

**RES-GFCM/31/2007/4**

**Pelagos sanctuary for the conservation of marine mammals**

*NOTING* the imperative international responsibility concerning the conservation and management of the living marine resources in the Mediterranean Sea for the needs of present and future generations;

*RECALLING* that establishing close or specially regulated fishing areas is recognized to be one of the measures for the reconstitutions of marine fish stocks;

*RECALLING* also that sustainable management of fish stocks is closely linked with and may benefit from, the conservation of other marine biodiversity components and in particular high trophic level species;

*NOTING* that an Intergovernmental “Agreement related to the creation in the Mediterranean of a Sanctuary for Marine Mammals” hereafter named the “Pelagos Agreement”, extends, inter alia, on waters beyond national sovereignties or jurisdictions of the coastal States (as in Annex 1);

*NOTING* also the wishes expressed by the Pelagos Agreement Contracting Parties to cooperate with the GFCM in matters related to fisheries issues;

*TAKING NOTE* of the measures, attached to this Intergovernmental Agreement, related to fisheries matters, in particular Article 7 (b) and (c) by which the Pelagos Contracting Parties:

1. Will comply with the international regulations and those of the European Community (EC), regarding the use and the keeping of fishing equipment known as “pelagic drift net”,
2. Will exchange their view, as deemed necessary, to promote in the appropriate fora and after scientific evaluation, the adoption of regulations relating to the use of new fishing equipment that could result in the indirect capture of marine mammals or that could endanger their sources of prey, while also considering the risk of loss or of deliberate disposal of fishing equipment at sea.

*NOTING* also that the Pelagos Sanctuary, as a Specially Protected Area, refers to the UNEP/CMS/ACCOBAMS Agreement and was recognized by the Contracting Parties of the Barcelona Convention’s “Protocol concerning Specially Protected Areas and Biological Diversity in the Mediterranean” as Specially Protected Area of Mediterranean Importance (SPAMI) and as such the Contracting Parties to this Protocol agree (Article 8.3.b) “to comply with the measures applicable to the SPAMI and not to authorize nor undertake any activities that might be contrary to the objectives for which the SPAMIs were established”;

*CONSIDERING* that most of the GFCM Mediterranean Riparian States and the EU are Parties to one or both of the agreements mentioned above and that the Conservation Plan adopted by the Pelagos Contracting Parties refers to the competence of the GFCM, as far as fisheries measures are concerned;

*CONSIDERING* also the Recommendation GFCM/30/2006/5 related to the criteria for obtaining the status of cooperating non-contracting party in the GFCM area;

*NOTING* the interests of the Pelagos Sanctuary as an ecosystem approach experimental zone;

*ADOPTS* in conformity with the provisions of paragraph 1 (b), (e) and (h) of Article III and Article VIII of the GFCM Agreement:

1. The GFCM Secretariat is requested to cooperate with the Pelagos Secretariat on the exchange of data and each would report to its respective Governing Body.

## ANNEX 1

Excerpt of the “Agreement related to the creation in the Mediterranean of a Sanctuary for Marine Mammals”:

### Article 3

The sanctuary is composed of maritime areas situated within the internal waters and territorial seas of the French Republic, the Italian Republic and the Principality of Monaco, as well as portions of adjacent high seas. The limits of the sanctuary are the following:

- to the west, a line extending from Point Escampobariou (western point of the Giens peninsula: 43° 01' 70" N, 06° 05' 90" E) to Cape Falcone, situated on the western coast of the island of Sardinia (40° 58' 00" N, 008° 12' 00" E),
- to the east, a line extending from Cape Ferro, situated on the north-eastern coast of Sardinia (41° 09' 18" N, 009° 31' 18" E) to Fosso Chiarone, situated on the western Italian coast (42° 21' 24" N, 011° 31' 00" E).