



**CONVENTION ON
MIGRATORY
SPECIES**

UNEP/CMS/COP14/Doc.27.4.1

8 June 2023

Original: English

14th MEETING OF THE CONFERENCE OF THE PARTIES
Samarkand, Uzbekistan, 12 – 17 February 2024
Agenda Item 27.4

IMPORTANT MARINE MAMMAL AREAS (IMMAs)

(Prepared by the Secretariat)

Summary:

This document reports on progress to implement Decisions 13.54-13.57 *Important Marine Mammal Areas (IMMAs)*. It contains a report by the IUCN Marine Mammal Protected Areas Task Force on activities related to the Identification of IMMAs undertaken since CMS COP13, and draft Decisions for adoption.

IMPORTANT MARINE MAMMAL AREAS (IMMAs)

Background

1. Important Marine Mammal Areas (IMMAs) are place-based conservation measures for aquatic mammals, developed by the IUCN Marine Mammal Protected Areas Task Force. At its twelfth meeting the CMS Conference of the Parties recognized the relevance of IMMAs to aquatic mammal conservation with Resolution 12.13. At its 13th meeting the Conference of the Parties adopted Decisions 13.54-13.57 *Important Marine Mammal Areas (IMMAs)* as follows:

13.54 Directed to Parties

Parties are requested to make use, as appropriate, of the identified Important Marine Mammal Areas (IMMAs) posted on the website of the IUCN Joint Species Survival Commission/World Commission on Protected Areas (SSC/WCPA) Marine Mammal Protected Areas Task Force (www.marinemammalhabitat.org) when identifying habitat at risk or designing threat mitigation measures, and when designating marine protected areas, for marine spatial planning purposes, for CMS-listed pinnipeds, sirenians, otters, Polar Bears and cetaceans.

13.56 Directed to the Scientific Council

The Scientific Council is requested, subject to the availability of resources:

- a) *upon request, support Parties to make use of the identified IMMAs posted on the website of the IUCN Joint SSC/WCPA Marine Mammal Protected Areas Task Force (www.marinemammalhabitat.org) when identifying habitat at risk or designing threat mitigation measures for CMS-listed pinnipeds, sirenians, otters, Polar Bears and cetaceans;*
- b) *collaborate with the IUCN SSC/WCPA Marine Mammal Protected Areas Task Force to include data on CMS-listed pinnipeds, sirenians, otters, polar bears and cetaceans in the identification of IMMAs;*

13.57 Directed to the Secretariat

The Secretariat shall, subject to the availability of external resources,

- a) *transfer information on newly identified IMMAs received from the IUCN Joint SSC/WCPA Marine Mammal Protected Areas Task Force to the Scientific Council and to the Parties and invite contributions from Parties and Range States;*
 - b) *support the engagement of national support for a new decade of scientific research about the habitats of marine mammals and other migratory species on the high seas;*
 - c) *continue to engage in the negotiation process for and implementation of the treaty on marine biological diversity of areas beyond national jurisdiction (BBNJ), with a view to its relevance for marine mammals as well as other migratory marine species.*
2. Decisions 13.55 and 13.56 c) concern the Dugong and are therefore reported on in [UNEP/CMS/COP14/Doc.27.5.3 Sirenians, Pinnipeds and Otters](#).

Activities to implement the Decisions

3. IMMAs are identified through an expert-led, region-based process, collating and assessing evidence against a set of selection criteria. The five-stage process is described on the IUCN Joint SSC/WCPA Marine Mammal Protected Areas Task Force

website [here](#). The task force consists of experts, and supports the process to identify IMMA nominations. An independent review panel is tasked to accept or reject candidate IMMA proposals by the experts. Workshops to review preliminary Areas of Interest and to propose candidate IMMAs are held regularly. The current work on IMMAs related to CMS is led by the former COP-appointed Councillor for Aquatic Mammals who is also the Co-chair of the MMPA Task Force, which has made it easy for CMS to be fully integrated into the process. A report of the IUCN Task Force on activities related to the identification of IMMAs undertaken since CMS COP13 is available in Annex 1. The collaboration has worked organically also through the considerable overlaps between the experts of the CMS Aquatic Mammals Working Group and participants of the following workshops and IMMA implementation visits:

