

Report of the Working Group on Whalewatching

Submitted by the Government of Argentina on behalf of the IWC Working Group on Whalewatching

Background

Whalewatching brings significant potential educational, environmental, cultural and scientific benefits to communities and countries, and since 1955 has become an activity of growing local, regional and global economic importance.

The International Whaling Commission (the Commission) has considered the issue since 1975. In 2009, at IWC61, the Working Group on Whalewatching (the Working Group)¹ was established to progress the recommendations of the report of the Intersessional Correspondence Group: *Whalewatching – bringing together science, management and capacity building* (IWC/61/CC9). The report identified three key elements that the Commission could seek to promote as part of an integrated body of work to assist countries in building sustainable whalewatching industries. The elements are research and assessment; management; and capacity building and development. In undertaking its work, the Working Group was charged with preparing a Five-year Strategic Plan for Whalewatching.

The Working Group presents herewith the Five-year Strategic Plan for Whalewatching (the Strategic Plan) which sets out objectives and actions designed to facilitate development of the sector by Contracting Parties in a responsible manner that is ecologically, economically and socially sustainable and consistent with international best practice. A set of recommendations has also been provided seeking endorsement of the Strategic Plan and establishing an ongoing role for the Working Group over the life of the Plan.

Five-year Strategic Plan for Whalewatching

A draft strategic plan was initially prepared by the Working Group and submitted to the Conservation Committee (IWC/62/CC8) at IWC62. The report also recommended that a workshop be held to undertake an assessment of the tools and information communities required, and the most effective way to deliver this support, through engagement with scientific, management and conservation experts, industry, governments and interested communities.

A whalewatching workshop was subsequently held in Puerto Madryn, Patagonia, Argentina in November 2011. Thirteen countries attended the Workshop and its conclusions provided the basis for the further development of the Strategic Plan.

The Workshop recommended that the Working Group consider, as one of the primary methods for achieving the objectives of the Strategic Plan, the development of a web-based 'living' Handbook on whalewatching. The Handbook would provide advice on governance, capacity building, monitoring, compliance, business, community and education/training/communication.

¹ Current members are Argentina, Australia, Brazil, Mexico, South Africa, United Kingdom and United States of America

The Working Group, along with officials from France and New Zealand, met in Paris in March 2011 to finalise the Strategic Plan. The Strategic Plan is attached herewith for the consideration of the Conservation Committee and the Commission.

Five objectives - research, assessment (monitoring), capacity building, development and management - form the key components of the Strategic Plan. Within the framework circumscribed by these objectives, the Strategic Plan identifies a suite of short and medium term actions. Short term actions are taken to be those which can be delivered within two years of the adoption of the Strategic Plan, with medium-term actions delivered over five years. Only one long-term action - an integrated research plan - is identified in the Strategic Plan.

At the Paris meeting, the Working Group also identified elements of the Strategic Plan that would benefit from review by the Scientific Committee prior to final approval.

Future role of the Working Group on Whalewatching

With finalisation of the Strategic Plan, the Working Group considers that its task, consistent with the terms of reference set out in IWC/61/CC9, is now complete. However, the Working Group envisages an important ongoing role relating to oversight of the delivery of actions and products under the Strategic Plan, including population of the Handbook.

Draft revised terms of reference for the future of the Working Group on Whalewatching are attached herewith.

Consistent with its anticipated new role, it is also proposed that the Working Group's membership be expanded to include two members of the Scientific Committee. While the Working Group would continue to report annually to the Commission via the Conservation Committee, its broadened membership would better ensure that management actions proposed are based on the best available science.

Recommendations

The Working Group on Whalewatching recommends that the Conservation Committee endorse the following recommendations for adoption by the Commission:

1. the Strategic Plan for Whalewatching 2011-2016, as amended following consideration by the Scientific Committee on 9-11 June 2011 of scientific elements of the Strategic Plan;
2. the revised terms of reference for the Working Group on Whalewatching; and
3. expansion of the Working Group's membership to include two members from the Scientific Committee.

