

ITALY VOLUNTARY CETACEAN CONSERVATION REPORT

Year 2006-2007

Submitted to the Conservation Committee by the Government of Italy

1. General legal framework

1.1 National framework

Cetaceans have been legally protected in Italy since 1980 (Ministerial Decree of the Ministry of Maritime Affairs, 21 May 1980). Other laws and Ministerial decrees relevant for cetacean protection are the following:

- Law n. 381/88, containing amendments to law n. 963/65 on fisheries, including the prohibition to capture protected marine species;
- Decree of the Maritime Affairs of 03/05/1989 concerning regulation on the taking of cetaceans, marine turtles and *Acipenser sturio*;
- Legal Framework on protected areas (n. 394/91) which prohibits, among several other activities, in marine protected areas, the capture, collection and destruction of animal and plant species and collection of minerals and archaeological remains;
- Law n. 157/92 containing regulations for the protection of wild species and hunting, including avian and mammalian species;
- Law n. 391/01 ratifying the Agreement on the creation of a Mediterranean Sanctuary for Marine Mammals (Pelagos Sanctuary), a trilateral agreement signed in 1999 by Italy, France and the Principality of Monaco;
- Law n. 27/05 ratifying the Agreement on the Conservation of Cetaceans of the Black Sea, Mediterranean Sea and contiguous Atlantic area (ACCOBAMS) signed in 1996.

Italy is also complying with all relevant European Communities Regulations, in particular with Regulation n. 3626/82 (CITES) and the Council Directive 92/43/EEC (Habitats Directive).

In the European Council Directive on the Conservation of Natural Habitats and of Wild Fauna and Flora (Council Directive 92/43/EEC, 21 May 1992), better known as the “Habitats Directive”, all cetaceans are listed in *Annex IV – Species of Community interest in need of strict protection*.

The European Council Regulation n. 812/2004 lays down measures aimed at mitigating incidental catches of cetaceans by fishing vessels operating in specific fisheries described in its Annexes I and III. Under Annex III of this Regulation, European Union Countries are required to design and implement independent at-sea observer schemes to monitor cetacean by-catch on board pelagic trawls (single and pair) with an overall length of 15m or over.

1.2 International framework

Italy is Party to a number of multilateral agreements and conventions which include the protection of Cetaceans, both at regional level, such as the Barcelona and the Bern Conventions and the ACCOBAMS Agreement, and at international level such as the Bonn Convention. Italy is also a Party to the trilateral agreement that established the Mediterranean Sanctuary for Marine Mammals (Pelagos Sanctuary).

By ratifying ACCOBAMS, the Italian Government has committed itself to meet all conservation objectives of this International Agreement, including its general conservation objectives to “*take co-ordinated measures to achieve and maintain a favourable conservation status for cetaceans*” and to “*prohibit and take all necessary measures to eliminate, where this is not already done, any deliberate taking of cetaceans*”.

The “Pelagos Sanctuary” Agreement – covering part of the Provençal-Ligurian basin and north-Tyrrhenian Sea - represents a successful example of international cooperation in the field of nature protection. This Agreement foresees that Parties shall “*guarantee a favourable conservation status of sea mammals while protecting, also their habitats and preventing negative direct or indirect impacts of human activities*” (Art. 4). This aim is being pursued through the support of research and conservation initiatives aiming at ensuring viable populations of sea mammals, protecting their habitats and sensitising professionals, users of the sea and the public (see Table 1). The “Pelagos Sanctuary” Agreement prohibits any deliberate “*taking*” (defined as “*hunting, catching, killing or harassing of marine mammals, as well as the attempting of such actions*”) or disturbance directed at marine mammals. Non-lethal catches may be authorized in urgent situations or for in-situ scientific research purposes (Art. 7a). The Agreement also foresees that Parties conform with international and EC regulations with regard to the use and detention of driftnets (Art. 7b). At national level, Law n. 391/01 prohibits, in article 5.1, speed-boat racing and the use of pelagic nets within Italian territorial waters falling in the Sanctuary area. This Agreement also commits Countries to: “*oversee the zone with the priority to reduce pollution from terrestrial sources; reduce noise impacts, particularly from geological surveying or mapping of the seabed; and to formulate self regulation of whale watching to reduce tourist disturbance*”.

