



CONVENTION ON MIGRATORY SPECIES

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IMPLEMENTING RESOLUTION 8.22: ADVERSE HUMAN INDUCED IMPACTS ON CETACEANS

(Prepared by the Secretariat)

1. It is increasingly clear that cetaceans (whales, dolphins and porpoises) contend with a wide range of historic, contemporary and emerging threats in a rapidly changing world. Their highly mobile and often seasonally migratory nature sees them crossing through multiple jurisdictions and experiencing multiple impacts during their travels. It is obvious therefore that effective conservation and protection of these species can only be achieved by means of international cooperation. The Convention on the Conservation of Migratory Species of Wild Animals (CMS) and its cetacean-related agreements offer an important suite of instruments for cetacean conservation and protection.

2. During the Eighth CMS Conference of the Parties (CMS COP) in 2005, *Resolution 8.22: Adverse Human Induced Impacts on Cetaceans* was passed acknowledging that human-induced impacts on cetaceans are increasing. The Resolution also urged Parties and non-Parties that exercise jurisdiction over any part of the range of cetacean species listed on the appendices of CMS to cooperate as appropriate with relevant international organizations and to promote the integration of cetacean conservation into all relevant sectors.

3. *Resolution 8.22* requests the CMS Secretariat and Scientific Council to:

- a. review, in collaboration with the scientific advisory bodies of CMS cetacean-related Agreements, the extent to which CMS and CMS cetacean-related Agreements are addressing the following human induced impacts through their threat abatement activities:
 - i. entanglement and bycatch;
 - ii. climate change;
 - iii. ship strikes;
 - iv. pollution;
 - v. habitat and feeding ground degradation; and
 - vi. marine noise;

and to prioritize the impacts and regions requiring most urgent attention, developing recommendations for how these priorities can be addressed by CMS;

- b. cooperate and collaborate with the International Whaling Commission (IWC) which also has competence for the conservation and management of cetacean populations to further identify priority impacts and regions requiring urgent attention;
- c. identify and promote collaboration and synergies between CMS, CMS cetacean-related agreements and relevant MEAs including the International Maritime Organization (IMO), the IWC and its Scientific and Conservation Committees ((IWC SC and IWC CC), the Convention for the Protection of the Marine Environment of the North-East Atlantic (OSPAR), the United Nations Open-ended Informal Consultative Process on Oceans and the Law of the Sea (UNICPOLOS) and the UNEP Regional Seas Programme. This mandate was expanded upon request of the Standing Committee to include also the European Union Habitats and Species Directive, the Bern Convention and the Convention on Biological Diversity (CBD); and
- d. propose a work programme to the CMS Conference of the Parties of further strategic action that considers the work of CMS and the reviewed Multilateral Environmental Agreements (MEAs) and promotes collaboration and synergies between them.

4. In addressing the future of cetacean conservation and protection it is important to ensure synergy and compatibility between international instruments and to reduce the burden on States that may result from duplication of reporting and compliance effort. Collaboration and cooperation between CMS and these MEAs are therefore critical.

5. A draft programme of work is proposed, identifying CMS's own priorities, determining what collaboration and synergies are possible with other MEAs and suggesting mechanisms that might be developed to facilitate these priorities over the period 2012-2024 and providing a means of assessing the resources that will be necessary to complete this work.

6. The summary recommendations for the Global Programme of Work for Cetaceans include:

- a. an expanded strategic role for the Scientific Council's Aquatic Mammals Working Group (AMWG), chaired by the CMS Appointed Councillor for Aquatic Mammals is proposed to include the provision of specific advice and reports to support the Global Programme of Work for Cetaceans.
- b. at a global policy level, greater cooperation and collaboration is suggested with the United Nations Food and Agricultural Organization (FAO) and its Committee on Fisheries Industries (COFI) for overarching fisheries and bycatch policy development; UNICPOLOS and other United Nations General Assembly high seas dialogues to define and establish the contribution CMS can make in high seas species conservation; the Convention on International Trade in Endangered Species of Wild Flora and Fauna (CITES) to support and complement the conservation activities of each convention; and the IWC SC and IWC CC to increase direct collaboration on issues of shared concern and especially concerning any IWC decisions that might impact on CMS Appendix I listed species.

- c. in the North East Atlantic Ocean:
 - i. a focus on entanglement and bycatch, pollution and noise pollution is proposed;
 - ii. greater cooperation and collaboration are suggested with the Bern Convention, OSPAR and IMO and with relevant RFMOs; and
 - iii. Parties to the Agreement on the Conservation of Small Cetaceans of the Baltic, North East Atlantic, Irish and North Seas (ASCOBANS) could be encouraged to extend the ASCOBANS region geographically to encompass the whole of the regional range of the 15 species listed on the CMS Appendices and extend the mandate of ASCOBANS to cover the great whales.

