

Agenda Item 4.2

Reports

Report of the Secretariat

Information Document 4.2

**Overview of the CMS COP13 Outcomes
Relevant to ASCOBANS**

Action Requested

Take note

Submitted by

Secretariat



Note:

Delegates are kindly reminded to bring their own document copies to the meeting, if needed.

OVERVIEW OF CMS COP13 OUTCOMES RELEVANT TO ASCOBANS

1. The Thirteenth Meeting of the Conference of the Parties to the Convention on the Conservation of Migratory Species of Wild Animals (CMS COP13) was held in Gandhinagar, India, from 17 to 22 February 2020. In this document, a brief overview is given of the issues most relevant to ASCOBANS.
2. It should be noted that some cross-cutting agenda items, such as those dealing with climate change, plastic pollution, sustainable tourism, and connectivity, are also relevant. [Resolutions](#) and COP13-adopted [Decisions](#) can be found on the CMS website.

Conservation Measures Relevant for CMS-listed Species Evident from the Identification of Important Marine Mammal Areas (IMMAs)

3. [UNEP/CMS/COP13/Doc.26.2.1/Rev.1](#) on IMMAs reports on progress to implement Decisions 12.40 and 12.41 relating to [Resolution 12.13](#). It contains a report by the IUCN Marine Mammal Protected Areas Task Force on activities related to the identification of IMMAs undertaken since CMS COP12. The collaboration between CMS and the IMMA process has worked organically through the involvement of the Chair of the Aquatic Mammals WG as well as through the considerable overlaps between the experts of the Aquatic Mammals Working Group and participants of the following workshops and IMMA implementation visits.
4. To date, IMMAs have been developed with relevance for 18 CMS-listed species e.g. Blue Whale (*Balaenoptera musculus*, App I), Fin Whale (*Balaenoptera physalus*, App I & II), and Mediterranean Monk Seal (*Monachus monachus*, App I & II).
5. The CMS Aquatic Mammals Working Group believes it would be useful if the CMS Secretariat and Parties could help engage national support toward a new decade of scientific research, focusing on gaining substantial data about the habitats of marine mammals and other migratory species in the high seas (largest portion of the world's oceans). This will require engagement of governments, scientists and scientific institutions, as well as of the funding bodies capable of financing such a large initiative.
6. [Decisions 13.54 - 13.57](#) adopted at COP13 include a request to Parties to make use of the identified IMMAs posted on the [website](#) of the IUCN Joint Species Survival Commission/World Commission on Protected Areas (SSC/WCPA) Task Force, when identifying habitat at risk or designing threat mitigation measures, and when designating MPAs.

Marine Noise

7. [UNEP/CMS/COP13/Doc.26.2.2/Rev.1](#) reports on progress to implement Decisions 12.42 and 12.43, which both relate to [Resolution 12.14](#) on *Adverse Impacts of Anthropogenic Noise on Cetaceans and Other Migratory Species*. It also recommends further decisions in order to advance implementation of the Resolution.
8. [Decisions 13.58 - 13.60](#) include a request for the CMS/ACCOBAMS/ASCOBANS Joint Noise Working Group to review the report on *Best Available Technology (BAT) and Best Environmental Practice (BEP) for Three Noise Sources: Shipping, Seismic Airgun Surveys, and Pile Driving* published as UNEP/CMS/COP13/Inf.9 and publish the resulting version as a Technical Series to make the information easily accessible to Parties.
9. CMS Secretariat should add the *Advisory Note: Further guidance on independent, scientific modelling of noise propagation* (UNEP/CMS/COP13/Inf.8) to the *Technical Support Information* provided [online](#). It was also agreed that CMS Scientific Council should assess the

need for updating the *CMS Family Guidelines on Environmental Impact Assessment for Marine Noise-generating Activities* and/or its *Technical Support Information* prior to CMS COP14.

Bycatch

10. [UNEP/CMS/COP13/Doc.26.2.3](#) reports on a number of activities for marine mammals, turtles and seabirds that have been undertaken by the Scientific Council and the Secretariat to implement [Resolution 12.22](#) on *Bycatch*; and makes suggestions for future activities related to chondrichthyan species.
11. In Annex 1 to Doc.26.2.3, the CMS Scientific Council recommends decisions directed to the Parties, the Council and the Secretariat on concrete activities to implement Resolution 12.22, in particular on the application of existing new guidelines to reduce bycatch of marine mammals, reviewing the overall bycatch situation for aquatic species in general and for chondrichthyans in particular, and identifying appropriate bycatch mitigation measures.
12. The information documents linked to Doc.26.2.3 included [Inf.11](#) *Technical Mitigation to Reduce Marine Mammal Bycatch and Entanglement in Commercial Fishing Gear: Lessons learnt and future directions* and [Inf.12](#) *Report of the FAO Expert Workshop on Means and Methods for Reducing Marine Mammal Mortality in Fishing and Aquaculture Operations*.
13. One of the [decisions](#) adopted urges Parties, that manage fisheries with identified marine mammal bycatch problems, to take account of the Hamilton and Baker (2019) assessment¹; and the FAO Technical guidelines to reduce bycatch of marine mammals in capture fisheries, once available; and the Leaper and Calderan (2018) study of methods used to reduce risks of cetacean bycatch and entanglements (CMS Technical Series Publication No. 38) – in addition to the best available scientific advice for the fisheries concerned and implement effective bycatch mitigation measures for marine mammals.

