



# CONVENTION ON MIGRATORY SPECIES

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SCIENTIFIC COUNCIL  
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## REPORT OF THE WORKING GROUP ON AQUATIC MAMMALS

### List of participants

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### *Agenda Item 16: Conservation status of Appendix I species*

The working group received a report on the conservation status of the Mediterranean monk seal *Monachus monachus* (ScC17/Inf.22). It was noted with appreciation that reports on the status of this species had been received by the Scientific Council on a regular basis in the last decade, a practice that should be emulated for the other aquatic mammals on Appendix I. The species now existed in two colonies, around the Madeira Islands and on the coast of Mauretania at Cabo Blanco. Interaction with fisheries had become a problem for the Madeira population of 30-40 individuals as the seals had returned to portions of their original range. However, most fishermen now no longer had a negative attitude toward the animals. Reproduction had been low in the Cabo Blanco population of around 210 (up from 180 counted in 2010) due to beach erosion by storms but was expected to increase again as the beaches were naturally restored.

The Working Group considered the long-standing issue of the preparation of fact sheets on the status of Appendix I species and discussed a report prepared by the Secretariat (ScC17/Doc.7). Efforts to have such fact sheets prepared by members of the Scientific Council had not been successful. As an alternative approach, the Secretariat had developed a database of status information on the species based largely on information on the IUCN Red List website. This approach and the format of the database seemed effective for meeting the information needs of the Parties and could eventually be extended to the Appendix II species.

Some additional research would be required to cover species and populations in the Appendices that were not assessed in the Red List. Posting of the database online with regular updates suggested by members of the Scientific Council and others, and vetted by the Secretariat would be the most efficient means to make it available to the Parties, but it was noted that this would require ongoing IT support (a webmaster), and it was recommended that such support be provided (funded). A direct link to the Red List website would also be a means of providing additional information on other aspects of the species' biology.

It was noted with concern that the trends for most of the species were downward or undetermined; an increasing trend was noted for only four species.

#### *Agenda items 17.1 and 17.2: Concerted and Cooperative Actions*

The working group welcomed a verbal report from the Councilor from Georgia on cooperative action taken for the Black Sea bottlenose dolphin *Tursiops truncatus ponticus*. Ecological study of the subspecies along the coast of Georgia started in 2009 and was continuing. The research was being conducted by the Institute of Ecology of Iia State University (Georgia). The main objectives were research on population assessment, spatial distribution, relationship with other dolphin species, abundance of prey species and their availability, and human and natural threats. To date, the work had included annual seasonal surveys, with observations from the coast and from a boat. Two groups of bottlenose dolphins had been discovered, the first in 2009 of 35 individuals and the second in 2011 containing about 20 individuals. The estimated total population in the region was approximately 50. A database for photo-identification had been started. Aims were to define the feeding areas and map spatial distribution. Similar information had also been collected for the other species of Black Sea dolphins, *Delphinus delphis* and *Phocoena phocoena*.

Draft Resolution 10.23 was discussed at some length and was endorsed in principle by the working group with suggestions for some changes. It was noted that some of the provisions would require a considerable increase in work expected to be accomplished by the Scientific Council. In operative item 4, it was suggested that “instructs” be changed to “requests” and that assistance be solicited from the Partners as well as the Parties. It was also noted that appointment of a focal point for each species listed for Concerted or Cooperative Action (25 aquatic mammals) would call for broader expertise than presently existed in the Scientific Council and it was recommended that designated experts also be considered for appointment as focal points.

The working group agreed with the proposal in the resolution that the narwhal *Monodon monoceros* and the killer whale *Orcinus orca* be considered for cooperative action. It was further proposed that the range-state Parties be urged to consider submitting two proposals for listing. The first was the narwhal on Appendix I because of its vulnerability to the effects of reduced Arctic ice coverage caused by climate change on its physiology which was adapted specifically to classical ice coverage. The second was the North Pacific resident killer whale (un-named subspecies) on Appendix I because of its endangered status in a significant portion of its range (ScC17/Doc.9).

