

**DRAFT RESOLUTION 9.6  
FOLLOW-UP PROCEDURE**

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

*Having examined* the report of the Fourth meeting of the ACCOBAMS Follow-up Committee,

1. *Endorses* the conclusions and recommendations issued by the Fourth Meeting of the Follow-up Committee (Nice, 2<sup>nd</sup>-3<sup>rd</sup> September 2025) on the follow-up of existing obligations and commitments related to (i) seismic and military activities producing underwater noise in the ACCOBAMS area, and (ii) interactions between humans and dolphins by Resolution 3.13 (dolphin interaction program).
2. *Adopts* the following Resolutions:

**RESOLUTION.9.6.A**

**FOLLOW-UP SUBMISSION BY OCEANCARE ON THE FAILURE BY SPAIN TO UPDATE THE CONSERVATION STATUS OF THE SPERM WHALE (*PHYSETER MACROCEPHALUS*) AND THE FIN WHALE (*BALAENOPTERA PHYSALUS*) IN THE MEDITERRANEAN FROM THE CURRENT CATEGORY OF 'VULNERABLE' TO 'ENDANGERED' ACCORDING TO THE IUCN RED LIST STATUS OF CETACEAN SPECIES AND THE ACCOBAMS RESOLUTION 8.12**

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

*Acting upon* recommendation FC4.1 of the Follow-up Committee,

*Having examined* the considerations and recommendations of the Follow-up Committee, as recorded in the reports of its second, third and fourth Meetings,

*Basing itself* on the motivations stated in the above-mentioned reports,

*Considering* that the 7<sup>th</sup> Meeting of the Parties “endorsed the measures recommended by the Follow-up Committee” (para. 64 of the report of the 7<sup>th</sup> Meeting of the Parties),

1. *Finds* that the submission is admissible;
2. *States* that:

- Resolution 8.12 on IUCN Red List status of cetacean species in ACCOBAMS Area by inviting Parties to take note of the IUCN Red List status of cetacean species and by urging them to implement measures to address the threats posed by the populations assessed and to update their national Red Lists, with particular regards to Critically Endangered and Endangered populations, constitutes a strong recommendation addressed to all ACCOBAMS Parties;
  - accordingly, Parties are under an obligation to start a process under their national legislation to review the conservation status of the species in question and to take a decision within reasonable time about a possible change of their status, either following the recommendation in Resolution 8.12 or, if not, justifying their decision under convincing reasons;
  - IUCN Red List assessments can be considered as a fully reliable expert document about species conservation status and the same can be said about relevant recommendations of the ACCOBAMS Scientific Committee
3. *Appreciates* that the Government of Spain has started the process for reviewing the status of the sperm whale and fin whale Mediterranean sub-populations according to the legal protection status of species in waters under national jurisdiction and that it has shown full openness to dialogue and willingness to provide additional information;
4. *Recommends* to the Government of Spain to provide, as soon as possible, further information to the Follow-up Committee about the procedure to be followed for modifying the conservation status of the sperm whale and fin whale Mediterranean sub-populations and about the existence of a time-schedule for completing the procedure undertaken.
5. *Entrusts* the ACCOBAMS Secretariat with the task of asking all the ACCOBAMS Parties to provide information about the procedure being followed for modifying the conservation status of cetacean species under national legislation and about the existence of a time-schedule for completing the procedure and to circulate such information to the Meeting of the Parties and to the Follow-up Committee;
6. *Invites* the Scientific Committee to consider this information in the relevant ACCOBAMS/IWC Conservation Management Plans;
7. *Requests*
- the Follow-up Committee to remain seized of the submission;
  - the Secretariat to transmit this Resolution to the Party and the Partner concerned.

**RESOLUTION 9.6.B**

**FOLLOW-UP OF SUBMISSION BY OCEAN CARE ON THE ASSESSMENT AND CONTROL BY GREECE OF MILITARY ACTIVITIES AROUND SOUTH-EAST CRETE AND FOLLOW UP OF SUBMISSION BY OCEANCARE ON THE FAILURE BY ALBANIA, ALGERIA, CROATIA, CYPRUS, EGYPT, FRANCE, GREECE, ITALY, LEBANON, LIBYA, MALTA, MONACO, MONTENEGRO, MOROCCO, SLOVENIA, SPAIN, SYRIA, TUNISIA TO IMPLEMENT THE ACCOBAMS CONSERVATION PLAN FOR MEDITERRANEAN COMMON DOLPHINS**

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

*Acting upon* recommendation FC4.2 of the Follow-up Committee,

*Having examined* the considerations and recommendations of the Follow-up Committee, as recorded in the reports of its second, third and fourth Meetings,

*Basing itself* on the motivations stated in the above-mentioned reports,

*Considering* that the 7<sup>th</sup> Meeting of the Parties “endorsed the measures recommended by the Follow-up Committee” (para. 64 of the report of the 7<sup>th</sup> Meeting of the Parties),

1. *States that:*

- the Follow-up Committee was established under resolution 5.4, adopted by consensus by the Meeting of the Parties, which encouraged Parties to make use of the follow-up procedure as a non-confrontational means for preventing and settling disputes;
- this implies an obligation by all State Parties to cooperate in good faith in the procedure before the Follow-up Committee;
- under Resolution 8.8.B, the Meeting of the Parties invited Greece to provide information to the ACCOBAMS Secretariat about how, since 2014, the Guidelines annexed to Resolution 4.17 and the Guidelines annexed to Resolution 7.13, which in 2019 replaced the previous ones, have been implemented;
- under Resolution 8.8.E, the Meeting of the Parties invited the fifteen Parties that hadn't replied, namely Albania, Algeria, Croatia, Cyprus, Egypt, France, Greece, Italy, Lebanon, Libya, Monaco, Montenegro, Slovenia, Syria and Tunisia, to provide information to the Follow-up Committee, through ACCOBAMS Secretariat, on specific measures taken for the implementation of the Conservation Plan for short-beaked common dolphins in the Mediterranean Sea, or any other measures considered relevant for their protection;

2. *Appreciates* the provision of replies by Cyprus, Malta, Morocco and Spain about the implementation of this Conservation Plan;

3. *States* that the persistent lack of cooperation by fourteen Parties affects both the credibility and the effectiveness of the Follow-up Committee, of the Meeting of the Parties and of the Agreement itself;

4. *Decides* to amend the format of the National Report by including a section on cooperation with the Follow-up Committee, if applicable;

5. *Requests* :

- the Follow-up Committee to remain seized of the submission;
- the Secretariat to transmit this Resolution to all Parties and the Partner concerned.