

CHILE
Voluntary National Cetacean Conservation Report, 2006

Report Submitted by:
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1. Legal developments (laws, regulations and other regulatory measures related to cetaceans):

a) Marine Reserves

The ‘Humboldt Penguin National Reserve’ is located in northern Chile and comprises three islands (Damas, Choros and Chañaral) with an area of 859.3 hectares. In July 2005, two new Marine Reserves were created around these Islands. The Marine Reserves of “Chañaral Island”¹ and “Choros-Damas Islands”² are located between the III and IV regions and extend one nautical mile from the coast surrounding the Islands. The new Marine Reserves are destined to promote the conservation of the marine habitat; the protection of several species of marine mammals, such as bottlenose dolphins (*Tursiops truncatus*), sea lions (*Otaria flavescens*) and marine otters (*Lontra felina*); and the restoration of commercial species found near the Marine Reserves, such as mollusks, sea urchins and algae.

Both initiatives were developed by the Under Secretariat of Fisheries with the participation of artisan fishermen from the III and IV regions of Chile and are part of the National Biodiversity Strategy Action Plan that the Government of Chile is implementing since 2003 in accordance with its international commitments.

The Marine Reserves will be under the legal tutelage of the National Fishery Service and the activities carried within will be subject to the regulations of the General Fishing and Aquaculture Law.³

b) Whalewatching Regulations

The first guidelines regarding whale watching in Chile were developed by the Under Secretariat of Fisheries in cooperation with other competent organizations. The guidelines are oriented to minimize impacts generated by whalewatching activities on the population of humpback whales (*Megaptera novaeangliae*) that seasonally feed at Francisco Coloane Marine Park, located 180 km southwest of Punta Arenas in Magellan, southern Chile.

The guidelines incorporate aspects such as limited number of vessels, minimum distance from the vessels to the whales (100m), five hours of observation per day, 30 minutes of observation per vessel at a time and a maximum speed limit of four knots per hour.

¹ Supreme Decree 150 of the Ministry of Economy. 11 July, 2005.

² Supreme Decree 151 of the Ministry of Economy. 11 July, 2005.

³ Law 18.892 & Supreme Decree 430. Ministry of Economy. 1991.

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

Currently, five cetacean species are known to be subject of whalewatching activities in different levels: blue whale (*Balaenoptera musculus*), Humpback whale (*Megaptera novaeangliae*), Peales dolphin (*Lagenorhynchus australis*) Commerson's dolphin (*Cephalorhynchus commersonii*), Chilean dolphin (*Cephalorhynchus eutropia*) and bottlenose dolphin (*Tursiops truncatus*).

Formal tourism with blue whales along the coast of its summer feeding ground (from northwestern Chiloé Island to Corcovado Gulf) has not been developed yet, but whalewatching operations are conducted opportunistically from marine vessels and aircrafts near Quellón. Since 2003, the national NGO Centro de Conservación Cetacea, with the official support of the Chilean Marine Navy and more recently, the Ministry of Foreign Affairs, has been conducting research and educational programs in the northwestern area of Chiloé Island, oriented to increase scientific knowledge about the blue whale population present in Chilean waters and guarantee the responsible development of responsible marine ecotourism activities in the area, including community based whalewatching.

Centro Ballena Azul & Universidad Austral de Chile have informed on baseline studies underway regarding blue and humpback whale behaviour for implementing appropriate codes of conduct in future WW activities

Observation of humpback whales is formally conducted at Francisco Coloane Marine Park, one of the most important feeding grounds identified for the specie in the southern hemisphere. Boat based operations take place from various zodiacs and a 15 meter three decked inboard diesel cruiser. Three days, two night's whalewatching expeditions are offered by 'Whalesound' the only company conducting the operations. Group expeditions have a maximum number of ten people and the price is U\$700 per person. The company also offers one/two days helicopter tours that include whale watching for U\$1,200 to U\$2,400 per passenger. Whalewatching guidelines were recently adopted and will be periodically reviewed and improve in order to guarantee the effective conservation of the humpback population and the marine ecosystem.

From November to May 'Natura Patagonia' conducts half day tours to observe Peales, Commerson's and Chilean dolphins in the Fitzroy Channel, Magellan. Vessels have a capacity of 10 people and the time for scouting and observing the dolphins is about three hours. The average price of a one day trip is U\$100 per person. No whalewatching regulations have been implemented in this area.

Since more than a decade, the coastal communities of Punta the Choros and Chañaral de Aceituno, located in the III and IV regions of northern Chile, have been conducting boat based dolphin watching operations with bottlenose dolphins and other marine mammals found in the area. Visitors travel near three islands (Choros, Damas and Chañaral) to observe cetaceans and other marine species, on board fishermen boats, in groups up to 10 people and at an average price of U\$10 per person. In order to increase the tourist potential of the coastal communities of Punta de Choros and Chañaral de Aceituno the National Forest Corporation (CONAF), a private entity dependant of the Ministry of Agriculture, will conduct the "Cetacean Route Project" in 2006. No whalewatching regulations have been implemented but a proposal is being developed by national authorities.

Current Government Programs Related to Cetacean Conservation

3.

In December 2005 the National Environmental Commission (CONAMA) agreed National Policy on Protected Areas, including Marine Protected Areas of Multiple Use. These areas are oriented to maintain and restore marine biodiversity, protect threatened species, generate research opportunities, increase educational programs and develop recreational and commercial activities.

