

Accord Pelagos  
relatif à la création en Méditerranée  
d'un Sanctuaire pour les mammifères marins

9<sup>ème</sup> Réunion des Parties  
25 et 26 Janvier 2024



Accordo Pelagos  
relativo alla creazione nel Mediterraneo  
di un Santuario per i mammiferi marini

IX Riunione delle Parti  
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## **UPDATE OF TERMS OF REFERENCE (TOR) OF PELAGOS AGREEMENT WORKING GROUPS.**

## Terms of Reference of the Pelagos Working Groups of the Permanent Secretariat

### 1. Introduction

Some aspects of the **intersessional work** are organised and carried out through the voluntary work of experts who participate in the **Permanent Secretariat's Working Groups (WGs)**. The WGs are a support to the work of the Permanent Secretariat and meet under the mandate of the Permanent Secretariat, subject to prior agreement of the Parties.

The Working Groups are established according to Article 21 of the Rules of Procedure of the Agreement.

On the occasion of the 8th Meeting of the Parties to the Pelagos Agreement, the following WGs were created:

- three WGs on technical and scientific subjects (Assessments, Impact Mitigation and SPAMI/Marine Protected Areas);
- three WGs (Communication, Governance, and Laws) and a Communication Sub-Group (Monk Seal SWG) to support the activities of the Permanent Secretariat and the Parties in the implementation of the Management Plan and Action Plan (2022-2027) and related biennial Work Programmes.

The Permanent Secretariat shall endeavor to foster **coherence, harmonisation, and synergy** between the Pelagos WGs and those existing elsewhere (ACCOBAMS, RAMOGE, IWC, etc.). It also ensures that the WGs operate effectively in accordance with the principles of the Agreement, as provided in the document “Guiding principles on the methodology of Pelagos Working Groups”.

These WGs ensure the **inclusion and participation** of qualified stakeholders within a limit of members set by the group coordinator.

The WGs are convened on an opportunistic basis and discuss the development of well-defined actions over time and according to the priorities of the Management Plan and Work Programme.

WGs members other than the Permanent Secretariat, which is an *ex officio* member, and the members of the Scientific Technical Committee, are selected through an expression of interest. A coordinator is selected among them, based on a number of criteria established by the Parties in collaboration with the Permanent Secretariat.

The WGs **coordinator** is in charge of leading the work and ensuring its compliance with the **Terms of Reference (ToR)**. If he or she deems it necessary, he or she may establish a maximum number of members, ensuring adequate representation of stakeholders, and/or delegate the implementation of certain activities to WGs members acting as co-coordinators.

The **Secretariat** ensures that the work of the WGs is consistent with the priorities of the Work Programme and reports back to the Parties.

