

# **SC/68D/WW/01**

**Sub-committees/working group name: WW**

**Update from the Whale Watching Standing Working Group**

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**INTERNATIONAL  
WHALING COMMISSION**

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### **ABSTRACT**

This paper provides an update to the Scientific Committee (SC) from the Conservation Committee (CC) Whale Watching Standing Working Group (WW SWG) and seeks any additional comments from the SC on the IWC General Principles for WW, and views on SC representation on the WW SWG.

### **INTRODUCTION**

At IWC/SC/68C the SC received an update on the IWC Whale Watching Handbook and several other issues of mutual interest between the Conservation and Scientific Committees. This paper provides a further update on the Handbook (progress since SC68C), as well as progress with the IWC WW General Principles and the development of the WW SWG Workplan.

### **IWC WHALE WATCHING HANDBOOK**

During 2021 work on the Handbook focused on consolidation of content, working with CMS to finalise and upload translations for all existing and new content, modest updates to existing content requested by countries/data providers and updating the searchable table of literature following the SC68C. Gianna Minton was contracted to help coordinate and implement this work. The Handbook's [table of literature](#) was updated with new information in December 2021 at the end of Gianna's Contract. The table now features the details and abstracts of 501 reports and peer-reviewed journal articles on whale watching. Any minor updates of the handbook will be undertaken in accordance with the editorial protocol endorsed at SC68B.

As of April 2022, thanks to generous support from the CMS all existing content has been translated from English into both French and Spanish, and these translations have been uploaded to the site.

In December 2021, Gianna conducted training on updating and editing the Handbook content for several members of Secretariat staff. The Secretariat will now continue working with countries and experts for any necessary updates or requests and will begin scoping for new content.

There have been two recent requests for small edits to the WW Handbook. Additional information has been suggested for the Bowhead whale page and we have been made aware of some changes to regulations for WW in Norway. These are being discussed and approved according to the editorial protocol. There is a need to identify means of paying for edits to the translated pages.

At its meeting in September 2020 the Conservation Committee endorsed a plan for 2021 including a focus on promotion of the Handbook.

In 2021, promotional activities were built around the 75<sup>th</sup> anniversary of the IWC and included dissemination of the Handbook's factsheets via schools and the main IWC website and flagging the Handbook in a range of presentations and articles. The IWC is collaborating with ECO: environment, coastal and offshore magazine on a special edition focused on marine mammals. This will be published in April and will include an article about the Handbook. In 2022 the Secretariat will also renew efforts to increase support for the French and Spanish language versions of the Handbook which continue to record lower usage than the English version. A new promotional plan is in development by the Secretariat.

### *Input by SC to the WW Handbook*

At SC68B the Scientific Committee noted an ongoing need to effectively interact with the CC and the SWGWW generally, but with particular regard to the Whale Watching Handbook. At a meeting prior to SC68C it was agreed that the mechanism for SC input to the Handbook was set out well in the Editorial Protocol for the Handbook and that in addition the SC could contact Gianna Minton (contract expired Dec 2021) and a named Secretariat focal point (Imogen Webster) with input and suggestions. The Secretariat, in liaison with the SWG Chair would also have responsibility for ensuring SC input to the Handbook, as set out in the Editorial Protocol. The SWG welcomes input from the new Convenors of the Sub-committee on Whale watching Suydam and Urban -Ramirez

### **IWC PRINCIPLES AND GUIDELINES FOR WHALE WATCHING**

At its meeting in 2019 (SC68A) the SC drew attention to the need to update the IWC General Principles for Whale Watching, which had not been updated since 1996, and recommended the approval and adoption of a revised document, which was drafted and approved by the SC WW Subcommittee during SC68A. SC68B reiterated this recommendation. The primary changes were to incorporate issues that have arisen or become more prominent within the whale watching industry over the past 20+ years (e.g., swimming with whales and the emergence of new technologies, such as drones). These revisions were subsequently endorsed by the SWG WW and transmitted to the CC meeting in September/October 2020 for further discussion.

The CC noted the SC revisions, and the comments provided during the meeting and agreed that changes to the Principles need to be reviewed and adopted by the Commission. The CC asked the SWG WW to further review the comments from the CC meeting and incorporate recommendations into its report to the CC and the Commission at IWC68. Given the delay to IWC68 a further round of comments was conducted in 2021 including both the SWG WW and the WW Sub-committee members and the revised document is included in Annex A.