- a) Third IMMA implementation demonstration (Bazaruto Archipelago, Mozambique, November 2019)
 - b) IUCN Marine Mammal Protected Area Task Force Special Session on gaining data on the high seas (World Marine Mammal Conference, Barcelona, Spain, December 2019)
 - c) Australia, New Zealand and South East Indian Ocean IMMA Regional Workshop (Perth, Australia, February 2020)
 - d) Black Sea, Turkish Straits System and Caspian Sea IMMA Regional Workshop (online, February 2021)
 - e) South East Temperate and Tropical Pacific Ocean Regional IMMA Regional Workshop (San José, Costa Rica June 2022)
 - f) South West Atlantic Ocean IMMA Regional Workshop (Praia do Forte, Brazil, December 2022)
 - g) Fourth IMMA implementation demonstration (Karachi, Pakistan, February 2023)
 - h) North East Atlantic Ocean IMMA Regional Workshop (Hamburg, Germany, May 2023).
4. In line with Decision 13.56 a), the Secretariat sent out CMS Notification 2022/013 in September 2022, highlighting that Parties may request support from the Scientific Council, and encouraging Parties to support scientific research about the habitats of marine mammals and other migratory species on the high seas. No requests have been received.
 5. As requested in Decision 13.57 a), the Secretariat is transferring information on new IMMAs via the report in Annex 1, and has actively engaged with the IMMA process, attending meetings, and helping to promote IMMAs. The Secretariat has also promoted IMMAs during side events held in other fora. As requested in Decision 13.57 c), the Secretariat attended some of the Biodiversity Beyond National Jurisdiction (BBNJ) negotiation meetings and raised the issue of IMMAs as well as marine migratory species in general.
 6. Since COP13, 81 new IMMAs have been identified, and an additional 22 CMS-listed species have been included in newly identified IMMAs. In total, there are IMMAs relevant to the following 39 CMS-listed species¹:
 - South American Fur Seal (*Arctocephalus australis*, App II)
 - Antarctic Minke Whale (*Balaenoptera bonaerensis*, App II)
 - Sei Whale (*Balaenoptera borealis*, App I & II)

¹ Ordered alphabetically by genus

- Bryde's Whale (*Balaenoptera edeni*, App II)
- Blue Whale (*Balaenoptera musculus*, App I)
- Omura's Whale (*Balaenoptera omurai*, App II)
- Fin Whale (*Balaenoptera physalus*, App I & II)
- Chilean Dolphin (*Cephalorhynchus eutropia*, App II)
- *Delphinus delphis*, App I & II)
- Black Sea Common Dolphin (*Delphinus d. ponticus*, included in *Delphinus delphis*, App II)
- Dugong (*Dugong dugon*, App II)
- Southern Right Whale (*Eubalaena australis*, App I)
- Long-finned (*Globicephala melas*, App II)
- Risso's Dolphin (*Grampus griseus*, App II)
- Fraser's Dolphin (*Lagenodelphis hosei*, App II)
- Peale's Dolphin (*Lagenorhynchus australis*, App II)
- Dusky Dolphin (*Lagenorhynchus obscurus*, App II)
- Marine Otter (*Lontra felina*, App I)
- Humpback Whale (*Megaptera novaeangliae*, App I)
- Mediterranean Monk Seal (*Monachus monachus*, App I & II)
- Indo-Pacific Finless Porpoise (*Neophocaena phocaenoides*, App II)
- Irrawaddy Dolphin (*Orcaella brevirostris*, App I & II)
- Australian Snubfin Dolphin (*Orcaella heinsohni*, App II)
- Killer Whale (*Orcinus orca*, App II)
- South American Sea Lion (*Otaria byronia*, listed as *O. flavescens*, App II)
- Harbour Porpoise (*Phocoena phocoena*, App II)
- Black Sea Harbour Porpoise (*Phocoena p. relicta*, included in *Phocoena phocoena*, App II)
- Burmeister Porpoise (*Phocoena spinipinnis*, App II)
- Sperm Whale (*Physeter macrocephalus*, App I & II)
- Ganges River Dolphin (*Platanista gangetica gangetica*, App I & II)
- Caspian Seal (*Pusa caspica*, App I & II)
- Indo-Pacific humpbacked dolphin (*Sousa chinensis*, App II)
- Indian Ocean Humpback Dolphin (*Sousa plumbea*, listed as *S. chinensis*, App II)
- Pantropical Spotted Dolphin (*Stenella attenuata*, App II)
- Striped Dolphin (*Stenella coeruleoalba*, App II)
- Spinner Dolphin (*Stenella longirostris*, App II)
- Indo-Pacific Bottlenose Dolphin (*Tursiops aduncus*, App II)
- Black Sea Bottlenose Dolphin (*Tursiops truncatus ponticus*, App I)
- Cuvier's Beaked Whale (*Ziphius cavirostris*, App I)

