



Accord sur la Conservation des Cétacés de la mer Noire, de la Méditerranée et de la zone Atlantique adjacente, conclu sous l'égide de la Convention sur la Conservation des Espèces Migratrices appartenant à la Faune Sauvage (CMS)

Agreement on the Conservation of Cetaceans of the Black Sea, Mediterranean Sea and contiguous Atlantic area, concluded under the auspices of the Convention on the Conservation of Migratory Species of Wild Animals (CMS)



**Second Meeting of the Parties
Palma de Mallorca, 09-12/11/2004**

**Document: MOP 2 / Inf 22
Distribution: 20/09/2004**

NATIONAL IMPLEMENTATION REPORT OF GEORGIA

FORM I
First report of riparian Parties of the Agreement area

1. Name of Party

GEORGIA

2. Date when report finalized

03.09.2004

3. Focal Point (full name, organization, function, address, telephone, fax, e-mail)

Ms. Irina Lomashvili
 Head of Conventions Division of Biodiversity Department
 Ministry of Environment and Natural Resources
 680, Kostava Str.
 Tbilisi 0171
 GEORGIA
 Tel : 995 32 33 28 60
 Fax : 995 32 33 28 60
 e-mail: m_tsereteli@yahoo.com

4. Definition of the areas under national jurisdiction included in the Agreement's field of application (over which the Agreement applies)

Territorial waters of the Black Sea under jurisdiction of Georgia : territorial sea extending 12 nautical miles from the baseline (normally the low-water line) over which Georgia has sovereignty, subject to a right of innocent passage by foreign vessels. It also includes contiguous zone covering the next 12 miles, where certain enforcement powers may be used, and an exclusive economic zone and continental shelf, over which Georgia has sovereign rights for the purposes of exploring and exploiting their natural resources.

5. Say whether the Party is a member of an organization of economic integration (as defined in Article I, paragraph h) of the Agreement)

Georgia is a member of the following economic integration organizations: NIS (New Independent States), GUUAM (Georgia, Ukraine, Uzbekistan, Azerbaijan, Moldova).

6. Date when signed, ratified, accepted, approved or joined the ACCOBAMS

Signed : 24/11/96
 Ratified : 30/03/01
 Accepted : 31/05/01
 Joined : 01/06/01

7. Date when ratified the amendment (if amendment there be)**8. Possible reservations expressed in accordance with Article XV or Article X of the Agreement¹****9. National authorities, organizations, research centres and rescue centres active in the field of study and conservation of cetaceans**

Ministry of Environment and Natural Resources of Georgia;
 Georgian Marine Ecology and Fisheries Research Institute.

¹ : If a reservation was withdrawn, indicate the date of entry into force of the withdrawal of the reservation

10. Main national legislative and regulatory texts pertinent to cetaceans:

| Title of text | Date when promulgated | Authorities responsible for application |
|--|------------------------------|---|
| 1. Law on Animals World | 26/12/1996 | Ministry of Environment and Natural Resources |
| 2. Law of Georgia on Development and Management of Kolkheti Protected Areas | 09/12/1999 | Ministry of Environment and Natural Resources |
| 3. Red List of Georgia adopted in the frame of Law on Red List and Red Book of Georgia | 05/08/2003 | Ministry of Environment and Natural Resources |
| 4.Regulation on “The Objects of Animal World, the Rules of their Utilization of Their Species, the Terms and the List of Weapons and Devices Allowed for the Utilization” approved by Ministerial order # 95 | 19/08/1998 | Ministry of Environment and Natural Resources |
| 5. Water Code of Georgia | 25/11/1997 | Ministry of Environment and Natural Resources |
| 6.Criminal Code of Georgia | 22/07/1999 | Ministry of Justice |
| 7. Tax Code of Georgia | 19/07/1999 | Ministry of Finance |
| 8. Civil Code of Georgia | 26/06/1997 | Ministry of Justice |
| 9. Law on the Marine Space of Georgia | 24/12/1998 | Ministry of Transport Ministry of Defence State Department for Boarder Defence Ministry of Environment and Natural Resources |

1. Law on Animal World

According to the Article 30 (Fishing) of the Law, it is prohibited to catch small cetaceans. According to the same article, the underwater hunting for the marine mammals is also prohibited. At the same time, according to the Article 34, the use of cetaceans with scientific, cultural, educational, recreational, esthetic and veterinary purposes in the form of common use is allowed without extracting species from their natural environment if this does not harm animal world and their habitats. It is also allowed to extract small cetaceans from their natural environment a) with veterinary purposes in the form of common use; and b) in the form of special use.

2. Criminal Code of Georgia

According to the Article 300, the illegal catch of fish and other water living organisms on the continental shelf of Georgia, territorial waters, exclusive economic zone or internal water intakes by fishing devices or mechanic transport means, electric current and other prohibited weapons, explosive or poisoning substances is punished by fine or correctional work term up to one year or captivity of two months.

The same action which caused significant damage or committed in the state reserve or in the prohibited time and place, also during the ecological emergency state or the zone of ecological catastrophe, or against fish or other water living organisms included in the Red List of Georgia... - is punished either by fine or correctional work term or captivity up to four months or imprisonment of up to three years.

3. Regulation on “The Objects of Animal World, the Rules of their Utilization of Their Species, the Terms and the List of Weapons and Devices Allowed for the Utilization” approved by Ministerial order #95

According to the Article 13 (Fishing Regulations) the catch of dolphins is prohibited throughout the year.

In case of occasional catch of all species of dolphin, the living individual is to be released into the habitat, and the dead one is to be given to relevant scientific organization.

4. Law of Georgia on Development and Management of Kolkheti Protected Area

According to the Article 38, in the Kobuleti State Reserve and in the zone of strict protection of nature of the Kolkheti National Park hunting, fishing, catching of water invertebrates and marine mammals, also other type of use of animal world objects, is prohibited.

5. The Red List of Georgia

All Three cetacean species are included in the Red List of Georgia. These are : Common Dolphin (*Delphinus delphis*) , Bottlenose Dolphin (*Tursiops truncatus*) and Harbour Porpoise *Phocoena phocoena*.

6. Law on Environmental Protection

The Law is a framework act that sets out the basic legal principles for the protection of the environment, but leaves many of the details to be developed in further laws. It applies to the whole of Georgia, including its territorial waters, continental shelf and exclusive economic zone, and so embraces both land and sea.

