

REPORT OF THE INTERSESSIONAL WORKING GROUP ON GUIDING PRINCIPLES DEVELOPMENT

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The following draft guiding principles were developed and expanded by the group per the Commission's 5-Year Strategic Plan.

GENERAL PRINCIPLES FOR CETACEAN WATCHING

The following general principles, general management considerations and guidelines for cetacean watching were developed from Annex VI of the Report of the Regional Workshop on Marine Mammal Watching in the Wider Caribbean Region¹ and the general Principles for Whale Watching developed by the Scientific Committee of the IWC at the 1994 meeting². The overarching principles are to:

- a) ensure the conservation of cetaceans and their habitats;
- b) ensure a precautionary approach to the development and management of cetacean watching;
- c) minimise the impact of viewing activities on cetaceans, other species and the marine environment
- d) provide long-term socio-economic benefits for the livelihood of local communities; and
- e) promote local knowledge, cultural importance and understanding of cetaceans and the marine environment through training, education and dedicated research.

Management considerations

In an effort to minimise the potential risk of adverse impacts of cetacean watching and to ensure the sustainable development of such activities, effective management strategies need to be implemented. Several tools and approaches should be considered:

- National/regional licensing or permitting schemes to regulate:
 - the number, size, type and speed of vessels,
 - standards of operation,
 - capacity building,
 - site specific and species specific requirements,
 - Permitted research and access by media,
 - training for operators, and
 - sanctions for non-compliance, such schemes subject to adaptive management (as new information becomes available, regulations change to incorporate this new information);
- National/regional measures to regulate approaches, frequency, length and type of exposure (i.e. codes of conduct) in encounters with marine mammals;
- Development of **cooperative regional management** provisions wherever appropriate;
- National/regional management measures, to include closed seasons, exclusion zones, speed limits, and 'no approach times', to provide additional protection to habitats, populations, and individuals;
- Assessment of the numbers, distribution and other characteristics of the target cetacean population/s before the implementation of tourism operations to establish the feasibility of the industry and a baseline for monitoring;
- Where cetacean watching operations are evolving, the industry should proceed with caution, moderating activity and adapting management until sufficient information on populations and species is available to guide further development;
- Monitoring compliance with and the effectiveness of management provisions and modifying them as required to reflect new information and circumstances, with the consultation of stakeholders;
- Establishment of an enforcement framework to ensure compliance with regulations;
- Scientific and socio-economic research and monitoring, assessment of potential impacts on cetaceans, **and collection and sharing of information by all stakeholders**;

¹ UNEP. Report of the Regional Workshop on Marine Mammal Watching in the Wider Caribbean Region. Panama City, Panama:40-4, 2011

² Rep. Int. Whal. Commn 47:250-1, 1997

- Dissemination of information on best practice and research to improve public awareness, including all stakeholders;
- ongoing operator, naturalist and industry training and accreditation programmes on the biology and behaviour of target species, local ecosystems, navigation, culture, best practice of cetacean watching operations, and the management provisions in effect;
- development of on board research protocols to collect data on sighting effort, sighting data and other relevant documentation (e.g. about injuries, entanglements, highly identifiable individuals, vessel-cetacean interactions, etc.)
- supporting and empowering communities' participation and ownership of the cetacean watching industry;
- educational standards for the provision of accurate and informative material to cetacean watching participants, to:
 - develop an informed and environmentally responsible public (locals and tourists);
 - encourage development of realistic expectations during encounters;
 - encourage the provision of naturalist guides on all boats; and
 - encourage public participation in on-board research and education programmes (e.g. docent and intern training, opportunistic data collection, species identification, plankton tows);
- awareness of species protection measures and enforcement; and
- ongoing assessment and evaluation of on-board education programmes.

Vessel design and maintenance to minimize the risk of adverse effects on cetaceans, including disturbance from noise:

Cetacean species may respond differently to low and high frequency sounds, relative sound intensity or rapid changes in sound; and their behavior may not only be species specific but also differ between individuals and/or age classes. Therefore,

- vessels, engines and other equipment should be designed, maintained, and operated during cetacean watching to reduce as far as practicable adverse acoustic and physical impacts on the target species and their environment;
- vessel design and operation should minimize the risk of injury to cetaceans should contact occur; for example, shrouding of propellers can reduce risk of injury;
- in order to avoid strikes, operators should keep track of cetaceans during an encounter and not engage engines until all cetaceans being watched are on the surface and away from the vessel.

Guidelines for watching cetaceans

Cetacean watching activities can potentially have adverse impacts on cetacean populations, including disruption of important behaviours, displacement from habitat, chronic stress and serious injury. Response behaviours to the presence of vessels will vary between species, between different behavioural states, and possibly between age/sex classes or even individuals. Therefore, water-users, captains and on-board naturalists should:

- be able to distinguish between species;
- be able to distinguish between different behaviours of the same species (e.g. travel, foraging, social),
- be able to distinguish between age and sex classes within a species;
- operate watercraft, and aircraft so as not to disrupt the normal movement or behaviour of cetaceans,
- cease pursuing/watching a cetacean at any sign of disturbance or alarm (e.g. repeated evasive reactions, animals blowing bubbles below the surface); and
- allow marine mammals to determine the nature and duration of the encounter.

