



**CONVENTION ON
MIGRATORY
SPECIES**

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Agenda Item 26.2

**CONSERVATION MEASURES RELEVANT FOR CMS-LISTED SPECIES EVIDENT FROM THE
IDENTIFICATION OF IMPORTANT MARINE MAMMAL AREAS (IMMAS)**

(Prepared by the Scientific Council and the Secretariat)

Summary:

This document reports on progress to implement Decisions 12.40 and 12.41 *Important Marine Mammal Areas (IMMAs)*. 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 and draft Decisions for adoption. It has been revised by the Sessional Committee of the Scientific Council at its 4th session in November 2019, see two text additions in the Decisions on page 7.

CONSERVATION MEASURES RELEVANT FOR CMS-LISTED SPECIES EVIDENT FROM THE IDENTIFICATION OF IMPORTANT MARINE MAMMAL AREAS (IMMAS)

Background

1. At its 12th meeting (COP12, Manila, 2017), the Conference of the Parties adopted Decisions 12.40 to 12.41 on Important Marine Mammal Areas (IMMAS) as follows:

12.40 Directed to the Scientific Council

The Scientific Council should:

- a) *Collaborate with the IUCN Joint Species Survival Commission/World Commission on Protected Areas (SSC/WCPA) Marine Mammal Protected Areas Task Force to include data on CMS-listed pinnipeds, sirenians, otters, polar bears and cetaceans in the identification of Important Marine Mammal Areas (IMMAS);*
- b) *Upon receiving information from the IUCN Joint SSC/WCPA Marine Mammal Protected Areas Task Force about newly identified IMMAs, review their relevance for CMS-listed species, consider any contributions received from Parties, and provide advice concerning conservation measures;*

12.41 Directed to the Secretariat

The Secretariat should:

- a) *Collaborate with the IUCN Joint SSC/WCPA Marine Mammal Protected Areas Task Force to promote the value of IMMAs for the conservation of CMS-listed aquatic mammals;*
- b) *Transfer information on newly identified IMMAs received from the IUCN Joint SSC/WCPA Marine Mammal Protected Areas Task Force to the Scientific Council and to the Parties and invite contributions from Parties and Range States;*
- c) *Report to the Standing Committee at its 48th and 49th meeting on the progress in implementing this decision.*

Activities to Implement Decision 12.40

2. The Chair of the Aquatic Mammals Working Group has provided the following report on its work.
3. The collaboration between CMS and the IMMA process has worked organically through the involvement of the Chair of the Aquatic Mammals Working Group, 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:
 - a) First IMMA implementation demonstration, Palau, Micronesia (October/November 2017)
 - b) North East Indian Ocean and South East Asian Seas IMMA Regional Workshop (Kota Kinabalu, Malaysia, March 2018)
 - c) Mediterranean Monk Seal Extraordinary Workshop (La Spezia, Italy, April 2018)
 - d) Extended Southern Ocean Regional IMMA Regional Workshop (Brest, France, October 2018)
 - e) Second IMMA implementation demonstration, Andaman Islands, India (November 2018)