7. The Law on Marine Space of Georgia

The objective of the Law (Article 2)

Among the objectives of the Law are:

d) Protection of the environment of the Black Sea and conservation of ecological balance;

e) Promotion of scientific research and rational utilization of Black Sea resources.

Legal status of the exclusive economic zone and continental shelf of Georgia (Article 5)

With the purpose of use and conservation of natural resources, protection of economic and ecological interests, Georgia exercises sovereign rights and jurisdiction in accordance with principles and norms of international law, Georgian legislation and international agreements of Georgia in its exclusive economic zone and continental shelf.

Rational use and protection of living sea resources in the exclusive economic zone of Georgia (Article 35)

1. The trade of living resources is prohibited in the exclusive economic zone of Georgia unless there is an agreement on the trade of living resources between Georgia and ship banner state.
2. With the purpose of rational use and protection within its exclusive economic zone Georgia annually, in accordance with the most reliable data, determines the allowed quota for the trade of all types of living resources.
3. If Georgian trade organizations cannot fulfill the quotas for trade of living resources, or if there is a special agreement about the trade of the living resources between Georgia and foreign country, the transfer of the trade quotas of living resources to other countries by issuing the license is permitted.
4. The license for physical and legal persons of Georgia and other countries is issued by the Ministry of Environment of Georgia.
5. Physical and legal persons of foreign countries, permitted by the Ministry of Environment of Georgia to undertake the trade of living resources in the exclusive economic zone of Georgia, are obliged to observe the relevant legislation of Georgia.
6. If a foreign trade ship does not have special permit of the trade by living resources in the exclusive economic zone of Georgia, it should not have the trade devices in operational condition while being in this zone.

Georgia's rights in its continental shelf (Article 40)

Towards its continental shelf Georgia has jurisdiction:
On environmental protection and conservation.

Sea reserve area and sea sanitation areas (Article 64)

The following sea reserve area and sea sanitation areas are created in Georgia:

- a) Sea Reserve Area – the coastal zone of Georgian territorial sea from the mouth of the Rioni river northwards until the Anaklia populated area, 5 sea miles in width. The sea reserve area is adjacent to two-miles-wide protection zone. Fishing is prohibited in this area. Navigation is allowed only in exceptional cases;
- b) The First Sea Sanitation Area of Georgia (water use area) – Georgian internal waters and coastal zone of territorial sea 12 sea miles in width. The discharge of oil-containing mixtures,

waste obtained as a result of the ship exploitation, ship waste-water and pure ballast from tankers into the sea is prohibited in this zone;

- c) The Second Sea Sanitation Area – coastal zone 50 sea miles in width. The discharge of oil-containing waters and pure ballast into the sea is prohibited in this zone, except for those cases, when at the same time the requirements set in the International Convention “on the Prevention of the Pollution from Ships” are fulfilled.

8 Water Code of Georgia

Article 17. Protection of the Black Sea Natural Resources

1. With the object of protecting the Black Sea fauna (fish, water invertebrates and sea mammals) and other living resources within the Georgian jurisdiction the state shall provide:

- a) the imposition of bans and restrictions upon the use of the sea fauna objects and other living resources;
- b) the protection of the habitat of sea wild animals, the reproduction conditions.. areas and ways of migration:
- c) the creation of protected territories within the sea area:
- d) the protection of wild animal species endangered with extinction and the financing of the creating and functioning of the genofund reservations:
- e) the protection of the sea Fauna and other living resources from the unauthorized use and other violations:
- f) with the aim of preventing the death of sea wild animals, the examination of the projects of those construction, industrial or technological processes which implementation may damage the animal world:
- g) the giving help to and saving of sea wild animals under emergency conditions resulting From a natural disaster or oilier reasons:
- h) the financing of the research aimed at the elaboration and perfection of methods to protect the sea fauna and other living resources:
- i) the establishment of the status of species for individual sea wild animals:
- j) the propagation of protection of the sea fauna and other living resources through mass media.

2. The fishing of small cetaceans is prohibited, except for the cases provided for in the Law of Georgia "On the Animal World".

3. The submarine chasing of sea mammals is prohibited.

4. The use of the sea fauna objects within the Georgian jurisdiction may be exercised by foreign natural and legal persons only on the basis of international treaties and agreements. With this object the Ministry shall:

- a) once every five years, establish the annual permissible fishing rate for each individual object of the sea fauna allowed for the use (the natural resource use quota) and part of the rate which- on the basis of international treaties and agreements of Georgia, may be transferred into the use to foreign natural and legal persons under the regulations "On the rates of loading on the environment" stipulated by the Law of Georgia "On Protection of the Environment". The annual permissible fishing rate (quota) for each individual object of the sea fauna allowed for the use is determined under the Regulations "On

the Procedure for Establishing the Natural Resources Use Quotas" stipulated by the Law of Georgia "On Protection of the Environment"

b) where necessary, the state shall, together with the State Department for the State Border Defence, allocate individual regions of the sea where foreign natural and legal persons may engage in the fishing (hunting) of the sea fauna objects. The allocation of such a region (regions) shall be under the joint order by the State Department for the State Border Defence and the Ministry "On the Approval of an Individual Region (Regions) of the Black Sea Allocated for Fishing (Hunting) of the Sea Fauna Objects to Foreign Natural and Legal Persons".

8. The extraction of chemical substances available in the Black Sea water within the Georgian jurisdiction for commercial purposes shall not be allowed without the environmental permit and the water-use license issued by the Ministry.

9. The unauthorised construction and erection of necessary structures and facilities in the sea for performing operations connected with the study, extraction and processing of natural resources of the continental shelf of Georgia is prohibited. A permit for such activity shall be issued by the Ministry and the State Technical Supervision Inspection in coordination with the State Department for the State Border Defence under the procedure established by Georgian legislation.

10. A safety zone, which extent radius owing to the peculiarities of structures and devices may reach 500 meters shall be provided around the necessary structures and devices in order to carry out the work associated with the study, extraction and processing of natural resources of the continental shelf of Georgia. When operating the structures and devices the following conditions shall be observed:

a) these structures and devices and the safety zone thereof may not be located in the sea sections intended for international navigation lanes:

b) a ship may enter the safety zone of these structures and devices only under a special permit to be issued by a natural or legal person - holder of these structures and devices, in co-ordination with the State Department for the State Border Defence:

c) a natural or legal person - holder of the structures and devices, shall ensure protection of these structures and devices, their keeping in operable state, the carrying out of measures for protecting the sea living resources in the safety zone:

d) the structures and devices which operation has been finished in full or suspended shall under decision of the competent state, agencies, be subject to liquidation in accordance with the procedure established by Georgian legislation and withdrawal from the sea.

