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## **Report of the Intersessional Correspondence Group on Whalewatching (Argentina, Australia, Brazil, Mexico and South Africa)**

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### **Submitted to the IWC61 Conservation Committee**

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#### **WORKING PAPER: WHALEWATCHING – BRINGING TOGETHER SCIENCE, MANAGEMENT AND CAPACITY BUILDING**

##### **BACKGROUND**

Since 1955 (Hoyt 2008) whalewatching<sup>1</sup> has been emerging as an increasingly significant activity around the world. The issue has driven substantial bodies of work in relation to both science and management and increasingly the social and economic opportunities that may be derived from whalewatching are becoming better understood. These developments have been reflected in the IWC where there has been growing interest, particularly around the scientific aspects, in whalewatching as a sustainable use of cetacean resources.

At IWC59 in Anchorage, Resolution 2007-3 set out a framework for consideration of these issues. It recognised the valuable benefits that can be derived from the non-lethal uses of cetaceans, non-lethal use as a legitimate management strategy, and encouraged member States to work constructively towards the incorporation of the needs of non-lethal users of whale resources in any future decisions and agreement.

In 1993 the IWC invited Contracting Governments to undertake a preliminary assessment of the extent, and economic and scientific value, of whalewatching activities. These reports on the value and potential of whalewatching were consolidated by the Secretariat and considered by a Working Group at the 1994 annual meeting. As a result the IWC reaffirmed its interest in the subject, encouraging scientific work and adopting a series of objectives and principles for managing whalewatching proposed by the Scientific Committee.

The first Scientific Committee Whalewatching Working Group (later to become a Scientific Committee sub-committee) met in 1996 to consider the future work of the Committee in this regard. The Group determined that the overall objective in developing guidelines for the management of whalewatching was to ensure that the development of whalewatching is ecologically sustainable and meets, to the extent possible, the requirements of the industry and expectations of the wider community.

In 1996 the Commission adopted Resolution 1996-2 that underlined the IWC's future role in monitoring and advising on the subject. The Scientific Committee has agreed general guidelines for whalewatching and produced a compilation of whalewatching regulations from around the world, available through the IWC website (<http://www.iwcoffice.org/conservation/whalewatching.htm>). At the IWC-endorsed Workshop on the 'Science for Sustainable Whalewatching', Cape Town 6-9 May 2004, participants agreed that the original IWC general principles (IWC 1997) continued to be very helpful and appropriate but there were still a number of questions relating to management that required further dialogue and cooperation among whalewatching managers.

While much of the work of the IWC has focussed around scientific aspects of whalewatching there has been an increasing need to develop tools on how best to manage whalewatching as well as seeking to better understand the potential benefits that could accrue from increasing activity. The development of whalewatching as an economic activity has been much faster than the advancement of scientific knowledge to assess the potential impacts of whalewatching tourism on the animals and/or populations. It is acknowledged that there is a disparity between the timeframes in which managers require information and the timeframe required to assess any impact and this justifies the concern for a precautionary approach.

The IWC has recognised the growing scope of this work which generates more than US\$1.5 billion and attracts more than 12 million participants per year (Hoyt 2008). As an outcome of discussions at the IWC60

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<sup>1</sup> Whalewatching is defined as the observation of free-ranging cetaceans, including human activity from all platforms (vessels, aircraft, land), as well as swimming with and feeding cetaceans (Brownell and Oosthuizen, 2004).

Conservation Committee meeting an intersessional correspondence group (the ‘Correspondence Group’) was established to look at all aspects of whalewatching and make recommendations for any potential future workshop. The formation of this group was a recognition that at a global level robust, economically viable and ecologically sound whale watching activities must involve an integration of good science and information, appropriate management approaches and tools to communicate effectively on these issues.

This paper is a report from the Correspondence Group.

### **RATIONALE FOR A GREATER IWC FOCUS**

The IWC recognises that many species of whales are highly migratory and require global management. The term ‘management’ encompasses a broad range of activities and for the purposes of whalewatching the Correspondence Group consider that it is up to governments to determine appropriate management action, with the IWC fulfilling an advisory role.

There is great diversity in approaches, forms and potential for whalewatching globally. It is also clear that whalewatching is an expanding activity and there is a commensurate interest in practical information and guidance on identifying opportunities for whalewatching and the steps to realising those opportunities responsibly.

The issue is not static. As some whale populations recover from overexploitation and expand into new areas so opportunities emerge — just as in other areas where populations have not recovered and confront increasing threats, whalewatching management becomes more complex.

