used to reduce the impact of noise? (Example: RampUp, Passive Acoustic Monitoring, Observer schemes, etc.)
- 4) What are the Current Available Technologies to reduce the impact of noise? (Example: Pamguard, Bubble curtain, etc.)
- 5) What are reported to be field and operational constraints regarding the implementation of the present guidelines?
- 6) What are the procedures to evaluate mitigation measures? (Example: Environment Impact Assessment, Public review and Consultation process, etc.)
- 7) Classify the information by industries (seismic, marine renewable, etc.) and countries
- 8) Classify the information by type of noise (impulsive, continuous, aggregate and cumulative)
- 9) What could be the best guidelines? Comparing this with the measures called for in the ACCOBAMS and ASCOBANS guidelines, and identify discrepancies
- 10) What are the scientific information gaps preventing the development better mitigation measures?

## **ANNEX 8 - Statement from the ACCOBAMS Scientific Committee concerning the ongoing seismic survey work in the area of the Hellenic Trench**

The ACCOBAMS Scientific Committee has been informed by several NGOs of a programme of seismic survey work scheduled to take place in the region of the Hellenic Trench including in international waters and reported to be starting in early November. Unfortunately, details of this have not been received by the Secretariat and we do not know the details of the scale, methods or any planned mitigations. This region constitutes an area of critical habitat for the endangered Mediterranean sperm whale, whose population only numbers a few hundred individuals at best, and which, as a deep diving species, may be strongly affected by the loud noise used in such surveys. Sperm whales are an important international resource. The Hellenic Trench is also an important habitat for Cuvier's beaked whale, another particularly vulnerable species, and the bottlenose dolphin, striped dolphin, common dolphin and Risso's dolphin are also found there. This is an area which ACCOBAMS has proposed should be designated as an Area of Special Importance/MPA because of its cetacean populations.

The Scientific Committee therefore calls on all those involved in the planned surveys to provide information to the ACCOBAMS SC and take urgent precautionary action to protect the local cetaceans and offers its expertise to the relevant Greek authorities and the companies involved.

In particular, the SC draws the attention of those involved to the ACCOBAMS guidelines for seismic surveys, including the deployment of visual and acoustic marine mammal observers empowered to require the shut-down of airguns if cetaceans are detected within the prescribed zone and urges

- that duplicate surveys should be avoided across the same area;;
- alternative approaches to seismic airgun survey should be sought and deployed; and
- efforts should be made to avoid ensonifying adjacent areas simultaneously.

In addition, there should be a full and transparent EIA.

The ACCOBAMS secretariat is requested to expeditiously transmit this message to the appropriate authorities and companies.

## ANNEX 9 - Recommendation 8.4: Recommendation on Ship Strikes

### Introduction

ACCOBAMS and the IWC have recognised the problem of ship strikes within the ACCOBAMS area and have been working together to develop a better understanding of the issue and to develop effective mitigation measures. Several areas of the Mediterranean Sea were identified at the joint ACCOBAMS/IWC workshop on this topic as areas of particular interest due to shipping and cetacean densities:

- (1) the Strait of Gibraltar;
- (2) the Pelagos Sanctuary;
- (3) the area south west of the island of Crete;
- (4) the area around the Balearic Islands;
- (5) area between Almeria and Nador at the eastern side of the Alborán Sea; and in addition at the present meeting;
- (6) The Strait of Sicily and
- (7) The Bay of Biscay was identified as an additional area within the ACCOBAMS extension area.

The Scientific Committee also noted the interest of ASCOBANS and the Pelagos Sanctuary on this issue and **recommends** increased co-operation with these entities.

### Objectives

The Scientific Committee **recommends** that its collaborative work on ship strike issues continues, based on the existing recommendations of the joint ACCOBAMS/IWC workshop as well as additional subsequent information received e.g. from the Bay of Biscay. The ultimate objective for ACCOBAMS is to collect information to allow a robust assessment of the extent of ship strikes within the agreement area, and develop and evaluate effective mitigation measures, recognising that there is no universal solution to the issue. While the animal welfare issue applies to all animals, priority for mitigation measures may be directed at areas/species where there is a probable population level effect.

### Actions

The Scientific Committee welcomes the news that the IWC is funding the role of ship strikes co-ordinators to take forward work on this important issue including the recommendations of the joint workshop. It supports this initiative, noting that one of the co-ordinators (Panigada) is the Chair of the ACCOBAMS ship strikes working group. This will facilitate greatly the collaborative work with the IWC on this matter as well as regular exchange of ideas.

The Scientific Committee confirms the above identified areas for concerted efforts with respect to data collection both for assessing the extent of the problem and for developing mitigation measures, especially the scope for modified shipping lanes.