- d. in the Mediterranean and Black Seas:
 - i. a focus, in collaboration with Agreement on the Conservation of Cetaceans of the Black Sea, Mediterranean Sea and Contiguous Atlantic Area (ACCOBAMS), on entanglement and bycatch (including driftnet fisheries), pollution and habitat and feeding ground degradation is proposed; and
 - ii. greater cooperation and collaboration are suggested with ACCOBAMS, the Bern Convention, the Barcelona Convention, the Bucharest Convention, OSPAR and IMO.

- e. in Central and South East Atlantic Ocean (Western Africa):
 - i. a focus on entanglement and bycatch and marine bushmeat (other impediments to migration) is proposed;
 - ii. greater cooperation and collaboration are suggested with the UNEP Regional Seas Programme and the Abidjan Convention and with relevant RFMOs;
 - iii. an approach to CITES to discuss cooperative support for addressing marine bushmeat as a regional issue is suggested; and
 - iv. Signatories to the Western African Aquatic Mammals MOU are encouraged to extend the agreement area of the MOU to encompass the high seas area of this region and to extend the scope of the agreement to include the great whales.

- f. in the North West Atlantic Ocean (Atlantic North America and the Caribbean):
 - i. a focus on bycatch, ship strikes and marine noise is proposed; and
 - ii. greater cooperation and collaboration are suggested with the UNEP Regional Seas Programme, the Western Hemisphere Migratory Species Initiative (WHMSI), the Cartagena Convention and the Protocol Concerning Specially Protected Areas and Wildlife (SPAW), as well as with relevant RFMOs including the International Commission for the Conservation of Atlantic Tunas (ICCAT).

- g. in the South West Atlantic Ocean (Atlantic Latin America):
 - i. a focus on entanglement and bycatch and marine bushmeat (other impediments to migration) is proposed; and
 - ii. greater cooperation and collaboration are suggested with WHMSI to deliver a regional Action Plan for the CMS species of Latin America, as well as relevant RFMOs including ICCAT.

- h. in Central and North East Pacific Ocean (Pacific North America and Eastern Tropical Pacific):
 - i. a focus on entanglement and bycatch, marine noise and habitat and feeding ground degradation is proposed; and
 - ii. greater cooperation and collaboration is suggested with WHMSI, as well as relevant RFMOs including IATTC.
- i. in the South East Pacific Ocean (Pacific Latin America):
 - i. a focus on entanglement and bycatch and marine bushmeat (other impediments to migration) is proposed; and
 - ii. greater cooperation and collaboration are suggested with WHMSI and with relevant RFMOs, including IATTC.
- j. in the Central and North West Pacific Ocean (East and South East Asia):
 - i. a focus on entanglement and bycatch and whaling and other directed hunts, pollution and habitat and feeding ground degradation is proposed;
 - ii. the need for the negotiation of a regional agreement for cetaceans in South East Asia is reaffirmed;
 - iii. greater cooperation and collaboration are suggested with relevant RFMOs, including the Western and Central Pacific Fisheries Commission (WCPFC); and
 - iv. greater cooperation and collaboration are suggested with an appropriate body within ASEAN (Association of Southeast Asian Nations).
- k. in the Pacific Islands Region:
 - i. a focus on entanglement and bycatch and habitat and feeding ground degradation is proposed; and
 - ii. greater cooperation and collaboration are suggested with relevant RFMOs, including IATTC, the Commission for the Conservation of Southern Bluefin Tuna (CCSBT) and WCPFC.
- l. in the Indian Ocean:
 - i. a focus on entanglement and bycatch, pollution, marine bushmeat habitat and feeding ground degradation is proposed; and
 - ii. greater cooperation and collaboration are suggested with the Nairobi Convention, ROMPE and PERSGA and with relevant RFMOs, including the Indian Ocean Tuna Commission (IOTC).
- m. in the Arctic Seas:
 - i. a focus on climate change, habitat and feeding ground degradation, marine noise and hunting (other impediments to migration) is proposed.
- n. in the Southern Ocean and Antarctic Seas:
 - i. a focus on climate change, habitat and feeding ground degradation and whaling (other impediments to migration) is proposed; and
 - ii. greater cooperation and collaboration are suggested with the Commission for the Conservation of Antarctic Marine Living Resources (CCAMLR).

Action requested:

The Conference of the Parties is invited to:

- a. consider the proposed Draft Resolution 10.15 on the Global Programme of Work for Cetaceans;
- b. allocate adequate resources for the implementation of the Global Programme of Work for Cetaceans to the CMS budget 2012-2014; and
- c. urge potential donors to provide extra-budgetary resources to support the implementation of Global Programme of Work for Cetaceans.