The Global Environmental Facility (GEF), the Government of Chile and the United Nations Development Program, is developing the project “Conservation of Worldwide Biodiversity Importance Along the Chilean Coast” aimed to create and implement a network of Marine Protected Areas in the country with the support of World Wildlife Fund and the Nature Conservancy. “Francisco Coloane Marine Park” was the first MPA created under this project in 2003 and two other areas have been recently created in northern and southern Chile.

Since 2006 the Ministry of Foreign Affairs is officially sponsoring the development of the “Alfaguara project” conducted by the Chilean NGO Centro de Conservación Cetacea in the north-western area of the Great Island of Chiloé. The project, named after the historical name given to blue whales by whalers operating in Chilean waters, seeks, among others, the conservation of this endangered population through the responsible development of marine ecotourism activities, including community based whalewatching.

The General Direction of Maritime Territory and Marine Merchant (DIRECTEMAR) officially supports several cetacean conservation projects carried out by Centro de Conservación Cetacea, such as the Southern Right Whale Project/Chile, the Alfaguara Project and the National Marine Mammal Sighting Network. The support of the Chilean Marine Navy has been fundamental in considerably increasing the amount of scientific information collected during field work and through the sighting network.

Since 2004, the National Fishery Service has included information regarding cetacean species found in Chilean waters and their conservation in their annual ‘Month of the Sea’ public exhibition. The exhibition conducted each May, receives thousands of visitors from local schools that learn about cetacean species through informative panels and whale replicas provided by Centro de Conservación Cetacea.

Since May 2005, the Regional Museum of Ancud (Chiloé Island) is developing a project oriented to rearticulate the first blue whale skeleton in Chile as part of a regional strategy oriented to promote scientific knowledge about cetacean species found in the area and strengthen the north-western area of Chiloé Island as an emerging destination of marine ecotourism.

The National Forest Corporation (CONAF) is currently developing the project “The Cetacean Route” oriented to improve and strengthen marine tourism activities conducted by the coastal communities of the III and IV regions of northern Chile, including whalewatching.

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

Several cetacean threats have been identified such as: incidental capture of cetaceans in artisan and industrial fishing; habitat destruction due to industrial and urban discharges of contaminants to the sea; anthropogenic activities such as aquaculture, fishery, shipping traffic and unregulated tourism in breeding and feeding grounds of cetaceans.

The future implementation of an MPA network along the country will facilitate the implementation of management and conservation measures for cetaceans in Chilean waters, which is considered essential to assure the continuation of ecosystem processes, though the development of an integrated conservation strategy which demands the involvement and engagement of local communities, as well as industrial and commercial stakeholders to attain responsible management of the selected areas.

5. Reporting Systems for Cetacean Injuries/Mortality/Strandings

The National Marine Fishery Service is responsible of collecting information regarding cetacean strandings and for granting permits for rescuing live animals, taking of biological samples of dead specimens, rescuing skeletons and/or export of biological samples taken from cetaceans.

Although a national reporting system for cetacean injuries, mortality and/or strandings has not been developed, several authorities and non governmental organizations are actively working to collate and exchange valuable information regarding cetacean deaths and its causes. As result, the number of reported cetacean strandings has increased during the last years and valuable information has been collected.

6. International Cooperation Activities (includes bilateral or multilateral cooperation, assistance and funding programs and appropriate contact information, and other international activities of the country submitting the report)

Recognizing the importance of the conservation of cetacean species and its marine environment, the Chilean Government is signatory of several international agreements related to whales:

- International Whaling Commission (IWC)
- Permanent Commission of the South Pacific (CPPS)
- Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES)
- Convention on Biological Diversity (CBD)
- Convention on Migratory Species (CMS)
- Protocol on Environmental Protection to the Antarctic Treaty

Additionally, in November 2005, thirteen Latin and Southern Hemisphere countries plus Spain signed the Buenos Aires Declaration, which strongly reaffirms the sovereign rights of States to use and manage whales through non lethal means, in particular whalewatching and benign research.

In April 2006, the Governments of Brazil and Chile agreed a Protocol of Intent for the cooperation of environmental and technical issues, including marine biodiversity protection.

7. Other (at the discretion of the Authority submitting the Report)

In February 2003, Centro de Conservacion Cetacea began the establishment of the only national cetacean sighting network currently operating along the country (Marine Mammal Sighting Network). With the active participation of more than 120 coastal communities and the official support of the Chilean Marine Navy, the network has considerably increased the information regarding the presence of cetacean species in Chilean waters.

In addition to the aforementioned, **Centro Ballena Azul (CBA)** is currently working with the financial and technical support of several *international* institutions, namely:

World Wildlife Fund (U.S.A.), Wildlife Conservation Society (U.S.A.), Whale & Dolphin Conservation Society (U.K.), Oregon State University (U.S.A.), American Museum of Natural History (U.S.A.), Avina Foundation (Switzerland), Natural Resources Defense Council (U.S.A.), British Broadcasting Corporation (U.K.), Darwin Initiative (U.K.), Alcoa Foundation – Institute for International Education (U.S.A.).

At the national level, CBA and UACH have or are currently collaborating actively with: Corporación Nacional del Medio Ambiente, Comisiones Regionales de Ordenamiento del Bordo Costero, Intendencia X y XI Regiones, Subsecretaría de Pesca, Servicio Nacional de Pesca, Universidad de Valparaíso, Universidad de Chile.

