CONVENTION ON MIGRATORY SPECIES

12th MEETING OF THE CONFERENCE OF THE PARTIES
Manila, Philippines, 23 - 28 October 2017
Agenda Item 24.2.1

IMPORTANT MARINE MAMMAL AREAS (IMMAs)

(Prepared by the Aquatic Mammals Working Group of the Scientific Council)

Summary:

As requested by the First Meeting of the Sessional Committee of the Scientific Council, the Aquatic Mammals Working Group has developed a briefing document and related draft Resolution on the applicability of the Important Marine Mammal Areas (IMMAs) concept to CMS.

Use of the concept will contribute towards meeting target 10 of the Strategic Plan for Migratory Species 2015-2023.

IMPORTANT MARINE MAMMAL AREAS (IMMAs)

Background

1. At its First Meeting, the Sessional Committee of the Scientific Council requested the Aquatic Mammals Working Group to review the process and criteria for the identification of Important Marine Mammal Areas (IMMAs) and to make recommendations to the Twelfth Meeting of the Conference of the Parties regarding the relevance of the concept to CMS.

2. Important Marine Mammal Areas (IMMAs) are defined as '***discrete portions of habitat, important to marine mammal species, that have the potential to be delineated and managed for conservation'***. They are an advisory, expert-based classification applied to the world's oceans, coastal waters and shorelines, and relevant inland water bodies, consisting of areas that may merit area-based protection and/or monitoring for marine mammals. IMMAs can be seen as a marine mammal layer, indicative of biodiversity and potentially ecosystem health, for consideration by governments, intergovernmental organisations, conservation groups, industry, and the general public. For the purpose of this document, the terms aquatic mammals and marine mammals are synonymous.

3. Critical habitats for marine mammal species, including freshwater cetacean, pinniped and otter species, extend from the tropics to the poles, from shallow estuarine and riverine areas, coastal shoreline and rocks (rookeries, haul-outs), to the high seas (marine areas beyond the limits of national jurisdiction). Despite this wide range of habitats, the threats to the vital activities of marine mammals are often remarkably similar including commercial and artisanal fishing; resource extraction activities such as oil and gas; and commercial shipping. The resulting impacts on marine mammals range from direct mortality through fisheries bycatch, entanglement in marine debris and ship-strikes, as well as noise and water pollution leading to habitat degradation.

4. The application of area-based marine conservation and management measures as tools for marine mammal conservation has been shown to be effective in a number of areas. The process to identify IMMAs provides the needed guidance to develop such conservation initiatives.

5. The rationale for developing IMMAs includes:
   a. the specific vulnerability of many marine mammals,
   b. the fact that marine mammals have been overlooked by many national efforts to create marine protected areas (MPAs),
   c. the role of marine mammals as indicators to support the identification of spatial protection measures,
   d. the role of marine mammals as umbrella species which helps ensure that a properly designed conservation plan will be beneficial to the broader ecosystem, and the role of marine mammals as flagship species representing powerful political and public levers for the conservation of less popular or well-known organisms, communities or habitats.

The relevance of IMMAs

6. On the high seas, and in international and domestic planning, marine mammals have been largely left out of the discussion. Overall, MPAs, and the subset of marine mammal protected areas (areas which include marine mammal habitat protection), and other forms of habitat protection are also poorly represented in the Exclusive Economic Zones (EEZs) of most countries. Few of the Particularly Sensitive Sea Areas (PSSA) and Special Areas (SA) designated under the International Maritime Organization (IMO) include marine mammal habitat protection.

7. Worldwide, MPA coverage now measures more than five percent of the global ocean's surface, but highly protected areas only cover less than one percent. It should be noted that for the most part, these MPAs are largely political compromises, and rarely coincide with ecosystems that support marine mammal populations. Only a small fraction are areas that specifically serve marine mammals. In areas beyond national jurisdiction (ABNJ), the coverage is only about 0.25 per cent. This may be in part due to insufficient information about marine mammal habitat being available to policymakers.