#### *Agenda item 17.3.3. Programme of work for cetaceans [to implement Res.8.22]*

*Resolution 8.22 Adverse Human Induced Impacts on Cetaceans* called for a review of the progress and intent of CMS and its agreements to date and how the CMS Family could be more effective through strong collaboration with other relevant Multilateral Environmental Agreements (MEAs) such as the International Maritime Organization (IMO), the International

Whaling Commission (IWC) and its Scientific Committee (IWC SC) and Conservation Committee (IWC CC), the Convention for the Protection of the Marine Environment of the North-East Atlantic (OSPAR), the United Nations Informal Consultation on Protection of the Oceans and the Law of the Sea (UNICPOLOS), the Cartagena Convention, European Union Habitats and Species Directive, the Bern Convention and the United Nations Environment Programme (UNEP) Regional Seas Programme. The resolution also required the review of specific threats, including entanglement and bycatch; climate change; ship strikes; pollution; habitat and feeding ground degradation and marine noise. These threats were broadly assessed at a regional level. From this a draft Global Programme of Work for Cetaceans had developed that appeared both in *Inf 10.31- Towards a CMS Global Programme of Work for Cetaceans* and *Resolution 10.15 - Global Programme of Work for Cetaceans*. It should be stressed that this process had drawn upon CMS's own priorities – determined through past resolutions and recommendations – followed by assessment of what collaboration and synergies were possible with other MEAs, suggesting mechanisms that might be developed to facilitate these priorities over the period 2012-2024 and providing a means of assessing the resources that would be necessary to complete this work.

To support this programme of work, an expanded strategic role for the Scientific Council's Aquatic Mammals Working Group (AMWG) was proposed, to provide specific advice and reporting. It was noted that at present, the AMWG existed only during meetings of the Scientific Council; increased duties might require establishing it as a standing working group.

The working group endorsed draft Resolution 10.15 with some small changes recommended by CITES and Norway and minor editing (relayed to the Secretariat). However, it emphasized that increased staff and budget would be needed to carry forward the programme.

*Agenda item 17.3.3 (continued): Arctic marine species [following up on Res.9.9]*

ScC17/Inf.17 had been produced by the Secretariat and examined current and predicted conservation status of all CMS-listed Arctic marine species in relation to the possible consequences of climate change. The working group welcomed the effort put forth by the Secretariat to aid the Council in its task as set by Res.9.9.

The chair of the working group agreed to provide to the Secretariat a list of outside experts who could be contacted and asked to take on the task of expanding the database on present and predicted status of listed Arctic species of aquatic mammals based on information in the literature not available to the Secretariat. It was noted that this work would require expertise on climate change and again emphasized the need to expand the expertise of the Scientific Committee in the sphere of climate change effect. It was suggested that the database would be usefully placed on the CMS website. A suggested Arctic species appropriate for uplisting was the narwhal (discussed above). It was also suggested that the Parties be urged to consider the polar bear *Ursus maritimus* for listing on Appendix II. The range of threats that the polar bear faced and in particular its recognized extreme vulnerability to habitat loss as a result of climate change called for the participation of Range States in conservation activities as well as other countries involved in activities with an impact on migratory range of the species in the high seas (ScC17/Inf.19). The Migratory Wildlife Network emphasized that a CMS listing should complement the important work already being carried out by Range States, in particular through the Polar Bear Agreement and the Arctic Council Circumpolar Biodiversity Monitoring Programme. The listing would not have the purpose of triggering another agreement for the Arctic but to both complement existing CMS Arctic priorities and to

facilitate the discussion and possible mitigation of climate change impacts by CMS Parties beyond the Arctic.

**Agenda item 17.3.4: Underwater noise pollution**

The working group noted that draft resolution 10.24 had already been extensively reviewed and redrafted and recommended its adoption, with an added recommendation that the issue be integrated into the management plans for MPAs and that anthropogenic noise be avoided or minimized within MPAs and important cetacean habitats (relayed to Secretariat).

**Agenda item 18: Proposals for amendments to Appendices I and II of the Convention**

The finless porpoise *Neophocaena phocaenoides* was an Appendix II species and had recently been split into two species, the tropical *N. phocaenoides* and the temperate *N. asiaorientalis* (ScC.17/Doc.7). In accordance with the practice of the Convention, both species should now be listed in Appendix II.

*Other issues:*

**Priorities for CMS Agreements**

The working group reviewed Conf.10.9 and draft Resolution 10.16. It was noted that considerable interest in developing regional agreements for the Indian Ocean and Southeast Asia still existed on the part of researchers and NGOs (including CMS Partners) and therefore recommended that item *xiv* of the Resolution be deleted and that range-state Parties again be urged to come forward as potential leads for such development. It further recommended that in item *xv* the scope be expanded to potentially include the entire Indian Ocean (delete “in the western part”). It was also noted that plans existed for a third workshop on the marine mammals of Southeast Asia (SEAMAM III); the first workshop had been sponsored by UNEP and the second by CMS.