Discussion

7. The work of the IUCN Joint SSC/WCPA Marine Mammal Protected Areas Task Force is proceeding well. New IMMAs have been created and many more CMS-listed species have been afforded an additional framework for protection. Parties are encouraged to utilize these IMMAs in their national planning activities.
8. Area-based conservation measures such as IMMAs will become even more relevant once the Agreement under the United Nations Convention on the Law of the Sea on the conservation and sustainable use of marine biological diversity of areas beyond national jurisdiction is finalised and enters into force. This new treaty will in large part detail with area-based conservation measures, including marine protected areas, in the high seas. CMS provisions also apply in the high seas.

Recommended actions

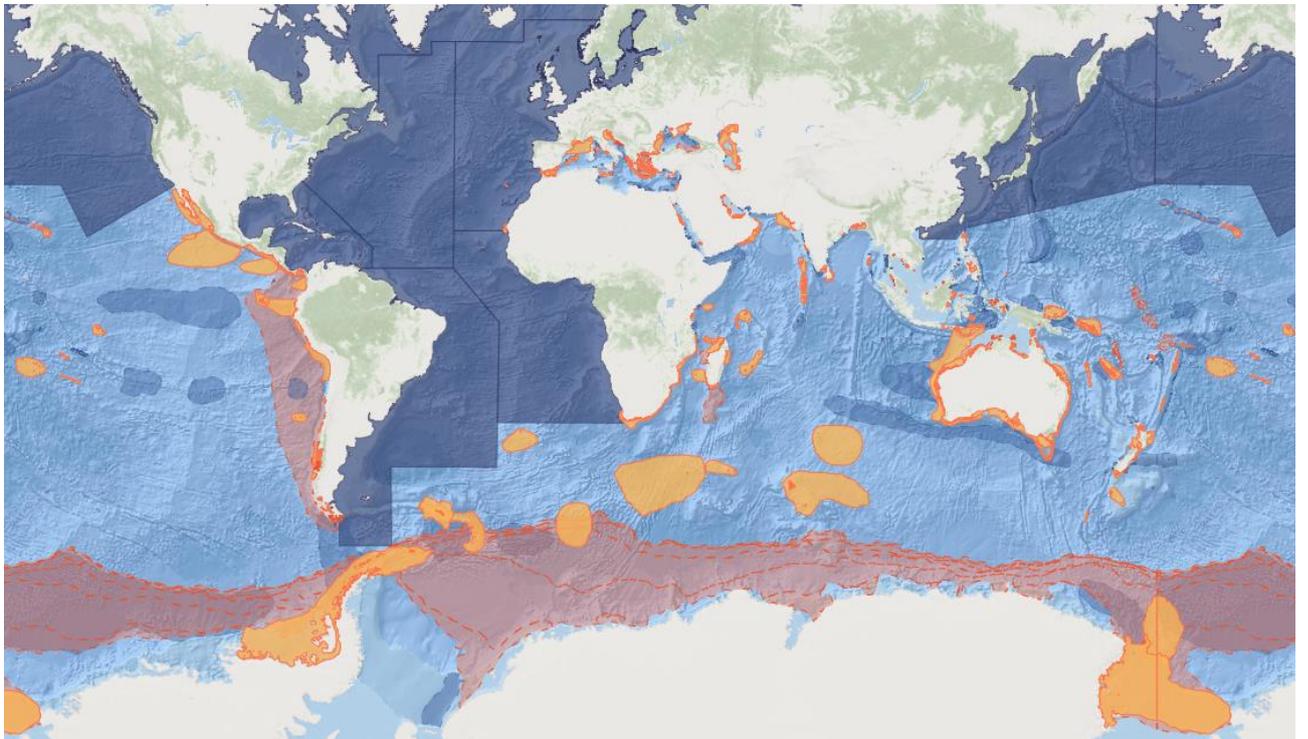
9. The Conference of the Parties is recommended to:
 - a) note the Report of the IUCN Joint SSC/WCPA Marine Mammal Protected Areas Task Force contained in Annex 1 of this document;
 - b) adopt the draft Decisions contained in Annex 2 of this document;
 - c) delete Decisions 13.54-13.57.



