

ASCOBANS AC25 – Stralsund, Germany, 17-19 Sept 2019

Agenda Item 2:

Review of new information on threats to small cetaceans

2.1 CETACEAN WATCHING INDUSTRY

Relevant Resolutions: 8.9, 8.2, 8.1, 6.1, 5.4



AIM: To determine if the developing cetacean watching industry poses a threat to small cetaceans

Whale and dolphin watching is a global industry that can provide socio-economic benefits to local communities by attracting tourism, as well as strengthening public awareness of conservation needs. However, it also has the potential of being harmful when it interferes with the behaviour of animals in their natural environment and may even lead to injury or death. As the cetacean watching industry is still scarcely developed in some countries, collecting these data now allows tracking the development of the industry.

It is of particular importance to obtain an overview of the current scale of the activities and to monitor the development of the industry in the future. This is done by quantifying the number and locations of operators, reporting negative interactions, and providing information on the development and implementation of any guidelines regarding cetacean watching.

Filling out this section accurately and completely will help to detect any indications of potential threats, allow timely mitigation action and enable Parties and Non-Party Range States to work towards a coordinated approach regarding the development of cetacean watching guidelines in the Agreement area.

Note: We are here only addressing commercial cetacean watching activities which take place from vessels and include viewing of small cetacean species. Operators are defined as those offering trips with a primary focus: they advertise specifically with the aim to see small cetaceans, or a secondary focus: they advertise either for other taxa, such as birds or seals, or large cetaceans, or more general for wildlife, but mention the opportunity to see small cetaceans

National Reporting on Cetacean Watching Industry

BE	DK	FI	FR	DE	LT	NL	PO	SE	UK
5.1 Do you have any commercial small cetacean watching industry operating in your country?									
yes		no	yes	no		yes	no		yes

→ **Small cetacean species targeted include:** harbour porpoise (BE, NL, UK), bottlenose dolphin (FR, UK), common dolphin (FR, UK), white-beaked dolphin (BE, UK), Risso's dolphin (UK), killer whale (UK)

(5.2) How many ports have commercial cetacean watching companies?									
1		None	7	None		2	none		81

→ **Number of ports by region:** southern North Sea (3) , northern North Sea (15), Northern Irish & Scottish west coast (26), Irish Sea (22), Celtic Sea (13), Channel (10), northern Bay of Biscay (2), Iberian Sea (2)
[Note: two ports are on the boundary of two regions and therefore counted across both]

(5.2) How many commercial companies advertise cetacean watching?									
1		none	11	none		1	none		106

→ **Number of companies by region:** southern North Sea (2) , northern North Sea (15), Northern Irish & Scottish west coast (33), Irish Sea (29), Celtic Sea (19), Channel (14), northern Bay of Biscay (5), Iberian Sea (2)

BE	DK	FI	FR	DE	LT	NL	PO	SE	UK
5.3 Does your country have a definition of the term ‘harassment’?									
no		no	no	yes		sort of	no		sort of

→ **Definitions of harassment:** *Germany* – Federal Nature Conservation Act has a prohibition of “harassment” of strictly protected species, as follows: “to significantly disturb wild animals of strictly protected species and of European bird species during their breeding, rearing, moulting, hibernation and migration periods; a disturbance shall be deemed significant if it causes the conservation status of the local population of a species to worsen.”

The Netherlands – there are a number of regulations relating to Animal Welfare which define harassment but mainly relate to domesticated animals. For wild animals, the Nature Conservation Act follows the EU Habitats Directive directly, defining “deliberate disturbance”.

UK – No UK-wide set definition but some specific mentions of harassment in various documents, and in general harassment is classed as repeated disturbance. Reference is made to “deliberate disturbance” of European Protected Species in accord with the Habitats Directive with guidance as to how this is defined.

BE	DK	FI	FR	DE	LT	NL	PO	SE	UK
5.4. Have there been any incidents of harassment to small cetaceans by dolphin watching operators reported?									
no		n/a	no	n/a		no	n/a		yes

→ In Northern Ireland, there have been two cases reported to authorities of tour boats approaching bottlenose dolphins too closely, cutting off direction of travel and/or speeding close to dolphins. There are several other reports in the UK by the public of harassment/deliberate disturbance, but which have not involved authorities.

5.5. Does your country have any codes of conduct to mitigate disturbance by dolphin watching operators?									
yes		n/a	yes	n/a		yes	n/a		yes

→ **Belgium:** “There is a clear legislation indicating that deliberate disturbance of cetaceans is not allowed”

France: “Codes of conduct in MPAs (e.g. Iroise marine natural park). A national code of conduct is in progress”

The Netherlands: “Disturbance or harassment of cetaceans in general falls under the Nature Conservation Act (in place since 2017)”

UK: “Various regional and voluntary codes of conduct/guidelines within the UK” (list provided)

BE	DK	FI	FR	DE	LT	NL	PO	SE	UK
5.6. Does your country have any operators offering 'swim with dolphin' programmes?									
no		no	no	no		no	no		no
5.7. Any harassment incidents reported in connection with swimming with small cetaceans?									
n/a		n/a	n/a	n/a		n/a	n/a		n/a
5.8. Does your country have any codes of conduct to mitigate disturbance during swim with dolphin programmes?									
yes		n/a	n/a	yes		n/a	n/a		n/a

→ No country listed currently has operators offering a 'swim with dolphin' programme