Key components of the work of the ship strikes co-coordinators involve better communications with shipping companies and increased reporting of events via regional initiatives and especially the Global Ship Strikes database (<http://www.iwcoffice.org/ship-strikes>) and the Scientific Committee **recommends** increased efforts in this regard within the ACCOBAMS area. It welcomes and encourages continuation of the existing initiatives within the area and encourages the ACCOBAMS Parties to support and promote these efforts as recognised in previous Resolutions (ACCOBAMS Res 3.14, 4.10, CMS 10.15 and ASCOBANS 7.3). These efforts include:

- (1) training initiatives within merchant navy schools, companies (including ferry companies and whale watching vessels) and navies (e.g. see existing initiatives including those within the Bay of Biscay and the PSSA project for Pelagos, we recommend that the watch crew be trained in this issue. [http://www.souffleursdecume.com/english/formation\\_collisions\\_EN.html](http://www.souffleursdecume.com/english/formation_collisions_EN.html));

- (2) promotion of the issue and the importance of reporting via a number of fora including specialist marine press;
- (3) further evaluation and dissemination of information on mitigation approaches such as REPCET (see the joint workshop report);
- (4) additional co-operation with IMO (and the MEPC) both via IWC and CMS agreements but also through initiatives with member states (the most appropriate mechanism for IMO action);
- (5) improved protocols for the identification of ship strikes via necropsies (there is a global initiative led by the USA in this regard);
- (6) investigation of incidence and nature of ship strike injuries within photo-identification studies;
- (7) encourage studies that improve access to the temporal and spatial distribution of shipping including AIS information;
- (8) encourage studies that improve our understanding of the temporal and spatial distribution of cetaceans within the region including telemetry studies;
- (9) encourage studies to develop and evaluate mitigation measures, incorporating *inter alia* results from (7) and (8) above, recognising that appropriate measures will vary depending on circumstances and areas.

The ship strikes working group of ACCOBAMS should continue to work on these issues and collate and report on relevant studies within and outside the ACCOBAMS area. It will foster collaboration with IWC, ASCOBANS, CMS and IMO and develop priority actions and studies, including the consideration of a project to develop a standard training module.

## **ANNEX 10 - Recommendation 8.5: Recommendation on Whalewatching**

The Scientific Committee recognises the many potential benefits of whalewatching from wide-range of perspectives, including economic, public awareness and education. From a scientific perspective, however, it notes that any expansion of whalewatching activity in the agreement area should be carefully managed in order to minimise potential adverse impacts on cetacean individuals and populations. The Scientific Committee is also appreciative of the work conducted by the IWC Scientific Committee and Conservation Committees on whalewatching and will also use information from this source to help inform its future work.

The Scientific Committee therefore recommends that its work on the scientific aspects of whalewatching issues continues, under the following topics (not listed in priority order).

(1) An 'ACCOBAMS certificate of accreditation for whale watching' will be developed and should take into account the ACCOBAMS Whale Watching Guidelines. The Committee noted that this certification approach will be trialled in collaboration with the PELAGOS Sanctuary.

(2) Continuation and expansion of national or regional training courses (based on the PELAGOS expertise) for operators covering the biology of animals, risks, boat behaviour around the animals, how to achieve ACCOBAMS accreditation, involvement in scientific research, etc.

(3) Continued consideration (including collation and review of scientific literature) of potential adverse effects on cetaceans and means to mitigate these with an emphasis on:

- Population-level impacts
- Swim-with activities;
- Use of aerial spotter aircraft
- The concept of 'carrying capacity'

(4) Monitoring the activity of whale-watching operators in each country in order to obtain information on growth and development to try to identify potential problems before they become too difficult to manage. This will be assisted by the definition of a common protocol for monitoring whale watching development and a database to store the information.

(5) Assistance in the development of methods to better inform the general public (including yachtsmen and other boaters involved in opportunistic whale watching) about responsible boat behaviour around cetaceans. This might include the integration of suitable cetology modules in official training for professional and recreational boat licenses and informative flyers in logbook and notices in harbour offices.