It is also clear that whalewatching can be a conservation and management issue requiring attention (Brownell and Oosthuizen, 2004). At IWC59 the Scientific Committee agreed that there is new compelling evidence that the fitness of individual odontocetes repeatedly exposed to whale watching vessel traffic can be compromised and that this can lead to population level effects (IWC 2007).

In summary there is a great demand for practical information and tools to assist and guide responsible practices in a growing industry. The Commission and its subsidiary bodies are uniquely positioned to support and assist IWC members and the broader global community to move toward achieving their objectives in relation to whalewatching.

### **OBJECTIVES AND KEY THEMES**

Taking into account the work that has been undertaken to date both within and outside the IWC there appears to be three key areas of activity or themes that are of interest to the IWC and its members. These areas of activity could be described as objectives that the Commission could seek to promote as part of an integrated body of work over time. The focus of the objectives would be to:

- develop tools to assess and understand the opportunities for whalewatching whilst also evaluating any risks;
- support and promote effective management of sustainable whalewatching activities, based on science; and
- realise the social and economic potential of whalewatching for the global community.

### ***Research and Assessment***

The Correspondence Group identified two critical areas of potential work in relation to the research and assessment needs of establishing whalewatching in countries. The needs relate to the assessment of the potential opportunity for whalewatching activity and the identification of the critical information required to assess and monitor the impacts of whalewatching activities and how such information can be collected in a cost-effective manner.

In relation to assessment, the extensive scientific work that has been undertaken under the auspices of the IWC Scientific Committee provides a strong basis for moving forward. It is important to recognise however that assessment of whalewatching potential and sustainability involves not only ecological information but also social, economic and infrastructure information. A key area of work in the future will be the development of information and tools to assist with reaching ecological and social sustainability and support those looking to assess and develop the opportunities for responsible whalewatching activities in their region or country.

Exploring some of the work already done in a number of countries with existing whalewatching or ecotourism activities is likely to be instructive. Integrated assessments of scientific information as well as social and economic information from existing feasibility studies provide a good starting point for identifying practical tools and approaches that could support countries in assessing and developing whalewatching potential. Such an assessment should also look at strategies that have failed to comprehensively consider the issues that must be taken into consideration for a whalewatching activity to be sustainable.

A key aspect of scientific work that needs to be undertaken in relation to the development of responsible whalewatching activities is the importance of taking early decisions in relation to the form of assessment and monitoring that will be put in place to identify any impacts on cetacean populations. The Commission has led the way in this regard and the work of the Scientific Committee provides a strong basis on which to move forward. Most recently, the 2008 meeting of the IWC Whalewatching Sub-committee endorsed the recommendations of the Whalewatching Impacts Workshop (Bunbury, April 2008) to undertake a large-scale research project which will assist in developing parameters to determine sustainable levels of whalewatching for different species and situations.

An important element of any future program of work will be the development of frameworks to assist countries in the development of appropriate monitoring regimes and to prioritise areas for assessment. These will need to be developed by countries on a case by case basis where the approach to, and the cost of, monitoring is matched to the capacity and capability of the country and the potential for adverse biological impacts of the activity. In this context there may be value in looking at related areas of work where other monitoring regimes are being established (ie. Marine Protected Areas (MPAs) and critical habitat protection) to look for integrated and cost-effective approaches. It is worthwhile noting that this issue was discussed at the IWC co-sponsored First International Conference on Marine Mammals Protected Areas, Hawaii, 20 March - 3 April 2009.

### ***Management***

The Correspondence Group considered the management of whalewatching activities as one of the most critical but also underdeveloped issues and as such a key area for future work. The issues in relation to management revolve around three specific areas:

- identifying the key elements of effective management for responsible whalewatching activities and how managers can quickly choose the most appropriate approach for best practice in their situation;
- managing whalewatching in a precautionary way where information is lacking; and
- reviewing governance and regulatory frameworks, coupled with impact assessment, to identify what circumstances particular approaches are likely to deliver better conservation and management outcomes.

The IWC has made an important start on identifying the key elements of effective management, particularly those that are closely related to scientific issues, through the establishment of the database detailing management approaches by member countries. This work could be expanded to elaborate key principles, such as the precautionary approach, in developing a menu of possible management options. In the longer term the development of best-practice guidelines and decision support frameworks could provide very practical support for managers in real time.

