

RESOLUTION 9.14 INTERACTIONS BETWEEN FISHERIES AND CETACEANS

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

Reiterating that bycatch in fishing gear is a widespread and significant threat to cetaceans across the Agreement Area, particularly in the Black Sea, where bycatch was identified as the main source of human-induced mortality for the threatened Black Sea harbour porpoise (*Phocoena phocoena relicta*),

Recalling that the ACCOBAMS Survey Initiative - the first synoptic survey conducted in 2018 and 2019 - provided baseline cetacean abundance estimates for the whole Agreement Area, and that during the same period in the Black Sea, intensive work on the assessment of bycatch levels and testing of mitigation measures, such as acoustic deterrent devices (pingers), was carried out in the framework of CeNoBS and ACCOBAMS Supplementary Conservation Grants Fund (SCF) projects,

Further recalling that the above projects were followed by the General Fisheries Commission for the Mediterranean's (GFCM) CetaByM project, which confirmed the effectiveness of Wideband PAL (Porpoise Alert Devices) pingers in the mitigation of porpoise bycatch in the Black Sea,

Noting that new data from the Black Sea and the Mediterranean Sea have indicated that common dolphins (*Delphinus delphis*) and bottlenose dolphins (*Tursiops truncatus*) are affected differently by fishing activities, with common dolphins (*Delphinus delphis*) being more susceptible to bycatch in mid-water trawls, particularly in the Black Sea, while bottlenose dolphins (*Tursiops truncatus*) are more frequently involved in depredation interactions with purse seiners, especially in the Mediterranean Sea, and that such interactions might have lethal effects on these species,

Noting the ongoing collaboration between UNEP/MAP and the GFCM to advance EO1 and EO3 indicators for bycatch of vulnerable and non-target species and the harvest of commercially exploited fish and shellfish respectively,

Recalling Recommendation GFCM/29/2005/1 on the management of certain fisheries exploiting demersal and deepwater species and the establishment of a fisheries restricted area below 1000 metres, adopted by GFCM, which mandates that all contracting parties and cooperating non-contracting parties shall prohibit the use of towed dredges and trawl nets for fishing operations conducted at depths exceeding 1000 metres, in accordance with the precautionary approach to fisheries management and in response to scientific advice indicating the vulnerability of deep-sea ecosystems and the overexploitation of certain stock,

Recalling Resolution GFCM/46/2023/4 on a regional plan of action to monitor and mitigate interactions between fisheries and vulnerable species in the Mediterranean and the Black Sea,

Recalling the existing relevant policy and legislation in the European Union for nature protection and fisheries, such as the Habitats Directive (92/43/EEC), the Marine Strategy Framework Directive (2008/56/EC), the Common Fisheries Policy (CFP) and related Regulations, as well as EU Biodiversity Strategy for 2030,

Welcoming the European Union's Action Plan "Protecting and restoring marine ecosystems for sustainable and resilient fisheries" launched by the European Commission in February 2023, which urges European Union Member States to adopt national measures or, where appropriate, propose joint recommendations to prohibit bottom trawling in the marine protected areas (MPAs) that are Natura 2000 sites designated under the Habitats Directive and to ensure that bottom trawling is phased out in all MPAs by 2030,

Noting the additional instruction and requests in the European Union, such as criteria which monitoring programmes should fulfil, such as parameters and areas to be monitored, minimum frequency and necessary coverage of fishing fleet (métiers) by sampling, types of fisheries to be monitored (métiers and regions with highest risk of having bycatch issues), and necessary fishing effort data, in order to provide accurate and reliable bycatch estimates to comply with the relevant provisions of EU Acquis,

Taking into account that certain points of ACCOBAMS Recommendation 14.5 on bycatch have been implemented,

Aware of simulations on multiple, ground truth scenarios, to identify appropriate sampling schemes for protected species bycatch (ICES WKPETSAMP3 2024) including the '0.5% scenario', which is indicated as the minimum appropriate level by the 2019 FAO-GFCM guidelines on monitoring incidental catch in the Mediterranean and Black Seas, run by ICES and its consequent advice to the EU,

Taking into account recommendations of the Joint Bycatch Working Group of ACCOBAMS and ASCOBANS,

Taking into consideration Recommendation 16.7 on "Bycatch and bottom trawling" and 16.8 on "Revision of the FAO Guidelines on monitoring incidental catch of vulnerable species in the Mediterranean and Black Sea" of the Scientific Committee,

1. *Recommends* that Parties:

- a) encourage that monitoring schemes by independent observers are followed in countries with no existing obligations for the fishing methods that have been proven to pose a threat to cetaceans (e.g., bottom-set gillnets targeting turbot in the Black Sea, purse seine fishery and mid-water trawls in the Mediterranean and the Black Seas);
- b) encourage, wherever possible, the retrieval from vessels of dead by-caught animals to perform necropsies by relevant institutions involved in the national strandings networks, and the collection of minimum samples for a wide range of analyses (e.g., teeth for age, skin for genetics, and blubber for physiological status), to understand the status and demographic characteristics of the affected populations;
- c) implement active awareness-raising programmes among fishermen to encourage reporting of bycatch events in order to improve data collection and assess more precisely the extent of the threat;
- d) strengthen the use of PAL pingers in fisheries known to have a high level of bycatch, in particular in turbot fishery in the Black Sea, as an effective measure to mitigate harbour porpoise bycatch in bottom set gillnets according to the best available practices;
- e) consider the use of pingers and/or other mitigation measures in fisheries with high depredation rates by bottlenose dolphin (*Tursiops truncatus*), particularly in the Mediterranean Sea;
- f) encourage further testing and development of bycatch mitigation measures in the ACCOBAMS Area;
- g) ensure alignment of management fisheries activity in Marine Protected Areas with the sites' conservation objectives in consideration of ACCOBAMS' management processes, with the goal to phase out bottom

trawling within MPAs, including Natura 2000 sites and Emerald network of areas of special conservation interest, by 2030;

h) strengthen control to prevent IUU (illegal, unreported, unregulated) fishing;

2. *Requests* the Scientific Committee to approach FAO-GFCM/SAC to assess the feasibility for the revision of the 2019 FAO-GFCM Guidelines for bycatch monitoring, noting that while the 0.5% coverage for onboard observation is a recommended minimum, it may not be sufficient to fully understand the extent of cetacean bycatch, and that regional differences and legal frameworks should be taken into account;
3. *Requests* the ACCOBAMS Secretariat:
 - a) to strengthen the collaboration with GFCM in addressing the impacts of several fisheries on cetaceans, their prey, and habitats;
 - b) to strengthen the collaboration with GFCM and ICCAT to address illegal driftnets' continued use in some parts of the ACCOBAMS Area.