



10th MEETING OF THE PARTIES
Odense, Denmark, 10-12 September 2024
Agenda Item 6.2.3

DRAFT RESOLUTION:

MITIGATING THE IMPACTS OF RECREATIONAL ACTIVITIES ON SMALL CETACEANS

(Prepared by the Intersessional Working Group on Recreational Speed Craft and the Secretariat)

1. The 27th Meeting of the ASCOBANS Advisory Committee (AC27) requested the Secretariat to establish a Working Group to “provide guidance materials to interested Parties on the best ways to mitigate impacts in light of rapid increases in recreational speed craft (RIBs, power boats, and personal watercrafts) in many parts of the ASCOBANS Agreement Area, and concerns for the potential negative impacts upon small cetaceans and other marine wildlife through disturbance (including risk of physical injury). [...]” (AC27/AP18). The Intersessional Working Group submitted a paper to AC28 titled *Guidance Material to Mitigate Impacts of Recreational Speed Crafts* ([ASCOBANS/AC28/Doc.2.2](#)).
2. The Advisory Committee further instructed the Working Group to prepare a draft Resolution for MOP10. To complement this request, a workshop was held in conjunction with the 2024 conference of the European Cetacean Society to consider this topic. Its full report can be found in [ASCOBANS/MOP10/Inf.6.2.3](#).
3. Recreational activities pose a significant threat to small cetaceans, with numerous detrimental effects on both individual animals and their populations. The persistent disruption from such vessels can lead to severe consequences, exacerbating the already precarious conservation status of many small cetacean populations.
 - a) Noise pollution and habitat abandonment: Noise generated by recreational activities can cause small cetaceans to abandon their habitats. This displacement is not necessarily a temporary reaction to immediate disturbances but can result in long-term habitat abandonment, leading to a permanent loss of suitable living environments for these animals.
 - b) Collisions: Collisions with high-speed vessels often result in immediate death or severe injuries that can lead to delayed mortality.
 - c) Auditory damage: Exposure to loud noises from recreational craft can cause Temporary Threshold Shift (TTS) and Permanent Threshold Shift (PTS) in cetaceans. These auditory impairments increase the likelihood of cetaceans being unable to detect biologically significant sounds, such as communication signals, predator or prey detection, and anthropogenic threats such as acoustic cues of gillnets. Such sensory damage compromises their ability to survive and reproduce.
 - d) Separation of female animals and calves: Recreational vessels can also cause the separation of female cetaceans and their calves. This separation is usually fatal for the

calves, which rely on their mothers for nutrition, protection, and learning social and other skills.

- e) Disruption of vital behaviours: Frequent interruptions of essential behaviours such as feeding, mating, and suckling due to boat disturbances can significantly reduce individual viability. Stress induced by these interruptions further exacerbates their vulnerability. Over time, these behavioural disruptions can lead to reduced reproductive success and increased mortality rates, having repercussions at the population level.
4. For example, along the German Baltic Sea coast, numerous commercial providers have established high-speed RHIB tours for tourists (boats with up to 1350 horsepower, capable of speeds up to 80 knots / 150 km/h). These vessels operate multiple times daily from March to October, including within marine protected areas where harbour porpoises are present year-round. A report¹ commissioned by the state of Schleswig-Holstein advises these companies to limit their speed to 10 knots within marine protected areas and within a 2-km buffer zone around these areas. This measure aims to prevent violations of nature conservation laws concerning the endangerment and injury of whales.
 5. In the UK, codes of conduct for recreational activities (including commercial wildlife watch trips) have been developed by the regional administrative authorities for all three of the Special Areas of Conservation established for the bottlenose dolphin. One of these is in Scotland and the other two in Wales. They include speed reductions, maximum durations for dolphin encounters by boats, and guidance on boat behaviour within set distances from dolphins. In terms of speed reductions, advice varies between sites reducing speeds to 5 or 8 knots, with vessels expected to produce no-wake. It is a criminal offence to deliberately or recklessly disturb or harass protected species anywhere in UK waters, and in Wales, harbourmasters and launch control officers are authorised to withdraw launching and/or mooring permits from vessels and/or individuals not observing local regulations, byelaws, or the Recreational Boat Users' Code of Conduct.

Action requested:

6. The Meeting of the Parties is requested to review and adopt the draft Resolution contained in Annex 1 to this document.