Joint SSC/WCPA Marine Mammal Protected Areas Task Force and the IMMA Criteria and Toolkit

8. A new consistent approach was needed to identify marine mammal habitats for protection throughout the world's oceans, coastal waters and shorelines, and relevant inland water bodies. An International Union for the Conservation of Nature (IUCN) Joint SSC/WCPA Marine Mammal Protected Areas Task Force (the 'Task Force') was created in 2013 by the International Committee on Marine Mammal Protected Areas (ICMMPA), the IUCN's World Commission on Protected Areas (WCPA) Marine Vice Chair, and members of the IUCN's Species Survival Commission (SSC) to facilitate mechanisms to encourage the sharing of information and experience, as well as the dissemination of this knowledge, providing tools for establishing, monitoring, and managing marine mammal protected areas, and identifying IMMAs.

9. In developing a toolkit to identify IMMAs, attention has been paid to the BirdLife International Marine Important Bird and Biodiversity Areas (marine IBAs) tool, which have spearheaded seabird protection efforts in national waters and on the high seas with the first world seabird atlas in 2012 and are present in the data sets presented at Convention on Biological Diversity (CBD) Ecologically or Biologically Significant Areas (EBSAs) regional workshops and other fora.

10. The criteria for identifying IMMAs were developed and reviewed by experts, and distributed for wide public consultation during 2015. The criteria have now been finalized. They are streamlined to complement the criteria for identifying EBSAs as well as the IUCN standard for the identification of Key Biodiversity Areas (KBAs).

11. There are four overarching IMMA Criteria, each of which include a number of sub-criteria. The fully agreed IMMA Selection and Review Criteria are outlined in Annex 1. The four overarching criteria are:

   a. Species or population vulnerability (based on the IUCN Red List status);
   b. Distribution and abundance, including small and resident populations and aggregations;
   c. Key life cycle activities, including reproductive areas, feeding areas and migration routes; and
   d. Special attributes, including distinctiveness and diversity.

12. The IMMA process now provides a standardized methodology for evaluating, presenting and using marine mammal data which contributes substantially to both the EBSA process and the future identification of KBAs, as well as serving the particular needs of marine mammals (e.g., identifying ship strike and other areas where marine mammals are threatened, fulfilling marine mammal network needs, and providing area-based information on marine mammals for Marine Spatial Planning).

13. From 2016 the Task Force commenced a series of regional workshops to identify IMMAs, using the agreed criteria. These began with the Mediterranean in 2016, followed by a series of workshops in the Southern Hemisphere (the Pacific Islands Region in early 2017, and the Northeast Indian, the Northwest Indian and the Southeast Pacific oceans, and the waters of Oceania surrounding Australia and New Zealand to follow in the years up to 2021), within the framework of the Global Ocean Biodiversity Initiative International Climate

Initiative (GOBI/IKI) initiative supported by the German Government.

14. In October 2016, the first IMMA Regional Workshop for the Mediterranean was held in Chania (Island of Crete, Greece). Starting with initial Areas of Interest (AoI) submitted before and during the meeting, 41 candidate IMMAs (cIMMAs) were identified and proposed through an expert-based process utilizing selection criteria. The next step was to send the selected cIMMAs to an independent review panel which assessed whether the criteria were applied correctly and verified that the provided evidence was sufficient to support each cIMMA. When each cIMMA is approved as an IMMA, the boundaries and a summary of the supporting evidence are to be made available on the Task Force website. The AoI identified are used to assist with highlighting reference areas for further marine mammal research and monitoring, which helps to build an evidence base on which future cIMMAs may be proposed.

15. In March 2017, the second IMMA Regional Workshop for the Pacific Islands Region was held in Apia, Samoa. A preliminary total of 29 candidate IMMAs were identified and proposed utilizing the selection criteria. These will be assessed by an independent review panel.

<u>Discussion and analysis</u>

16. The IMMA process has direct relevance for the CMS Appendix I and II listed species of pinnipeds, sirenians, otters, polar bears and cetaceans (64 Appendix I and II listed species, subspecies and populations, as of CMS COP11).