Aquatic Wild Meat

14. [UNEP/CMS/COP13/Doc.26.2.4](#) reports on progress in implementation of Decisions 12.44 to 12.46 relating to [Resolution 12.15](#). It includes the progress report of the Aquatic Wild Meat Working Group, which it presented to the Scientific Council. The document is accompanied by two further annexes posted separately. These deal with the *Harvest of CMS Appendix I-Listed Sharks and Rays as Aquatic Wild Meat* and with *Determining the Extent of Interplay between Bycatch and Aquatic Wild Meat Harvests*.
15. The results of these two papers are reflected in the decisions, which direct the Aquatic Wild Meat Working Group to increase collaboration with the Bycatch Working Group and to incorporate Appendix I-listed sharks and rays into their further work. The [decisions](#) were adopted as is.

Marine Wildlife Watching

16. [UNEP/CMS/COP13/Doc.26.2.5](#) reports on progress to implement relevant decisions made at COP12, and combines the workstreams of *Recreational In-Water Interactions* ([Res.12.16](#)) and *Sustainable Boat Based Marine Wildlife Watching* ([Res.11.29 \(Rev.COP12\)](#)) as requested by Parties.
17. The Secretariat developed a review of existing guidelines and issues of concern related to recreational in-water interactions with aquatic species, which the COP was recommended to take note of. The review can be found in Annex 2 of Doc.26.2.5. The Secretariat also worked closely with the International Whaling Commission to develop the [joint IWC-CMS Whale](#)

[Watching Handbook](#). Both activities were possible thanks to funds made available by the Government of the Principality of Monaco under the Migratory Species Programme.

18. [Decisions 13.66 - 13.68](#) include a request to Parties to provide the Secretariat with copies of the relevant documents for any measures adopted regarding recreational in-water interactions with aquatic mammals; and regarding sustainable boat-based marine wildlife watching.

Live Capture of Cetaceans from the Wild for Commercial Purposes

19. [UNEP/CMS/COP13/Doc.26.2.8](#) reports on three COP12 decisions. To implement these decisions, the Secretariat requested information from Parties on the implementation of the Best Practice Guidelines relating to the Live Capture on Cetaceans from the Wild for Commercial Purposes. The guidelines can be found as an Annex to [Resolution 11.22 \(Rev.COP12\)](#).
20. By the deadline, the Secretariat had received one response (from Spain), which can be found as UNEP/CMS/COP13/Inf.16. The Secretariat proposed to provide Parties more time to submit information, through the extension of the decisions. [Decisions 13.74 - 13.75](#) were adopted.

Global Programme of Work for Cetaceans

21. [UNEP/CMS/COP13/Doc.26.2.10/Rev.2](#) contains a compilation of several activities which relate to the activities foreseen in very comprehensive programme of work contained in [Resolution 10.15 \(Rev.COP12\)](#). The draft decisions address three topics:
- Decision 12.16, which foresees the development of similar work programmes for other aquatic mammal species, is proposed for renewal in amended form.
 - Part of the Decision dealing with *Recreational In-Water Interaction with Aquatic Mammals*, but addressing wider issues faced by cetaceans in the Red Sea, is reported on. A review of threats was submitted by the Appointed Councillor for Aquatic Mammals and is attached as Annex 1 to Doc.26.2.10/Rev.2. The authors recommend the development of an Action Plan for the cetacean populations found in the Red Sea.
 - A new work area focusing on the role of whales in ecosystems, to be addressed in collaboration with the International Whaling Commission, is being introduced.
22. These three topics all address issues relevant to Resolution 10.15 (Rev.COP12), but the proposed decisions not an attempt to cover all regions or topics included in the Resolution. There is clearly scope for many more activities, as has also been pointed out by some partners in advance of this meeting, and their support to the Council and the Secretariat in addressing more issues will be most welcome.
23. [Decisions adopted](#) include a request for the CMS Aquatic Mammals Working Group to review the regional threats for the CMS-listed aquatic mammals not included in the Global Programme of Work for Cetaceans and undertake a revision of the POW leading up to COP14, including a review of the implementation of the POW to date, preparation of a gap analysis and identification of the priorities going forward.

Conservation Implications of Animal Culture and Social Complexity

24. [UNEP/CMS/COP13/Doc.26.4.1/Rev.1](#) reports on progress in implementing Decisions 12.75 to 12.77 related to [Resolution 11.23 \(Rev.COP12\)](#). It also provides the progress report of the Expert Working Group on Animal Culture and Social Complexity to the Scientific Council, and recommends new Decisions to carry forward this work.

25. [Decisions adopted](#) include a request for the Expert Working Group on Animal Culture to progress work on the development of a management tool at a workshop proposed for 2020 (offer for hosting already received); and instructions to Secretariat to issue questionnaire to Parties before COP14.

Concerted Actions

26. A new [Concerted Action \(CA\) for Harbour Porpoise, concerning Baltic and Iberian populations](#), was adopted. Activities in the CA aim to support the work of ASCOBANS and the Baltic Porpoise Action Plan and also strengthen the collaborative effort by all CMS Parties bordering the Baltic Proper. The Iberian population will similarly benefit from the actions recommended, and particularly with regard to reducing unintentional mortality from fisheries bycatch.
27. The CA for Harbour Porpoise recommends Parties to implement, as soon as possible, a coherent system for data collection on fishing effort and bycatch of protected, endangered and threatened species, including Harbour Porpoise, for vessels of all sizes; take immediate management actions and measures, including fisheries regulations to protect porpoises within and outside marine protected areas such as Natura 2000 sites; actively participate in the development of an Action Plan for the Iberian Harbour Porpoise population with immediate effect; and list the two Harbour Porpoise populations on CMS Appendix I at the earliest opportunity and also add the Iberian porpoise population to Appendix II.
28. The following Concerted Actions for cetaceans, adopted at COP12, were approved for extension: [CA12.2](#) Sperm Whales, [CA12.3](#) Atlantic Humpback Dolphin, and [CA12.4](#) Humpback Whales in the Arabian Sea.