

A note on illegal captures of wild bottlenose dolphins (*Tursiops truncatus*) from the coastal waters of the Dominican Republic

E.C.M. PARSONS^{*,+}, I. BONNELLY DE CALVENTI[#], A. WHALEY^{#+}, N.A. ROSE[&]
AND S.SHERWIN[§]

^{*}*Department of Environmental Science and Policy, George Mason University, Fairfax, Virginia, USA.*

[#]*Los Amigos de los Delfines, Socrates Nolasco # 6 Apto., 401 Res. Carla Pamela, Naco, Santo Domingo, Dominican Republic.*

⁺*University Marine Biological Station Millport, University of London, Isle of Cumbrae, Scotland.*

[&]*Humane Society International, 2100 L Street, NW, Washington, DC 20037, USA.*

[§]*World Society for the Protection of Animals, 34 Deloss Street, Framingham, MA 01702, USA*

Christopher Columbus noted sightings of dolphins in the coastal waters of the Dominican Republic, but they have attracted little attention or controversy until recently. In the southeast Dominican Republic, in the coastal waters of the Parque Nacional del Este (Eastern National Park), one of the Dominican Republic's protected areas, bottlenose dolphins (*Tursiops truncatus*) are regularly sighted, and dolphin-watching is an important activity for many small-scale boat operators.

However, in August 2002, Manatí Park, a local dolphinarium, captured eight bottlenose dolphins (*Tursiops truncatus*) from these waters – a period when the capture of wild cetaceans from the coastal waters of the Dominican Republic was illegal. Nevertheless, the Dominican authority responsible for enforcing domestic environmental laws, issued Manatí Park a “permit” for these capture, although this permit was highly controversial. Moreover, subsequent events led to protests over the capture by local people in the village of Bayahibe (adjacent to the Parque), which escalated into a national and international movement.

At that time of the captures no research had been conducted on the dolphins inhabiting this area, so the population size and status were unknown. No attempt had been made to ascertain if these captures would deplete the local wild population, thus making it impossible to determine if the captures were sustainable.

Moreover, capture of dolphins throughout Dominican waters was prohibited under Article 175 of Dominican National Law #64-00 (General Law on the Environment and Natural Resources), enacted in 2000. The permit given by the Dominican authority had been based on the issuance of a “non objection document” for a previous proposed capture of up to 10 dolphins, as the result of which 2 dolphins were taken from northern Dominican waters. This document had been issued in 1995, prior to, and thus superseded by, National Law #64-00. Therefore issuance of the permit was arguably illegal.

Interestingly, National Law #64-00 also prohibits the exhibition of any species protected under the law, such as bottlenose dolphins, so even display of the already-captive dolphins at Manatí Park, and the establishment of any new captive dolphin facilities, would theoretically be illegal.

To further compound the situation, these captures appear to be illegal under international law: the Dominican Republic is a signatory to the Cartagena Convention (Convention for the Protection and Development of the Marine Environment of the Wider Caribbean Region), which contains the SPAW Protocol (Protocol Concerning Specially Protected Areas and Wildlife). The SPAW Protocol lists all cetaceans under its Annex II, *i.e.*, the treaty considers whales and dolphins to be threatened or endangered species. The SPAW Protocol prohibits the unsustainable capture and commercial exploitation of cetaceans; for example:

- (i) Article 3 prohibits activities having adverse effects on threatened species, including dolphins
- (ii) Articles 5(d), 5(j), 10.3(a) 11.1.b(i) and 11.1.c(c) prohibit the taking, harvesting or commercial trade in wild specimens of endangered or threatened species (including dolphins); and
- (iii) Articles 10.3(b) and 11.1(b.ii) prohibit the disturbance of endangered or threatened species.

The World Conservation Union's 2002-2010 Conservation Action Plan for the World's Cetaceans states:

"As a general principle, dolphins should not be captured or removed from a wild population unless that specific population has been assessed and it has been determined that a certain amount of culling can be allowed without reducing the population's long-term viability or compromising its role in the ecosystem. Such an assessment...cannot be achieved quickly or inexpensively, and the results should be reviewed by an independent group of scientists before any captures are made. Responsible operators (at both the capturing end and the receiving end) must show a willingness to invest substantial resources in assuring that proposed removals are ecologically sustainable" (Reeves et al., 2003).

It also states that:

"Removal of live cetaceans[whales, dolphins and porpoises] from the wild, for captive display and/or research, is equivalent to incidental or deliberate killing, as the animals brought into captivity (or killed during capture operations) are no longer available to help maintain their populations. When unmanaged and undertaken without a rigorous program of research and monitoring, live-capture can become a serious threat to local cetacean populations. All too often, entrepreneurs take advantage of lax (or non-existent) regulations in small island states or less-developed countries, catching animals from populations that are already under pressure..." (Reeves et al., 2003).

