

RESOLUTION 4.9

FISHERIES INTERACTIONS WITH CETACEANS

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

Taking in consideration the Recommendations from the Scientific Committee,

Renewing its concern about the negative impacts on cetacean populations of fishing activities in the Agreement area,

Noting that the problem of cetacean by-catch affects the entire area where ACCOBAMS applies and involves a variety of types of fishing gear,

Greatly concerned that fishing nets with mesh size equal to or exceeding 100 mm are still widely used, either legally or illegally, for turbot, spiny dogfish and sturgeon fisheries in the Black Sea sub-region,

Seriously concerned that other types of fishing gear commonly deployed even in accordance with the EU Regulations, in the Agreement area are known to cause significant mortality and can seriously affect cetacean populations,

Greatly appreciating the collaboration established between ACCOBAMS and the General Fisheries Commission for the Mediterranean (GFCM) to address the issue of by-catch of cetaceans and other endangered marine species,

Taking note of the work on bycatch done by the Scientific Council of the CMS lead by the Conference appointed councillor for bycatch, as well as of the activities undertaken in the framework of ASCOBANS towards mitigating bycatch and improving collaboration with fishing communities,

Recalling Resolution 8.22 on adverse human induced impacts on cetaceans and Resolution 9.18 on by-catch, adopted within the framework of the Convention on the Conservation of Migratory Species of Wild Animals,

Recalling also that the Agreement requires that Parties collect and analyze data on direct and indirect interactions between humans and cetaceans in relation to fishing and take appropriate remedial measures, applying, when necessary, the precautionary principle,

Taking in consideration the “Guidelines for technical measures to minimize cetacean-fishery conflicts in the Mediterranean and Black Seas” adopted in the Resolution 2.12,

1. *Encourages* Parties with respect to by-catches and depredation:

(a) To improve reporting by:

- establishing regular, representative onboard monitoring programmes related to the ByCBAMS project (Project for assessing and mitigating the adverse impacts of interactions between cetaceans and fishing activities in the ACCOBAMS area - (give some reference as to where this is specified)) to quantify cetacean by-catch and reporting on the methods used to the ACCOBAMS Scientific Committee;
- reporting cetacean by-catch for different types of fisheries and ghost nets in order to provide the GFCM Task 1 (give some reference as to where this is specified) with the required information concerning cetacean by-catch;
- obtaining and reporting on local information on the nature of the depredation and its effects on fisheries.

(b) To make every effort to reduce cetacean by-catch levels and/or incidences of depredation, in co-operation with affected fishing communities by:

- raising the awareness of fishermen about the need to mitigate the impact of fishing on cetacean populations;
 - effectively enforcing existing bans on relevant fishing gear in the ACCOBAMS area and report measures to the Secretariat through the appropriate online system;
 - developing and implementing specific national programmes, taking into consideration advice from the ACCOBAMS Scientific Committee, with (1) defined management objectives for reducing cetacean by-catches and/or alleviating conflicts between cetaceans and fisheries or mariculture operations, (2) methods for monitoring and evaluating the success of the measures implemented in national programmes and (3) mechanisms for modifying national programmes if necessary after evaluation;
 - recognising that if use of acoustic mitigation devices for by-catch reduction (AMDb) or for depredation reduction (AMDd) are to form part of a national programme, great care must be given to undertaking and evaluating them using limited controlled in situ tests of effectiveness, in conjunction with the ACCOBAMS Scientific Committee, before widespread implementation is approved;
 - enhancing the capacity of fishermen to properly handle and release live cetaceans caught incidentally in their fishing gear.
2. *Invites* the Parties to take into consideration with respect to the testing and use of acoustic mitigation measures the study on “Testing and use of AMD for depredation mitigation”, presented in document ACCOBAMS-MOP4/2010/Doc21 as well the study on “Guidelines for technical measures to minimise cetacean-fishery conflicts in the Mediterranean and Black Sea” presented in Document ACCOBAMS-MOP4/2010/Inf39 and the “Protocol for data collection on bycatch and depredation in the ACCOBAMS Region” as presented in document ACCOBAMS-MOP4/2010/Doc22;
 3. *Also invites* non-Parties States to join the effort of the ACCOBAMS Parties in reducing cetacean mortality induced by fisheries activities in the Agreement area;
 4. *Takes note* of the “Review on the effectiveness of acoustic devices and depredation mitigation measures”, presented in document ACCOBAMS-MOP4/2010/Doc23;
 5. *Invites* the Agreement Secretariat and the Scientific Committee to pursue the collaboration with relevant Organizations and Bodies to consider further the relations between prey depletion and increasing interactions between cetaceans and fishing activities, proposing remedial solutions where possible;
 6. *Takes note of* the “Technical specifications and conditions of use of acoustic deterrent devices” appearing in Annex to this Resolution;
 7. *Decides* that the present Resolution replaces Resolution 3.12.

ANNEX
Technical specifications and conditions of use of acoustic deterrent devices

Only acoustic deterrent devices that conform one of the following sets of signal and implementation characteristics, could be authorised by the Parties to ACCOBAMS ¹

	Set 1	Set 2
Signal characteristics		
Signal synthesis	Digital	Analogue
Tonal/wide band	Wide band/tonal	Tonal
Source levels (max - min) re 1 mPa@1m	145 dB	130 -150 dB
Fundamental frequency	(a) 20 - 160 KHz wide band sweeps (b) 10 kHz tonal	10 kHz
High-frequency harmonics	Yes	Yes
Pulse duration (nominal)	300 ms	300 ms
Interpulse interval	(a) 4 - 30 seconds randomised; (b) 4 seconds	4 seconds
Implementation characteristics		
Maximum spacing between two Acoustic deterrent devices along nets	200 m, with one acoustic device fixed at each end of the net (or combination of nets attached together)	100 m, with one acoustic device fixed at each end of the net (or combination of nets attached together)

¹ Parties may authorise the use of acoustic deterrent devices which do not conform these technical specifications only if their effect on the reduction of incidental catches of cetaceans has been sufficiently documented and evaluated positively by the Scientific Committee of ACCOBAMS.