The Scientific Committee is asked for any further input or comment with respect to the General Principles in light of these latest comments, for consideration by the WW SWG, Conservation Committee and Commission.

It was suggested that there is potential scope to cross-reference CMS Guidelines for Wildlife Watching (CMS Resolution 11.29 (rev.COP12) [Sustainable Boat-based Marine Wildlife Watching](#)) and, more specifically, the Annex containing [Species-specific Guidelines for Boat-based Wildlife Watching](#). SC are asked for comments on this.

### *IWC input to CMS Guidelines on in-water interactions*

The Secretariat was asked for input on the draft guidelines. These were circulated to both the SC WW Sub-committee and the WW SWG members for feedback which the Secretariat compiled. It was greatly received by CMS, and we look forward to seeing the revised document.

### **SC INPUT TO CC WW WORKPLAN 2022-2024**

At its meeting in 2020 the Conservation Committee endorsed the modest workplan for WW in 2021 focused on the WW Handbook (details above) and agreed to develop a three-year workplan on WW for consideration at IWC68. The WW SWG welcomes SC input on the draft workplan (Annex B). This could be facilitated through the SC representation on the SWG, but the SC might wish to discuss the mechanism by which it provides this input.

## **MEMBERSHIP OF THE CC STANDING WORKING GROUP**

The Chair of the WW SWG and Convenor of the SC WW Sub-committee discussed SC representation on the SWG WW at a meeting in early 2021. It was proposed that the Convenor of the SC WW Sub-committee, along with either the Chair or Vice Chair of the SC and one more SC representative be included in the SWG. The WW Sub-committee agreed to this proposal at SC68C, however changes in leadership for the SC and the Sub-committee in 2022 mean representatives need to be updated. The Sub-committee is also asked for suggestions for industry representatives, as there are two vacancies on the SWG WW for industry as *ex officio* members.

## **COMMUNICATION BETWEEN THE CC AND SC**

The WW SWG welcomes closer collaboration with the Scientific Committee and hopes that the above proposals provide a positive way forward to strengthen this. Any further constructive suggestions from the Scientific Committee are welcomed.

## **QUESTIONS FOR THE SCIENTIFIC COMMITTEE**

The Scientific Committee is asked to provide:

- 1) Any further comments on the IWC General Principles for WW
- 2) Any comments on how it will provide input to the development of the CC WW workplan 2020-2024
- 3) Nominations for SC representation on the WW SWG and suggestions for industry representatives

## ANNEX A

### DRAFT REVISIONS OF GENERAL PRINCIPLES FOR WHALE WATCHING

(major additions given in *italics*; major deletions in ~~strikeout~~)

#### (1) MANAGE<sup>1</sup> THE DEVELOPMENT OF WHALE WATCHING TO MINIMISE THE RISK OF ADVERSE IMPACTS:

- i. *land-based whale watching minimises adverse impacts on cetaceans and the marine environment and should be ~~developed~~ the preferred means where possible;*
- ii. implement, as appropriate, measures to regulate platform<sup>2</sup> numbers and size, activity, frequency and length of exposure in encounters with individuals and groups of whales;
  - a. management measures may include closed seasons or areas where required to provide additional protection;
  - b. ideally, undertake an early assessment of the numbers, distribution and other characteristics of the target population/s in an area;
- iii. *promote whale watching activities that do not harass/disturb the cetaceans (i.e., do not interrupt essential behaviours such as feeding, nursing, mating, resting, etc.);*
- iv. *establish approach distances for vessels to maintain safety for the whales and vessel passengers;*
- v. *establish approach distances for drones to maintain safety for the whales;*
- vi. *avoid the development of operations that include direct interactions between humans and cetaceans, such as swimming with or provisioning (feeding) the target species;*
  - a. *where such operations are currently in existence, they should be strictly regulated, monitored and evaluated, to minimise the potential impacts on both humans and cetaceans*
- vii. monitor the effectiveness of management provisions and modify them as required to accommodate new information;
- viii. where new whale watching operations are evolving, start cautiously, moderating activity until sufficient information is available on which to base any further development;
  - a. *where possible, begin with land-based whale watching in conjunction with research, to minimise adverse impacts and to improve understanding of population/s being targeted;*
  - b. *support the development of Codes of Conduct, either voluntary or as regulations, to define approach guidelines and the conduct of passengers and operators, so as to minimise adverse impacts;*
- ix. *as new and evolving technologies becomes available (e.g., drones), start cautiously and limit their use until sufficient information on their potential impacts is available on which to base any further development;*
- x. implement scientific research, *using all possible platforms*, population monitoring and collection of information on operations ~~target cetaceans~~ and possible impacts, ~~including those on the acoustic environment,~~ as an early and integral component of management, *including;*
  - a. *the acoustic environment;*
  - b. *habitat quality;*
  - c. *emerging technology; and*
  - d. *existing activities in the region;*
- xi. develop training programs for operators, *local guides and communities*, and crew on the biology, behaviour *and conservation status* of target species, *interpretation of these aspects*, whale watching operation *best practises* and the management provisions in effect;
- xii. encourage the provision of accurate ~~and informative material~~ information to whale watchers *through various methods (e.g., written materials, lectures, films), to:*