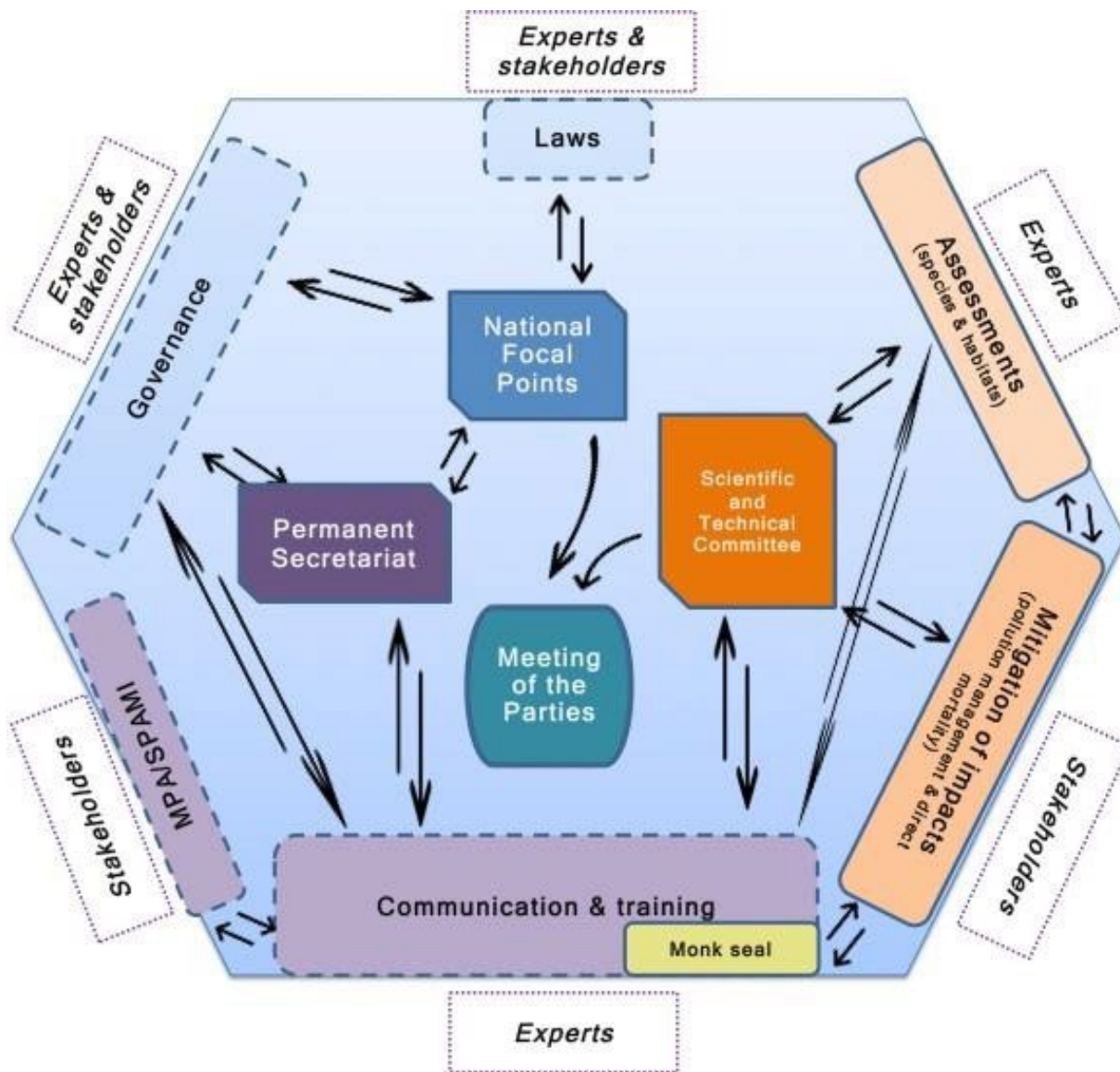
The WGs work by **correspondence in English**. The coordinator, in conjunction with the Permanent Secretariat, may also decide to organise the work meetings as deemed appropriate, either in person or remotely. Should the WGs activities imply financial costs, these shall be previously authorized by the Parties.

The WGs, whose work has potential implications on the Agreement Regulations, follow a specific working method determined by the Parties.

Coordinators are reimbursed for expenses incurred in attending meetings of the STC, up to a limit of €250.00 per meeting day, upon presentation of the relevant receipts.

The WGs only play an advisory role to support of the Permanent Secretariat and the Parties. They shall report directly to the Permanent Secretariat and the to STC.

Their work results are presented by their coordinators at the STC meetings of the Agreement.  
 The Permanent Secretariat and the STC shall forward the reports and/or results of the work carried out by the WGs to the Parties, as necessary, according to standard procedures.



The participant identification procedure for new WGs is generally as follows:

1. Launch of a **public call for “expression of interest”** to join the WG
  - a) The “expression of interest,” which specifies the ToR identified for the creation of the corresponding WG, as well as the role of the Coordinator and the members of the WG itself, is published on the tripartite website, as well as on the Agreement's social networks, and transmitted for information and further dissemination to partners and stakeholders. It requires the submission of a Curriculum Vitae (one page), a short letter of motivation and availability (half page), as well as a declaration of absence of conflict of interest to be part of the WG.
  - b) The “expression of interest” will remain open for 30 days after the date of publication.
2. **Selection**
  - a) The selection process is carried out by an Evaluation Committee, which also identifies the potential coordinator(s) of the WG among the applications received.
  - b) The selection is based on individual competence and motivation.

