

THE MEDITERRANEAN SANCTUARY FOR THE PROTECTION OF CETACEANS: A DIFFICULT TRANSITION FROM PAPER TO REALITY

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INTRODUCTION On 22 March 1993 the Ministers of the Environment of France and Italy, and the Minister of State of the Monaco Principality, signed in Bruxelles a joint declaration for the institution of a Mediterranean sanctuary for marine mammals. The area of the proposed Sanctuary, approximately 70.000 km² wide, is comprised between a portion of the continental coasts of France and Italy, the west coast of Corsica, and northwestern Sardinia (Fig. 1). The genesis and the rationale of the declaration are briefly described here, together with the difficulties involved in the actual implementation of the Sanctuary.

WHY A CETACEAN SANCTUARY IN THE CORSICAN-LIGURIAN BASIN ?

The region comprising the Corso-Ligurian Basin and the Gulf of Lion is characterised by very high levels of primary productivity (Jacques, 1990), in contrast to the well-known generalized oligotrophy of the Mediterranean Sea. Accordingly, this region supports abundant marine life, including substantial epipelagic macrofauna populations. All cetaceans regularly observed in the Mediterranean can be found in the region, including pelagic species such as the fin whale (*Balaenoptera physalus*), the sperm whale (*Physeter catodon*), Cuvier's beaked whale (*Ziphius cavirostris*), the long-finned pilot whale (*Globicephala melas*), Risso's dolphin (*Grampus griseus*), the striped dolphin (*Stenella coeruleoalba*), the common dolphin (*Delphinus delphis*); and the coastal bottlenose dolphin (*Tursiops truncatus*) (Notarbartolo di Sciara, 1994). Results from previous surveys had emphasized that cetaceans in this region are substantially more abundant than in all other seas surrounding Italy (Notarbartolo di Sciara *et al.*, 1993b), and than in the rest of the western Mediterranean basin (Forcada *et al.*, 1994). A line-transect survey conducted in the Corso-Ligurian Basin in summer 1992 produced an abundance estimate of 830 fin whales and of about 33,000 striped dolphins (Notarbartolo di Sciara *et al.*, 1993a). However, considerable threats exist for cetacean populations living in the region, including, among others: bycatch in driftnet fishing activities (Podesta' and Magnaghi, 1989; Notarbartolo di Sciara, 1990); presence of substantial amounts of toxic xenobiotics in the trophic chain, which accumulate in the cetaceans' fatty tissues (Focardi *et al.*, 1992), and may have facilitated the outbreak of a massive striped dolphin epizootic in the Mediterranean in 1990-1992 (Aguilar and Raga, 1993); finally, high levels of maritime traffic, including ships transporting hazardous chemicals (Relini, 1994) to and from the regions's commercial harbours, and off-shore races.

It is unfortunate that the peculiar international legislation regulating human activities in the Mediterranean high seas, at distances from the coastline greater than 12 nautical miles - where Exclusive Economic Zones were never created - is preventing today a rational management of its pelagic resources, and a regular monitoring of their conservation status. The proposal of creating a sanctuary where cetaceans and other pelagic life are specially protected should therefore be viewed as a challenge to the inadequacy of the existing international laws.

PROGRESSIVE STEPS TOWARDS THE DECLARATION The main impetus for the proposal of a cetacean sanctuary in the region was provided by the evidence found in 1988 and 1989 of a massive and widespread slaughter of pelagic cetaceans, by-caught in the Italian swordfish driftnetting operations

(Podestà and Magnaghi, 1989; Notarbartolo di Sciara, 1990). Pressure from the public opinion in Italy and France induced in 1990 the Italian Government to introduce unilateral restrictions to driftnetting in an area comprised between eastern Liguria, Cape Corse and Antibes (France)(Orsi Relini *et al.*, 1992). However, because of its narrow goal and limited geographic range (which excluded from protection the region where cetacean abundance was greatest), such move was considered insufficient, and proposals for the creation of a wider conservation and management framework were brought forth by a number of organisations in Italy and France, including Greenpeace and Europe Conservation. Among these proposals, the *Pelagos Project*, commissioned in 1990 by the "European Association Rotary for the Environment" to the Tethys Research Institute, envisaged the creation of a Biosphere Reserve in the Corsican-Ligurian Basin, and of an international, Monaco-based authority, responsible for the sustainable management of the basin's natural resources (Notarbartolo di Sciara and Ausenda, 1991; Notarbartolo di Sciara *et al.*, 1992). A similar concept was later proposed by R.I.M.M.O. (*Réserve Internationale Maritime en Méditerranée Occidentale*), a private organisation created in Antibes in 1992.

THE JOINT DECLARATION In Fall 1992, during a meeting of Europe's Environment Ministers in Edinburgh, an informal consensus was reached between the representatives of France and Italy to jointly proceed towards the creation of an International Sanctuary for cetaceans in the Corsican-Ligurian Basin, admittedly inspired by the *Pelagos Project*. Such intention met the full support of the Monaco Principality, which had strongly favoured the initiative since the official presentation of the *Pelagos Project* (Monaco, March 1991). The resulting joint declaration aims to the creation of a management authority, responsible for the favourable conservation status of marine mammals in the area by protecting them and their habitats from direct or indirect negative impacts (Art. 5). In the future Sanctuary all direct takes and intentional harassment of marine mammals will be forbidden, and potentially invasive research activities and whale-watching will be regulated; large-scale pelagic driftnet fishing will be banned; off-shore competitions will be limited and eventually forbidden; special efforts will be devoted to control and curb pollution.