→ **Belgium**: Provides “ad hoc information to the public that advises against swimming with small cetaceans (occasionally when a solitary bottlenose dolphin is present)”

Germany: In Schleswig Holstein, laws are in place which forbid it. BfN is working with WDC & GRD on joint voluntary guidelines discouraging swimming with wild cetaceans

UK says “n/a” but it does have guidelines advising against swimming with wild cetaceans

BE	DK	FI	FR	DE	LT	NL	PO	SE	UK
5.9. Are there any solitary sociable dolphin interactions in your country?									
yes		no	yes	yes		no	no		yes
5.10. Any harassment incidents reported in connection with interactions with solitary sociable dolphins?									
no		n/a	no	no		n/a	n/a		yes
5.11. Does your country have codes of conduct to mitigate disturbance from interactions with solitary dolphins?									
yes		n/a	no	yes		n/a	n/a		yes

- **Solitary sociable dolphin species:** Bottlenose dolphin (BE, FR, NL, UK), Common dolphin (FR, DE, UK), Beluga (UK)
- **Harassment incidents:** One reported to the police, involving jet skiers and boats approaching and encircling a bottlenose dolphin in the UK, May 2019
- **Codes of conduct:** Besides general guidance on best practice for interaction with wild cetaceans, there have been specific guidelines when solitary dolphins appear close to humans

BE	DK	FI	FR	DE	LT	NL	PO	SE	UK
5.12. List initiatives/projects (including PhD, MSc) involving studies of the cetacean watching industry and its possible effects on small cetaceans for 2016-18 in your country									
none		n/a	none	n/a		none	n/a		yes

→ **UK: MSc & PhD Projects/Theses:**

Koroza, A.A. (2018) *Habitat use and effects of boat traffic on bottlenose dolphins in New Quay harbour*. MSc thesis, University of Bangor.

Mancini, F. (2019) *Managing the wildlife tourism commons*. PhD thesis, University of Aberdeen.

McGuinness, S. (2019) *Approaches to managing wildlife tourism across the UK*. MSc thesis, University of Aberdeen.

Pena Vergara, A. (2019) *Integrating bottlenose dolphin conservation with ecotourism development*. PhD thesis, University of Bangor.

Whiteley, L. (2016) *Variation in bottlenose dolphin (Tursiops truncatus) whistle parameters in relation to group composition, surface behaviour and vessel sound profiles*. MSc thesis, University of Bangor.

BE	DK	FI	FR	DE	LT	NL	PO	SE	UK
5.13. List other publications involving studies of the cetacean watching industry and its possible effects on small cetaceans for 2016-18 in your country									
none		n/a	none	n/a		none	n/a		yes

→ **UK:**

Nunny, L. and Simmonds, M. (2018) Solitary sociable dolphins: a preliminary update. Paper SC/67b/WW06 presented to the IWC Scientific Committee, April-May 2018, Bled, Slovenia (unpublished). 12pp.

Nunny, L. and Simmonds, M.P. (2019) A Global Reassessment of Solitary-Sociable Dolphins. *Frontiers in Veterinary Science*, 5: 331-347.

Mancini, F., Coghill, G. M., and Lusseau, D. (2017) Using qualitative models to define sustainable management for the commons in data-poor conditions. *Environmental Science and Policy*, 67: 52–60.

Mancini, F., Coghill, G. M., and Lusseau, D. (2018) Using social media to quantify spatial and temporal dynamics of wildlife tourism activities. *PLOS ONE*, 13(7), e0200565.

Mancini, F., Coghill, G. M., and Lusseau, D. (2018) Quantifying wildlife watchers' preferences to investigate the overlap between recreational and conservation value of natural areas. *Journal of Applied Ecology*, 56: 387-397.

5.16. Is the perceived level of pressure from commercial small cetacean watching in your country increasing, decreasing, staying the same or unknown?

Belgium & The Netherlands	Scientific name of the species	Increasing	Decreasing	Staying the same	Unknown
	Harbour porpoise			X	

France	Scientific name of the species	Increasing	Decreasing	Staying the same	Unknown
	Bottlenose Dolphin	X			

UK	Scientific name of the species	Increasing	Decreasing	Staying the same	Unknown
	Bottlenose dolphin	X			
	Common Dolphin	X			
	Killer Whale	X			
	Harbour Porpoise	X			
	Risso's dolphin	X			
	White beaked dolphin			X	

National Reporting on Cetacean Watching Industry

RECOMMENDATIONS

- Encourage **all** Parties & Range States to contribute national information for a more complete picture
- Develop a universally accepted definition of “harassment”. In the US, under the Marine Mammal Protection Act, two levels are defined: **Level A harassment** means any act of pursuit, torment, or annoyance that has the potential to injure a marine mammal or marine mammal stock in the wild. **Level B harassment** refers to acts that have the potential to disturb (but not injure) a marine mammal or marine mammal stock in the wild by disrupting behavioural patterns, including, but not limited to, migration, breathing, nursing, breeding, feeding, or sheltering
- Countries should be encouraged to keep a log of cases of harassment/disturbance as reported to regional or national authorities. Since at the regional level, many different management bodies may be involved, it is important there is good communication across all sectors
- National guidelines/codes of conduct should be developed for all countries where commercial cetacean watching takes place. It would help if these were consistent both within and between countries. They should include also guidelines with regard to behaviour around solitary sociable small cetaceans.