- c) The Evaluation Committee is composed of the Chair of the STC, the Heads of Delegation to the STC, and the Executive Secretary of the Agreement. The Secretary carries out a preliminary assessment of the expressions of interest received against the minimum requirements and convenes a meeting for the selection of the members of the WGs and their coordinators.
- d) The Evaluation Committee decides on non-selected experts, explaining its decision.
- e) The existence, activation and directions to participate in the WGs are posted on the tripartite website of the Agreement.

For existing WGs, the access process is carried out through an agreement between the Secretariat and the WGs coordinator or at the request of the National Focal Points, as needed.

The National Focal Points may request the participation of experts.

## 2. Scientific-Technical Working Groups

There are three Scientific-Technical Working Groups.

### 2.1 Working Group on Species and Ecosystem Status Assessment (*Assessment WG; Articles 5 and 7*)

**Composition:** Permanent Secretariat, National Stranding Networks representatives, IGOs, NGOs, external experts with different expertise (marine biologists, cetologists, veterinarians, economists, anthropologists, sociologists, etc.).

**Role:** the WG on Pelagos species and ecosystem status assessment, including human-induced mortality and fish stock assessment, and the assessment of the economic, social and cultural value of Pelagos, will provide expert support to the STC, upon request of the Permanent Secretariat, particularly on:

- the initial [*retrospective*] assessment on the populations and species status;
- the initial [*retrospective*] assessment on the ecosystem status;
- the periodic assessment of the species status;
- the preparation of the Quality Status Report (2027) that includes the species in the ecosystem.

In line with its assessments, the group should interface with the WG on Impact Mitigation whenever necessary.

### 2.2 Working Group on Mitigation of Impacts (*Fighting chemical and noise pollution, pathogens, marine litter, and mitigation of human-induced mortality, including collisions, disturbance, and interactions with fisheries (Impacts WG; Articles 6 and 7)*)

**Composition:** Permanent Secretariat, representatives of economic actors (shipping companies, fishers, seismic survey companies, yachting associations, etc.), NGOs, port authorities, representatives of *Préfecture Maritime de la Méditerranée*, representatives of the Marine Environmental Department, representatives of *Direction des Affaires Maritimes*, representatives of Harbour Offices, representatives of local authorities (French departments, regions, provinces, etc.), IGOs concerned, coordinators of projects funded by European and/or Mediterranean funds on mitigation measures, external experts with different expertise (biologists, economists, sociologists, etc.).

**Role:** the Impacts WG will be responsible for identifying potential management measures to be implemented or encouraged in the Sanctuary area in order to:

- strengthening the fight against any type of pollution (including noise, marine litter and pathogens) by identifying the actors needed to generate change;
- mitigating human-induced mortality (with a focus on interactions with fisheries and by-catch, collisions, disturbances, military exercises and geo-seismic surveys).

Special emphasis shall be given to actions in line with the decisions of the Barcelona Convention, the European Union (EU; relevant MSFD descriptors), the IMO, the GFCM and other organisations working on pollution and direct human-induced mortality (with a focus on collisions and by-catch).

The group will also consider relevant recommendations generated by the Assessment WG.

### **2.3. Working Group on SPAMIs and Marine Protected Areas (SPAMI/MPA WG; Article 16).**

**Composition:** Permanent Secretariat, IGOs, NGOs, representatives of managing entities of SPAMI, MPAs and Natura 2000 sites within the Sanctuary, external experts (to be defined through expression of interest).

**Role:** the SPAMI/MPA WG is notably in charge of supporting the work of the Permanent Secretariat in:

- identifying collaborative activities that could be developed between the Pelagos Agreement and Marine Protected Areas; in the broader sense, within the Sanctuary;
- in the periodic review of the Sanctuary's SPAMI status (2025) with the support of national experts appointed by the Parties.

### **3. Working Groups to support the activities of the Permanent Secretariat of the Parties for the implementation of the Management Plan and Action Plan (2022-2027) and related biennial Work Programmes**

There are three Working Groups supporting the Secretariat, in addition to the sub-group on the Monk Seal.

#### **3.1 Working Group on Governance (Governance WG; Articles 2 and 17)**

**Coordinator:** EXECUTIVE SECRETARY

**Composition:** National Focal Point, STC Chairman, Delegates from relevant IGOs, external experts (max 3).

**Role:** the Governance WG focuses on the vision of the Agreement, consistency with other conventions mentioned in the Agreement or arising from expertise on issues of interest to the Agreement and procedures.