11. The requirements of the Law of Georgia "On the State Border of Georgia" shall be complied with during the economic, fishing and research activities in the frontier zone of Georgia. A natural and legal person who intends to engage in such activities shall notify the State Department for the State Border Defence thereon in the procedure and from established by the latter. The notice shall indicate the nature of the economic, fishing and research activities, the technology and technical facilities used, as well as the place, time and length of operations performed, the number of participants and personality of the responsible persons.

12. Natural and legal persons shall be provided with material and more incentives for promoting protection of the sea wildlife in compliance with Georgian legislation.

13. In exceptional cases with the purpose of protection, preservation and reproduction of individual objects of the sea wildlife, other living organisms, the continental shelf resources the Ministry is restrict or prohibit the use of the resources in the whole area of distribution or in the part thereof under the procedure established by Georgian legislation.

14. Other requirements related to the protection of the Black Sea natural resources within the jurisdiction of Georgia shall be governed under the laws of Georgia "On the Environment Protection".

"On the Animal World", "On the Mineral Deposits". "On the System of Protected Territories" and other enactment's.

11. Bilateral or multilateral fishing agreements with regard to the area of the Agreement
(Countries concerned, object, date, entry into force, duration, etc.)

Agreement between Government of Georgia and Government of Ukraine on anchovy commercial fishing . This is 10 years agreement and it is in force since 1997.

12. Relevant International Conventions and Agreements to which the country is Party:

| | Date of entry into force of the Ratification, Acceptance, Approval or Adhesion |
|--|---|
| Convention on Biological Diversity (Rio, 1992) | Accession 02/06/1994 |
| Convention on the Conservation of Migratory Species of Wild Animals (Bonn, 1979) | Entry into force : 01/06/2000 |
| Convention on the Conservation of European Wildlife and Natural Habitats (Berne, 1979) | / |
| United Nations Convention on the Law of the Sea (Montego Bay, 1982) (UNCLOS) | Accession 21/04/1996 |
| Protocol concerning Specially Protected Areas and Biological Diversity in the Mediterranean (Barcelona, 1995) | / |
| Agreement on the Conservation of Small Cetaceans of the Baltic and North Seas (ASCOBANS) | / |
| Convention on International Trade in Endangered Species of Fauna and Flora (CITES - Washington, 1973) | Accession : 13/09/1996 Entry into force : 12/12/1996 |
| International Convention for the Regulation of Whaling (Washington, 1946) | / |
| Agreement on Straddling Fish Stocks and Highly Migratory Fish Stocks(1995) | / |
| General Fisheries Commission for the Mediterranean | / |
| La Commission Internationale pour l'Exploration Scientifique de la Méditerranée | / |
| Convention for the Protection of the Black Sea Against Pollution (Bucharest, 1992) | Accession : 21/04/92 Entry into force : 12/01/94 |

13. Networks set up for monitoring cetacean standings (coordinating system, agents, means available, databases, MEDACES data transmission, publishing of results)

At the moment there is no active network set up for monitoring of cetaceans stranding and by-catch. However, during 1997-1998, under the EU funded project "Estimation of human impact on small cetaceans of the Black Sea and elaboration of appropriate conservation measures (BLASDOL)" such network was established and was operational. The area of coverage was the 100 km stretch of Georgian coastline between Georgian-Turkish boarder up to town Poti. The network consisted of 8 main informers each of whom was supported by 5-6 auxiliary informers (fishermen, coastal population, students). In addition the network was supported by the members of fishing crew from 2 trailing fishing vessels operating along the Georgian coast.

During the above period 39 cases of dolphin mortality was reported, among them 28 stranded and 11 by-catches.

14. Emergency plans

(conditions of activating, coordinating system, agents, means available, databases, publishing of results)

15. List of cetaceans reported in the area under the jurisdiction of the country included in the distribution area (as defined in Article I, paragraph 3 f) of the Agreement)

| | | Common | Rare | Occasional |
|-----------------------------------|---------------------------|--------|------|------------|
| <i>Balaenoptera acutorostrata</i> | Minke Whale | | | |
| <i>Balaenoptera borealis</i> | Rudolph's Whale | | | |
| <i>Balaenoptera physalus</i> | Fin Whale | | | |
| <i>Delphinus delphis</i> | Common Dolphin | √ | | |
| <i>Eubalaena glacialis</i> | Northern Right Whale | | | |
| <i>Globicephala melas</i> | Long-finned Pilot Whale | | | |
| <i>Grampus griseus</i> | Risso's Dolphin | | | |
| <i>Kogia simus</i> | Dwarf Sperm Whale | | | |
| <i>Megaptera novaeangliae</i> | Humpback Whale | | | |
| <i>Mesoplodon densirostris</i> | Blainville's Beaked Whale | | | |
| <i>Orcinus orca</i> | Killer Whale | | | |
| <i>Phocæna phocæna</i> | Harbour Porpoise | | √ | |
| <i>Physeter macrocephalus</i> | Sperm Whale | | | |
| <i>Pseudorca crassidens</i> | False Killer Whale | | | |
| <i>Stenella cæruleoalba</i> | Striped Dolphin | | | |
| <i>Steno bredanensis</i> | Rough-toothed Dolphin | | | |
| <i>Tursiops truncatus</i> | Bottlenose Dolphin | | √ | |
| <i>Ziphius cavirostris</i> | Cuvier's Beaked Whale | | | |

16. Information on the national fishing fleet active in the area of the Agreement:

| Type of fishing | Number of units |
|--|--|
| Fishing boats with fixed gill-nets | Was In use |
| Fishing boats with spinning seine nets | Not in use |
| Fishing boats with drift-nets | Not in use |
| Fishing boats with floating palangre | Not in use |
| Other types of fishery able to interact with cetaceans | Pelagic Trawler, Purse seiners and long liners are mostly applicable For passive coastal fishing trap nets, beach seines, dradges, fix nets are in use. |

17. Scientific assessment of the state of cetacean conservation in the area under national jurisdiction included in the distribution area (as defined in Article I, paragraph 3 f) of the Agreement)

The assessment must be based on scientific data. Append the list of bibliographical references used.

