

Brazil

Voluntary National Cetacean Conservation Report, 2007

Background

At the first meeting of the Conservation Committee of the International Whaling Commission, held in Sorrento, Italy, July 14-15, 2004, Brazil and Argentina proposed that National Cetacean Conservation Reports be submitted to the Committee on a voluntary basis.

This Report updates the information provided in the past National Cetacean Conservation Reports submitted by Brazil.

National Governmental Authority Submitting the Report:

Ministry of the Environment
National Aquatic Mammals Research, Conservation and Management Center – CMA
PO Box 01, 53900-000 Ilha de Itamaracá, PE, Brazil
Ph. +55 81 35441056 fax +55 81 35441835
www.ibama.gov.br/cma
Contact person for this Report: Régis Pinto de Lima – rplima@uol.com.br

1. Legal Developments (laws, regulations and other regulatory measures related to cetaceans)

Brazil ended all whaling in 1985 through Federal Decree, when it adhered to the global moratorium agreed by the IWC. In 1987, Federal Law 7,643 banned whaling permanently and established penalties for the killing, capture or intentional harassment of any cetacean in Brazilian jurisdictional waters. This Federal Law is applied in conjunction with IBAMA Edict 117 of 1996 which establishes regulations for whale watching in Brazil.

In 2006, a Normative Instruction was put in effect to regulate boat-based whalewatching for Southern Right Whales (*Eubalaena australis*), as described in detail below under (2).

Details on existing laws and regulations were provided in detail in the 2005 Report.

2. Information on Whalewatching Operations (scale, target species/populations and relevant management issues)

Please refer to 2005 Report for general information.

Humpback whales (*Megaptera novaeangliae*) are targeted by whalewatching in Bahia State, Northeastern Brazil, particularly in the Abrolhos National Marine Park and off Praia do Forte, near Salvador. While at Abrolhos most whalewatching mixes with bot day cruises for the park and diving operations, in Praia do Forte dedicated cruises comprise most of the activity; during whale season 2007, 126 whalewatching cruises undertaken by two commercial operators were recorded, carrying 3177 passengers. Of these cruises, 57 carried researchers from the Brazilian Humpback Whale Institute aboard with 228 sighted individuals recorded. Besides these locations, whalewatching cruises also are increasing off other townships of Bahia, such as Itacaré, Alcobaça and Prado.

Southern Right Whales (*Eubalaena australis*) are observed along the coast of Santa Catarina State, mostly from shore-based locations. In the Right Whale Environmental Protection Area, 94 whalewatching cruises undertaken by a single operator were recorded during 2006, carrying 564 passengers. Shore-based observers are estimated to be in the thousands, with whale watching being the major motivation for hotel/guesthouse occupation in the region during winter season.

Normative Instruction IN102/2006-IBAMA established closed areas used as refuges for cow/calf pairs, shore-based viewing development and control areas for research on whalewatching impacts in the Right Whale Environmental Protection Area, which encompasses approximately 156,000 hectares of coastal habitat in the State of Santa Catarina. Details of the proposal are outlined in paper IWC/SC/WW13 submitted to the Scientific Committee during the 2006 meeting (available from the IWC Secretariat or by request to Brazilian Right Whale Project, pesquisa@baleiafranca.org.br), and conform with the recommendations of the 2004 Cape Town Workshop on Science for Sustainable Whalewatching.

Spinner Dolphins (*Stenella longirostris*) frequent the National Park of Fernando de Noronha daily and its observation from a shore-based lookout and tourism boats is a major tourism asset. During 2006, approximately 70,000 tourists took boats in Fernando de Noronha to watch spinner dolphins, and some 25,000 watched them from the Bay of Dolphins lookout.

3. Current Government Programs Related to Cetacean Conservation

a) National Management Strategies

In 2006 it was reported that the third version of the National Action Plan for Aquatic Mammals was being finalized. It is currently in final editorial review and should be ready for publication in a few weeks. The current version is available at http://www.ibama.gov.br/cma/download.php?id_download=35.

b) Habitat Protection

General information on Brazilian protected areas can be assessed at http://www2.ibama.gov.br/unidades/geralucs/fr_tabl.htm.