Attachments

Appendix A: Five-year Strategic Plan for Whalewatching

Appendix B: Draft Terms of Reference for the Working Group Whalewatching

INTERNATIONAL WHALING COMMISSION

Five Year Strategic Plan for Whalewatching 2011 – 2016

1. INTRODUCTION

Whalewatching is a globally recognised use of cetacean resources, and since 1955 has been an activity of growing economic importance. The IWC has considered the issue since 1975.

Over that time, the Commission has provided an increasing focus for the sector, considering at various meetings the scientific, legal, socio-economic or educational aspects of whalewatching.² The IWC adopted its first resolution on whalewatching (*Rep. int. Whal. Commn 44:33-4*) in 1993 at IWC45, and the following year, at IWC46, a further resolution (*Rep. int. Whal. Commn 45:49-50*) requested advice from the Scientific Committee on whalewatching (the development of guidelines), and established, through a review of all aspects relating to the sector, what has in practice now become an ongoing programme of work.

A standing Whale Watching Sub-Committee was set up under the Scientific Committee (*Rep. int. Whal. Commn 50*) in 1998 and while it has since addressed a range of matters concerning the sector, its work has had a strong focus on better identifying and assessing, and increasing understanding of, the potential impacts of whalewatching on cetaceans.

2. THE ISSUE

In response to the recent rapid growth of the sector,³ its anticipated future expansion and the recognised need to promote best practice management to realise associated environmental, social and economic benefits, the Commission further addressed whalewatching in 2008 (IWC60).

Considering that a responsible (i.e. environmentally, economically and socially sustainable) industry required the integration of good science and information, appropriate management regimes and good governance, the Conservation Committee established an Intersessional Correspondence Group to consider the issue further and identify future directions (IWC/60/Rep 5).

The Working Group on Whalewatching was subsequently established to take forward the recommendations from the report of the Intersessional Correspondence Group: *Whalewatching – bringing together science, management and capacity building* (IWC/61/CC9).

² O'Connor S, Campbell R, Cortez H and Knowles T 2009 *Whale Watching Worldwide: tourism numbers, expenditures and expanding economic benefits*, a special report from the International Fund for Animal Welfare, Yarmouth MA, USA, prepared by Economists at Large

³ Ibid.

This report recognised the opportunity presented to build on the momentum that had been generated in relation to whalewatching. It noted the importance of whalewatching as a valuable economic opportunity that, whilst still in the early stages of development in many countries, required cooperation and information sharing to encourage responsible development, consistent with international best practice.

It was agreed that responsible development of the whalewatching sector would benefit from a strategic approach, commencing with a Five-year Strategic Plan. A *Draft Strategic Plan 2010-2015* was prepared by the Working Group on Whalewatching (IWC/62/CC8) and recommended that a workshop be held to undertake an assessment of what tools and information communities needed, and the most effective way to deliver this support, through engagement with scientific, management and conservation experts, industry, governments and interested communities.

A Whale Watching Workshop was held in Puerto Madryn, Patagonia, Argentina in November 2011. Thirteen countries attended the Workshop and its conclusions (*Report of the IWC workshop on Whalewatching* – refer Circular Communication IWC. ALL.163) provide the basis for the further development of the Five-year Strategic Plan. Three key elements were identified: research and assessment; management; and capacity building and development. The Workshop considered that these elements would assist countries in building responsible whalewatching industries.

The Workshop recommended that the Working Group consider, as one of the primary methods for achieving the objectives of the Strategic Plan, the development of a web-based ‘living’ Handbook on whalewatching. The Handbook would provide advice on governance, capacity building, monitoring, compliance, business, community and education/training/communication. The Workshop also stressed the importance of co-ordinating the whalewatching work of the Conservation and Scientific Committees. The Workshop Report is available on the IWC website.

3. LEGAL AND INTERNATIONAL FRAMEWORK

Article V(1)(a) of the International Convention on the Regulation of Whaling provides that the Commission may adopt measures with respect to the conservation of whale resources.

While the IWC has an important advisory role in facilitating the development of responsible whalewatching, management responsibility for adoption and use of any tools or products under the Strategic Plan lies with national governments or their subsidiaries.

Local issues require local solutions – there are many different types of whalewatching, and there is no universal prescription of what comprises best practice, or as yet a scientific basis to define it unequivocally. The Strategic Plan is intended to provide direction to the efforts of the IWC and its adoption does not change the responsibilities of Contracting Parties.