**Key intersessional activities of the CMS family and other organizations:**

CMS Secretariat - Two detailed reports on bycatch-related projects in the Bycatch Working Group that related to cetaceans were reported elsewhere, namely the Assessment of Bycatch in Gill Net Fisheries, paid for through voluntary contributions from Australia and the United Kingdom, and a project on an alternative to “pingers” that use D porpoise warning calls to alert porpoises to a danger, which had been funded by the German NGO, Friends of CMS.

As part of the Small Grants Programme and thanks to a voluntary contribution from Finland, a survey project in Cameroon had been financed. A detailed report was contained in ScC17/Inf.10. The working group wished to express its satisfaction with the results of the project, which had been undertaken with a very modest budget and co-funding from the Columbus Zoo Conservation Fund. The findings strongly underlined the need for more research to be undertaken in the Gulf of Guinea. Also, Parties in the region and donor countries should be urged to take up the recommendations for follow-up activities suggested in the report.

CMS, ASCOBANS, ACCOBAMS and several other partners had co-produced the print version of Boris Culik's book "The Odontocetes", which had been made available online in early 2010. Copies were available for all interested Councillors.

Following the selection of a Small Grants Proposal by WCS for a Western Indian Ocean Workshop as a priority by ScC16, WCS in consultation with the Secretariat had produced a revised and updated version of the proposal and agreed to fundraise jointly for it. Proposed outputs included among other things a comprehensive review on the status of and threats to coastal cetaceans in the Western Indian Ocean, Arabian Sea and Bay of Bengal, an Action Plan with recommendations for research, conservation and management of coastal cetaceans in the region, and a proposal for a regional network of MPAs explicitly addressing the conservation needs of coastal cetaceans.

ASCOBANS (COP Inf/10.18.2) - The 6<sup>th</sup> Meeting of the Parties had taken place in September 2009 and *inter alia* had adopted a new Conservation Plan for Harbour Porpoises in the North Sea, which outlined concrete actions to be undertaken in order to protect this species in one of the most intensely used maritime areas, a revised and updated version of the Recovery Plan for Baltic Harbour Porpoises, and a set of strategic priorities for the 2009-2012 triennium to focus especially on two issues in the implementation of the Agreement's work plan: bycatch and underwater noise.

Five intersessional working groups were currently operating, the Jastarnia Group (Recovery Plan for Baltic Harbour Porpoises), the North Sea Group (Conservation Plan for Harbour Porpoises in the North Sea), a working group on bycatch and one on underwater noise, and an informal working group on large cetaceans. One further working group, which would be a joint one between ACCOBAMS and ASCOBANS, was in the process of being established. It would deal with the Marine Strategy Framework Directive (MSFD), the main goal of which was to maintain or restore a good ecological status (GES) by 2020 in all waters under EU Member States' jurisdiction. This working group would examine how ASCOBANS and ACCOBAMS could help feeding the process of MSFD and conversely how MSFD could help ASCOBANS and ACCOBAMS to reach their cetacean conservation goals. The Agreement was also able to support twelve conservation and research projects in the last three years; details and links to the reports were contained in the document.

2012 would be a busy year for ASCOBANS, with the Meeting of the Parties in addition to the annual Advisory Committee Meeting and the celebration of the 20<sup>th</sup> Anniversary of the Agreement.

The working group noted with appreciation the diverse and dynamic range of work being progressed via ASCOBANS.

ACCOBAMS (CMS/Inf.10.18.1)

**Underwater noise:** 1) Guidelines to address the impact of anthropogenic noise on cetaceans in the ACCOBAMS area" had been adopted by the Parties in 2010 and a working group

established that would focus on the mitigation of the noise impact issues. The WG was made up of 18 members, among them Parties, scientists, NGOs and IGOs such as ASCOBANS.

The main role of the WG was to simplify and clarify the Guidelines to facilitate their implementation by the Parties and shipping operators, in particular by providing information about mitigation technologies and management measure as well as their effectiveness and cost.

Industries had been approached for awareness and distribution of the ACC Guidelines on noise.