Generally, the following recommendations should be considered:

- Do not touch cetaceans
- Do not feed marine mammals
- Do not make any loud or sudden noises that are transmittable under water
- Do not make sudden or repeated changes in direction or speed
- Do not carry out any activities that might condition cetaceans to approach watercraft
- Do not throw litter into the water
- Dedicated observer(s) should be on duty, in addition to the captain of the vessel
- Do not place a vessel in a position where it will drift into marine mammals

- Leave boat engine on and idling, or drop sails, when watching cetaceans. They should be able to detect a platform at all times
- Do not disperse or separate a group of cetaceans.
- Watercraft should not chase, encircle, leap-frog, block the direction of travel of cetaceans or access to the open sea, or position itself in the middle of a group.
- If cetaceans approach the watercraft, maintain a constant speed and direction, or slow down gradually, put engines in idle or drop sails.
- If cetaceans approach a vessel to bow-ride or wake-ride, maintain a steady speed and avoid changes in course.
- When departing from cetaceans, determine where the animals are relative to the watercraft to avoid collisions or coming too close to the animals, and increase speed gradually only after confirmation that the animals are outside the no approach zone.
- Watching cetaceans with calves for more than 30 minutes, or 3 dive sequences with sperm whales, is discouraged.
- Any accidents or collisions with cetaceans should be documented and reported to relevant authorities, and to the IWC ship strike data base (<http://iwc.int/ship-strikes>).

Watercraft

Watercraft should meet appropriate regional safety standards.

Certain watercraft should not be used for cetacean watching. These include all motorized personal watercraft (e.g. jet skis and similar crafts), parasail, remotely operated craft, wing in ground effect craft, hovercraft, wind boards, and kite boards. The use of aircraft and helicopters for cetacean watching is discouraged, except in the case of permitted scientific research and media.

Angles and distances of approach

Approach:

The most appropriate method for approaching a cetacean is from the side and slightly to the rear of the animal. Avoid approaches from head on or directly from behind.

In the case of sperm whales, approach animals from the rear and slightly to the side.

Caution zone:

A caution zone is an area in which watercraft should proceed at a no-wake speed (6 knots or less).

The caution zone is the area within 300m from a whale, and 150m from a dolphin.

- No more than 3 watercraft should be in the caution zone of a cetacean at a time.
- When there is more than one watercraft in the caution zone, operators should coordinate movements and maintain radio contact.
- Observe cetaceans at a speed not exceeding the speed of the slowest animal.

No approach zone:

The no approach zone is the minimum distance to which a watercraft may approach a cetacean. Engines should be in neutral, sails dropped and paddles out of the water.

Watercraft:

Minimum approach distances for whales range from 50-250m, minimum approach distances for dolphins range from 30-100m, including the area directly in front of and behind a pod. However, there may be conditions under which it would be recognized that a greater distance would be appropriate e.g. with mother-calf pairs.

Aircraft:

If permitted as a viewing platform, aircraft may not approach (in height or distance) to within 500m of a cetacean.

Mother and calf pairs

A cetacean with a calf, lone calves/mothers or groups with calves, and juveniles are particularly vulnerable to disturbance and require additional protection.

- Exercise extreme caution with groups containing calves.
- Site-specific restrictions on length of encounter and distance of approach should be considered for groups with calves.

Swimming and diving with cetaceans in the wild

Swimming with cetaceans may increase the potential for disturbance and displacement and puts people at risk. There are existing swim with cetacean programmes (commonly known as swim-with programmes) but the further development of these programmes is discouraged. For those countries where swim-with activities are currently being undertaken, it is recommended that the following standards be applied to these operations.

- Scientific studies should be initiated to assess: a) the associated risk to the safety of the people participating in swim-with activities; and b) the current and potential future impacts of these activities on the target species. Any accidents should be documented and reported to relevant authorities.
- Particularly sensitive animals (e.g. mothers with calves) and sensitive habitats (e.g. calving and feeding grounds) should be provided additional protection (refer to Management Considerations)
- No sub-surface (> 1 m) swimming activities should be allowed, including the use of any underwater breathing apparatus and scooters.
- Underwater flash photography or lighted filming should not be allowed.
- A precautionary, adaptive management approach should be taken when reviewing swim-with operating procedures. Consideration should be given to:
 - regular review of operational standards as credible scientific information on the impacts of swim-with programmes becomes more available;
 - all persons in the water with cetaceans should be accompanied by an appropriately trained naturalist;
 - limiting the number of vessels permitted to undertake swim-with activities in a region;
 - limiting the number of swimmers allowed in the water at any one time;
 - limiting the maximum amount of in-water time allowed, including maximum swim time for each interaction, time required between successive swims with each animal and maximum cumulative interaction time with each animal per day;
 - appropriate drop-off distance for swimmers and minimum swimmer distance from animals;
 - entering the water with cetaceans during behaviourally sensitive (e.g. feeding/foraging) situations should be discouraged;
 - swimming with mothers and calves should be discouraged; and
 - prohibit leap-frogging and limit the number of swimmer drop offs or attempts.