

# **SC/69B/O/05**

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

**Report from CMS to IWC SC69B**

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**INTERNATIONAL  
WHALING COMMISSION**

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## REPORT FROM CMS TO IWC SC69B

The mandates that the Convention on Migratory Species (CMS) has for the conservation of cetaceans present clear opportunities for close collaboration and synergies with IWC. This report provides an update on relevant activities undertaken within the framework of CMS since IWC SC69A in 2023. The CMS Secretariat is looking forward to continue working together with the IWC Secretariat, the Scientific Committee and its sub-groups on these topics, and on the ones that IWC brings to the attention of CMS.

The 6<sup>th</sup> Meeting of the Sessional Committee of the CMS Scientific Council (18-21 July 2023) discussed COP-documents with scientific components. The report is available [here](#). The 14<sup>th</sup> Meeting of the Conference of the Parties to the Convention on the Conservation of Migratory Species of Wild Animals ([CMS COP14](#)) was held from 12-17 February 2024 in Samarkand, Uzbekistan. Resolutions, Decisions and Concerted Actions were adopted on over 100 distinct topics by representatives of the 133 Parties globally. Despite COP14 being held in a double-landlocked country, many of the outcomes address conservation priorities for aquatic species.

COP14 adopted Resolutions and Decisions on the following subjects:

### **Bycatch**

New Decisions directed to the CMS Scientific Council (ScC), including: to identify regions where reviews of relative levels of bycatch of CMS-listed marine mammals and marine turtles in commercial and artisanal fisheries would be a priority and/or beneficial; collaborate with all relevant organizations including fisheries management bodies to develop regional reviews with a view to reducing the levels of bycatch of all CMS-listed marine mammals and turtles in commercial and artisanal fisheries; identify and prioritize fisheries and areas in which adverse impacts of bycatch are highest for CMS-listed marine mammals and turtles; cooperate with the relevant organizations, including fisheries bodies to develop the most appropriate bycatch mitigation measures for fisheries of highest priority; and develop appropriate bycatch mitigation measures with associated timebound action plans.

### **Fish aggregating devices (FADs)**

New Decisions directed to the ScC, including: to evaluate the relationship between FADs and marine debris and establish principles for best practice to avoid their loss, entanglement with marine wildlife, and beaching in corals, mangroves and other aquatic and coastal habitats, and that seek to reduce their contribution to plastic pollution. This should include liaison with the International Seafood Sustainability Foundation (ISSF), further to their work on improving FAD design, and the relevant fisheries organizations.

### **Marine pollution**

New Decisions directed to the ScC, including: to identify priority forms of pollution affecting CMS-listed marine species, avoiding overlap with Decisions on Marine Noise and Decisions on Light Pollution, and develop a review of these threats, including cumulative impacts, and identify localities where marine pollution and migratory marine species significantly intersect; seek to collaborate with relevant daughter Agreements, IWC, IMMA process for marine mammals, ISRA process for sharks and rays, and other fora where similar initiatives are being investigated; hold an expert workshop to identify priority species, populations and habitats for immediate action, based on findings of the review, and develop recommendations for consideration by ScC-SC8.

### **Marine noise**

New Decisions directed to the ScC, including: to provide advice on the future role of the Convention to ensure timely and effective guidance continues to be given to governments and other stakeholders, making use of and building upon related work in other forums; consider the recommendations of the Joint Noise Working Group regarding the need for the development of further guidance on mitigation of the effects of marine noise, including on specific guidance regarding

freshwater cetacean species, and facilitate their development accordingly, with a view to presenting any outputs to COP15.

### **Vessel strikes**

New Resolution adopted. New Decisions directed to the ScC, including to collaborate with the IWC and IMO to identify areas where CMS-listed cetaceans are at high risk from vessel strikes, including by mapping shipping lanes against IMMAs, develop advice on appropriate placement of re-routing measures, including area avoidance and/or the establishment of vessel speed restrictions for key cetacean habitats, and make recommendations to Parties; assess the collision risk for further CMS-listed marine megafauna taxa that are likely to suffer from vessel strikes, and identify areas where conservation measures are most needed.

### **Deep-seabed mineral exploitation activities**

New Resolution adopted, which urges Parties not to engage in or support deep-seabed mineral exploitation activities until sufficient and robust scientific information has been obtained to ensure that deep-seabed mineral exploitation activities do not cause harmful effects to migratory species, their prey, and their ecosystems; and encourages Parties to ensure that the impacts of deep-seabed mineral exploitation activities on migratory species are fully considered in the development and implementation of any regulatory framework under national legislation and under the ISA. New Decisions directed to the ScC, including ScC to develop a report on the state of knowledge of the impacts of deep-seabed mineral exploitation activities on migratory species, their prey and their ecosystems, including identifying knowledge gaps that should be addressed.

