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MEDITERRANEAN ACTION PLAN

Seventh Meeting of National Focal Points for SPAs

Seville, 31 May – 3 June 2005

DRAFT

**Collaboration Frame between ACCOBAMS
and RAC/SPA**

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FOREWORD

The present document presents a proposal on the practical arrangements needed from the side of the RAC/SPA, in order to work with ACCOBAMS Permanent Secretariat on harmonious coordination for the same conservation purpose in the Mediterranean, in fulfilment of the willing of both Barcelona Convention and ACCOBAMS Agreement Parties.

Historical background

Following recommendations from their respective Parties, both RAC/SPA and ACCOBAMS have been working together along the past four years for the implementation of actions addressed to improve the conservation status of cetaceans in the Mediterranean. This is a logical way to act, since ACCOBAMS conservation Plan is the historical updating of the MAP Cetacean Action Plan, on which it is based.

The common experience regarding this matter has shown that several practical arrangements are needed in order to allow improving the role undertaken by RAC/SPA as Mediterranean Sub-regional Coordination Unit of ACCOBAMS, and they are presented here to be considered by the Parties for adoption.

The MAP/Cetacean Action Plan was drafted after the Genoa declaration at the time where species conservation was link neither with the Barcelona Convention nor with any of its protocols.

The new SPA & biodiversity Protocol considers now the species conservation, including cetaceans.

ACCOBAMS was established after a consultation between MAP, CMS and the Bern Convention in order to determine the most appropriate intergovernmental context to tackle with the cetaceans conservation in the region. It was decided, at the time, that CMS was the most appropriate one.

Obviously, the MAP/Cetacean Action Plan was basically used to draft the ACCOBAMS conservation plan, which is totally part of the Agreement itself.

In order to recognize the pre-existence of MAP/ Cetacean Action Plan and prepare links and synergies, ACCOBAMS clearly quote the MAP/ Cetacean Action Plan in its preamble and the first Meeting of the Parties set up an institutional relation with RAC/SPA designating it as the sub regional coordination Unit for the Mediterranean. In the same spirit, the cetacean dedicated protected areas were let to the competence of the Barcelona Convention ad hoc protocol, the same for anti pollution measures.

Tasks of the sub regional Co-ordination units (extracts of the ACCOBAMS Text)

**Article V
Co-ordination Units**

1. The functions of the subregional Co-ordination units shall be:
 - a) to facilitate implementation in the respective subregions of the activities provided for in Annex 2 to this Agreement, in accordance with instructions of the Meeting of the Parties;
 - b) to collect and evaluate information that will further the objectives and implementation of the Agreement and provide for appropriate dissemination of such information; and
 - c) to service meetings of the Scientific Committee and to prepare a report for communication to the Meeting of the Parties through the Agreement secretariat.

The designation of the Co-ordination units and their functions shall be reviewed, as appropriate, at each session of the Meeting of the Parties.

2. Each Co-ordination unit, in consultation with the Scientific Committee and the Agreement secretariat, shall facilitate the preparation of a series of international reviews or publications, to be updated regularly, including:
 - a) reports on the status and trends of populations, as well as gaps in scientific knowledge;
 - b) a sub-regional directory of important areas for cetaceans; and
 - c) a sub-regional directory of national authorities, research and rescue centres, scientists and non-governmental organizations concerned with cetaceans.

**Article IV
Agreement Secretariat**

- f) to provide to each ordinary session of the Meeting of the Parties a report on the work of the Agreement secretariat, the Co-ordination units, the Bureau, and the Scientific Committee, and on the implementation of the Agreement based on information provided by the Parties and other sources;
3. The Agreement secretariat, in consultation with the Scientific Committee and the Co-ordination units, shall facilitate the preparation of guidelines covering *inter alia*:
 - a) the reduction or elimination, as far as possible and for the purposes of this Agreement, of adverse human-cetacean interactions;

- b) habitat protection and natural resource management methods as they relate to cetaceans;
- c) emergency measures; and
- d) rescue methods.

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5. Capacity building, collection and dissemination of information, training and education

Taking into account the differing needs and the developmental stages of the Range States, Parties shall give priority to capacity building in order to develop the necessary expertise for the implementation of the Agreement. Parties shall co-operate to develop common tools for the collection and dissemination of information about cetaceans and to organize training courses and education programmes. Such actions shall be conducted in concert at the sub regional and Agreement level, supported by the Agreement secretariat, the Co-ordination units and the Scientific Committee and carried out in collaboration with competent international institutions or organizations. The results shall be made available to all Parties.