Since 1933 Georgian Scientific Fishery and Biological Station (former name of the Georgian Marine Ecology and Fisheries Research Institute) and All-Union Scientific Research Institute (USSR) organized Black Sea Expeditions to carry out a thorough investigation of the Black Sea dolphins. During the World War II there was a sharp reduction in the dolphin fishery. Before the war the total yield in the Black Sea as a whole was 200,000/year (including the Turkish fishery which varied from 60,000 – 80,000). According to some researchers the dolphin stock before the war was about 800,000 that meant the annual yield did not exceed 25 % of the stock. It was suggested that such a rate of exploitation could not negatively affect the stock. Moreover, during the war a natural recruitment was suggested. But more recently, a dramatic reduction in dolphin populations necessitated the taking of urgent steps. In May, 1966 the Soviet Union, soon followed by Bulgaria and Romania, took a decision to halt fishing for the Black Sea dolphin.

In 1984 – 1985 a joint investigations together with Russian and Ukrainian scientists was carried out to try to estimate the dolphin population. It became clear that the majority of the population was concentrated in the eastern and north-eastern Black Sea. But the published data indicated that the annual population still had been in decline since the beginning of 1967.

An aircraft survey in 1985 suggested a slight increase in the dolphin population. However, the data was not sufficient to guarantee that the decline was not continuing.

Aircraft and ship survey data show that *Delphinus delphis*, which has pelagic feeding habits, inhabits the whole Black Sea range. The benthic species *Tursiopsis truncatus* is distributed near the coast, but and be seen sometimes in the open sea. According to the data obtained, the most numerous species is *Delphinus delphis*, followed by *Tursiopsis truncatus*, and then *Phocoena phocoena*.

At present the lack of data makes it impossible to perform a thorough analysis. There is an urgent need for renewing the studies and surveys of the Black Sea mammal's populations.

Bibliography:

1. Black Sea Biological Diversity, Georgia. A. Komakhidze, N. Mazmanidi (Biodiversity Activity Centre, Batumi. Unated Nations Publication provided under the GEF Black Sea Environmental Programme).

18. Conservation measures introduced to attain and maintain a state of conservation favourable to cetaceans

- Measures introduced to eliminate deliberate removal

The future of Black Sea marine mammals in general and *T. truncatus* population in particular is a problem of concern on different levels of international co-operation. Local bottlenose dolphins and their habitat are protected by a series of worldwide, European, regional and subregional legislative acts including the Bonn Convention, CITES, Berne Convention, ACCOBAMS and Bucharest Convention.

At the 12th meeting of the Conference of the Parties (COP12) to the Convention on ``International Trade in Endangered Species of Wild Fauna and Flora`` (CITES), a proposal - ``Transfer of the Black Sea Bottlenose Dolphin (*Tursiops truncatus ponticus*) from Appendix II to Appendix I`` was submitted by Georgia.

The aforementioned proposal was deeply considered and discussed by COP12 and finally it was approved with the following changes :

- a) The proposal was directed to only one sub-species - *Tursiops truncatus ponticus*, but during considerations and discussions it was extended to whole species *Tursiops truncatus*.
- b) The species *Tursiops truncatus* was retained in the II Appendix of the Convention but with the specific annotation reading as follow - ``**A zero export quota has been established for live specimens removed from the wild from the Black Sea population of *Tursiops truncatus* for primarily commercial purposes**``.

- Measures introduced to reduce man/cetacean interaction
- Measures introduced to create and maintain a network of specially protected areas to protect cetacean habitats

In 1999 under the Law of Georgia on Establishment and Management of Kolkheti Protected Areas the Kolkhet National Park was created, which includes not only land, but also the sea out to five nautical miles adjacent to the Anaklia- Guria district. The whole sea water surface area is 15742ha. Inclusion of marine water area into the territory of national park was motivated by protection of sea mammals. One of the objectives of the existing Kolkheti National Park Management Plan Project (still under consideration) is conservation of dolphins (Common Dolphin, Harbour Porpoise, Bottlenose Dolphin) and ichthyofauna in the marine coastal water area 5 miles in width located between the estuaries of the Churia and Rioni rivers;

To reach these objectives the Natural Resources Management Strategy envisages the following measures:

To preserve the ecological balance of marine environment the 5 miles wide marine water area from the Chorokhi river estuary to the Rioni river estuary should become the part of *the managed protection zone*, which would ensure their protection or protection of the ecological situation close to natural one (it is impossible to create the zone of strict protection on this area because of the construction of the Kulevi Oil Terminal). The release from the anthropogenic load would foster the restoration of ecological balance.

Respective measures:

- Monitoring of biological and chemical pollution and coastal erosion of the coastal zone water area (up to 20 meters in depth);
- Protection of local dolphin species as upper part of the ecosystem, for which the conduct of the monitoring of dolphins is necessary;

- Study and monitoring of ichthyofauna;
- Study of phyto- and zooplankton;
- Study of invasive species.

Evaluation of the status of the populations of sea mammals

Grounding:

From the family of *Cetacea* there are three species found in the Black Sea: the Black Sea Bottlenose Dolphin (*Tursiops truncatus ponticus*), Common Dolphin (*Delfinus delphis*), and Harbour Porpoise (*Phocoena phocoena*).

Black Sea dolphins represent one of the most unstudied population, their quantity is unknown both in Georgia's marine water area and in the whole Black Sea. There is no information about the sea part of Kolkheti National Park and limitative factors of the dolphins of adjacent water area.

The objective of the action:

- Study of the distribution, migration, quantity and ecology of the populations of small cetaceans and evaluation of their condition;
- The identification of key places (water areas of special importance for migratory ways and life cycle);
- Development and implementation of the strategy of the effective conservation of species and their habitats.

Measures related to the reduction of pollution

The Convention for the Protection of the Black Sea Against Pollution (Bucharest, 1992) was signed in Bucharest in April 1992 by all six coastal countries (Georgia, Russia, Ukraine, Romania, Bulgaria, Turkey). By April 1994 the Black Sea Convention had come into force throughout the region. Under Article 13 of the Bucharest Convention, when taking measures in accordance with the Convention for the prevention, reduction and control of the pollution of the marine environment of the Black Sea, The Contracting Parties are required to pay particular attention to avoid harm to marine life and living resources, in particular by changes to their habitats through fishing and other legitimate uses of the sea, and they are required to give due regard to the recommendations of competent international organizations.