2ND INFORMATION NOTE ON ACTIVITIES RELATED TO THE IDENTIFICATION OF IMPORTANT MARINE MAMMAL AREAS (IMMAs)

Giuseppe Notarbartolo di Sciara and Erich Hoyt, Task Force Co-Chairs

21 March 2023



Since 30 June 2019 (date of the 1st Information Note²), the IUCN Marine Mammal Protected Areas Task Force has engaged in the following activities in support of its IMMA programme:

1. Third IMMA implementation demonstration, Bazaruto Archipelago, Mozambique

An expert visit took place in Mozambique from 17 to 24 November 2019, specifically in the Bazaruto Archipelago to Inhambane Bay IMMA, in southern Mozambique. This IMMA hosts the last stronghold of dugongs in East Africa, with fewer than 300 of these sirenians living there, where this population is at least still viable unlike elsewhere along the continent's coast. At 16,280 km² in size, the Bazaruto Archipelago to Inhambane Bay IMMA also features habitat for endangered Indian Ocean humpback dolphins and ten other whale and dolphin species including humpback whales as they head towards their breeding grounds. This habitat is threatened by illegal gillnetting and poaching and has been opened up to leases allowed for future oil and gas exploitation. The Task Force representatives, joined by Donna Kwan, Programme Manager of the CMS Dugong MOU, held meetings to inform stakeholders and government about the new IMMA, and discussed options for the adoption of conservation and management actions. A full report of the visit can be found [here](#).

2. Australia, New Zealand and South East Indian Ocean IMMA Regional Workshop

From 10 to 14 February 2020, the IMMA Regional Workshop for Australia-New Zealand and South East Indian Ocean was held in Perth, Australia. Starting with 438 preliminary Areas of Interest (pAoi), more than 50 which were submitted before and during the meeting by participants, and the others comprised of existing marine mammal spatial designations, some 45 candidate IMMAs (cIMMAs) were identified and proposed through an expert-based process, utilizing dedicated selection criteria.

Following independent review and consideration of how the criteria supported IMMA identification, 31 IMMAs were accepted for full status with 2 remaining as cIMMAs and 13 becoming Areas of Interest (Aoi). The workshop was attended by 31 experts and observers from seven countries or overseas territories, including Australia, Indonesia, Italy, New Zealand, Turks and Caicos Islands, United Kingdom and United States of America. The observers came from the Australian federal and state governments and the IMMA Review Panel.

The experts identified cIMMAs for the first time for Endangered Hector's and Critically Endangered Maui dolphins and Vulnerable Australian humpback and Australian snubfin dolphins, only recently recognized as species; as well as nearshore habitat for most of the world's remaining dugong; and deep canyons with Vulnerable sperm, and Endangered blue and pygmy blue whales. Also living in Australia and covered by the cIMMA proposals are two species of bottlenose dolphins and the Endangered Australian sea lion.

Another result of the workshop was the announcement by Charlotte Boyd that 25 of the cIMMAs were likely to fulfil the criteria including thresholds for KBAs. This dramatically increases the number of KBAs worldwide which feature marine mammals. Considering her focused work on KBAs globally, and her participation at previous IMMA workshops, Boyd concluded that the most productive way to ensure that IMMAs enable the identification of potential KBAs and that KBA thresholds inform IMMAs is if they are selected together – a process currently facilitated by the IMMA Expert Workshop process. The full report of the workshop can be downloaded from [here](#).

² Annexed to [UNEP/CMS/COP13/Doc.26.2.1/Rev.1](#)

3. Black Sea, Turkish Straits System and Caspian Sea IMMA Regional Workshop

From 22 to 26 February 2021, the Regional Workshop for the Identification of Important Marine Mammal Areas in the Black Sea, Turkish Straits System and Caspian Sea was held as a virtual meeting. The workshop started with 53 preliminary Areas of Interest (pAol) from the Black Sea and Turkish Straits System and 20 pAol from the Caspian Sea. Of the total 73 pAol, 32 were submitted by invited experts, 14 were marine protected areas (MPAs) in the World Database of Protected Areas, 24 were Ecologically or Biologically Significant Areas (EBSAs) identified under the Convention on Biological Diversity, and 3 areas had been identified as Cetacean Critical Habitats (CCH) through the CMS regional agreement ACCOBAMS. Added to these 73 pAol, there were 19 pAol submitted by participants on the first day of the workshop, to give a total of 92 pAol for consideration. One by one, these 92 pAol were considered in the breakout groups and in plenary in light of the selection criteria to support their identification. Many of the pAol were overlapping but provided useful additional information. During the workshop, the group merged some areas and deferred many others, and then prepared cIMMA submissions, proposing boundaries and detailing how each one met the various IMMA criteria. By workshop day five, 23 areas were recommended to go forward as candidate IMMA (cIMMA) proposals to be evaluated by the review panel.