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Links with the ACCOBAMS Institutions (extracts of the ACCOBAMS Text)

Article VI Bureau

- 2. The Bureau shall:
 - a) provide general policy guidance and operational and financial direction to the Agreement secretariat and the Co-ordination units concerning the implementation and promotion of the Agreement;

Article VII Scientific Committee

- 3. The Scientific Committee shall:
 - a) provide advice to the Meeting of the Parties on scientific and technical matters having a bearing on the implementation of the Agreement, and to individual Parties between sessions, as appropriate, through the Co-ordination unit of the subregion concerned;

4. The Scientific Committee, in consultation with the Bureau and the respective Co-ordination units, may establish working groups as may be necessary to deal with specific tasks. The Meeting of the Parties shall agree a fixed budget allocation for this purpose.

Relation between ACCOBAMS and SPA & Biodiversity Protocol

At the present stage common Parties of both instruments are already the majority of the Riparian Countries, and it can be envisaged that more Parties will join ACCOBAMS in the near future. Taking into account the historical background and the tasks here above presented, and considering that ACCOBAMS related to MAP/ Cetacean Action Plan is:

- historically issue of the MAP/ Cetacean Action Plan
- more recent;
- and more specialized;

The logical further steps for the common Parties will be to:

- 1) Recognize that the implementation of ACCOBAMS fulfils their obligations toward to the MAP/ Cetacean Action Plan and SPA & Biodiversity Protocol related to Cetaceans.
- 2) Avoid any confusion and overlapping of competences at the level of their respective national implementation structures;
- 3) Concentrate RAC/SPA actions for the cetaceans conservation on ad hoc Protected areas issues in coordination with ACCOBAMS, to develop linkages and complementarities with the rest of the MAP system and on to focus on the tasks assigned to the MED/SRCU by the ACCOBAMS Contracting Parties, while ACCOBAMS Executive Secretariat will assume other activities in the region related to human/cetacean interactions approach (i.e. whale watching, ocean noise and cetaceans, collisions, bycatch assessing and mitigation, etc) and ACCOBAMS general implementation (i.e. capacity building, training, public awareness, recruitment of news Parties, link with IGOs and NGOs,...).

Practical arrangements needed

RAC/SPA will designate one of its permanent experts to be the vis à vis of ACCOBAMS Executive Secretariat administrative for the implementation of the activities set in the MoC after mutual agreement.

Within the proposed framework, economic costs for RAC/SPA related to cetacean actions for Parties to ACCOBAMS in the Mediterranean Region would be allocated only to facilitate the preparation and implementation of actions financed by ACCOBAMS and not to finance the action development itself within the beneficiary Country, which would be covered by ACCOBAMS.

The role of MedSRCU cannot imply an extra cost to the Barcelona Convention Parties, according to their willing.

Although the recommendation to all the Barcelona Convention Parties to join ACCOBAMS remains, it is here stated that an adequate share of funds available at RAC/SPA for the Cetacean Action Plan will continue to be available for countries still non Party to ACCOBAMS to help them implementing cetacean conservation actions.

In order to facilitate the implementation of the Memorandum of Collaboration established between both parties, a work program is established according to the priorities, Recommendations and Resolutions defined by the ACCOBAMS and Barcelona Convention Contracting Parties.

Activities undertaken by RAC/SPA as presented in the annex attached to the MoC within the framework of its Med/RCU role will be supported by the ACCOBAMS according to the fund availability. The amount to allocate for each activity and the relevant output(s) and timetable will be jointly decided by RAC/SPA and the Secretariat of the Agreement before the activity starts. Where necessary, the Permanent Secretariat of the Agreement and Med/RCU will act together to obtain supplementary funding to that provided by the Parties' ordinary contributions.

Draft Recommendation to be adopted by the next MAP Conference of the Parties:

The Contracting Parties to the Barcelona Convention:

Recognize that common Parties obligation regarding cetaceans through the SPA & biodiversity Protocol or the MAP/ Cetacean Action Plan are fulfilled by their implementation of ACCOBAMS; and charges RAC/SPA to seek synergies with ACCOBAMS Permanent Secretariat for any activities, related to the aims and goals of ACCOBAMS, to be implemented in non ACCOBAMS Mediterranean Riparian States;

- Recommend close cooperation at national level between the MAP national focal points and the ACCOBAMS ones';
- Invite ACCOBAMS Permanent Secretariat to inform regularly the Barcelona Convention CoP and RAC/SPA focal Points Meeting on the implementation of the measure relevant to the conservation of cetaceans in particular through the ACCOBAMS national reporting system and to present the results and decisions of its Contracting Parties Meetings;
- Recommend to the Barcelona Convention Parties, which are not Parties to ACCOBAMS, to take note and implement as far as possible the pertinent ACCOBAMS MOP Resolutions and Recommendations and urge Riparian States, which have not yet done so to join ACCOBAMS as soon as possible.