A map of all Brazilian federal protected areas can be seen at <http://www2.ibama.gov.br/unidades/geralucs/mapas/mapasing/brasil/todas.pdf>.

During 2006 the Ministry of the Environment completed the review of the Priority Areas for Biodiversity Conservation and Sharing of Biodiversity Benefits mentioned in the 2005 Report. These areas receive special attention during licensing of potentially impacting activities and the formulation of government policies which may affect these species coastal and marine spaces. Several of the areas thus highlighted for conservation include relevant cetacean habitat. The final map can be downloaded from www.mma.gov.br.

Also recently the seventh edition of the official Brazilian Marine Resources Sector Plan was finalized. It formally included whalewatching as an economically relevant use of marine resources in the country.

4. Current threats to Cetacean Conservation and Management Measures Taken/Proposed

Please refer to 2005 Report for general remarks.

As reported previously, seismic activities related to oil and gas exploration have been particularly frequent in Brazilian jurisdictional waters over the past few years. As these activities may negatively impact cetaceans and their environment, the Brazilian government has taken a precautionary approach to the issue and is exercising due caution in the issuing of permits for such activities. The implementation of appropriate monitoring and regulatory measures is continuing, and for the Ninth Round of Oil Exploration Leases, which includes blocks ranging from 50 to more than 3,000 meters deep, several recommendations for restrictions on permits are being considered in relation to cetacean habitat, *inter alia* the exclusion of several areas proposed for oil production and the strengthening of monitoring and response tools such as strandings networks. The final restrictions will be publicized in time for the auctions scheduled to occur in July 2007.

All seismic vessels are currently required to carry observers on board charged with monitoring potential effects on the biota, including cetaceans. This is also helping to enhance general knowledge of cetacean distribution in Brazilian jurisdictional waters and data provided by observers is entered in the national database (please see below under 5).

As gaps in adequate scientific knowledge were identified and have been discussed jointly by government agencies and oil industry representatives as mentioned in last year's Conservation Report, approximately US\$ 450,000 were made available to foster research on the potential impacts of seismic activities on aquatic mammals. Projects already approved include capacity-building for veterinarians and for on-board observers, aerial monitoring of jurisdictional waters, and the implementation of stranding networks.

5. Reporting Systems for Cetacean Injuries/Mortality/Strandings

The implementation of the regional strandings networks is continuing as referred to in previous reports and above, with the aim of establishing a National Strandings Network. The Southeastern Strandings Network was implemented in December 2006 as part of this build-up and integrates research and conservation institutions from the States of São Paulo, Rio de Janeiro and Espírito Santo in the national system.

The GIS marine mammal sightings and strandings database – SIMMAM – referred to in the 2006 Report is implemented, and already providing information relevant for management.

6. International Cooperation Activities

For background please refer to general information presented in previous Reports.

Brazil participated actively in two Latin American governmental meetings directed at cetacean conservation; the Buenos Aires Group met in December 2006 to review and reaffirm its principles related to the IWC and the non-lethal use of cetaceans in Latin America, and Latin American IWC member governments met in Santiago, Chile, in May 2007 to discuss matters of common interest.

Brazil also participated actively in the Second Workshop on Non-Lethal Use and Management of Cetaceans, held in April 2007 in La Pedrera, Uruguay, with the participation of government representatives, scientists and NGOs from several Latin American nations, aimed at furthering the understanding of management and policy issues regarding the sustainable non-lethal appropriation of cetaceans. The workshop reaffirmed the principles to promote the non-lethal use policies practiced in Latin America and to prevent such policies from being damaged by the escalation of whaling in the Southern Hemisphere.

Brazilian Marine Protected Area officers are participating in the consolidation of the Latin American Network of MPAs and Cetaceans – *RedCetáceos* – sponsored by the Avina Foundation and which aims at providing an exchange and cooperation platform to promote cetacean conservation and the appropriate management of cetaceans and MPAs that protect vital cetacean habitat.