Following independent review and consideration of how, for each cIMMA, the scientific information met the IMMA criteria, some cIMMAs were rejected and most needed either minor or major revision by the participants who were points of contact. In some cases, cIMMAs were recommended for merging which required further consultation between subregional groups. In total, after revisions were made with considerable effort by the participants and members of the IMMA Secretariat, 14 IMMAs were accepted for full status as meeting the criteria. Of the remaining cIMMAs, 1 area was considered to show strong evidence of merit as a future IMMA, even though it did not receive full IMMA approval so it will remain as a cIMMA until it can fully satisfy the criteria. The remaining areas from the review process thus became Aol, joining 4 Aol recommended by the workshop and making a total of 11 Aol to go on the e-Atlas. The final report from the Black Sea, Turkish Straits and Caspian Seal IMMA process is available for download [here](#).

4. South East Temperate and Tropical Pacific Ocean Regional IMMA Regional Workshop

From 6 to 10 June 2022, the IMMA Regional Workshop for the South East Tropical and Temperate Pacific Ocean was held in hybrid mode in San José, Costa Rica. The IMMA Secretariat of the IUCN Marine Mammal Protected Areas Task Force collected 118 preliminary Areas of Interest (pAol), 39 of which were submitted by participants before the meeting and 17 more submitted in the first two days, while the others consisted of existing marine mammal spatial designations including marine protected areas (MPAs) and ecologically or biologically significant areas (EBSAs) from the Convention on Biological Diversity. At the close of the workshop, 48 candidate IMMAs (cIMMAs) were identified and proposed through the expert-based process, utilizing dedicated selection criteria. Six additional areas would be advanced as Aol and 64 pAol were merged or deferred.

Following independent review and consideration of how the criteria supported IMMA identification, 36 IMMAs were accepted for full status with 5 remaining as cIMMAs and 11 being reserved as Aol, all of which now appear on the IMMA e-Atlas. The workshop was attended by 58 experts, including 20 observers, 14 of them remote. Of the 58 experts, 27 participated in person through the week while 4 participated remotely. Participants came from the Pacific-facing countries of Mexico to Chile, as well as from Australia, Belgium, Brazil, Italy, Netherlands, United Kingdom, and United States of America.

The experts identified cIMMAs for the first time for the Critically Endangered vaquita (*Phocoena sinus*) and Endangered marine otters (*Lontra felina*), as well as Near Threatened Burmeister's porpoises (*Phocoena spinipinnis*) and Chilean dolphins (*Cephalorhynchus eutropia*). Other cIMMA proposals focused on populations of humpback whales (*Megaptera novaeangliae*) and Endangered blue whales (*Balaenoptera musculus*) from both the North and South Pacific, including areas that are used by humpback whales from both hemispheres when they cross the Equator in their long migrations.

At the end of the workshop, Gabriela Toscano, based at the BirdLife office in Ecuador, described how at least three of the cIMMAs would be likely to fulfil the criteria including thresholds for KBAs or to facilitate the expansion and fill gaps in identified KBAs. She also talked about the growing flexibility of KBAs. The number of KBAs worldwide that feature marine mammals is slowly expanding. Following the workshop, the 48 cIMMAs were compiled and assessed, and sent for independent review to determine whether the criteria were applied correctly and to verify that the evidence provided was sufficient to support the case for each cIMMA. The review process concluded with the retention of 36 IMMAs, 5 cIMMAs and 11 areas gaining Aol status. The final report from the South East Temperate and Tropical Pacific Ocean Regional IMMA process is available for download [here](#).