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<sup>1</sup> Wherever 'manage' and 'management' are used, we are referring to adaptive management, which we define as "an iterative process in which practitioners test hypotheses and adjust behavior, decisions, and actions based on experience and actual changes" in the environment and human and animal behavior (see Stankey et al., 2005).

<sup>2</sup> Any vessel (with or without engine), aircraft or person in the water.

- a. develop an informed and supportive public;
  - b. encourage development of realistic expectations of encounters and avoid disappointment and pressure for increasingly risky behaviour.
- xiii. *encourage the use of whale watching operations as platforms of opportunity for research.*
- xiv. *develop training programs for whale watch operators, local guides, and crews on how to best respond to cetaceans that are stranded, entangled, injured, or otherwise in distress, in order to ensure:*
- *local stranding or entanglement response network organizations are notified about cetaceans in distress or in need of assistance as quickly as possible;*
  - *appropriate and safe protocols are followed when whale watch vessels remain with stranded cetaceans if responders are available and en route to the scene*
  - *if no responders are available, appropriate and safe protocols are followed to document the cetacean(s) and related conditions*
- xv. *that interventions with live cetaceans (e.g., disentanglements) are not conducted while whale watching activities are ongoing (e.g., when members of the public are on the vessel) for the safety of the public and the cetacean*

(2) DESIGN, MAINTAIN AND OPERATE PLATFORMS TO MINIMISE THE RISK OF ADVERSE EFFECTS ON CETACEANS, INCLUDING DISTURBANCE FROM VESSEL PROXIMITY OR NOISE:

- i. vessels, engines and other equipment should be designed, maintained, and operated during whale watching to reduce, as far as practicable, the adverse impacts on target species and their environment;
- ii. cetacean species may respond differently to ~~low and high frequency sounds~~ *the presence of platforms and the sounds they produce, as well as relative sound intensity or rapid changes in sound; therefore, vessel operators should be aware of;*
  - a. ~~vessel operators should be aware of~~ *the acoustic characteristics of the target species and of their vessel under operating conditions; particularly of the need to reduce as far as possible production of potentially disturbing sound;*
  - b. *other potential sources of sound in the environment, such as aircraft, large ships moving through the area, drones, fishing vessels, recreational vessels and jet-skis;*
  - c. *how targeted individuals may respond to the cumulative sound in the environment;*
  - d. *the number of other vessels in proximity to the individual being observed, including non-commercial and non-motorised vessels, and the need to keep these numbers as small as possible; and*
  - e. *the need to reduce a whale watching vessel's contribution to the overall noise and other potential negative impacts in the environment and;*
  - f. *how quieter platforms such as kayaks, paddleboards, surfboards, etc., are stealthy and can still elicit a startle response or harass cetaceans..*
- iii. vessel design and operation should minimise the risk of injury to cetaceans should contact occur; for example, shrouding of propellers can reduce both noise and risk of injury;
- iv. operators should be able to keep track of whales during an encounter.

(3) ALLOW THE CETACEANS TO CONTROL THE NATURE AND DURATION OF 'INTERACTIONS':

- i. operators should have a sound understanding of *species- and location-specific* behaviour of the cetaceans and be aware of behavioural changes that may indicate disturbance;
- ii. ~~avoid high speed<sup>3</sup> within areas of known cetacean presence; travel at slow speeds, less than 10 knots<sup>4</sup>, in areas of known cetacean presence whenever possible;~~

<sup>3</sup> 'High speed' is defined as "travelling at more than 13 knots" (IWC, 2005).