It should be mentioned that in the nearest future Georgian Government will sign protocol on "Protection of Black Sea Biodiversity" adopted in the frame of Bucharest Convention.

In April 1993 in Odessa a common policy declaration (The Odessa Declaration) was signed by the Environmental Ministers from all six Black Sea countries. The Declaration provides a bold calendar of actions aimed at linking all sectors in a joint effort to save and protect the Black Sea environment. The Contracting Parties agreed:

- To encourage the development of comprehensive and coordinated plans for the restoration and conservation of biodiversity in the Black Sea in the spirit of the 1992 Biodiversity Convention;
- To take appropriate measures for the restoration and conservation of biodiversity in the Black Sea in the spirit of the 1992 Biodiversity Convention;
- To establish and improve nature conservation areas in the coastal zone of each of the littoral states before 1996;
- To introduce integrated coastal zone management policies and compulsory environmental impact assessments.

In order to give environmental action an early start and to develop a long-term Action Plan, the Black Sea countries requested support from GEF. In June 1993, a three-year Black Sea Environmental

Programme (BSEP) was established with support from GEF, European Union (Phare and Tacis), the Netherlands, France, Austria, Canada and Japan.

The BSEP sets out to provide a sustainable basis for managing the Black Sea through capacity building, environmental assessment, the development and harmonization of policy and legislation and by facilitating appropriate environmental investments. The BSEP activity centre in Batumi (Georgia) concentrates on the study and conservation of Black Sea biodiversity.

BSEP was instrumental in assisting Black Sea governments to develop Black Sea Strategic Action Plan, signed by the six Ministers of Environment on 31 October 1996. The action plan sets out a pragmatic strategy for rehabilitating and protecting the Black Sea in the coming decades. In 1998 World Bank/GEF-supported Integrated Coastal Management Project in Georgia was initiated.

The global objective of the project is to assist Georgia in meeting its international commitments under the Black Sea Environmental Programme and to implement priority actions outlined in the Georgia Biodiversity Strategy/Action Plan. These priorities include: conservation of biodiversity at sites of international significance on Georgia's Black Sea coast; restoration of degraded habitats and resources within the Black Sea Large Marine Ecosystem, and participation in regional efforts to mitigate the risk of oil pollution from spills, to share information on Black Sea ecosystem status and trends, and to sustain the integrity and productivity of this regional public good.

- Measures introduced to strengthen the national capacities, the institutional framework, the collection and dissemination of information and education
- Other measures

In July 2003 a training on Photo-identification methodology for cetaceans survey was conducted in Greece, isle Kalamos at Tethy's field station by Tethy's trainers group under support of ACCOBAMS secretariat. The training was dedicated for Georgian, Russian and Ukrainian participants. In mentioned training participated two researchers from Georgian Marine Ecology and Fisheries Research Institute .

In August 11-13 2004 under support of ACCOBAMS secretariat meeting was held in Marine Ecology and Fisheries Institute in Batumi with an expert trainer from Tethys Research Institute Dr. Sebastiano Bruno, local researchers and the representatives of the .Ministry of Environment.

It was stressed out that the knowledge of the status of cetacean population is one of the main requirements to focus conservation actions on. However, lack of basic scientific data on cetacean population status prevents the establishment of appropriate conservation measures. It was suggested to develop basic projects aimed at the collection of scientific data on species distribution and abundance and on by-catch impact. From the discussion potential actions were identified :

1. establishment of a long-term project involving year-round *ad libitum* photoidentification surveys;
2. line-transect surveys (aerial and/or boat based) in order to identify cetacean hot spots along the georgian coast line, to estimate population sizes for each species and to evaluate their relative distribution;
3. by-catch: observations in order to evaluate by-catch rates (especially of harbour porpoises); implementation of by-catch mitigation measures;
4. development of a permanent stranding network;
5. performing of toxicological analyses on cetacean tissue samples;
6. education and public awareness programmes.

Most of this activities imply that local researchers are to be trained locally by invited experts or abroad. The course of cetacean research and conservation could be a good opportunity to improve the knowledge if the local scientists are involved and, in general, strengthen national capacities.

The final report regarding this 3 day workshop will be submitted to the ACCOBAMs Secretariat by Dr Sebastiano Bruno.

19. Research work done to improve knowledge of the biology and ecology of cetaceans

In 1974 the Georgian Department of the All-Union Scientific Fishery and Oceanographic Institute (now the Georgian Scientific Research Institute of Sea Ecology and Fisheries) initiated the building of a dolphinarium in Batumi. From the very beginning the largest Black Sea species were kept in the dolphinarium, i.e. *Tursiops truncatus Montagu*. As a result of the special selection of the dolphin specimens there were several births in captivity.

Scientific research was carried out in the dolphinarium in order to improve biotechnological maintenance of the species in captivity. Breathing and fin-footed studies were also conducted, as were continuous bacteriological research on the environment, disease etiology, and both prophylactic and post identification cures for viruses. The most frequent diseases were pneumonia and different kinds of dermatomycosis.

It should be mentioned that at present the dolphinarium is not operable.

20. Programmes of continuous monitoring undertaken

The components three of the Georgian Integrated Coastal Zone Management Project is concerned with strengthening of the coastal monitoring and information system capabilities in Georgia. Among various efforts in this domain, the project's attention will certainly be directed to baseline inventory and establishment of the foundation for subsequent monitoring efforts of the ecological status of the marine mammals in waters of the Black Sea along the coast of Georgia.

The component two of the project, assisting with the establishment of Kolkheti national park wetland and marine protected area, will complement the monitoring component, particularly in the area of the inventory of marine mammals. This includes technical equipment of the national park administration as well as the Marine Ecology and Fisheries Research Institute (MEFRI) to increase their capability for undertake above task. Georgian specialist consultants will be commissioned by the project to undertake the inventories of Black Sea dolphins in nearshore waters. Priority will be given to simple to implement, reliable and cost effective approaches, closely following the regionally harmonized methodologies advocated by the BSC and ACCOBAMS secretariats.