The sanctuary was recently included in the list of the Specially Protected Areas of Mediterranean Importance (SPAMI) within the SPA BIO Protocol of the Barcelona Convention (Article 17). The enlisting of the Sanctuary within the SPAMI list extends the provisions of the Sanctuary, including those for the protection of marine mammals, to all the Parties of the Barcelona Convention.

The 2nd Meeting of the Parties to the Pelagos Sanctuary, held in September 2004 at Elba Island, Italy, approved the draft Management Plan and the Rules of Procedure. The main bodies of the Sanctuary are: the Permanent Secretariat, the three National Steering Committees, the Technical-Scientific Committee and the National Focal Points.

The task of the National Steering Committees is to identify the activities to be carried out at national level, to propose trilateral activities, and to undertake the necessary coordination measures between the public administration, the private sector, the research organisms and NGOs. The Steering Committee activities and meetings during the biennium 2004 - 2006 were dedicated to: a) providing assessments of the impact of human activities and projects in the area, b) evaluation of research project proposals to be carried out within the framework of the Management Plan, c) organisation and participation in the Conference of the Parties. The PELAGOS Sanctuary Permanent Secretariat headquarters is in Genoa (Italy).

Activities funded in the context of the Pelagos Sanctuary ratification Law are presented in Table 1.

2. Current Government programmes related to cetacean conservation

2.1 International Cooperation

2.2.1.1 Conservation oriented initiatives supported by the Ministry of Agriculture, Food and Forestry (MiPAAF)

In 2006-2007 the Italian Ministry of Agriculture, Food and Forestry (MiPAAF) agreed to financially support part of the ACCOBAMS “BYCBAMS Project”. In particular, the following actions were funded and are ongoing:

- Action A1. Drafting of standard procedures for data collection on cetacean bycatch and depredation in the ACCOBAMS area;
- Action A2. Italian Workshop on cetacean bycatch and depredation (Rome, September 2007);
- Action A3. ACCOBAMS area International Workshop on cetacean bycatch and depredation (FAO Rome, date to be decided);
- Action A4. Pilot data collection on bycatch of cetaceans in Italy (focused on the Tyrrhenian Sea)

The main aims of these first four actions of the “BYCBAMS Project” are:

- to compile and verify the workability of a standard methodology for data collection on bycatch and depredation, and
- to define the status of interactions in Italian and international waters (within the ACCOBAMS Agreement area).

The BYCBAMS framework implies that similar activities (workshops and field work based on agreed standard procedures) are carried out in all ACCOBAMS Range States.

2.1.1.2 Conservation oriented initiatives supported by the Ministry of Environment, Land and Sea Protection

Since the 1st Meeting of the Parties, Italy voluntarily supported the Permanent ACCOBAMS Secretariat, through in kind and financial contributions to Secretariat operational functioning.

In addition, the Ministry of Environment, Land and Sea Protection organised over the last three years a number of workshops, with the aim of increasing the awareness and professional training on cetaceans conservation and ecosystem management, related to marine mammals protection. In particular:

- “Research assistance and field operational service to ACCOBAMS countries” (*Tripoli, Lebanon*)
- “Joint ACCOBAMS – Pelagos workshop on fin whale and collision”- *Principality of Monaco*
- “Basic approach to cetacean knowledge and conservation strategies for public institutions” educational course (*Elba Island, Italy*)
- “Methodology and techniques for the study and management of cetaceans” Educational course

Finally, the Ministry of Environment, Land and Sea Protection funded the production of a children educational game on ACCOBAMS.

2.2 National Initiatives

2.2.1 Conservation oriented research

2.2.1.1 Conservation oriented initiatives supported by the Ministry of Agriculture, Food and Forestry (MiPAAF)

In 2006, in fulfilment of the Council Regulation (EC) n. 812/2004 and in partial fulfilment of the Council Directive 92/43EEC, MiPAAF funded to the *Consorzio Nazionale Interuniversitario per le Scienze del Mare* (CoNISMa) a project on monitoring of cetacean bycatch on pelagic trawlers. The Project, that started in spring 2006 and will end in spring 2007, is carried out in the Adriatic Sea where almost the entire Italian fleet of pelagic trawlers (pair pelagic trawlers called “Volanti”) are now operating. The project was led by a coordinator (Prof. Antonio Mazzola) and by a scientific supervisor (Dr. Caterina Fortuna); Dr. Simon Northridge from the Sea Mammal Research Unit, University of St Andrews, is acting as external advisor. The project will make data on by-catch estimates available in the next future.