The management of any resource use activity in the absence of critical information is a challenge for all managers. The development of guidelines around the implementation of a precautionary approach to the development of whalewatching activities is likely to be of benefit for managers seeking to manage any impacts arising from whalewatching activities. An important feature of this work is to recognise that the precautionary approach is not limited to impacts on the species; there may also be impacts on the economic or social performance of the overall activity.

The global nature of today's whalewatching activities provides a wealth of information and experience that can be drawn upon to better inform a country's decisions in relation to governance and regulatory frameworks. Decisions as to what should be the minimum management requirement or whether to adopt a co-management approach or a strict regulatory regime can have significant consequences. Future work could explore best practice approaches drawing on areas with a history of responsible and effective management to assist managers with identification of an appropriate governance regime. Even in countries with a long history of whalewatching there are lessons to be learnt (ie. managing increasing requests for permits, when interest in whalewatching is high).

### ***Capacity Building and Development***

The Correspondence Group agreed that whalewatching will continue to expand and generate increasing economic and social benefits. As potential opportunities are identified many more countries will be looking for assistance to realise the social and economic potential of whalewatching activities. This is the least developed element of contemporary whalewatching and that which requires the greatest work in the long term.

Future work around capacity building and development could focus on the most immediate issues that confront those looking to develop whalewatching activities, including:

- what can be learnt from the experience of others around the globe in relation to facilitating development of responsible whalewatching industries;
- what support do communities and countries want/need in relation to tools and guidance to assist them in making good decisions; and
- how can countries with expertise, resources and a desire to assist be linked up with countries looking to build their capacity and capability in relation to developing whalewatching activities.

There would be significant benefit in identifying a set of steps, over a number of years that could allow countries, particularly developing countries, to identify what type of support would be of most assistance since it is known from experience that once the activity starts badly it is very difficult to reverse the bad practices. Often an early management intervention can address issues effectively and prevent the institutionalisation of poor practices.

### **NEXT STEPS AND RECOMMENDATIONS**

There is an opportunity to build on the momentum that has been generated in relation to whalewatching. The Correspondence Group recognise the importance of whalewatching as a valuable economic opportunity that, whilst still in the early stages of development in many countries, requires cooperation and global leadership to ensure it is developed responsibly and sustainably. Orderly development of the whalewatching issue would benefit from a longer term approach, perhaps through a workplan over the period 2010 – 2015.

The Correspondence Group recognise that robust, economically viable and ecologically sound whalewatching activities must involve an integration of good science and information, appropriate management and a core of people interested in realising opportunities for their communities. There would be value in using a workshop to initiate a program of work on the whalewatching issue. A workshop could focus on the core themes of research and assessment, management and the development of responsible activities. A focus on understanding the linkages and opportunities for greater integration between themes would be of practical interest to many countries and through the exploration of experiences, challenges and successes from around the world provide an ideal basis to launch a strategic workplan.

In particular the Correspondence Group recommends that the Conservation Committee:

1. note the report of the Correspondence Group and endorse the proposed approach and the identified themes;
2. establish a permanent Working Group on Whalewatching (Draft Terms of Reference are at Annex I);
3. task the Working Group, in consultation with the Scientific Committee, with the preparation of a 5-year strategic plan for consideration at IWC62;
4. support in principle an intersessional workshop, to be held in late 2010 that would be used to initiate the strategic plan and further develop the key actions; and
5. establish a small Steering Committee to oversee preparations for the workshop.

***Intersessional Correspondence Group***  
**19 May 2009**

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- Resolution 1993-Appendix 9 'IWC Resolution on Whalewatching'
- Resolution 1996-2 'Resolution on Whalewatching'
- Resolution 2007-3 'Non-lethal use of cetaceans'

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**Annex I**

**International Whaling Commission Working Group on Whalewatching**

**TERMS OF REFERENCE**

- Prepare a 5-year strategic plan which sets out a framework to develop actions for consideration at IWC 62;
- Set the foundation for a workshop that will elaborate and develop the key themes and objectives identified by the Intersessional Correspondence Group on whalewatching;
- Establish and task a small steering group to organise the workshop, to be held late 2010;
- Develop action plans which take into consideration the outcomes of the workshop, to inform a strategic plan and report back to IWC 63;
- Take cognoscente of existing management and scientific research and review the potential to commission relevant case studies and consult relevant stakeholders to inform the strategic plan and the development of action plans (ie. practical tools) that support the sustainable development of whalewatching activities globally;
- Explore opportunities for contributions from and linkages with governments and non-government organisations to support the program's work; and
- Consult with the Scientific Committee as relevant.