



CONVENTION ON MIGRATORY SPECIES

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SUSTAINABLE BOAT-BASED WILDLIFE WATCHING TOURISM

Summary

In order to realize the potential benefits of wildlife watching tourism and to minimize risks, it is important that it is conducted sustainably and is well-managed

The enclosed draft resolution provides guidance to Parties on elements that national legislation or regulations should contain in order to protect migratory marine species that are affected by such operations.

SUSTAINABLE BOAT-BASED WILDLIFE WATCHING TOURISM

(Prepared by the UNEP/CMS Secretariat)

1. Tourism and recreation in the marine environment has increased significantly during the last decades, with wildlife watching activities playing an important part in the global tourism industry. Wildlife watching tourism provides opportunities to encounter animals in their natural habitat and can make important contributions to conservation by raising awareness of the observed species. Additionally, it can create jobs for local communities, using populations in a non-consumptive way.
2. A number of migratory marine species are the subject of boat-based wildlife watching activities, including whales, dolphins, porpoises, dugongs, manatees, seals, sharks, rays and turtles as well as several species of migratory birds, such as albatrosses, petrels, gulls, terns, penguins and falcons.
3. CMS has been interested in this subject for a long time, and in 2006 published the brochure [Wildlife Watching and Tourism – a study on the benefits and risks of a fast-growing tourism activity and its impacts on species](#). Tourism is also a theme covered by several species instruments and action plans.
4. In order to realize the potential benefits of wildlife watching tourism and to minimize risks, it is important that it is conducted sustainably and is well-managed through comprehensive regulations and guidelines. While such guidelines exist for some species groups (especially cetaceans) and in some countries, repeated questions to the Secretariat relating to any guidance on the matter from the CMS Scientific Council and COP demonstrated that there are significant gaps.
5. In consultation with international experts, the Secretariat has therefore taken the initiative of drafting a resolution on boat-based wildlife watching tourism which provides guidance to Parties on the elements national legislation or regulations should contain in order to protect migratory marine species that are affected by such operations.

Action requested:

The Scientific Council is invited to:

- (a) Review the draft Resolution on Sustainable Boat-based Wildlife Watching.
- (b) Endorse it for submission by the Scientific Council to CMS COP11.

DRAFT RESOLUTION

SUSTAINABLE BOAT-BASED WILDLIFE WATCHING TOURISM

Aware that tourism is a growing market and that wildlife watching is an important market segment;

Also aware that wildlife watching activities in coastal and marine environments are growing fast, and that the management of boat-based wildlife watching presents different challenges from those in the terrestrial environment;

Noting that commercial wildlife watching operations using boats in order to view a number of migratory species, including, but not limited to whales, dolphins, porpoises, dugongs, manatees, seals, sharks, rays and turtles as well as several species of migratory birds, [including albatrosses, petrels, gulls, terns, penguins and falcons] are increasing;

Emphasizing that some marine species can be observed from land and that this may provide a low-impact alternative to boat-based wildlife watching where it is feasible;

Recognizing that the revenues generated through wildlife watching can provide direct and indirect benefits to local communities, enhancing their economic status;

Recognizing further that when wildlife watching is managed carefully, the revenues generated can benefit the conservation of the target species and their ecosystem;

Noting that wildlife watching activities, where properly conducted, can lead to positive changes in attitudes towards nature conservation;

Conscious that the sustainability of wildlife watching operations depends upon the careful maintenance of the resources that ultimately generate the income, namely the target species and their habitats;

Conscious also that disturbance caused by excessive exposure to wildlife watching boats may lead to changes in the target species' behaviour and as a result, to negative consequences, such as emigration, reduced reproduction, reductions or even loss of the population;

Appreciating the extensive work that has been undertaken in other international fora with respect to whale watching activities, in particular the Agreement on the Conservation of Cetaceans in the Mediterranean and Black Seas (ACCOBAMS), the International Whaling Commission (IWC), the Pacific Regional Environment Programme (SPREP) and the UNEP Caribbean Environment Programme (UNEP/CEP); and