### **Marine wildlife tourism**

New *Guidelines on Recreational In-water Interactions with Marine Wildlife* adopted. New Decisions directed to the ScC, including to develop a report to assess the long-term effects and biological significance of disturbances from boat-based and in-water interactions for all CMS-listed marine species, and make recommendations to Parties; recommend in which areas activities should be strictly limited to boat-based activities from an increased distance for particularly vulnerable populations, and make recommendations to Parties; investigate the desirability of developing guidance regarding the use of unmanned aerial and underwater vehicles, and other relevant technologies used around marine wildlife during recreational activities.

In addition, a separate Resolution on **Ecotourism and Migratory Species** was adopted, including an annex *Ecotourism and Migratory Species: Guidance for Parties and Stakeholders*.

### **Important Marine Mammal Areas (IMMAs)**

New Decision directed to the ScC, 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.

### **Conservation and sustainable management of seagrass ecosystems**

New Resolution adopted. New Decision directed to the ScC, to provide technical support to Parties to identify an inventory of migratory species that use seagrass ecosystems and those that contribute to their functioning, the most important seagrass meadows for migratory species globally, the most important past and current threats to seagrass and drivers of seagrass degradation and loss, and the conservation actions necessary to reduce seagrass loss and restore it.

### **Conservation priorities for cetaceans**

New resolution adopted (repealing Res.10.15 (Rev.COP12) *Global Programme of Work for Cetaceans*). New Decisions directed to the ScC, including: in cooperation with the IWC, quantify the contemporary whaling and aquatic wild meat takes of all CMS Appendix I-listed cetaceans in all regions, and make recommendations to Parties; in the context of threats from climate change, develop a report on the potential impacts that climate-induced migration will have on both the welfare and the conservation outcomes of affected cetacean species, and make recommendations to Parties; recommend the use of standard stranding and necropsy protocols, taking into account work

done by ACCOBAMS, ASCOBANS and the IWC, in order to help investigate the causes of mortality events; develop a report about the monitoring, welfare and conservation of 'Out of Habitat' CMS-listed cetaceans, provide advice on appropriate responses to them, and make recommendations to Parties; synthesize research on the emerging understanding of how cetacean welfare can impact conservation outcomes, and make recommendations to Parties.

### **Role of cetaceans in ecosystem functioning**

New Decision directed to the ScC: through the Aquatic Mammals Working Group, provide advice and input with regards to expanding the work on the role of cetaceans in ecosystem functioning in close collaboration with the IWC.

### **Aquatic wild meat**

New Resolution adopted: *Action Plan to Address Aquatic Wild Meat Harvests in West Africa*. New Decisions directed to ScC, including: through its Aquatic Wild Meat Working Group, ScC to support studies of the human dimensions of aquatic wild meat use, which are critical for designing effective conservation and management programmes that favour sustainable over unsustainable uses; support increased quantitative assessments of consumption and trade in aquatic wild meat to better understand demand and trade pathways; support increased efforts to assess the efficacy of existing legislation with regard to specific aquatic wild meat uses, and the degree to which enforcement capacity alone can address unsustainable aquatic wild meat harvests; support analysis of the extent of discard cases and their impact on the availability of aquatic wild meat; ensure dissemination of information on its work on aquatic wild meat and the resulting recommendations.

### **Renewable energy and migratory species**

New Decision requesting the CMS Energy Task Force (ETF) to expand the scope of the ETF (from birds) to include consideration to the IMMAs as well as the impacts on cetaceans of offshore renewable energy.

### **Conservation implications of animal culture and social complexity**

New Decisions directed to the ScC, including: through its Expert Working Group on Animal Culture and Social Complexity, ScC to promote the practical application of the increasing knowledge about animal culture and social learning in conservation management; support research on animal culture and social learning; make use of the potential synergies with CMS Agreements/MOUs/Initiatives; increase collaboration with IUCN on matters related to animal culture.

In addition, CMS Parties adopted the proposal for listing the **Baltic Proper population of the harbour porpoise** (*Phocoena phocoena*) to CMS Appendix I; as was the proposal to list **Lahille's bottlenose dolphin** (*Tursiops truncatus gephyreus*) to CMS Appendix I and II. Regarding species action plans, a **Single Species Action Plan for the Atlantic Humpback Dolphin** (*Sousa teuszii*) was adopted. Regarding Concerted Actions (CA), one was extended for Humpback Whales (*Megaptera novaeangliae*) of the Arabian Sea and one for the Eastern Tropical Pacific Sperm Whales (*Physeter macrocephalus*); and new CA was adopted on **Franciscana Dolphin** (*Pontoporia blanvillei*).

The final Resolutions and Decisions of COP14 are still being processed, and will appear shortly on the [meeting page](#) as well as the following pages: [Resolutions in Effect](#) and [Decisions in Effect](#).

CMS COP14 also launched the [State of the World's Migratory Species](#) report. It focuses on the species listed in CMS, and contains data and analyses on a further 3,000 migratory species that currently lack international protections.

The report from ASCOBANS can be found under agenda item 4.6.3.