The 2002 capture of bottlenose dolphins was not preceded by any evaluation of the nature or status of the dolphin population in Dominican waters, so no assessment of the sustainability of these captures could have been made.

These captures, arguably illegal under both national and international law, and concern over this historic dolphin population led to a series of policy discussions and technical workshops in the Dominican Republic. These discussions were initiated in December 2002, and involved local and international stakeholders. As a result of a June 2003 workshop, a multi-organizational, multi-national, and collaborative dolphin conservation project was established. One of the first of its kind in the Caribbean region, this project is entitled: *"Proyecto Amigos de los Delfines"* (Friends of the Dolphin Project) or "Amigos Project".

The project participants consist of a unique mix of scientists and representatives of academic bodies, environmental and animal welfare groups, local community groups, tourism organizations and government agencies. A steering committee oversees the project's work. The Amigos Project is working toward the conservation of cetaceans in the Dominican Republic through research, education and the development of ecotourism and conservation policy.

The research conducted by the Amigos Project seeks to assess the number of dolphins inhabiting the coastal waters of the Parque Nacional del Este and adjacent areas; to investigate patterns of dolphin habitat use and identify areas of critical habitat; to assess the impact of tourism boat traffic on dolphins in the region; and to identify other anthropogenic and natural causes of disturbance, injury and mortality to dolphins.

The results of this research program will do much to promote dolphin conservation efforts in the Dominican Republic. For example, after an assessment of the population has been completed, the sustainability and impact of the illegal removals of dolphins by Manatí Park can be determined. As a product of the research, a catalogue of individual dolphin photographs will be produced, which may in itself act as a deterrent against illegal dolphin captures as animals that are removed from Dominican waters could be identified, even if these animals are illegally exported to other countries. In addition, by identifying habitat critical to the dolphins, it will allow an assessment of whether the designation of a Marine Protected Area or Marine Reserve would aid the conservation of the dolphins.

The project will also help the Dominican Republic meet its obligations under the Cartagena Convention. For example, Article 5(d) of the SPAW Protocol requires parties to regulate activities likely to harm or disturb endangered or threatened species. The Amigos project will provide critical information to further these goals. Also, Article 5(l) requires the regulation of tourist and recreational activities that might put threatened or endangered species at risk. Again, the research conducted by the Amigos Project will provide important input in the development of regulations.

In addition to research, education and the promotion of sustainable tourism are important components of the Amigos Project. In January 2004, the project conducted its first in a series of local training courses in Santo Domingo and Bayahibe. The courses provided information on the biology, behaviour and conservation of whales and dolphins in the Dominican Republic, and at the Bayahibe course,

information was also provided for local boat operators on dolphin behavior that can be disrupted by boats, how to approach dolphins without disturbing or harassing them, how to determine if boat activities are harassing dolphins, and also the risks and dangers of swimming with dolphins.

The Amigos Project is also investigating the possibility of conducting field courses for international and Dominican university students. The first international students visited Bayahibe during January 2005 to gain field studies experience with Dominican dolphins. Other educational events included a course conducted at the Autonomous University of Santo Domingo, in January 2006, on the biology and conservation status of cetaceans, for both Dominican university students and government officials working for marine protected areas in the Dominican Republic. Furthermore, a voluntary sightings report scheme has been established, so that boat operators and fishermen can report sightings of cetaceans to a central location, which has the additional benefit of increasing their awareness of cetaceans in local waters. Moreover, in January 2005, as part of an exploration of the potential for dolphin ecotourism in the Dominican Republic, a tourist survey was initiated.

These efforts – research, education, and ecotourism development – come together as a case study in marine mammal conservation and utilization. The goal of the Amigos Project is to influence the governments of the Dominican Republic and other Caribbean nations to adopt strong marine conservation measures and to protect their region's dolphins from capture, killing, harassment, and the impacts of habitat degradation. Although the Dominican Republic has two dolphinaria, which are expanding their operations through the importation of dolphins from Cuba and illegal capture of local dolphins, it has the potential to become a model for precautionary dolphin protection in the Caribbean.

REFERENCES

Reeves, R.R., Smith, B.D., Crespo, E.A., Notarbartolo di Sciara, G. 2003. *Dolphins, Porpoises and Whales. 2002-2010 Conservation Action Plan for the World's Cetaceans*. <http://iucn.org/dbtw-wpd/edocs/2003-009.pdf>.