THE PRESENT SITUATION After almost two years from the date of the declaration, no significant move has been done towards the implementation of any of its objectives. This may be in part due to the intrinsic difficulties presented by the actual lack of appropriate international legislation (Scovazzi and Orsi Relini, 1993), and in part to a possible absence of political interest towards the issue by the successive Administrations both in France and Italy. This brief description is best concluded by quoting Resolution 19.92, *Establishment of a Marine Sanctuary for Large and Small Cetaceans in the Ligurian Sea, Western Mediterranean*, adopted by the General Assembly of IUCN (Buenos Aires, Jan. 1994): "The General Assembly of IUCN recommends that the Governments concerned, and the entire international community, should give effect to the intention thus expressed with a view to the protection to this area and these species by officially declaring the creation of this sanctuary and instituting the necessary procedures for turning it into a marine reserve for the western Mediterranean".

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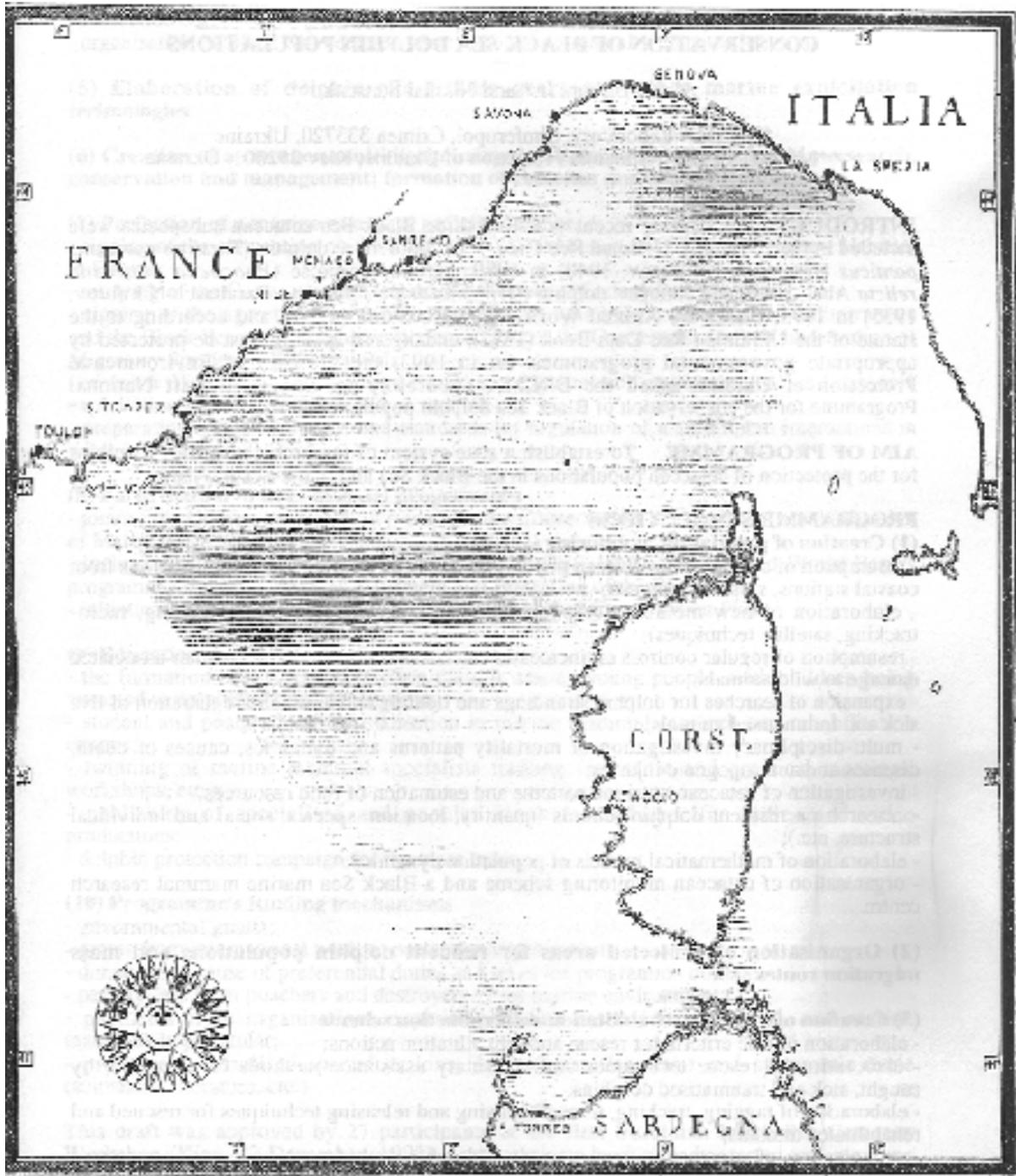


Fig. 1 Map of Proposed Mediterranean Sanctuary for Marine Mammals