

November 2006



GENERAL FISHERIES COMMISSION
FOR THE MEDITERRANEAN



COMMISSION GÉNÉRALE DES PÊCHES
POUR LA MÉDITERRANÉE

GENERAL FISHERIES COMMISSION FOR THE MEDITERRANEAN

Thirty-first Session

Rome, 9–12 January 2007

**DRAFT PROPOSAL OF RECOMMENDATION ON THE PELAGOS
SANCTUARY FOR THE CONSERVATION OF MARINE MAMMALS**

RECOMMENDATION GFCM/2007/...

The General Fisheries Commission for the Mediterranean (GFCM);

NOTING the imperative international responsibility concerning the conservation 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 a measure recognized to be favourable to the reconstitutions of marine fish stocks;

RECALLING ALSO that fish stocks sustainable management is closely linked with and may benefit from the conservation of others 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 GFCM in matter 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:

- Will comply with the international regulations and those of the European Community, regarding the use and the keeping of fishing equipment known as “pelagic drift net”,
- 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 that the Pelagos Agreement in its Article 17 invites “other States, exercising activities within the area defined in Art. 3, to take protection measures similar to those foreseen by the present Agreement”;

NOTING ALSO that 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 agrees (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 SPAMI s were established”;

CONSIDERING that most of the GFCM Mediterranean Riparian States and the EU are Parties to one or both of these agreements and that the Conservation Plan adopted by the Pelagos Contracting Parties refers for fisheries measure to the competence of GFCM;

CONSIDERING ALSO the Recommendation [xx/06] related to the criteria for obtaining the status of cooperating non-contracting party in GFCM Area;

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

1. The Pelagos Sanctuary is recognized as a Specially Protected Area with fisheries implications;
2. The GFCM Permanent Secretariat is requested to cooperate with the Pelagos Secretariat on exchange data and reporting to their relative Governing Bodies.

Appendix 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).