

Agenda Item 9

Cooperation with other Bodies

Cooperation and Joint Initiatives with CMS

Document Inf.9.3.a

**Overview of Relevant CMS COP12  
Outcomes**

Action Requested

- Take note

Submitted by

Secretariat



**NOTE:  
DELEGATES ARE KINDLY REMINDED  
TO BRING THEIR OWN COPIES OF DOCUMENTS TO THE MEETING**

## **Secretariat's Note**

The Rules of Procedure adopted at the ASCOBANS 8<sup>th</sup> Meeting of Parties remain in force until and unless an amendment is called for and adopted.

## Overview of Relevant CMS COP12 Outcomes

1. The Twelfth Meeting of the Conference of the Parties to the Convention on the Conservation of Migratory Species of Wild Animals (CMS COP12) was held in Manila, at the kind invitation of the Government of the Philippines, from 23 to 28 October 2017.
2. Many items on the agenda were relevant for ASCOBANS. In this document, a brief overview is given of the most relevant issues under the responsibility of the CMS Aquatic Species Team, of which the ASCOBANS Secretariat is also part.
3. It should be noted that many other agenda items, such as those dealing with climate change, renewable energy or connectivity, are also relevant to ASCOBANS. Details on what was discussed at CMS COP12, as well as the final resolutions and decisions, can be found on the CMS website at <https://www.cms.int/en/cop12docs>.

### Doc.24.2.1 Important Marine Mammal Areas

4. 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. Four criteria for the identification of IMMAs have been developed by the IUCN Task Force on marine mammal protected areas. They are being applied regionally to cover the world’s oceans and seas.
5. [Resolution 12.13](#) acknowledges the IMMA criteria and identification process, requests support for it, and suggests that specific areas be identified where the identification of IMMAs could be particularly beneficial, for example, through stimulating the design and connectivity of protected area networks, or addressing threats to aquatic mammals more comprehensively. [Decisions 12.40-12.41](#) address collaboration between the CMS Scientific Council and Secretariat and the IUCN Joint SSC/WCPA Marine Mammal Protected Areas Task Force.

### Doc.24.2.2 Marine Noise

6. Since 2008, CMS Parties have recognized underwater noise as a serious threat to marine species. CMS COP12 in 2017 adopted [Resolution 12.14](#), acknowledging that while initial focus of scientific and policy interest was mainly on effects of noise on cetaceans, by now it has become evident that a range of CMS-listed species, species covered by CMS Agreements and MOUs, and their prey species are affected by marine noise.
7. Resolution 12.14 endorses Guidelines on Environmental Impact Assessments for Marine Noise-generating Activities, intended for use by the entire CMS Family. The Guidelines are designed to provide regulators with tailored advice presenting Best Available Techniques (BAT) and Best Environmental Practice (BEP) to apply in domestic jurisdictions. They are provided in modular format to enable regulators to apply specific information of relevance to their jurisdiction. Their overall aim is to ensure that decision-makers are presented with sufficient information to make an informed decision about impacts.
8. The following industries/noise sources are addressed in the Guidelines:
  - Military and civil high-powered sonar
  - Shipping and vessel traffic
  - Seismic surveys (air gun and alternative technologies)

- Construction works
  - Offshore platforms
  - Playback and sound exposure experiments
  - Pingers (acoustic deterrent/harassment devices, navigation)
  - Other noise-generating activities (acoustic data transmission; wind, tidal and wave turbines, future technologies)
9. The related [Decisions 12.42-12.43](#) focus mainly on collaboration on this important issue. In addition, the CMS Scientific Council is instructed to assess the need for further noise-related voluntary guidelines on activities of concern.

### **Doc.24.2.3 Aquatic Wild Meat**

10. The Aquatic Mammals Working Group (AMWG) of the CMS Scientific Council prepared a report on the state of knowledge regarding the harvest of aquatic wild meat; the report can be found in Annex 1 of this document. Based on these findings, [Resolution 12.15](#) seeks to give recognition to this topic, which unlike its terrestrial counterpart “bushmeat” has not yet been the focus of international policy efforts. The resolution recommends an increase in scientific understanding and knowledge of aquatic wild meat harvests, increased collaboration and information sharing and giving required financial, technical and capacity support to ensure subsistence harvests are legal and sustainable.
11. Further, it requests the Scientific Council to establish a thematic working group dealing with aquatic wild meat, the tasks of which are detailed in the related [Decisions 12.44-12.46](#). Following a call for nominations of Councillors and external experts, the working group was established in June 2018 and has started its deliberations on the CMS Scientific Council Workspace.