- f) Western Indian Ocean and Arabian Seas IMMA Regional Workshop (Salalah, Oman, March 2019)
- g) International Whaling Commission (IWC)-IUCN Marine Mammal Protected Areas Task Force-ACCOBAMS Ship Strike Workshop (Messinia, Greece, April 2019).
4. A report of the IUCN Marine Mammal Protected Areas Task Force on Activities related to the Identification of Important Marine Mammal Areas (IMMAs) undertaken since CMS COP12 is attached in Annex 1. This report contains links to each of the above workshops.
5. To date, IMMAs have been developed with relevance for 18 CMS-listed species:
- a) Antarctic Minke Whale (*Balaenoptera bonaerensis*, App II),
 - b) Bryde's Whale (*Balaenoptera edeni*, App II),
 - c) Blue Whale (*Balaenoptera musculus*, App I),
 - d) Commerson's Dolphin (*Cephalorhynchus commersonii*, App II)
 - e) Dugong (*Dugong dugon*, App II),
 - f) Fin Whale (*Balaenoptera physalus*, App I & II),
 - g) Indo-Pacific Finless Porpoise (*Neophocaena phocaenoides*, App II),
 - h) Fraser's Dolphin (*Lagenodelphis hosei*, App II),
 - i) Ganges River Dolphin (*Platanista gangetica gangetica*, App I & II),
 - j) Humpback Whale (*Megaptera novaeangliae*, App I),
 - k) Indo-Pacific Bottlenose Dolphin (*Tursiops aduncus*, App II),
 - l) Irrawaddy Dolphin (*Orcaella brevirostris*, App I & II),
 - m) Killer Whale (*Orcinus orca*, App II),
 - n) Mediterranean Monk Seal (*Monachus monachus*, App I & II)
 - o) Sei Whale (*Balaenoptera borealis*, App I & II),
 - p) Southern Right Whale (*Eubalaena australis*, App I),
 - q) Sperm Whale (*Physeter macrocephalus*, App I & II),
 - r) Spinner Dolphin (*Stenella longirostris*, App II).
6. Each workshop report and the [IMMA e-Atlas](#) represent a wealth of information that is of value for CMS conservation efforts related to these species.
7. One area for future work that has been identified by the Task Force, through the IMMA process, is to address the gap in data on marine mammal populations on the high seas in areas outside of national Exclusive Economic Zones (EEZ).
8. In December 2019, the Task Force will coordinate a series of talks on "gaining data on the high seas" at the World Marine Mammal Conference in Barcelona, Spain. Talks will be given by scientists that are specialists in environmental DNA (e-DNA) and satellite technology to identify marine mammal species, as well as remotely operated vehicles and drones, acoustic monitoring and other techniques. The CMS and ASCOBANS Secretariats will also attend.
9. The 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 largest portion of the world's oceans—the high seas. This will require engagement of governments, scientists and scientific institutions, as well as of the funding bodies capable of financing such a large initiative. By comparison, the Census of Marine Life (2000-2010)¹ launched 540 expeditions with US\$650 million funding, collecting data from 30 million samples; the proposed initiative would require a similar scale of commitment.

¹ <http://www.coml.org/about-census/>

10. The AMWG supports the conclusion reached by the Task Force that a strong argument could be made for the listing of the Dugong (*Dugong dugon*) on Appendix I, either on a regional basis or globally, in addition to Appendix II where it stands now. This is based on the experiences in Palau and the Andaman Islands, and in various other places in the Indian Ocean. The IUCN Red List rates the Dugong as Vulnerable and decreasing, but the Task Force received first-hand information² on habitat fragmentation and expert assessments of certain populations as Endangered.

Activities to Implement Decision 12.41

11. The Secretariat has actively engaged with the IMMA process, attending nearly all meetings and helping to promote IMMAs, particularly through the CMS office in Abu Dhabi, United Arab Emirates. It has also promoted IMMAs during side events held in other fora, such as the Biodiversity Beyond National Jurisdiction (BBNJ) negotiation process.

Recommended Actions

12. The Conference of the Parties is recommended to:
- a) take note of this document and the report of the IUCN Marine Mammal Protected Areas Task Force on the progress of the IMMA process, contained in Annex 1;
 - b) take note of the advice from the Scientific Council that *Dugong dugon* would benefit from being included on Appendix I.
 - c) adopt the Decisions contained in Annex 2.
 - d) delete Decisions 12.40 and 12.41.

² e.g. Dugong authority Helene Marsh regarding Palau.