Involvement in the actions of the Strategic Plan is on a voluntary basis and is intended to complement other national or international legislation, frameworks or plans that support the conservation and responsible non-lethal use of cetaceans.

4. STRATEGIC PLAN 2011 – 2016

4.1 Scope and structure

The Strategic Plan sets out objectives and actions designed to facilitate development of the sector by Contracting Parties in a manner that is responsible and consistent with international best practice.

Success will be measured by considering both outputs - the timely development and delivery of products and tools under the Strategic Plan; and outcomes - uptake and adoption of best practice by Contracting Parties.

The Strategic Plan will be subject to iterative review and ongoing adjustment in line with the principles of adaptive management.

4.2 Vision

Whalewatching in harmony with healthy whale populations – communities, regions and countries realising the benefits of responsible whalewatching.

In seeking to promote best practice management of whalewatching the principle outcome should be to further the effective long-term conservation of cetacean populations.

As such, the whalewatching industry and national governments (or their subsidiaries) have clear responsibilities, as resource users, to both conduct and manage whalewatching in ways that do not compromise the fitness of individual cetaceans, their populations or their habitats.

4.3 Objectives

In order to achieve this vision, five equally important objectives have been identified as the key components of the Strategic Plan. Within the framework provided by these objectives, the Strategic Plan identifies a suite of short and medium-term actions.

Short term actions are taken to be those which can be delivered within two years of the adoption of the Strategic Plan, with medium-term actions delivered over five years. Only one long-term action - an integrated research plan - is identified in this iteration of the Strategic Plan.

Communities and regions will have culturally, socially and economically-specific requirements for the development and/or expansion of whalewatching industries. Research is also likely to increasingly identify both species and population specific mitigation measures. As such, all identified actions should be read as requiring the accommodation of this diversity in any outcomes or products they generate.

Objective 1 - Research

The necessary principles and tools are developed to assist in ensuring that whalewatching does not significantly adversely impact on the behaviours and fitness of individual cetaceans or populations, or on their habitats.

Action 1.1 - Develop (and/or review), pending further comprehensive scientific research and assessment (action 1.3 refers), guiding principles to be followed in whalewatching operations to minimise potential adverse impacts.

Action 1.2 - Identify data deficient and critically endangered populations likely to be subject to whalewatching. Develop guidance on additional mitigation measures that may be required for whalewatching operations on such populations.

Action 1.3 - Consider an integrated research program (a form of long term experiment)⁴ to better understand the potential impacts of whalewatching on the demographic parameters of cetacean populations to:

- demonstrate a causal relationship between whalewatching exposure and the survival and vital rates of exposed cetacean individuals;
- understand the mechanisms involved in causal effects, if they exist, in order to define a framework for improved management; and
- establish standard methodologies for the conduct of assessments.

Objective 2 - Assessment (Monitoring)

Appropriately scaled monitoring programs are developed that maximise the chance of detecting adverse impacts on individual cetaceans and on populations.

Action 2.1 - Review and update 'operator' data collection systems and associated templates to ensure they are scientifically robust and can be used in future research/analytical studies.

Action 2.2 - Facilitate the development of common metrics for impact assessments which may be used to inform management of whalewatching activities to mitigate impacts on subject individuals or populations.

Action 2.3 - Improve industry and public access to data, information and research results from monitoring programs.

Objective 3 - Capacity building

Identify methods to facilitate cooperation and information/expertise sharing between Contracting Parties and others to support the development of a responsible whalewatching sector and the provision of benefits to local communities.

Within two years of commencing work on actions to support this objective, undertake a comprehensive review of outputs to allow for activities to be refocused, if required.

Action 3.1 - Identify, on a regional basis, specific capacity building and development needs.

Action 3.2 - Identify, on a regional basis, examples of demonstrated best practice within the whalewatching sector.

Action 3.3 - Identify and facilitate opportunities for the transfer (or development where a gap has been identified) of best practice approaches to meet identified capacity building needs.

Action 3.4 - Identify mechanisms to disseminate products developed under the Strategic Plan.