21. Measures linked to implementing bilateral or multilateral cooperation programmes

The GEF Black Sea Environmental Programme (BSEP) became formally established in September 1993. Early 1994 had agreed a coordination unit (the PCU) had been established in Istanbul and a workplan agreed by its National Coordinators (in many cases Ministers of the Environment or their deputies).

The programme has three primary objectives:

- to strengthen and create regional capacities for managing the Black Sea ecosystem;
- to develop and implement an appropriate policy and legal framework for the assessment, control and prevention of pollution and the maintenance and enhancement of biodiversity;
- to facilitate the preparation of sound environmental investments.

Participating countries: All six Black Sea countries (Bulgaria, Georgia, Romania, Russia, Turkey, Ukraine)

Major Activities:

Each of these objectives has enormous scope and involves the participation of a broad range of sectors. The programme Steering Committee incorporates the National Coordinators, donor representatives and representatives of NGO's (including the business sector). It is clear that a mechanism is needed to share the burden of these programme objectives if the Black Sea Environmental Programme is to lead to a long-term Action Plan. Rather than to expect the coastal countries to contribute to a single centralized future programme, it was decided to instigate a series of Working Parties based upon "Activity Centers", which are national institutions that already have the basic infrastructure and personnel to coordinate specific tasks in the region. Each Government has agreed to host one of these centers.

The Working Parties themselves include at least one expert from each of the Black Sea countries, together with additional expertise where appropriate. These Working Parties, which will normally meet twice per year, are action-oriented; at least one of the activities per year consists of a seminar, training workshop or pilot study.

The Activity Centers and their Working Parties are as follows:

Activity Center 1: Emergency Response. (Varna, Bulgaria)

The center will coordinate the regional and international response to accidents involving the extraction, maritime transport and storage of oil and hazardous chemicals. It will work closely with the International Maritime Organization and will develop and maintain a common register of all accidents of this kind in the Black Sea. It will organize and implement training activities in close cooperation with IMO, WMO, IOC and the private sector.

Activity Center 2: Routine Pollution Monitoring (Istanbul, Turkey)

The center will provide technical support for the implementation of the routine trend monitoring Programmes through the monitoring network. The monitoring Programmes will cover general trend monitoring of water and sediment quality, bathing water quality, wastewater effluent quality and drinking water quality. Support available through the Center will include methodological and training workshops, inter-comparison exercises, and the development of standard reporting forms for data, the provision of calibration standards, reference materials and standard methodologies. The work will be carried out in cooperation with the CEC, WHO, the IOC/UNEP Group of Experts in Methods, Standards and Intercalibration and the IAEA Marine Environment Laboratory (Monaco).

Activity Center 3: Special Monitoring Programmes, Biological and Human Health Effects, and Environmental Quality Standards (Odessa, Ukraine).

The center will coordinate practical studies of the biological and human health effects of pollutants (including sub-acute effects, toxicity testing, effluent toxicity tests and effects on human health from exposure to environmental hazards). Such studies can also serve to evaluate the impact of pollutants along gradients from identified or suspected sources. The center will also assist with the coordination of special monitoring Programmes in order to analyze more complex problems. Results of these studies will be used to provide practical information (which is not available from routine monitoring) for the working party to propose specific control measures such as the harmonization of environmental and health-related quality standards.

The information will also lead to the development and introduction of environmental standards. Advice for this work will be sought from the IOC/UNEP/IMO Group of Experts on the Effects of Pollution, from WHOM and from the OECD, where applicable. The activity will be carried out in cooperation with similar ones organized for the Black Sea (e.g. COMSBLACK, EROS-2000) and as part of ongoing and proposed regional river basin management Programmes.

Activity Center 4: Protection of Biodiversity (Batumi, Georgia)

The center will provide coordination and technical support for actions taken to protect biodiversity in the Black Sea according to the provisions of the Odessa Declaration and the Biodiversity Convention. It will gather historical records of changes in biodiversity (a large amount of information is available for the Black Sea). It will assist national focal points to formulate national biodiversity reviews, which will subsequently be used for the compilation of a regional biodiversity review. Technical expertise and financial support for this work will also be sought from international NGO's, including IUCN, WWF, IWRB, Bird Life International, etc.

Activity Center 5: Development of Common Methodologies for Integrated Coastal Zone Management (Krasnodar, Russian Federation).

The center will facilitate the exchange of information and experience on ensuring sustainable resource use, including recreational use by tourists in the coastal zones of Black Sea countries, and develop methodologies for coastal zone management, with particular reference to threats to the environment arising from the transition to market economies. This center will work in very close cooperation with the World Bank and UNEP and will seek cooperation with the OECD and any other appropriate international institutions.

Activity Center 6: Fisheries (Constantza, Romania).

The center will create a mechanism for gathering data on fisheries capture, stock, installed capacity and aquaculture projects. The data will be gathered from all national authorities and should include historical records in order to document past changes in the production and stock in the region. It will provide the basic source of information for future management strategies and for the implementation of the future Fisheries Convention. The center will seek technical advice and assessment from the FAO-GFCM where appropriate.

Working Parties organized by the PCU

The PCU is directly responsible for the organization of three Working Parties:

The Working Party on Data Management and GIS.

This was established in order to ensure a region-wide compatibility in the generation and management of databases and to promote data exchange. The working party will pay particular attention to Geographical Information Systems (GIS) as a means to communicate data to environmental managers, decision-makers and the general public.

The Advisory Panel on the Harmonization of Environmental Quality Criteria, Standards, Legislation and Enforcement.

This will be organized in response to the provisions of the Ministerial Declaration on the Protection of the Black Sea and will consist of a series of workshops, seminars, and studies on individual topics within the terms of reference of the panel.

The Environmental Economics Study Group.

This group is being organized in order to ensure close linkage between economic and environmental policies and decision-making and to help ensure the sustainability of both. It will coordinate a programme of study aimed firstly at assessing the value of environmental damages associated with the degradation of the Black Sea and, secondly at designing economic policy instruments to internalize environmental externalities and thereby reduce pollution.