Industries warmly welcomed the initiative and were ready to share their vision and participate to the WG. A questionnaire had been sent to the Parties to collect information about mitigation measures on marine mammals during offshore construction activities for renewable energy production. Thanks to the collaboration of Ocean Care and NRDC, a peer review on the impact of ocean noise pollution had been submitted to the United Nation Division for Ocean Affairs and the Law of the Sea (DOALOS)

**Cetacean Population Structure:** Also in the framework of the collaboration between ASCOBANS and ACCOBAMS, the 7<sup>th</sup> Meeting of the Scientific Committee suggested that a joint workshop ASCOBANS/ACCOBAMS on the population structure be organized on the occasion of the next Meeting of the ECS (2012).

Other items of collaboration with ASCOBANS included the organization of a joint workshop on the implementation of the cetacean components of the Habitats Directive in Galway on the occasion of the ECS and a joint intersessional WG on the Marine Strategy Framework Directive.

**Ship strikes:** A joint IWC/ACCOBAMS workshop on reducing collisions between vessels and marine cetaceans had been held in September 2010 in Beaulieu (France). The workshop report established a list of recommendations on research, conservation and reporting with a two-year work plan that had been adopted by the IWC and the ACCOBAMS 4<sup>th</sup> Meeting of the Parties. The 7<sup>th</sup> Meeting of the Scientific Committee strongly recommended to pursue and strengthen the collaboration with the IWC and ASCOBANS/ACCOBAMS Survey Initiative. The project had been presented to the MOP4 of ACCOBAMS. The scientists involved in its preparation had met this week in order to include a greater aerial survey component in the light of the recent successful aerial surveys done in the region. The French Agency for Marine Protected Areas offered to appoint, in collaboration with IUCN, a project manager to help in identifying sources of funding for the survey project. In this context an agreement had been signed with the French Agency for Marine Protected Areas, ACCOBAMS, IUCN and RAC/SPA (May 2011).

**Interactions with Fisheries:** The ACCOBAMS Secretariat was developing collaboration with the General Fisheries Commission for the Mediterranean (GFCM) concerning bycatch. GFCM had decided to extend their online system for collection of bycatch data to cetacean bycatch. Within two weeks a workshop organized jointly by GFCM and ACCOBAMS would take place in Turkey. On that occasion ways to start and/or expand by-catch monitoring schemes in GFCM area would be discussed. Concerning the same topic, the ACCOBAMS Secretariat was preparing a project for South Countries to evaluate and mitigate bycatch.

**Commercial whale watching activities in the Agreement area:** A label for commercial whale-watching activities prepared in collaboration with the Pelagos Sanctuary had been

adopted by the 4<sup>th</sup> Meeting of the Parties. Thanks to a voluntary contribution by the French “Ministère de l’Ecologie et du Développement durable” feasibility studies on the establishment of such a label were ongoing in Morocco and Tunisia.

**Climate change:** A workshop would be held next year in cooperation with ACCOBAMS Partners and other relevant organizations taking into account the IWC intercessional workshop (Vienna, 2010). It was noted that sponsors were needed for the workshop.

**Capacity Building:** Thanks to voluntary contributions from Italy and Monaco, several training workshops had been conducted, in southern European and Adriatic countries to tutor scientists and educators on cetacean conservation and on photo-ID methodology. The Second Biennial Conference for cetacean conservation in South Countries had taken place in Morocco the previous October.

**Draft Strategy for ACCOBAMS for 2013-2023:** The Parties had mandated the Secretariat to organize a Working Group to prepare a draft strategy to be presented to the next MoP (2013).

PIC MOU (CMS/Inf.10.18.09) – The second Meeting of the Signatories to the Pacific Cetaceans MOU had taken place in New Zealand in July 2009. The Pitcairn Islands, the South Pacific Whale Research Consortium and Whales Alive had been added to the signatories at this second Meeting, bringing the number of countries and territories participating to fourteen and that of collaborating organizations to seven. An on-line national reporting format had been discussed. The proposal to appoint an officer to be based at SPREP to facilitate CMS activities throughout the region had now been implemented thanks to funding from the CMS Office in Abu Dhabi, with the officer due to start work shortly. However, funding was currently available only for one year. The Meeting also had adopted a Whale and Dolphin Action Plan 2009-2012 (based on a similar document developed by SPREP) as an Action Plan for the MoU. Further, a Technical Advisory Group (TAG) for the MoU had been formed, consisting of nine specialist experts in the science of cetacean conservation, coordinated by WDCS. The TAG had prepared a preliminary implementation report which had been made available at COP10.