<sup>4</sup> <https://esajournals.onlinelibrary.wiley.com/doi/10.1890/ES13-00004.1>

- iii. in approaching or accompanying cetaceans, maximum platform speed should be determined relative to that of the cetacean, and should not exceed it once on station<sup>5</sup>;
- iv. use appropriate angles and distances of approach; species may react differently, and most existing guidelines preclude head-on approaches;
- v. ~~friendly whale behaviour should be welcomed but not cultivated~~ do not instigate *or encourage* direct ~~contact~~ interaction with a platform;
- vi. avoid sudden changes in speed, direction or noise;
- vii. do not alter platform speed or direction to counteract avoidance behaviour by cetaceans;
- viii. do not pursue<sup>6</sup>, head off, or encircle cetaceans or cause groups to separate *or split apart*;
- ix. approaches to mother/calf pairs and solitary calves and juveniles should be undertaken with special care;
  - a. there may be an increased risk of disturbance to these animals, or risk of injury if vessels are approached by calves;
- x. cetaceans should be able to detect a platform at all times;
  - a. while quiet operations are desirable, attempts to eliminate all noise may result in cetaceans being startled by a platform that has approached undetected;
  - b. rough seas may elevate background noise to levels at which vessels are less detectable.

#### REFERENCES

- International Whaling Commission. 2005. Report of the Scientific Committee. Annex M. Report of the Sub-Committee on Whalewatching. *Journal of Cetacean Research and Management (Supplement)* 7:327-32.
- Stankey, G.H., Clark, R.N. and Bormann, B.T. 2005. Adaptive Management of Natural Resources: Theory, Concepts, and Management Institutions. Gen. Tech. Rep. PNW-GTR-654. U.S. Department of Agriculture, Pacific Northwest Research Station, Portland. 80pp.

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<sup>5</sup> Once the platform is actively 'watching' cetaceans.

<sup>6</sup> Chase (as opposed to follow), causing the whale to change its course or speed.

## ANNEX B

### DRAFT Whale Watching Workplan 2022-2024

The Whale Watching Strategic Plan provides the overarching vision for the period 2018-2024. High level objectives presented in the workplan below directly correspond to the three objectives identified as the key components of the Strategic Plan. There is a suite of short-, medium-, and long-term actions associated with each objective. Short-term actions are taken to be those which can be delivered within two years of the adoption of the Strategic Plan, with medium-term actions delivered over five years. Two long-term actions are identified in this iteration of the Strategic Plan: (1) Continued development of the digital Whale Watching Handbook, and (2) Development of an integrated research plan.

The Whale Watching Handbook (Handbook), the SC Sub-committee on Whale Watching, and the Standing Working Group on Whale Watching will be important mechanisms through which these objectives can be achieved.

DRAFT IWC WHALE WATCHING WORKPLAN 2022-2024								
High level objective & Description of activity	Timeframe			Lead	IWC community involved	Budget per year/ total budget	Potential funding source(s)	Priority Core= essential Top High Medium
	2022	2023	2024					
<b>Objective 1: Information Sharing</b> Identify methods to facilitate cooperation and information/expertise-sharing between Contracting Parties and others to support the development of a responsible whale-watching sector, including the provision of benefits to local communities.								
1.1 Use the Handbook to continue to improve industry and public access to data, information, and research results	x	x	x	Standing Working Group on Whale Watching	SC Sub-Committee on Whale Watching, Secretariat			



1.2 Ongoing maintenance of the IWC WW Handbook including: -Scoping of new content -Regular updating the searchable table of literature -Modest updates to existing content requested by countries/data providers	x	x	x	Standing Working Group on Whale Watching, Secretariat	SC Sub-Committee on Whale Watching			
1.3 Further development of IWC WW Handbook including: - development of new content		x	x	Secretariat	Standing Working Group on Whale Watching, SC Sub-Committee on Whale Watching			
1.4 Promotion of the WW Handbook and related resources (communication strategy) - Researchers - Whale watching managers - Naturalists - Operators - Public	x	x	x	Secretariat, Standing Working Group on Whale Watching,	SC Sub-Committee on Whale Watching, IWC community			
1.5 Review of implementation of the IWC Strategic Plan to date to help identify priorities. * Within two years of commencing work on the actions outlined, this Working Group aims to undertake a comprehensive review of outputs to allow activities to be refocused, if required.	x			Standing Working Group on Whale Watching,	SC Sub-Committee on Whale Watching, Secretariat			
1.6 Draft new Strategic Plan 2025-2035 (10year)			x	Standing Working Group on Whale Watching,	SC Sub-Committee on Whale Watching, Secretariat			
<b>Objective 2: Capacity Building and International Collaboration</b> Support the development of a responsible whale watching sector and the provision of benefits to local communities.								