⁴ Such as the LaWE proposal of the IWC Scientific Committee (SC/62/WW6)

Objective 4 – Development

Recognising that the responsibility for economic, business and social development lies with industry and national governments, facilitate access to funding and development organisations and to information on economic and social cost / benefit analyses required to support the establishment of whalewatching operations.

Action 4.1 - In conjunction with relevant international bodies, facilitate access to guidance for Contracting Parties and others on creating enabling environments for whalewatching operations to market and run their businesses responsibly.

Action 4.2 - Identify and list funding and development organisations able to offer assistance relevant to the establishment and maintenance of whalewatching operations at varying scales.

Action 4.3 - Provide advice on the development of ‘communities of practice’ and other collaborative forums to assist communities (and Contracting Parties) seeking to develop whalewatching operations to share information on challenges and opportunities encountered in establishing whalewatching operations.

Action 4.4 - In conjunction with relevant international bodies develop guidance and training tools that address occupational health and safety aspects of whalewatching operations.

Objective 5 – Management

Develop an adaptive management framework for whalewatching, based on best available science, which addresses the needs of management and the industry.

Action 5.1 – Complete an inventory (including analyses and case studies) of the spectrum of governance arrangements available to manage the whalewatching sector.

Action 5.2 - Complete an inventory of measures currently utilised to minimise impacts on cetaceans and their habitats arising from whalewatching actions.

Action 5.3 - Develop training and education tools for industry practitioners to:

- understand and improve cetacean and visitor safety;
- improve whalewatching practices; and
- enhance visitor understanding and experiences.

Action 5.4 - Develop advice on cost-effective monitoring and compliance regimes and alternative strategies to promote environmentally responsible whalewatching.

5. IMPLEMENTATION

A key output intended to deliver a number of products under the Strategic Plan is a web-based Handbook on the IWC website. The architecture to effectively deliver the interactive Handbook to users will be included in the redesign of the IWC website. This will be taken into account in the planning and development of the website by the IWC Secretariat. A key task for the Conservation Committee will be developing the detailed contents of the Handbook.

The suite of tasks that support identified actions, together with timelines and responsible parties, are set out in the Action Plan at Appendix 1.

Oversight of the development, delivery and review of actions and products under the Strategic Plan, including population of the Handbook, will be undertaken by the standing Working Group on Whalewatching. While the Group reports to the IWC via the Conservation Committee, membership includes representatives from the Scientific Committee thereby ensuring its work is informed by the best available science.

5.1 Monitoring, evaluation and review

Ongoing and iterative monitoring, evaluation and review of the Strategic Plan is considered critical in ensuring that it continues to support best practice and meet the needs of Contracting Parties. As such, the Strategic Plan will be subject to the following processes:

- Contracting parties and other stakeholders will be encouraged to provide feedback on the utility of products developed under the Strategic Plan (a specific review after two year of actions under objective 3 – capacity building, will be important in this respect);
- Contracting parties will be encouraged to include annual updates on the development and/or status of their whalewatching sector in their voluntary conservation reports;
- The standing Working Group on Whalewatching will report annually to the Conservation Committee on feedback from users, developing practice within the sector and the implications of recent scientific findings; and
- The Conservation Committee will report annually to the IWC on the Strategic Plan and its usefulness to Contracting Parties and other stakeholders, and on recommended changes.

The need for formal review of the Strategic Plan will be considered by the Conservation Committee, in consultation with the Scientific Committee, after five years.

Appendix 1

Action Plan 2011-2016

Objective	Actions	Notes	Timelines	Responsible parties
<p><u>1.Research</u></p> <p>The necessary principles and tools are developed to assist in ensuring that whalewatching does not significantly adversely impact on the behaviours and fitness of individual cetaceans or populations, or on their habitats.</p>	<p>1.1 - Develop (and/or review), pending further comprehensive scientific research and assessment (action 1.3 refers) guiding principles to be followed in whalewatching operations to minimise potential adverse impacts</p>	<p>Principles will need to address (as appropriate):</p> <p>(a) regionally specific issues</p> <p>(b) sectoral issues including the nature of the whalewatching platform as well as user type commercial/recreational);</p> <p>(c) life history basis of species (resident vs migratory; small vs large cetaceans) and</p> <p>(d) the category of cetacean populations (resident, migratory in breeding grounds migratory in feeding ground; migratory in migratory corridor).</p>	Short term	Scientific Committee
	<p>1.2 - Identify data deficient and critically endangered populations likely to be subject to whalewatching.</p> <p>Develop guidance on additional mitigation measures that may be required for whalewatching operations on such populations.</p>	<p>Critically endangered populations should be defined using IUCN categories or relevant national legislation (where identification is undertaken on a regional basis).</p>	Short term	Scientific Committee Contracting Parties