Major Achievements:

- Black Sea technical networks were established in the following thematic areas: emergency response, pollution monitoring, biodiversity, integrated coastal zone management, fisheries and corresponding activity institutions which were strengthened to become regional centers of competence in their respective area.
- Reference laboratories were fully equipped with modern and up-to-date instrumentation; and pilot and routine pollution monitoring activities were carried out.
- Formal and on-the-job training to some 500 experts was provided: the use and installation of equipment, the identification of issues and the development of appropriate strategies to address them, assessment methodologies, and the management of assistance projects.
- Data management and information tools were developed, public awareness materials produced and disseminated.
- A network for exchange of experience and integration, and the streamlining of efforts among Black Sea non governmental organizations was established.
- A total of 88 national and regional thematic assessments were produced, which fueled into the preparation of the Black Sea Strategic Action Plan.
- A technical Transboundary Diagnostic Analysis was prepared as the groundwork for the Black Sea Strategic Action Plan.
- A Black Sea Strategic Action Plan was developed and signed by the ministers of the environment of the six Black Sea countries
- A portfolio of urgent priority investments was identified and six selected pre-feasibility studies were implemented.
- Innovative financial mechanisms to sustain environmental management of the Black Sea were developed.

In addition, the Programme facilitated the following results:

- Increased and coordinated donor support to the region. The Programme demonstrated how to generate donor contribution to enhance the value of GEF investment.
- Enhanced regional and national cooperation among the Black Sea countries and among the different sectors of the countries.
- Establishment of a strong and integrated management of the Programme with an effective Programme Steering Committee channeling the inputs of the countries, the donor communities and GEF partners.
- Involvement, on a regional basis, of UNDP Country Offices in the implementation of components of the Programme, and cooperation with GEF-NGO Small Grants Programme and UNDP Country Offices for support to the countries in the area of environmental management.
- Coordination of the specialized inputs of the UN agencies, the World Bank, the private sector, research institutes and NGOs into the implementation of activities.

Black Sea Transboundary Diagnostic Analysis

The first step in creating the Black Sea Strategic Action Plan (BS-SAP) was the completion of a systematic scientific analysis of the root causes of environmental degradation in the Black Sea. Which

ones cause actual degradation? What sectoral activities cause the degradation and how serious is it? What are the information gaps, policy distortions, institutional deficiencies? Information on stockholders and public involvement is also essential so that economic and social aspects can be included.

The analysis of root causes, termed a Transboundary Diagnostic Analysis (TDA) was completed in June 1996. The document was prepared by a group of sixteen leading specialists, drawn from fourteen countries including all six Black Sea countries, together with the five PCU specialist staff. Together they analyzed the thematic reports based upon the work of over 100 Black Sea specialists cooperating through the BSEP network. The results of this work were condensed into the series of analytical tables and employed as a basis for the preparation of the BS-SAP itself.

The TDA itself is not a political document. It is the result of over two years of careful systematic study by the scientists cooperating within the BSEP network. It includes the results of BSEP pilot surveys of pollution, inventories of land-based sources of pollution, studies of fisheries and Black Sea biodiversity and habitats, studies of socio-economic activities coastal-zone management, economies, environmental law and the emerging role of public participation. Furthermore, it examines the costs of the actions proposed and the most appropriate time scale for completing them.

Treating these issues from a rational scientific perspective has resulted in the quashing of many "Black Sea myths". The Black Sea is not a "deadly soup of toxic waste" nor are its coastal ecosystems "beyond hope". Economies can be restored through the promotion of activities such as sustainable tourism and certain forms of aquaculture. Furthermore, the cost of this work is not measured in "billions of dollars". Of course, investments and policy changes will be needed, but the economic benefits of action will clearly outweigh the financial costs.

The TDA breaks down the issues into components, which can be addressed by individual governments leaning closely together. It demonstrates that the Black Sea is not in a hopeless state of disrepair. Hopefully, it will represent a turning point for this degraded environment.

The TDA and its supplement "Black Sea Pollution Hot Spots" identified and analyzed perceived transboundary problems, their root causes and the areas where action is proposed.

The TDA constitutes an integral part of the BS-SAP, adopted by the ministers of the Black Sea countries (Oct. 1996).

The information contained in TDA shows clearly that the major problems are:

- ecosystem degradation as a result of eutrophication and the over-exploitation of marine and coastal natural resources as well as poor coastal management;
- inadequate sewage collector systems and sewage treatment facilities;
- industrial hot spots; and
- lack of port reception facilities.

Although preliminary estimates of the costs of such actions are given in the TDA, a proper pre-investment study of each of the major hot spots should be done as soon as possible. It is planned that the results of such study be presented as an Investment Portfolio to the Donors Conference in November 1997.

It is expected, in the long run, that all participating countries will finance pollution prevention and control activities through financial and fiscal instruments like user fees and penalties. In order to finance the most urgent actions, loans or grants would also be required to stop the present downward trend of the environmental quality.

Black Sea Strategic Action Plan

The completion of the TDA enabled the successful drafting of the BS-SAP. The BS-SAP is a truly innovative document, in which the governments of the Black Sea countries, together with the wider international community, commit themselves to a pragmatic programme of actions based upon common objectives and milestones for restoring and protecting the Black Sea.

The sustainable development of the Black Sea will require continued, even enhanced, international cooperation. The BS-SAP adopted by the six coastal countries on 31 October 1996, together with the Bucharest Convention forms a comprehensive framework for sustainable regional management. However, success will depend on thorough implementation of the actions and commitments contained in these agreements. Governments will have to give priority to implementing and enforcing existing laws and policies, and urgent investments will be required. Black Sea coastal and basin countries will need to reaffirm their joint commitment to reducing pollution and over-exploitation of the Sea's biological and aesthetic resources.

The international community will have to contribute effectively and in a coordinated manner. Perhaps most of all, local communities will need to see for themselves how their efforts can contribute to a better future. Their sense of pride and ownership will have to be restored. Only in this way will the Black Sea be able to serve as the keystone of the sustainable development of the surrounding coastal economies. Sharing responsibility is more difficult than exchanging blame. Yet with a concerted effort, the beauty and richness of the Black Sea can be enjoyed by present and future generations alike.

The completion of the BS-SAP also represents the final step in the first phase of the BSEP. The GEF Project will support Black Sea governments and NGOs in the implementation of the plan, especially through the creation of National Black Sea Strategic Action Plans (NBS-SAPs) and a "Black Sea Environmental Fund". The European Union, which heads the list of donors, has already made a firm commitment to provide future support. During the next, year, the BSEP staff will gradually hand over their functions to staff from the Istanbul Commission for the Bucharest Convention which, it is hoped, will extend its mandate to cover the implementation of the BS-SAP itself.