¹ <http://www.landtag.ltsh.de/infothek/wahl19/umdrucke/05900/umdruck-19-05949.pdf>

Annex 1

DRAFT RESOLUTION:

MITIGATING THE IMPACTS OF RECREATIONAL ACTIVITIES ON SMALL CETACEANS

Recognizing that recreational activities such as boating, often involving small speed crafts, and other marine recreational pursuits in the ASCOBANS area, have the potential to impact small cetaceans through disturbance, physical strikes, noise pollution and general habitat degradation,

Noting the significant increase in pressure on wildlife in recent years from recreational activities and vessels in coastal waters,

Noting also that slower moving watercraft, including those without engines such as paddle boards and kayaks may also startle and disturb cetaceans who may not be able to perceive them until they are in close proximity,

Acknowledging the valuable insights and recommendations provided during the ECS-ASCOBANS Workshop on Recreational Activities and their Impacts on Small Cetaceans, held on 9 April 2024, and attended by a range of marine mammal experts and other stakeholders from across Europe,

Emphasizing the need for collaborative efforts among Parties, stakeholders, and the public to mitigate the adverse effects of recreational activities on small cetaceans,

Recalling CMS Resolution 14.5 *Reducing the risk of vessel strikes for marine megafauna*, Resolution 14.9 *Conservation Priorities for Cetaceans*, Resolution 12.14. *Adverse Impacts of Anthropogenic Noise on Cetaceans and Other Migratory Species*, Resolution 12.16 (Rev. COP14) *Recreational In-water Interaction with Aquatic Wildlife*, Resolution 12.23 (Rev.COP14) *Sustainable Tourism and Migratory Species*, Resolution 11.29 (Rev.COP12) *Sustainable Boat-based Marine Wildlife Watching*,

The Meeting of the Parties to ASCOBANS

1. *Calls upon* Parties to review existing regulations and enforcement mechanisms related to recreational activities to ensure they adequately address the protection of small cetaceans and their habitats, and to consider implementing additional measures where necessary;
2. *Urges* Parties to ensure the protection of small cetaceans within relevant Marine Protected Areas (MPAs) by implementing navigation regulations that enforce speed limits both within and around these areas, thereby reducing the risk of vessel strikes and minimizing disturbance to these vulnerable species;
3. *Further urges* Parties to develop and promote best practices, appropriate legislation where such is missing, and guidelines for recreational activities in areas frequented by small cetaceans, with a focus on minimizing disturbance, maintaining safe distances and practices, and avoiding sensitive areas;
4. *Encourages* Parties to empower the MPA and other relevant authorities to fulfil their mandates to effectively implement measures and protection in relation to underwater noise and other impacts of recreational activities;
5. *Recommends* that Parties should support surveillance programmes and research initiatives aimed at assessing the impact of recreational activities on small cetaceans and identifying critical areas where such activities overlap with areas used by cetaceans, so that appropriate conservation measures can be taken;

6. *Recommends* that Parties strengthen stranding networks to better understand the impacts of recreational activities. This should include establishing monitoring of the auditory system of freshly dead cetaceans in order to better assess the effects of noise and evaluate the efficiency of noise reduction measures in their national waters;
7. *Encourages* Parties to facilitate independent assessments of the effectiveness of national measures intended to address/mitigate the impact of recreational activities on cetaceans, where such measures have already been implemented in their national waters;
8. *Encourages* Parties to conduct impact assessments in relation to the use of high-powered watercraft for commercial projects, such as those of commercial tourism operators. The precautionary principle must be applied so that projects ensure that they do not harm cetaceans;
9. *Encourages* Parties to engage with relevant stakeholders, including people engaging in recreational activities on the water tour operators, coastal communities, and conservation organizations, to foster cooperation, improved understanding of impacts, and collective action in safeguarding cetaceans;
10. *Encourages* Parties, in addition to speed reductions, to apply other measures and technologies that would make vessels safer for cetaceans. These include deploying propeller guards (mitigating the danger of physical strikes), and ensuring that propellers are well-maintained (reducing noise);
11. *Further encourages* capacity-building efforts to enhance the skills and resources of relevant authorities, stakeholders, and local communities in effectively managing recreational activities and mitigating their impact on small cetaceans;
12. *Encourages* Parties to raise awareness in groups exempted from obligations (such as lifeguards, police and military) in order to ensure that high-speed operations in sensitive areas are only undertaken when essential; and
13. *Invites* Parties to raise awareness among recreational vessel users about the presence of small cetaceans in their areas, their vulnerability to disturbance and vessel strikes, and the importance of responsible behaviour to minimize negative impacts on individuals and populations.