### **Doc.24.2.4 Live Capture of Cetaceans from the Wild for Commercial Purposes**

12. CMS COP12 adopted [Resolution 11.22 \(Rev.COP12\)](#) on this topic, which, like its predecessor, calls upon Parties to develop and/or implement national legislation prohibiting the live capture of cetaceans for commercial purposes, and urges Parties to consider taking stricter domestic measures in line with CITES Article XIV with regard to the import and international transit of live cetaceans. Furthermore, it requests the Secretariat and the Scientific Council to enhance cooperation with CITES and the International Whaling Commission (IWC) on small cetaceans, and onto Parties to contribute to the cooperation and collaboration. The Resolution endorses Best Practice Guidelines designed to assist Parties interested in improving existing national legislation or developing new laws relating to the capture, transit or import of live cetaceans for commercial purposes, which are contained in the Annex.
13. [Decisions 12.47-12.49](#) request that the progress on implementation of resolutions be reported to the Standing Committee by the Secretariat. The Standing Committee will amend further actions as appropriate at its 49<sup>th</sup> meeting.

### **Doc.24.2.5 Recreational In-Water Interaction with Aquatic Mammals**

14. Annex 1 to the document provides a briefing on the issue of “swim-with programmes” requested by the CMS Scientific Council. It concludes that these activities are a fast-growing phenomenon worldwide and are likely to bring widespread disturbance to aquatic mammals, with potentially serious conservation consequences. Regulation and management are required quickly before unsustainable practices become firmly established in many places.

15. Based on these findings, [Resolution 12.16](#) gives recognition to this threat to aquatic mammals, urges the adoption of appropriate national measures to regulate such activities, and calls for research on effects and significance of these disturbances. [Decisions 12.50-12.52](#), among other things, direct the Council to develop guidelines and recommended code of conduct for operators, in consultation with the IWC and based on documents on national measures that Parties are requested to provide to the Secretariat.

#### **Doc.24.4.1 Management of Marine Debris**

16. The largest component of marine debris is plastic, making up over three quarters of total quantities. The two major risks for marine species associated with macroplastics are entanglement in and ingestion of marine debris. An estimated ten per cent of global marine litter is “ghost gear” or abandoned, lost or otherwise discarded fishing gear (ALDFG). Microplastics are generally defined as items smaller than 5mm. They are of concern because they act as a ‘sponges’ removing and concentrating contaminants from the water, leading to bioaccumulation in the food chain.
17. [Resolution 12.20](#) acknowledges the wide range of challenges and covers knowledge gaps in management of marine debris, best practice for commercial marine vessels, actions by the industry, public awareness and education campaigns, as well as collaboration and policy intervention.

#### **Doc.24.4.3 Conservation Implications of Animal Culture and Social Complexity**

18. Based on the report of the CMS Expert Working Group on Culture and Social Complexity contained in [COP12/Inf.14](#), CMS [Resolution 11.23 \(Rev.COP12\)](#) requests the Expert Group to continue its work, and urges Parties to apply a precautionary approach to the management of populations, for which there is evidence that influence of culture and social complexity may be a conservation issue.
19. Further work on this subject is outlined in [Decisions 12.75-12.77](#). The workshop foreseen in Decision 12.76 took place in Parma, Italy, on 12-14 April 2018. The report has been published as [CMS/ScC-SC3/Inf.8](#), and the findings will assist the Expert Group in completing the tasks assigned to it.

#### **Doc.24.4.4 Bycatch**

20. Bycatch is the incidental capture of non-target species in fisheries and is a universal phenomenon. While it is not the only threat to the aquatic species listed by CMS and covered by its Agreements, for many species or populations it remains the most severe. Addressing it effectively requires collaboration between all relevant stakeholders, and significant improvements in monitoring and mitigation.
  - [Resolution 12.22](#) outlines actions to be taken in order to achieve effective mitigation and monitoring, covering participation in Regional Fisheries Management Organizations, bycatch mitigation methods and data collection, collaboration and cooperation, and technological and financial assistance.

#### **Doc.24.4.5 Sustainable Boat-based Marine Wildlife Watching**

21. CMS [Resolution 11.29 \(Rev.COP12\)](#) endorses guidelines on boat-based marine wildlife watching, found in the annex to the resolution, for different taxonomic groups. These Guidelines cover:

- General considerations concerning boat-based wildlife watching, including the need for Environmental Impact Assessments (EIAs), considerations about vessels, licensing/permits and other matters
  - Species-specific considerations for developing national guidelines for boat-based wildlife watching focusing on sirenians, pinnipeds, elasmobranchs, seabirds and marine turtles
  - The specific risks, early indicators of disturbance, factors to consider, management considerations, guidelines and suggested thresholds for each taxonomic group
22. The guidelines do not cover in-water interactions, such as “swim-with” or “dive-with” activities. However, the CMS Scientific Council decided to consider these topics jointly in its future work, as far as feasible. Regarding cetacean watching, CMS is collaborating with the IWC, which is taking the lead in the development of a joint IWC-CMS Whale Watching Handbook, to be presented at the IWC67 in Brazil in September 2018.
23. [Decisions 12.78-12.80](#) focus mostly on collaboration with the IWC and ACCOBAMS.