	<p>1.3 – Consider an integrated research program to better understand the possible effects of whalewatching on the demographic parameters of cetacean populations.</p>	<p>The program or its components should be designed such that it is able to (a) demonstrate a causal relationship between whalewatching exposure and the survival and vital rates of exposed cetacean individuals; (b) understand the mechanisms involved in causal effects (if they exist) in order to define a framework for improved management.</p> <p>Consideration should also be given to the development of standard methodologies for the conduct of assessments.</p>	Long term	Scientific Committee
<p><u>2. Assessment</u></p> <p>Appropriately scaled monitoring programs are developed that maximise the chance of detecting adverse impacts on individual cetaceans and on populations.</p>	<p>2.1 - Review and update ‘operator’ data collection systems and associated templates to ensure they are scientifically robust and can be used in future research / analytical studies.</p>	<p>The conduct of this task needs to be informed by work designed to give effect to action 1.3</p> <p>Previous work by the Scientific Committee - such as that on utilising the opportunities for scientific research conducted from whalewatching boats, will be relevant.</p>	Short term	Scientific Committee

	<p>2.2 - Facilitate the development of common metrics for impact assessments which may be used to inform management of whalewatching activities to mitigate impacts on subject individuals or populations.</p>	<p>The conduct of this task needs to be informed by work designed to give effect to action 1.3</p> <p>Development must take into account the need for regionally relevant and/or population specific metrics.</p> <p>Metrics should consider thresholds of concern, limits of acceptable change and ‘exposure caps’.</p>	Medium term	Scientific Committee
	<p>2.3 - Improve industry and public access to data, information and research results from monitoring programs.</p>	<p>Use of web-based tools should be given priority, subject to meeting the needs of remote communities.</p>	Medium term	Scientific Committee, IWC Secretariat
<p><u>3. Capacity building</u></p> <p>Identify methods to facilitate cooperation and information / expertise sharing between Contracting Parties and others to support the development of a responsible whalewatching sector and the provision of benefits to local communities.</p>	<p>3.1 - Identify, on a regional basis, specific capacity building and development needs.</p>	<p>A key initial task will be the development of an agreed regionalisation for the action.</p> <p>The needs of all key whalewatching constituencies, including vessel operators, tourism organisations and government regulators/managers, will need to be identified.</p> <p>Mechanisms such as workshops, email and web based communications (or other means as appropriate) should be considered.</p>	Short term	Conservation Committee, Contracting Parties

	3.2 - Identify, on a regional basis, examples of demonstrated best practice within the whalewatching sector.	As for action 3.1	Short term	Conservation Committee, Contracting Parties
	3.3 - Identify and facilitate opportunities for the transfer (or development where a gap has been identified) of best practice approaches to meet identified capacity building needs.	Additional mechanisms (to those identified for actions 3.1 and 3.2) may include exchange visits, training, and internships.	Medium term	Conservation Committee, Contracting Parties
	3.4 - Identify and facilitate mechanisms to disseminate products developed under the Strategic Plan.	Consideration should be given to using mechanisms already employed by government aid agencies and appropriate NGOs, marine research institutes and other Multilateral Environment Agencies.	Short term	Conservation Committee, IWC Secretariat
	Review – comprehensively assess the utility of outputs to allow for activities to be refocused, if required.	Inputs from Contracting Parties and other users will be critical.	Within two years of commencing work on actions.	Conservation Committee