2.1 Identify, on a regional basis, specific capacity building, research and development needs. In particular, those (or including those) providing long-term benefits for the livelihood of local communities.	x	x	x	Standing Working Group on Whale Watching	BMI (Secretariat), SC Sub-committee on WW			
2.2 Continue to Support the IORA Network on Sustainable Whale Watching	x	x	x	SC Sub-committee on WW, intersessional correspondence group for cooperation with IORA	Standing Working Group on Whale Watching			
2.3 Identify and list in the Handbook, funding and development organisations able to offer assistance relevant to the establishment and maintenance of whale watching operations at varying scales.	x	x	x	Standing Working Group on Whale Watching	Secretariat, SC Sub-Committee on Whale Watching, IWC community			
2.4 Work with relevant international bodies, industry associations and outside expertise, to develop guidance and training tools in the Handbook that address occupational health and safety aspects of whale watching operations.	x	x	x	Standing Working Group on Whale Watching	Secretariat, SC Sub-Committee on Whale Watching, IWC community			
2.5 Investigate and promote best practices on cost-effective monitoring and compliance regimes and alternative strategies to promote environmentally responsible whale watching.	x	x	x	Standing Working Group on Whale Watching, Secretariat	SC Sub-Committee on Whale Watching, IWC community			
2.6 Identify and work with key partners and priority organizations who might contribute to the vision and objectives/goals.	x	x	x	Secretariat, Standing Working Group on Whale Watching	SC Sub-Committee on Whale Watching, IWC community			
<b>Objective 3: Research and Data Collection</b> Continue to develop the necessary research principles and tools to assist the collection of data important to ensuring that whale watching (1) does not significantly and adversely affect the								

behaviours and fitness of individual cetaceans or populations or their habitats and (2) realizes its potential benefits, e.g., educating the public, positively affecting attitudes toward conservation, improving local economies								
<p>3.1 Continue the Modelling and Assessment of Whale Watching Impacts (MAWI) initiative, to develop tools and methodologies to assist researchers and managers in their efforts to assess potential impacts of whale watching on cetaceans and to mitigate them. This initiative is ongoing and could focus on:</p> <ul style="list-style-type: none"> <li>• Investigating modelling methods to link short- (e.g., behavioural reactions) and medium-term (e.g., changes in population distribution) responses with potential impacts from whale watching to long-term (i.e., &gt;10 to 20 years) consequences (e.g., vital rates).</li> <li>• Establishing standard data collection methodologies, including from platforms of opportunity.</li> <li>• Identifying key locations for whale watching research projects and programmes, taking into consideration logistics, capacity and management urgency;</li> </ul>	x			SC Sub-Committee on Whale Watching, MAWI	Standing Working Group on Whale Watching			
<p>3.2 Develop a long-term integrated research programme to better understand the potential impacts of whale watching on the demographic parameters of cetacean populations. Seek to:</p> <ul style="list-style-type: none"> <li>• Investigate whether there is a causal relationship between whale watching</li> </ul>	x	x	x	SC Sub-Committee on Whale Watching	Standing Working Group on Whale Watching			

<p>exposure and the survival and vital rates of exposed cetacean individuals and populations;</p> <ul style="list-style-type: none"> <li>• Understand the mechanisms involved in causal effects, if they exist, in order to define a framework for improved management</li> </ul>								
<p>3.3 Develop processes and mechanisms for whale watching activities to collect and provide scientifically robust and useful data to researchers and research programmes</p>	x	x	x	SC Sub-Committee on Whale Watching	Standing Working Group on Whale Watching			
<p>3.4 Develop an approach (e.g., hold an intersessional workshop; establish a joint intersessional working group) to integrate social and ecological scientific research within the IWC to inform whale watching management and promote potential benefits.</p>	x	x	x	Standing Working Group on Whale Watching	SC Sub-Committee on Whale Watching			