



Miscellaneous No. 6 (2012)

Amendments

to the Agreement on the Conservation of Small Cetaceans of the Baltic and
North Seas

adopted Esbjerg, 22 August 2003

[The Amendments are not in force in the United Kingdom]

*Presented to Parliament
by the Secretary of State for Foreign and Commonwealth Affairs
by Command of Her Majesty
September 2012*

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AMENDMENTS TO THE AGREEMENT ON THE CONSERVATION OF SMALL CETACEANS OF THE BALTIC AND NORTH SEAS

Noting that the range of a number of populations of species covered by ASCOBANS¹ is known or assumed to comprise waters to the west and south-west of the current Agreement Area;

Noting that the Agreement Areas of ASCOBANS and the Agreement on the Conservation of Cetaceans in the Black Sea, Mediterranean Sea and Contiguous Atlantic Area (ACCOBAMS) are currently not contiguous;

Recalling that the Advisory Committee to ASCOBANS has repeatedly recommended the extension of the Agreement Area to the west and south-west of the current Agreement Area;

Recognizing that the conservation of small cetaceans in the current ASCOBANS Agreement Area and in European waters as a whole would benefit from the extension of the ASCOBANS Agreement Area to parts of the North Eastern Atlantic and from the establishment of a direct geographical link between the Agreement Areas of ASCOBANS and ACCOBAMS;

Guided by a common will to further strengthen the Agreement;

The meeting of the parties to ASCOBANS

Agrees to:

1. Replace Article 1.2 (b) with

"Area of the Agreement means the marine environment of the Baltic and North Seas and contiguous area of the North East Atlantic, as delimited by the shores of the Gulfs of Bothnia and Finland; to the south-east by latitude 36°N, where this line of latitude meets the line joining the lighthouses of Cape St. Vincent (Portugal) and Casablanca (Morocco); to the south-west by latitude 36°N and longitude 15°W; to the north-west by longitude 15° and a line drawn through the following points: latitude 59°N/longitude 15°W, latitude 60°N/longitude 05°W, latitude, 61 °N/longitude 4W; latitude 62N/ longitude 3W; to the north by latitude 62°N; and including the Kattegat and the Sound and Belt passages."

2. Add a new subparagraph 6.5.4 to Article 6.5 reading as follows:

"Any State that becomes a Party to the Agreement after the entry into force of an Amendment shall, failing an expression of a different intention by that State:

a) be considered as a Party to the Agreement as amended; and

¹ Treaty Series No. 052 (1995) Cm 2916

- b) be considered as a Party to the unamended Agreement in relation to any Party not bound by the Amendment."

3. Change the name of the Agreement to:

“Agreement on the Conservation of Small Cetaceans of the Baltic, North East Atlantic, Irish and North Seas”

4. Calls on the Executive Secretary to ASCOBANS, Parties to the Agreement and the Secretariat of the Convention of Migratory Species of Wild Animals to encourage non-Party Range States to accede to the Agreement;

5. Requests that Parties ratify the amendment contained in this resolution as soon as possible.



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