ANNEX 1



**Information Note on Activities related to the
Identification of Important Marine Mammal Areas (IMMAs)
undertaken since CMS COP12 (October 2017)**

Erich Hoyt, Task Force Co-Chair

30 June 2019

Since the close of CMS COP12 (27 October 2017) the IUCN Marine Mammal Protected Areas Task Force has engaged in the following activities in support of its IMMA programme:

1. First IMMA implementation demonstration, Palau, Micronesia

An expert visit took place in Palau, Micronesia, from 30 October to 6 November 2017. The primary species of the locally identified IMMA is the **Dugong** (listed in CMS Appendix II and object of an *ad hoc* MOU). A full report of the visit can be found here: <https://www.marinemammalhabitat.org/download/working-implement-conservation-actions-important-marine-mammal-areas-immas-republic-palau/>

2. North East Indian Ocean and South East Asian Seas IMMA Regional Workshop.

An expert workshop took place in Kota Kinabalu, Malaysia, from 12 to 16 March 2018, with the participation of 29 experts from 17 countries. As a result of the workshop, and following peer review, 30 IMMAs were identified having the following primary species listed in the CMS Appendices: **Blue Whale, Bryde's Whale, Humpback Whale, Sperm Whale, Irrawaddy Dolphin, Indo-Pacific Humpback Dolphin, Indo-Pacific Finless Porpoise, Indo-Pacific Bottlenose Dolphin, Spinner Dolphin, Fraser's Dolphin, Ganges River Dolphin and Dugong**. A full report of the visit can be found here: <https://www.marinemammalhabitat.org/download/preliminary-report-of-the-regional-workshop-for-the-north-east-indian-ocean-and-south-east-asian-seas-important-marine-mammal-areas/>

3. Mediterranean Monk Seal Extraordinary Workshop.

An extraordinary expert workshop took place in La Spezia, Italy, on 5 April 2018, with the participation of ten experts from five countries. In total, three substantial new candidate IMMA (cIMMAs) for **Mediterranean Monk Seals** were identified, each one proposed through the expert-based process, utilizing the selection criteria. The cIMMAs and Areas of Interest (AoI) included sites for endangered Monk Seals in Greece and Italy in the Mediterranean as well as two known subpopulations living off Africa in the eastern Atlantic, around the Madeira Archipelago in Portugal, and at Cabo Blanco in

Mauritania/Western Sahara. Aol were also considered in the south-eastern Mediterranean and across North Africa. A full report of the workshop can be found here: <https://www.marinemammalhabitat.org/download/imma-extraordinary-workshop-for-the-mediterranean-monk-seal-preliminary-report/>

4. Extended Southern Ocean Regional IMMA Regional Workshop.

An expert workshop took place in Brest, France, from 15 to 19 October 2018, with the participation of 20 experts from 11 countries. As a result of the workshop and initial indications from the peer review, 17 IMMAs were identified having the following primary species listed in the CMS Appendices: **Blue Whale, Fin Whale, Antarctic Minke Whale, Humpback Whale, Southern Right Whale, Sei Whale, Sperm Whale, Killer Whale, Commerson's Dolphin**. A full report of the visit can be found here: <https://www.marinemammalhabitat.org/download/preliminary-report-of-the-regional-workshop-for-the-western-indian-ocean-and-arabian-seas-important-marine-mammal-areas/>

5. Second IMMA implementation demonstration, Andaman Islands, India

An expert visit took place in the Andamans, India, from 11 to 20 November 2018. The primary species of the locally identified IMMA include the following CMS-listed species: **Dugong and Indo-Pacific Bottlenose Dolphin**. A full report of the visit can be found here: <https://www.marinemammalhabitat.org/download/working-to-implement-conservation-actions-in-important-marine-mammal-areas-immas-of-the-andaman-islands-india/>

6. Western Indian Ocean and Arabian Seas IMMA Regional Workshop.

An expert workshop took place in Salalah, Oman, from 4 to 8 March 2019, with the participation of 40 experts and observers from 16 countries and one overseas territory. As a result of the workshop, 55 candidate IMMAs were proposed including, as primary species listed in the CMS Appendices, most of the species listed above for the North East Indian Ocean and South East Asian Seas. The peer review process of these cIMMAs is currently ongoing, after which the CMS-listed species will become available on the IMMA e-Atlas and in a final report.