2.1.1.2 Conservation oriented initiatives supported by the Ministry of Environment, Land and Sea Protection

A Draft National Action Plan for the conservation of cetaceans has been elaborated by ICRAM on behalf of the Ministry of Environment.

Within the framework of the preparation of the Management Plan for Pelagos Sanctuary a summary review of the knowledge on the area was prepared by scientists of three countries. In addition the University of Genoa, Department for land and resources research (DIPTERIS), prepared for Ministry of Environment a report on the status of knowledge on the Pelagos Sanctuary area, including a review of the geographic, biotic and abiotic characterisation of the area, trophic structure, fisheries, tourism, maritime traffic and impact on cetaceans, pollution, research, environmental and fisheries legal framework, scientific references.

Draft guidelines for the dredging, transportation and dumping of sediments were prepared by ICRAM and the Italian Environmental Agency (APAT) on behalf of the Ministry of Environment, Land and Sea Protection, within the framework of Article 35 of Legislative Decree 152/99. These technical standards also provides indication for the dredging and dumping of sediments in the whole of the Pelagos Sanctuary, in Marine Protected Areas, in protected coastal area.

TABLE 1. CURRENT GOVERNMENT PROGRAMMES RELATED TO CETACEAN CONSERVATION

Implementation body	Project name	Period
Research-related activities		
ICRAM (Central Institute for Applied Marine Research) & University of Padoa, Veterinary Department	Establishment of a tissue bank of Mediterranean marine mammals	2002
ICRAM (Central Institute for Applied Marine Research)	Study on the presence and distribution of cetaceans in the Sicily Channel and their relation with chemo-physical and biological characteristics of the area	Ongoing
University of Padoa, Veterinary Department	Strengthening of the tissue bank of Mediterranean marine mammals	Ongoing
CONISMA (National Consortium of Italian Universities on Marine Sciences)	Modelling of primary production of phytoplankton in the Mediterranean in relation to cetaceans distribution	Ongoing
University of Siena – Department for environmental science – Applied ecology section	Ecotoxicological monitoring project on two Mediterranean target cetaceans species: <i>Stenella Coerulealba</i> e <i>Balaenottera physalus</i> . Analysis of biomarkers and environmental pollutant levels.	Ongoing
Inter-University Centre on Marine Biology	Ecotoxicological analysis for the monitoring and conservation of cetaceans within the Pelagos Sanctuary	Ongoing
ICRAM (Central Institute for Applied Marine Research)	Anthropogenic impact within the Pelagos Sanctuary; identification of typologies, locations and data analysis on the acoustic disturbance and artisanal fisheries practices	Ongoing
ICRAM (Central Institute for Applied Marine Research)	Summer cetaceans census within the Pelagos Sanctuary and identification of feeding areas as a verification means for stable v/s transitional situations	Ongoing
Consorzio mediterraneo s.c.a.r.l.	Use of acoustic deterrents to minimise interactions between fisheries and dolphins within the Pelagos Sanctuary in order to provide indications for the fisheries management in the area	Ongoing
Management-related activities		
CTS – Centro Turistico Studentesco (NGO)	Elaboration of an Action Plan for the conservation of <i>Tursiops truncatus</i> in the La Maddalena Archipelago National Park	Ongoing
University of Padoa – Veterinary department	Establishment of a task force for necropsies on stranded large cetaceans	Ongoing
University of Pavia, Interdisciplinary Center for Bioacoustics & Natural History Museum of Milan	Establishment of a coordinating and management national centre for strandings data collection along Italian coasts, including a GIS database	Ongoing
Consorzio mediterraneo s.c.a.r.l.	Definition of a code of conduct for the whale-watching, ad hoc for the international Sanctuary “PELAGOS”	Ongoing
Public awareness-related activities		
Legambiente Onlus – (NGO)	Information, education and public awareness on cetaceans for the fisheries, pleasure boating and education sectors	Ongoing
Associazione Mare Amico (NGO)	Establishment of the internet site on the Pelagos Sanctuary	Ongoing
CTS; Legambiente (NGOs)	Arcobalene: awareness campaign on the Pelagos Sanctuary	Ongoing