<p><u>4. Development</u></p> <p>Facilitate access to funding and development organisations and to information concerning economic and social cost and benefit analyses associated with the establishment of whalewatching operations.</p>	<p>4.1 - In conjunction with relevant international bodies, facilitate access to guidance for Contracting Parties and others on creating enabling environments for whalewatching operations to market and run their businesses responsibly.</p>	<p>All actions need to be developed recognising that the responsibility for economic, business and social development lies with industry and national governments.</p> <p>Relevant international bodies may include UN and other Development Agencies, and the World Tourism Organization.</p>	Short term	Conservation Committee, IWC Secretariat
	<p>4.2 - Identify and list funding and development organisations able to offer assistance relevant to the establishment and maintenance of whalewatching operations at varying scales.</p>	<p>As for action 4.1</p> <p>Relevant bodies may include UN Development Agencies, the GEF, NGOs and Philanthropic Foundations.</p>	Short term	Conservation Committee, IWC Secretariat
	<p>4.3 - Provide advice on the development of ‘communities of practice’ and other collaborative forums to assist communities (and Contracting Parties) seeking to develop whalewatching operations to share information on challenges and opportunities encountered in establishing whalewatching operations.</p>	<p>As for action 4.1</p> <p>It is envisaged that a key player in this respect will be the range of international NGOs and Philanthropic Foundations who are able to provide effective co-ordination and support services to regional groupings of operators.</p>	Short term	Conservation Committee, IWC Secretariat.

	4.4 - In conjunction with relevant international bodies develop guidance and training tools that address occupational health and safety aspects of whalewatching operations.	As for action 4.1	Medium term	Conservation Committee, Contracting Parties
<u>5. Management</u> Develop an adaptive management framework for whalewatching, based on best available science, which addresses the needs of management and industry.	5.1 - Complete an inventory of the suite of governance arrangements available to manage the whalewatching sector.	The inventory will need to include analyses and case studies, and cover the spectrum from highly regulated permit and cap systems to voluntary codes of practice. A key resource exists in previous work (under the Scientific Committee) on compiling information on existing and 'model' legislation and guidelines from around the world (SC/56/WW10).	Short term	Conservation Committee
	5.2 - Complete an inventory of measures currently utilised to minimise impacts on cetaceans and their habitats arising from whalewatching actions.	The inventory will need to clearly link measures (such as management guidelines) with the potential impacts they are intended to mitigate. Measures to protect habitat should not be neglected.	Medium term	Conservation Committee

	<p>5.3 - Develop training and education tools for industry practitioners.</p>	<p>Tools should (a) address understanding and improving cetacean and visitor safety, (b) support improvements in existing whalewatching practices; and (c) help enhance visitor understanding and experiences.</p> <p>Training can usefully address issues as diverse as boat handling (safety and ensuring appropriate responses to stress behaviours and animal welfare issue) and visitor interpretation skills (biology, natural history, conservation status, local area, habitat and culture).</p>	Medium term	Conservation Committee, Contracting Parties
	<p>5.4 - Develop advice on cost-effective monitoring and compliance regimes and alternative strategies to promote environmentally responsible whalewatching.</p>	<p>Advice should be illustrated with case studies covering different practices (from formal boat inspection regimes to community education to promote ‘public’ monitoring and reporting.)</p>	Medium term	Conservation Committee

Appendix B

Working Group on Whalewatching
Draft Terms of Reference

Membership

The Working Group on Whalewatching, which reports to the Commission via the Conservation Committee, is open to any interested Contracting Party. To ensure that management actions are based on the best available science, membership must also include some members from the Scientific Committee.

Role

The primary role of the Working Group on Whalewatching is to provide oversight of the delivery of actions and products under the Strategic Plan. In fulfilling this role, the Working Group will encourage Contracting Parties to provide feedback on the utility of products developed under the Strategic Plan; and to include, in their annual voluntary conservation reports, updates on the status of their whalewatching sector.

Responsibilities

The Working Group on Whalewatching has the following responsibilities:

- oversight of the development, delivery and review of actions and products under the Strategic Plan, including population of the Handbook;
- reporting annually to the Conservation Committee on feedback from users, on developing practice within the sector, and on the implications of recent scientific findings;
- through the Conservation Committee, reporting annually to the IWC on implementation of the Strategic Plan including on its usefulness to Contracting Parties and other relevant stakeholders, and proposing, as necessary, any recommended changes;
- undertaking a specific review, after two years, of actions under objective 3 – capacity building; and
- advising the Conservation Committee and Scientific Committee on the need for formal review of the Strategic Plan after five years.