



**CONVENTION ON
MIGRATORY
SPECIES**

UNEP/CMS/COP13/Doc.26.2.8

16 October 2019

Original: English

13th MEETING OF THE CONFERENCE OF THE PARTIES
Gandhinagar, India, 17 - 22 February 2020
Agenda Item 26.2

LIVE CAPTURE OF CETACEANS FROM THE WILD FOR COMMERCIAL PURPOSES

(Prepared by the Secretariat)

Summary:

This document reports on progress to implement Decisions 12.47 to 12.49 *Live Capture of Cetaceans from the Wild for Commercial Purposes* and recommends revisions to the Decisions.

LIVE CAPTURE OF CETACEANS FROM THE WILD FOR COMMERCIAL PURPOSES

Background

1. At its 12th meeting (COP12), the Conference of the Parties adopted Decisions 12.47 to 12.49 *Live Capture of Cetaceans from the Wild for Commercial Purposes*.

12.47 Directed to the Secretariat

The Secretariat shall:

- a) *Request Parties to submit information on the implementation of the Best Practice Guidelines relating to the Live Capture of Cetaceans from the Wild for Commercial Purposes.*
- b) *Report to the Standing Committee at its 49th meeting on the Parties' progress in implementing UNEP/CMS/Resolution 11.22 (Rev.COP12) on Live Capture of Cetaceans from the Wild for Commercial Purposes.*

12.48 Directed to Parties

Parties are requested to cooperate with the Secretariat in the implementation of Decisions 12.47, by providing information in response to the request mentioned in paragraph a).

12.49 Directed to the Standing Committee

The Standing Committee shall consider at its 49th meeting the report submitted by the Secretariat and as appropriate recommend further actions to be taken.

Implementation of Decisions 12.47 to 12.49

2. The Secretariat sent Notification 2019/15 to Parties on 14 August, 2019, requesting information in the implementation of the [Best Practice Guidelines relating to the Live Capture of Cetaceans from the Wild for Commercial Purposes](#).
3. By the deadline of 1 September 2019, one response had been received from Spain and is provided as an information document, UNEP/CMS/COP13/Inf.16.

Discussion and Analysis

4. Given the short intersessional period between COP 12 and COP13, and the complex nature of the request which involves the adoption or amendment of national legislation, the Secretariat proposes to provide Parties more time for the implementation of this decision, through the extension of the Decisions.
5. In addition, as this issue relates to the adoption of national legislation, the Secretariat proposes to add a new short section to the National Legislation Programme questionnaire to assess the level of implementation of the Best Practice Guideline. This section will also be submitted to Parties that have submitted the complete questionnaire.

Recommended Actions

6. The Conference of the Parties is recommended to:
 - a) adopt the draft Decisions contained in the Annex to this document.
 - b) delete Decisions 12.47 to 12.49.

ANNEX

PROPOSED DECISIONS

LIVE CAPTURE OF CETACEANS FROM THE WILD FOR COMMERCIAL PURPOSES

Directed to the Secretariat

13.AA The Secretariat shall:

- 12.47 a) Request Parties to submit information on the implementation of the Best Practice Guidelines relating to the Live Capture of Cetaceans from the Wild for Commercial Purposes.
- b) Upon request and subject to the availability of resources, provide assistance to Parties to amend their national legislation, in line with the recommendations contained in the [Best Practice Guidelines relating to the Live Capture of Cetaceans from the Wild for Commercial Purposes](#).

Directed to Parties

13.BB Parties are requested to:

- 12.48 cooperate with the Secretariat in the implementation of Decisions ~~12.47~~ 13.BB, by providing information in response to the request mentioned in paragraph a).