

## **1.88 Proposed Inclusion of Corso-Liguro-Provençal Basin in the Future List of Specially Protected Areas of Mediterranean Interest (ASPIM)**

AWARE that the Corso-Liguro-Provençal Basin is a characteristic habitat for a number of threatened species, including various species of cetaceans;

RECOGNIZING that cetaceans are an integral part of the marine ecosystem which must be preserved for present and future generations and that their conservation is a common concern;

FURTHER AWARE that conservation of cetaceans may be negatively affected by factors such as the degradation or disturbance of their habitats, pollution, diminution of food resources, use and discarding of unselective fishing equipment and both deliberate and accidental take;

CONSCIOUS of the fact that, where the threat of a considerable reduction or loss of biological diversity exists, the absence of absolute scientific certainty must not be adduced as a reason to defer measures to prevent the danger or mitigate the effects;

ALSO RECOGNIZING the importance of global and regional instruments for the conservation of cetaceans signed by the States concerned, such as the International Convention on the Regulation of Whaling (1946), the UN Convention on the Law of the Sea (1982) and the Convention on Biological Diversity (1992), and of international programmes such as the UNEP Global Plan of Action for the Conservation, Management and Utilisation of Marine Mammals (1984);

RECALLING the aims of the Habitat Directive (Dir. 92/43/EC) of the European Community, which seeks to maintain biodiversity through the conservation of natural habitats and of wild fauna and flora in Europe;

FURTHER RECALLING the Convention on the Conservation of European Wildlife and Natural Habitats (Bern, 1979), and in particular the Amendment of 27 April 1996 including *Balaenoptera physalus* in the list of strictly protected species of fauna (Annex II to the Convention);

CONSIDERING the introduction of the aim of sustainable development in the Agreement for the Implementation of the Provisions of the UN Convention on the Law of the Sea of 10 December 1982 Relating to the Conservation and Management of Straddling Fish Stocks and Highly Migratory Fish Stocks (1995) and its consequences for the management of fish stocks, including on the high seas;

RECALLING that the Action Plan for the Mediterranean was adopted at Barcelona in 1975 by the Governments of the Mediterranean States and the European Union to monitor and protect the marine environment of the Mediterranean and to ensure integrated planning of the development and management of the Basin's resources on the basis of multilateral cooperation under UNEP auspices;

CONSIDERING also that the Convention on the Conservation of Migratory Species of Wild Animals (CMS) and in particular the draft Agreement on the Conservation of Cetaceans in the Black Sea, the Mediterranean (and the adjacent area of the Atlantic), 1995;

FURTHER CONSIDERING the Convention for the Protection of the Mediterranean Sea Against Pollution (Barcelona, 1976) and the Plan of Action for the Conservation of Cetaceans in the Mediterranean Sea adopted under its auspices in 1991;

WELCOMING the adoption on 10 June 1995 of the Protocol concerning Specially Protected Areas and Biological Diversity in the Mediterranean by the Conference of Plenipotentiaries on the Convention for the Protection of the Mediterranean Sea Against Pollution and the Protocols thereto;

REALIZING that non-governmental organizations have begun to cooperate within this new legal framework to define and manage specially protected areas;

TAKING NOTE of the Joint Franco-Italo-Monegasque Declaration on the establishment of a Mediterranean Sanctuary for Marine Mammals, signed at Brussels in 1993;

The World Conservation Congress at its 1st Session in Montreal, Canada, 14–23 October 1996:

1. CALLS UPON the State Parties concerned to ratify as soon as possible the Protocol on specially protected areas and biological diversity in the Mediterranean;
2. URGES the Governments of France, Italy and Monaco, as signatories of the Joint Declaration of Brussels, to propose the inclusion of the Corso-Liguro-Provençal Basin in the list of Specially Protected Areas of Mediterranean Interest (ASPIM) provided for under this Protocol;
3. REQUESTS the above Governments, the European Union and all States operating in the area, to make arrangements for the integrated management of ASPIM in order to guarantee the protection of all marine mammals present in the area either permanently, temporarily or accidentally, as well as their habitats, from direct or indirect negative impacts.

*Note. This Recommendation was adopted by consensus. The delegation of the State member Germany indicated that it had not participated in discussion of the Recommendation nor would it have participated in any voting. The delegations of the State members Norway, Sweden and United States indicated that had there been a vote they would have abstained.*