17. CMS has recognized this work and the value of IMMAs in [Resolution 11.25: Advancing Ecological Networks to Address the Needs of Migratory Species](#) and also the role that CMS can play in coordinating conservation and management measures across species migratory ranges, contributing to the development of ecological networks and promoting connectivity that is fully consistent with the law of the sea.

18. The Annex to [CMS Resolution 11.25: Recommendations for Further Advancing the Design and Implementation of Ecological Networks to Address the Needs of Migratory Species](#) indicates a number of areas of direct relevance to the evolving IMMA work.

19. Through Resolution 11.25, Parties have already been encouraged to consider using a combination of connecting 'hotspots', buffering the core, providing 'spare' capacity at times of ecological stress and disruption, and otherwise spreading risks across multiple locations.

20. Parties have been specifically asked to explore options for obtaining and making available globally synthesized information about the spatial needs of migratory species when they are looking at these species' life cycles and migratory ranges as part of a consideration of ecological networks (actions defined in Resolution 10.3, paragraph 7 and 9(i)).

21. In the context of the Strategic Plan for Migratory Species 2015-2023, CMS has also sought to investigate the scope for indicators used for place-based conservation measures for migratory species (target 10) to shed light specifically on network-related aspects such as representativeness and connectivity.

<u>Recommended actions</u>

22. The Conference of the Parties is recommended to:

        a)   adopt the draft Resolution contained in Annex 1;

        b)   endorse the IMMA criteria contained in Annex 2, which will form an annex to the Resolution;

        c)   adopt the draft Decision contained in Annex 3.

DRAFT RESOLUTION

IMPORTANT MARINE MAMMAL AREAS (IMMAs)

Acknowledging that critical habitats for CMS-listed pinnipeds, sirenians, otters, polar bears and cetaceans extend from the tropics to the poles, from shallow estuarine, riverine and coastal areas to the high seas (marine areas beyond the limits of national jurisdiction);

Recognizing that Important Marine Mammal Areas (IMMAs) are an advisory, expert-based classification applied to the world's oceans, coastal waters and shorelines, and relevant inland water bodies, consisting of discrete portions of habitat, important to marine mammal species, that have the potential to be delineated and managed for conservation;

Conscious that aquatic mammals are useful indicators and umbrella species to support the identification and design of area-based conservation measures, and concerned that these species are overlooked by many national and international efforts to develop and apply area-based marine conservation and management measures such as the creation of marine protected areas and other forms of habitat protection;

Also conscious that the application of area-based marine conservation and management measures as tools for marine mammal conservation has been shown to be effective in a number of areas. The process to identify IMMAs provides the needed guidance to develop such conservation initiatives.

Welcoming the progress of the International Union for the Conservation of Nature (IUCN) Joint Species Survival Commission (SSC)/World Commission on Protected Areas (WCPA) Marine Mammal Protected Areas Task Force in developing robust selection and review criteria for identifying Important Marine Mammal Areas (IMMAs) that complement and contribute to the Convention on Biological Diversity (CBD) Ecologically or Biologically Significant Areas (EBSAs), the International Maritime Organization (IMO) Particularly Sensitive Sea Areas (PSSA), and the IUCN Key Biodiversity Areas (KBAs);

Recalling Resolution 11.25 on Advancing Ecological Networks to Address the Needs of Migratory Species highlighting the potential of IMMAs to contribute to the conservation of migratory species and promote ecological networks and connectivity;

Acknowledging Resolution 12.[XX] on *Improving Ways of Addressing Connectivity in the Conservation of Migratory Species*, highlighting the importance of ensuring all aspects of connectivity in the development of conservation measures;

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

1. *Endorses* the Important Marine Mammal Areas (IMMAs) criteria and identification process contained in Annex [2] for CMS-listed pinnipeds, sirenians, otters, polar bears and cetaceans;

2. *Requests* Parties and *invites* all Range States, intergovernmental organizations and partners to identify specific areas where the identification of IMMAs could be particularly beneficial, for example through stimulating protected area network design and connectivity, or addressing threats to aquatic mammals more comprehensively;

3. *Invites* Parties, Range States, intergovernmental organizations and partners to request the

support of the IUCN Joint SSC/WCPA Marine Mammal Protected Areas Task Force to advance these approaches; and

4. *Also invites* the Convention on Biological Diversity, the International Maritime Organization and the International Union for the Conservation of Nature to consider IMMAs as useful contributions for the determination of Ecologically or Biologically Significant Areas (EBSAs), Particularly Sensitive Sea Areas (PSSA), Key Biodiversity Areas (KBAs).