Acknowledging that a number of governments have already enacted progressive national regulations or guidelines in order to ensure the sustainability of commercial boat-based wildlife watching;

*The Conference of the Parties to the
Convention on the Conservation of Migratory Species of Wild Animals*

1. *Urges* Parties, in whose areas of jurisdiction commercial operations involving boat-based wildlife watching take place, to adopt national legislation or binding regulations to manage these activities in an ecologically sustainable manner;
2. *Recommends* that Parties ensure that such national legislation or regulations contain the relevant provisions outlined in the Annex, as appropriate depending on the target species;
3. *Recommends further* that, insofar as they are applicable, these regulations also cover opportunistic wildlife watching during other commercial and private marine activities;
4. *Strongly encourages* Parties to ensure that regulations take into account the specific needs of all affected species, and to review these regulations periodically to ensure any impacts detected through research and monitoring of the populations are taken into account as necessary;
5. *Requests* Parties that have adopted legislation or regulations for boat-based wildlife watching activities to provide the Secretariat with copies of the relevant instruments;
6. *Encourages* Parties to ACCOBAMS and the IWC to implement fully the guidelines and principles already adopted in their own fora; and
7. *Requests* the Scientific Council, subject to availability of resources, to conduct periodic reviews of the state of knowledge of the impacts of boat-based wildlife watching activities on migratory species and to recommend refined and adjusted measures or guidelines as appropriate.

Annex to Resolution

Recommended Elements for National Legislation or Regulations for Boat-based Wildlife Watching

I. Licensing

- a) It should be mandatory to license all boat-based wildlife watching operators.
- b) Permits should only be granted after thorough assessments of the status of the target populations concerned as well as potential impacts of the boat-based wildlife watching activities on their behaviour and habitats have been conducted.
- c) Monitoring protocols should be introduced to ensure that the impacts of boat-based wildlife watching are regularly assessed.
- d) Permits should outline the scope and level of activities, and specify training and reporting requirements for the operator.
- e) Regular, mandatory training for boat-based wildlife watching operators should be conducted to inform them about the biology and behaviour of the species, effective regulations, management of risks to humans and animals, reduction of disturbance, involvement in scientific research, any known cultural value of the species to local communities, education of their clients, accreditation requirements and procedures, and so forth.
- f) Compliance with regulations for boat-based wildlife watching should be monitored and assessed regularly.
- g) Sanctions, including revoking of licences if appropriate, should be enforced in cases of non-compliance.

II. Level of Activity

- a) Seasonal and/or geographical exclusion zones of particular importance to the species should be identified and established, if appropriate.
- b) The number of vessels in proximity of the target species at any given time should be limited.
- c) The total number of approaches made throughout the day should be limited.
- d) The number of licensed operators and boats within one geographical location should be limited.
- e) The duration of encounter for each vessel should be limited.
- f) Mandatory daily rest periods for the animals being watched should be established.
- g) Operators should be required to coordinate their activities so that target species are not continuously disturbed throughout the day.

III. Method of Approach

- a) A minimum distance to be maintained for intentional approaches should be defined as appropriate for the species, based on best available scientific advice.
- b) Special caution should be required when approaching animals that are accompanied by juveniles and calves.
- c) Vessels approaching or retreating from animals should do so at a low and steady speed and maintain a constant and predictable direction.
- d) During the encounter, vessels should be kept at low and steady speed and maintain a constant and predictable direction.

IV. Interaction

- a) Chasing or harassing animals, including direct physical interaction, should be prohibited.
- b) Behaviours designed to provoke interactions, such as feeding, should be prohibited.
- c) Disturbance of natural behaviour, in particular rest periods, should be prohibited.
- d) Acoustic or visual disturbance should be avoided.
- e) Behaviours that impact on the habitat, such as waste disposal or anchoring boats in sensitive areas, should be prohibited
- f) Existing swim-with programmes should be strictly regulated, and where not already established such programmes should be prohibited.