5. South West Atlantic Ocean IMMA Regional Workshop

The ninth workshop of the IUCN Marine Mammal Protected Areas Task Force took place in Praia do Forte, Brazil, from 5 to 9 December 2022. The workshop resulted in the identification of 36 new candidate Important Marine Mammal Areas, or cIMMAs. Participants included 31 scientists who are specialists in large whales, dolphins and porpoises, pinnipeds and sirenians from the Western South Atlantic. The South West Atlantic Ocean, which represents nearly a quarter of the Atlantic Ocean, features substantial populations of southern right whales, plus humpback whales and others that travel from the Antarctic. There are species endemic to the region including the Commerson's, franciscana and Guiana dolphins. The West Indian manatee is found along the coasts of the Guyanas and northeastern Brazil. This region's famous habitats for marine mammals include the waters around Península Valdés, Patagonia, the Straits of Magellan, the Abrolhos Bank, and the Fernando do Noronha islands off northeastern Brazil. The group started with 112 preliminary areas of interest (pAol) each of which had to be examined in detail before being considered for a cIMMA proposal. Besides the 36 new candidate IMMAs, 6 areas of interest (Aol) were also singled out by the experts as being useful to go forward. The review process of the candidate IMMAs resulting from the South West Atlantic Ocean IMMA Workshop is still ongoing. A final report of the workshop will be publicly available later this year.

6. Fourth IMMA implementation demonstration, Karachi, Pakistan

An expert mission took place in Karachi, Pakistan, from 14 to 20 February 2023, to raise awareness about the IMMAs identified in the country's marine waters and to discuss with national and local authorities the potential for implementing management measures in the three IMMAs (the "Indus Estuary and Creeks IMMA", the "Miani Hor IMMA", and the "North East Arabian Sea IMMA"). Task Force Co-Chairs Erich Hoyt and Giuseppe Notarbartolo di Sciara, and Deputy Chair Gill Braulik were valiantly supported in their plans by WWF Pakistan, and in particular by Dr. Muhammad Moazzam Khan, and participated in meetings with relevant environment and fisheries authorities, including a day-long workshop. The visit culminated with a boat trip in the heart of the Indus Estuary and Creeks IMMA where several groups of endangered Indian Ocean humpback dolphins were observed. A report of the trip is in preparation, and will soon be available on the IMMA website.

7. Overall, IMMAs have been identified for the following CMS-listed species and subspecies:

Arctocephalus australis, *Balaenoptera bonaerensis*, *B. borealis*, *B. edeni*, *B. musculus*, *B. omurai*, *B. physalus*, *Cephalorhynchus eutropia*, *Delphinus delphis*, *Delphinus d. ponticus*, *Dugong dugon*, *Eubalaena australis*, *Globicephala melas*, *Grampus griseus*, *Lagenodelphis hosei*, *Lagenorhynchus australis*, *L. obscurus*, *Lontra felina*, *Megaptera novaeangliae*, *Monachus monachus*, *Neophocaena phocaenoides*, *Orcaella brevirostris*, *O. heinsohni*, *Orcinus orca*, *Otaria byronia* (listed as *O. flavescens*), *Phocoena phocoena*, *Phocoena p. relicta*, *P. spinipinnis*, *Physeter macrocephalus*, *Platanista gangetica*, *Pusa caspica*, *Sousa chinensis*, *S. plumbea* (listed as *S. chinensis*), *Stenella attenuata*, *S. coeruleoalba*, *S. longirostris*, *Tursiops aduncus*, *Tursiops truncatus ponticus*, *Ziphius cavirostris*.

8. Contributions received from Parties and other national governments:

All the activities described in this report were supported by the Government of Germany, Federal Ministry for the Environment, Nature Conservation, Building and Nuclear Safety, through its financing of the Global Ocean Biodiversity Initiative (GOBI) project within the International Climate Initiative (IKI), referred to as GOBI-IKI.

ANNEX 2

DRAFT DECISIONS

IMPORTANT MARINE MAMMAL AREAS

Directed to Parties

14.AA Parties are requested to:

- a) make use, as appropriate, of the of the identified Important Marine Mammal Areas (IMMAs) posted on the website of the IUCN Joint Species Survival Commission/World Commission on Protected Areas (SSC/WCPA) Marine Mammal Protected Areas Task Force (www.marinemammalhabitat.org) when identifying habitat at risk or designing threat mitigation measures, and when designating marine protected areas, or generally for marine spatial planning purposes, to support the conservation of CMS-listed marine mammals.
- b) report to the Conference of Parties at its 15th meeting on the progress in implementing the decision.

Directed to the Scientific Council

14.BB The Scientific Council is requested to collaborate with the IUCN SSC/WCPA Marine Mammal Protected Areas Task Force to include data on CMS-listed marine mammals in the identification of IMMAs.

Directed to the Secretariat

14.CC The Secretariat shall inform Parties of newly identified IMMAs and the relevant CMS-listed species.