IMPORTANT MARINE MAMMAL AREA (IMMA) SELECTION AND REVIEW CRITERIA

(developed by the Joint IUCN SSC/WCPA Marine Mammal Protected Areas Task Force)

Important Marine Mammal Areas (IMMAs) are an advisory expert-based classification.

The criteria for identifying IMMAs have been developed and reviewed by experts, through wide public and expert consultation. The criteria are now finalized and have been streamlined to match up with the criteria for describing and identifying Ecologically or Biologically Significant Areas (EBSAs) under the Convention on Biological Diversity as well as the International Union for the Conservation of Nature (IUCN) standard for the identification of Key Biodiversity Areas (KBAs).

An IMMA is an area identified as important for aquatic (or marine) mammal populations or subpopulations. IMMAs have no legal standing as marine protected areas (MPAs) but are intended to be used in conservation planning by governments, intergovernmental organizations, conservation groups, and the general public.

The IMMA selection criteria works over a three-stage process:

> **Stage 1 – Nomination of initial Areas of Interest** (AoI) for discussion at a regional IMMA workshop facilitated by the Task Force

> **Stage 2 – Development of candidate IMMAs** (cIMMAs): regional IMMA workshop participants are invited to use their regional knowledge to develop cIMMAs, based upon their review of AoI submitted in advance or proposed during the workshop.

> There are four categories of main criteria and seven of sub-criteria:

> > **Criterion A – Species or Population Vulnerability** (based on the IUCN Red List Status)

> > **Criterion B – Distribution and Abundance**
> > > Sub-criterion B(i) – Small and Resident Populations: Areas supporting at least one resident population, containing an important proportion of that species or population, that are occupied consistently.
> > > Sub-criterion B(ii) – Aggregations: Areas with underlying qualities that support important concentrations of a species or population.

> > **Criterion C – Key Life Cycle Activities**: Areas containing habitat important for the survival and recovery of threatened and declining species.
> > > Sub-criterion C(i) – Reproductive Areas: Areas that are important for a species or population to mate, give birth, and/or care for young until weaning.
> > > Sub-criterion C(ii) – Feeding Areas: Areas and conditions that provide an important nutritional base on which a species or population depends.
> > > Sub-criterion C(iii) – Migration Routes: Areas used for important migration or other movements, often connecting distinct life-cycle areas or the different parts of the year-round range of a non-migratory population.

> > **Criterion D – Special Attributes**
> > > Sub-criterion D(i) – Distinctiveness: Areas which sustain populations with important genetic, behavioural or ecologically distinctive characteristics.
> > > Sub-criterion D(ii) – Diversity: Areas containing habitat that supports an

important diversity of marine mammal species.

Stage 3 – Final review and IMMA status qualification: An independent panel is tasked to review the cIMMAs, and using an online system decides whether they are accepted as IMMAs.

The elaborated detail of these criteria and the agreed process are contained in the IMMA Guidance Document: Initial guidance on the use of selection criteria for the identification of Important Marine Mammal Areas (IMMAs) (October 2016) presented on www.marinemammalhabitat.org.

ANNEX 3

DRAFT DECISIONS

Directed to the Scientific Council

12.AA The Scientific Council shall:

a) collaborate with the IUCN Joint SSC/WCPA Marine Mammal Protected Areas Task Force to include CMS-listed pinnipeds, sirenians, otters, polar bears and cetacean data in the identification of IMMAs;

Directed to the Secretariat

12.BB The Secretariat shall:

a) collaborate with the IUCN Joint SSC/WCPA Marine Mammal Protected Areas Task Force to promote the value of IMMAs for the conservation of CMS-listed aquatic mammals;

b) report to the Standing Committee at its 48th and 49th meeting on the progress in implementing this decision.