Black Sea environmental programme phase II

The overall long-term objective of this project is to foster sustainable institutional and financial arrangements for effective environmental management and protection of the Black Sea, in accordance with the BS-SAP. This project is composed of four objectives:

- Objective 1: Consolidation of the Policy Strategy to Implement the Black Sea Strategic Action Plan;
- Objective 2: Preparing the Technical Implementation of the Black Sea Strategic Action Plan;
- Objective 3: Public Involvement in the Implementation of the Black Sea Strategic Action Plan;
- Objective 4: Developing the financing of the Black Sea Strategic Action Plan.

Major Activities:

- Development and implementation of National Action Plans for the Black Sea
- Facilitating a Black Sea Basin Approach
- Pollution control and assessment in the Black Sea
- Coordination of the institutional network and its transfer to the Istanbul Commission
- Information and data exchange mechanism
- Raising public awareness of the Black Sea environmental issues
- Strengthening of the Black Sea NGOs

- Involving Local Authorities and other Stakeholders in Designing and Implementing NBS-SAP
- Social assessment of the human communities particularly affected by the degradation of the Black Sea ecosystem
- Portfolio of Black Sea Environmental Investments
- Creation of a Black Sea Environmental Fund
- Creation of a Black Sea Environmental Internet Node www.bsein.mhi.iuf.net

The expected results of the project can be summarized as follows:

- adopted NBS-SAPs and developed conditions at the national level for their implementation;
- initial proposal for a Black Sea Basin approaches to support the implementation of the BS-SAP;
- hand-over of the management of the BSEP network to the Istanbul Commission in accordance with the BS-SAP;
- significant improvements in public participation prior to the implementation of BS-SAP and NBS-SAPs; and
- developed scoping studies for investment portfolios (for elimination of hot spots and for other actions for supporting the implementation of the BS-SAP) and a Black Sea Environmental Fund which may be components of follow-up actions by the GEF or other donors.

Upon completion of the project the above mentioned results should create adequate conditions for the full implementation of the BS-SAP and the NBS-SAPs. The present project is not aimed at implementing the BS-SAP, rather at creating the conditions, which will facilitate its future implementation at a regional and national level.

After the completion of this projects the participating parties might decide to seek funding for the investments to improve water quality, control land-based sources of pollution and to conserve most important areas and habitats. The project will help to identify the baseline for incremental costs to be determined (in addition to the funding needed for projects yielding solely domestic benefits.

It is anticipated that multilateral, bilateral and private donors and non-governmental organizations will provide international financial support.

Target Beneficiaries

The primary target beneficiary of this project is the population of all Black Sea countries, in particular the population which lives in the coastal zone and the drainage basins of the Black Sea rivers (estimated population 162 million). They should be beneficiaries of the main results which are expected to be improved water quality, rehabilitation of the renewable natural resources of the Black Sea, improved coastal zone management and development of NBS-SAPs.

Successful implementation of the proposed Project should have direct benefits in terms of the improvement and protection of public health and the general quality of the coastal zone and through these achievements several million tourists from the region and from abroad will be able to enjoy clean and aesthetically pleasing recreational facilities. In the short-term, governments and institutions will benefit from institutional strengthening as a result of networking, training Programmes and the provision of key items of equipment and in particular from the development of NBS-SAPs. Proper environmental assessments and pre-investment studies should facilitate the release of vital credits for improving waste management and for stimulating the development of key sectors.

The direct recipients of the outputs would be:

- Governments of the region;
- the Istanbul Commission, once operational;
- national Black Sea Programme Coordinators;
- regional scientific and technical organizations concerned with the Black Sea water quality issues and management/rehabilitation of natural resources;
- national, local and municipal governments in cooperating countries;
- technical organizations, universities, research institutes and private sector organizations (tourism, agriculture, fisheries, industry, environmental consultancy firms, etc. in coastal states; and
- non-governmental organizations concerned with environmental management and conservation of natural resources.

The target beneficiaries would be:

- the resident population of the Black Sea Region, which would benefit from improved water quality, enhanced fishery resources, recreational opportunities and strengthened protection and management of natural habitats;
- fishermen and the recreation business would also benefit from improved environmental quality as the result of the reduced transport of pollutants to the sea following implementation of new policies and investments;
- regional and international tourists who visit the Black Sea Region and adjacent areas of the Black Sea coast for a wide range of purposes;
- future generations of the human population both within and beyond region would benefit from the opportunities created by the conservation of biodiversity in the region - the present project enables the present generations to respect the rights of future ones instead of transferring the consequences of irrational development to them; and
- the world population at large will benefit through the direct contribution made to the improvement of an important international water body and the demonstration effect which this project will have for other regional seas.

Project Title: Tacis Regional Environmental Programme 2000
Technical Assistance to the Black Sea Environmental Programme at Russia, Georgia, and Ukraine

Project Number: EuropeAid/111897/C/S/WW

Countries: Russia, Georgia, Ukraine

Project Start Date
(contract signed): 15 May 02

Project Duration: 24 months

Wider Objective: Improve environmental conditions in the Black Sea countries, and provide a more sustainable context for economic transition and development.

Specific Objectives:

1. Support Secretariat to the Black Sea Convention, the regional activity centres (RAC) in Georgia, Russia, and Ukraine, and the new Task Force for the Danube-Black Sea basin (DABLAS), to fulfil the aims and objectives of the Bucharest Convention and activities laid out in the Black Sea Environmental Programme.
2. Under direction from the EC, evaluate the possibility of widening the scope of the Black Sea Convention to include the non-signatory countries of Moldova and Belarus.
3. Assist the 3 RACs to establish their regional credibility.
4. Assist with maintaining and developing the impetus of each RAC's technical work programme under the aegis of the Secretariat of the Black Sea Commission
5. Assist the RACs to perform their roles under the Convention in completing policy documents to be agreed by the Black Sea Commission, including: monitoring, priority setting for pollution reduction investments, biodiversity recovery, improved management of the coastal zone, and better information and data exchange
6. Disseminate results from earlier Tacis support on Black Sea environmental issues.
7. Support specific activities of the Secretariat to become a fully operational body.

22. Specific information linked to the agenda of the session at which the report is submitted