7. International Whaling Commission (IWC)-IUCN Marine Mammal Protected Areas Task Force-ACCOBAMS Ship Strike Workshop

A Joint IWC-IUCN-ACCOBAMS workshop to evaluate how the data and process used to identify Important Marine Mammal Areas (IMMAs) can assist the IWC to identify areas of high risk for ship strikes was held on 6-7 April 2019 in Messinia, Greece with the participation of 22 experts. IMMAs were adopted as a useful tool for identifying high risk areas. The report was subsequently endorsed by the IWC Scientific Committee and the recommendations from the workshop will be transmitted to the full Commission members at the next IWC meeting.

A full report of the workshop can be found here:

<https://www.marinemammalhabitat.org/download/report-of-the-joint-iwc-iucn-accobams-workshop-to-evaluate-how-the-data-and-process-used-to-identify-immas-can-assiste-the-iwc-to-identify-areas-of-high-risk-for-ship-strike/>

Contributions received from Parties and other national governments:

- Government of Germany, Federal Ministry for the Environment, Nature Conservation, Building and Nuclear Safety supported Activities 1, 2, 5 and 6 through its financing of the GOBI/IKI project within the International Climate Initiative (IKI).
- Government of France, Agency for Biodiversity, financially supported and facilitated Activity 4.
- Government of Oman facilitated Activity 6.
- Government of India facilitated Activity 5.

In addition, the NGO, Whale and Dolphin Conservation (WDC), contributes substantially both to the IMMA initiative of the IUCN Marine Mammal Protected Areas Task Force, as well as to CMS. WDC has had a formal Partnership Agreement with CMS since 2005, and maintains a Joint Programme of Work designed to directly support the CMS Strategic Plan.

ANNEX 2

DRAFT DECISION(S)

IMPORTANT MARINE MAMMAL AREAS (IMMAS)

Directed to Parties

- 13.AA Parties are requested to utilize the identified Important Marine Mammal Areas (IMMAS) posted on the website of the IUCN Joint SSC/WCPA Marine Mammal Protected Areas Task Force (www.marinemammalhabitat.org) when identifying habitat at risk or designing threat mitigation measures for CMS-listed pinnipeds, sirenians, otters, polar bears and cetaceans;

Directed to Parties that are Range States to the Dugong

- 13.BB Parties that are Range States to the Dugong are requested to consider, including consulting the Dugong MOU, whether their regional population of the species merits inclusion on Appendix I of CMS.

Directed to the Scientific Council

- 13.CC The Scientific Council is requested, subject to the availability of resources:
- a) upon request, support Parties to utilize the identified Important Marine Mammal Areas (IMMAS) posted on the website of the IUCN Joint SSC/WCPA Marine Mammal Protected Areas Task Force (www.marinemammalhabitat.org) when identifying habitat at risk or designing threat mitigation measures for CMS-listed pinnipeds, sirenians, otters, polar bears and cetaceans;
- (12.40a) b) collaborate with the IUCN Joint Species Survival Commission/World Commission on Protected Areas (SSC/WCPA) Marine Mammal Protected Areas Task Force to include data on CMS-listed pinnipeds, sirenians, otters, polar bears and cetaceans in the identification of Important Marine Mammal Areas (IMMAS);
- c) provide advice to Parties on request on the scientific merits of including *Dugong dugon* on Appendix I of CMS;

Directed to the Secretariat

- 13.DD The Secretariat shall, subject to the availability of external resources,
- (12.41) a) transfer information on newly identified IMMAS received from the IUCN Joint SSC/WCPA Marine Mammal Protected Areas Task Force to the Scientific Council and to the Parties and invite contributions from Parties and Range States;
- b) support the engagement of national support for a new decade of scientific research about the habitats of marine mammals and other migratory species on the high seas;
 - c) continue to engage in the negotiation process for and implementation of the BBNJ treaty, with a view to its relevance for marine mammals as well as other migratory marine species.