This WG will work on:

- the vision and coherence of the activities of the Agreement with relevant policies and activities promoted under the Barcelona Convention, ACCOBAMS, EU policies, and, where appropriate, to issues related to other conventions listed in the Agreement (e.g., IWC, CMS, RAMOGE) or competent for relevant issues (e.g., IMO, GFCM, etc.). The WG will work to harmonise and integrate the activities of the Agreement with the policies above, ensuring their implementation and avoiding overlaps;
- drafting, amending and updating the administrative procedures of the Agreement, including working methods for improving the Agreement's *governance*. The WG may draw on procedures from other multilateral agreements to ensure efficiency, transparency and consistency in line with appropriate international standards;
- any administrative, procedural, and consistency issues that may arise from the work of the other WGs.

#### **3.2 Working Group on Communication (Communication WG; Articles 12 and 13)**

**Coordinator:** DEPUTY EXECUTIVE SECRETARY

**Composition:** IGOs, NGOs, a communication expert appointed by the National Focal Point, partners, stakeholders, representatives of research institutes, external experts.

**Role:** the Communication and Training WG will be responsible for providing support to the Permanent Secretariat in identifying appropriate activities to achieve the objectives contained in the Action Plan in these areas, interacting with other WGs as needed. The group also provides editorial support to the Permanent Secretariat.

### **3.2.1 Monk Seal Sub-group (Monk Seal sWG)**

**Composition:** Permanent Secretariat, IGOs, NGOs, representatives from Marine Protected Areas, within or near the Sanctuary, where monk seal specimens have been sighted (e.g., Scandola Nature Reserve, Tuscan Archipelago National Park, etc.), other stakeholders (e.g., Monk Seal Alliance, and the Oceanographic Institute - Albert I Foundation, Prince of Monaco), experts on the species.

**Role:** the monk seal sWG supports the Permanent Secretariat and the STC in developing activities related to the monk seal within the Sanctuary, carried out under the 2022-2027 Management Plan. In particular, the sub-group deals with:

- coordination between France, Italy and the Principality of Monaco and management of “Pelagos Sanctuary” awareness-raising activities on the monk seal:
  - providing suggestions on the best approaches to raise awareness among user categories in areas with historical caves (e.g., artisanal fishers, boaters, divers) or in all other areas of the Sanctuary (e.g., visitors to protected areas, staff of municipal information centers, MPAs and parks staff, ferry companies; schools; etc.);
  - identifying priority areas where dissemination efforts should be focused;
  - developing contents for educational materials (texts) and providing support in finding photos, videos, etc. for Pelagos communication campaigns;
  - defining the necessary steps for the flow of information to the competent authorities in case of observations and for data management, validation and storage.
- coordination between France, Italy and the Principality of Monaco and management of training and monitoring activities in the Sanctuary:
  - identifying historical caves from the bibliography (universities);
  - defining methods for monitoring and characterisation of caves (staff of parks and/or protected areas, universities and research institutions) and related training.

### **3.3. Working Group on Harmonisation of Regulations (Laws WG; Articles 8, 9 and Declaration annexed to the Agreement)**

**Composition:** Permanent Secretariat, IGOs, representatives of economic actors (whale watching operators, etc.), representatives of the *Préfecture Maritime de la Méditerranée*, representatives of the Marine Environmental Department, representatives of the *Direction des Affaires Maritimes*, stakeholders, external experts having mainly legal expertise.

**Role:** the Laws WG is in charge of evaluating possible regulatory options in line with Articles 8, 9 and the Declaration annexed to the Agreement and harmonising the existing regulations in the three countries. The group is focused on:

- Article 8: The Parties “*shall regulate the observation of marine mammals for tourism purposes.*”.
- Article 9: The Parties “*shall consult one another with a view to regulating and possibly prohibiting competitions of fast motor boats in the Sanctuary.*”
- Declaration: the Parties undertake to consider the “*consequences on marine mammals, resulting from the use of seismic or acoustic detection and prospecting equipment and the possible exploitation of non-living natural resources*”.

The WG will also explore legislative issues resulting from discussions of the other WGs.