Since the Second Meeting of the Signatories, the Technical Advisory Group which was supported by the Whale and Dolphin Conservation Society (WDCS) and regional technical experts, had focused for the past two years on key research programmes in Samoa and Fiji, as well as capacity support for Papua New Guinea and Federated States of Micronesia. The known diversity data for the agreement were now online in an open source database designed specifically for easy access by agreement signatories. Most recently the Technical Advisory Group had provided support to Signatories through the development of a Pacific Cetaceans MoU Implementation Report which was a comprehensive compilation of each Signatory’s process in implementing the agreement.

WAMM MOU (CMS/Conf.10.9) - Only limited progress had been made with implementation of the Western African Aquatic Mammals MOU. The Secretariat had however developed a proposal for support for the MOU modelled on the encouraging example of the Pacific one. Details were to be explained at a side event during the following week’s COP meeting. Also, revised and updated proceedings of the scientific symposium of the 2007 Western African Talks on Cetaceans and Their Habitats (WATCH) had been almost finalized and a preview of the publication would also be shown at the above-mentioned side event.

DUGONG MOU (CMS/Inf.10.18.11) - The focus of implementation activities of the Dugong MOU had been to: (1) update or obtain new information on the distribution and key impacts of dugongs and their habitats; (2) develop and implement pilot projects that aim to reduce the risk of bycatch of dugongs in small scale artisanal and subsistence fisheries; and, (3) raise funds for implementation of pilot projects and other activities.

The UNEP/CMS Dugong Standardized Survey Tool had been developed based on the Duke/Project GLOBAL Rapid Bycatch Assessment and was a low cost, low tech method to collect information on the spatial distribution of dugongs and their habitats as well as the key threats to dugong populations. The Standardized Survey Tool might be an important tool for addressing shared conservation synergies across species of interests to CMS including dugongs, West African manatees, marine turtles and inshore cetaceans. Since the conduct of the survey in 2010, over 2,400 interviews had been conducted in about 20 dugong range states. This information would be used to put together national, regional and global picture of hotspots which required management interventions – to be reported to the Second Signatory State Meeting scheduled for late 2012.

Three pilot projects had been selected to be developed on the basis of expression of interests submitted to the Dugong MOU Secretariat - these included Bazaruto Archipelago (Mozambique); Western Province (Papua New Guinea) and Gulf of Mannar (India & Sri Lanka). The pilot projects would trial the application of a Management Tool Kit of advisory, financial incentive and conservation tools which included low technology, low cost rapid assessment questionnaires, financial incentives, gear modifications, and monitoring methodologies. Subject to funding, the pilots would be extended to other range states.

The Secretariat was also actively fund-raising through a GEF regional concept proposal for GEF-eligible range states with available STAR Biodiversity allocations, aimed to develop sustainable financing and market opportunities, while delivering livelihood improvement and economic opportunity in exchange for dugong and seagrass conservation. In addition, a Dugong, Seagrass and Coastal Communities Initiative aimed at private/business donors would be launched in early 2012. Funds raised would be direct to implementation of the priority pilot projects described above as well as the extension/up-scaling to all interested Dugong MOU range states.

IWC Scientific Committee – The working group received but did not discuss a report on the 2011 meeting of the IWC Scientific Committee covering CMS Appendix I and II species (ScC17/Inf.14).

#### **Additional recommendations for submission of listing proposals for Appendix I**

Cuvier's beaked whale *Ziphius cavirostris* in the Mediterranean - It was noted that the Mediterranean population of the species was genetically distinct and contained fewer than 10,000 mature individuals. It was thought to be experiencing continuing decline due to a number of threats including noise from military sonar and seismic surveys (which had been linked to mass strandings), bycatch in drift gillnets and ingestion of plastic debris. A recent regional assessment by the IUCN classified the Mediterranean population as Vulnerable. It was recommended that the Parties be urged to consider developing a proposal for Appendix I listing of the population.

Resident killer whales off the coast of Ireland and the UK - Concern was raised about a likely genetically distinct group of killer whales residing in the coastal waters of Ireland and the west coast of Scotland. Ten individuals had been shown to be linked to each other by association through photo-identification, and none of these individuals had been identified in

any of the 108 photo-id encounters recorded from the Northern Isles and the Northeast of Scotland 2005-2011 or matched with the large photo-identification catalogues from Iceland and Norway, suggesting a degree of reproductive as well as social isolation. It was therefore proposed that the Parties be urged to consider this population for future listing in Appendix 1.

### **The small grants programme**

Time did not permit review of ScC17/Doc.10 or four draft proposals submitted to the Secretariat.