## **ANNEX 11: Draft Terms of Reference for the two workshops on MPAs**

### **ECS Workshop**

- The joint ASCOBANS/ACCOBAMS workshop, to take place at the ECS meeting in Portugal in 2013, should focus on management of threats to cetaceans inside and outside MPAs within the context of MPA management plans.
- Participants will include ACCOBAMS and ASCOBANS scientists and ECS scientists as well as policy people, MPA managers and key stakeholders from the ACCOBAMS and ASCOBANS regions. In addition, an effort will be made to enlarge the discussion from cetaceans to the larger MPA world in the lead up to the following workshop planned for IMPAC 3 (as noted below). Additional invitations will be made to MedPAN, OSPAR, UNEP MAP, and to experts working on the high seas within UN DOALOS, CBD and in other regional fora. An effort will be made to obtain a few valuable case studies introduced from the region and around the world that illuminate the efforts of MPA managers to deal with threats to cetaceans and ecosystems, and how they are handled.
- One of the workshop's goals will be to facilitate the collaboration of both ACCOBAMS and ASCOBANS, now having joint responsibility for a large marine area off the coast of Portugal and adjacent northern Spain extending into the Bay of Biscay to the French border. It must be noted that ACCOBAMS includes all cetaceans and ASCOBANS only small cetaceans, and also that some work has already been done in this region through OSPAR (most notably offshore) and with designation of Special Areas of Conservation (SACs) under the EU Habitats Directive, mainly nearshore or inshore. Note that OSPAR's North-east Atlantic mandate includes involvement in high seas and national waters and has a wider mandate than only cetacean habitat. The Habitats Directive, through both the SACs and the Special Protected Areas (SPAs), includes some important seabird areas (see Annex 3 for a working list of MPAs in this overlapping area with cetacean habitat). The workshop should consider if the MPAs in this area are sufficient to address habitat needs or if they need to be expanded with the nomination of new areas needing protection.
- The workshop's ultimate aim is to ensure that important cetacean habitat is protected and that the management of threats to cetaceans is improved.
- In the preparation for the workshop a full list of proposed and existing MPAs for the region should be drawn up as source material, as well as to attempt to get managers involved and aware of the workshop. Most will not be able to attend but the results of the workshop should be valuable to them.

### **IMPAC3 Workshop**

- The theme of this workshop will be "Making a strong case for large zoned MPAs: incorporating multiple species and ecosystem considerations. From design and creation to management, enforcement and monitoring."
- The geographical coverage will be the Mediterranean and Black Seas and the North-east Atlantic (within the ACCOBAMS and ASCOBANS remit).
- The workshop will take advantage of the results from the ECS Workshop.
- This workshop will include not only ACCOBAMS, ASCOBANS, OSPAR, UNEP/MAP and MedPAN but also experts from Australia, the US, and many other countries with well established MPAs, as well as

key personnel from the UN DOALOS, CBD and UNEP Regional Seas programmes, who can participate and bring their experience to bear on the issues of MPA creation, implementation and management within the region. Discussion should of course include cetacean habitat and threats to cetaceans but only as one element. Other species and ecosystems should be given fair attention, with a more holistic approach emerging which would be of benefit to cetaceans and other species.

- UNEP-MAP has done extensive work covering the entire Mediterranean, identifying EBSAs, and has been working also with the Convention on Biological Diversity with its worldwide mandate regarding high seas MPAs. This work is also wider than just cetacean habitat, although cetaceans have been taken into account, which is valuable.
- This workshop should also look carefully at proposed and existing MPAs in the Mediterranean, Black Sea and North-east Atlantic, to see how these MPAs, possibly combined with new proposals, could help deliver MPA network coherence to protect cetacean as well as other species habitat and the wider ecosystems that support them. Network coherence includes the ability to manage threats to cetaceans, other species and their habitats.



## **ANNEX 12 -Terms of Reference for the joint ACCOBAMS/ASCOBANS Working Group on the Marine Strategy Framework Directive (MSFD)**

This working group will operate by correspondence. It should collaborate closely with other relevant working groups, such as those established under HELCOM, OSPAR and the ICES Working Group on Marine Mammal Ecology as well as national processes.

In view of the elaboration of monitoring programmes (before mid-2013), the Working Group should:

- Identify relevant species, geographical and temporal scales and parameters to measure, including developing, if appropriate, an index of cumulative impacts, in order to assess the environmental status of cetaceans
- Propose a common methodology for cetacean monitoring

In view of improving GES and targets definition by 2018, the Working Group should:

- Review the work done on cetaceans by Regional Seas Conventions (including the OSPAR/ICG/COBAM/WKBIOD workshop organized in November 2011 regarding GES and targets for biodiversity descriptors, as well as HELCOM CORESET) and further discuss areas where no specific work has been done related to:
  - examining the proposed species list for the various MSFD subregions or establishing the species list for subregions where no proposal exist
  - establishing the relevant geographical scale for GES assessment for cetaceans
  - examining proposed GES determination and targets or establishing GES determination and targets where no proposal exists, following where relevant the methodology established by ICG COBAM (advice document that was widely distributed through the EU)
  - identifying the main pressures acting on cetaceans and proposing “pressure targets” in order to reach or maintain GES for cetaceans
- Participate in the current Ecosystem Approach process within the Mediterranean Action Plan
- Complete the table containing the expert appraisal for “Criteria and methodological standards relevant to ACCOBAMS on good environmental status of marine waters” for the ASCOBANS area
- Participate in the future revision of the EC Decision on criteria and methodological standards on good environmental status of marine waters, to include relevant aspects related to the status of and pressures on cetaceans