

WCC-2012-Rec-142-EN

Actions to avert the extinctions of rare dolphins: Maui's dolphins, Hector's dolphins, Vaquita porpoises and South Asian river and freshwater dependent dolphins and porpoises

RECALLING that IUCN has had a longstanding concern about human impacts on small cetaceans, and in particular endangered dolphins and porpoises;

RECALLING that Articles 61(4) and 119(1)(b) of the United Nations Convention on the Law of the Sea (UNCLOS), which are also reflected in the Food and Agriculture Organization of the United Nations (FAO) *Code of Conduct for Responsible Fisheries*, require States to manage fisheries in such a way as to, *inter alia*, take into consideration the effects on species associated with or dependent upon harvested species and to ensure that they are not threatened by those fisheries;

RECOGNIZING Article 8(f) of the Convention on Biological Diversity (CBD) which impels Parties to: "promote the recovery of threatened species, *inter alia*, through the development and implementation of plans or other management strategies";

NOTING also that IUCN Resolution 18.28 *Convention on the Conservation of Biological Diversity* adopted by the 18th IUCN General Assembly (Perth, 1990) and preceding the adoption of the Convention on Biological Diversity in 1992, urged "negotiating parties to ensure that primary efforts in developing the Convention are directed towards fully comprehensive conservation of biological diversity and that the primary focus is on wild genetic resources and the conservation of biological diversity *in situ*";

AFFIRMING IUCN's strong commitment to the conservation of marine species and habitat, as reflected in Resolution 2.20 *Conservation of marine biodiversity* adopted by the 2nd IUCN World Conservation Congress (Amman, 2000), and Recommendations 1.17 *Coastal and Marine Conservation and Management* and 1.37 *Marine Protected Areas* adopted by the 1st IUCN World Conservation Congress (Montreal, 1996); and other resolutions;

AWARE that the Yangtze River Dolphin (*Lipotes vexillifer*) is thought to be extinct although still formally classified by IUCN as Critically Endangered;

RECALLING Resolution 19.61 *By-Catch of Non-Target Species* adopted by the 19th IUCN General Assembly (Buenos Aires, 1994), which expressed concern that the by-catch rate at that time posed a serious threat to the Vaquita (*Phocoena sinus*) in the Gulf of California, Mexico, and urged States and organizations to adopt reasonable measures to minimize the by-catch of non-target species, including limiting the fishing of target species if necessary;

NOTING that the 2nd World Conservation Congress (Amman, 2000) in Recommendation 2.71 *Cooperative regional action plan for the conservation of river dolphins (Platanista spp. and Lipotes spp.) in the South Asian region* called on governments and other parties to take urgent action to protect the four freshwater dolphin species, out of which the Ganges River Dolphin (*Platanista gangetica*), Indus River Dolphin (*Platanista minor*) and the Yangtze River Dolphin are found exclusively in the Asian region;

RECALLING that Resolution 2.71 noted that the distributions of the Ganges and Indus River Dolphins stretch across political boundaries in various river systems, and that it recognized that as a consequence of its distribution, the Ganges River Dolphin is part of the natural heritage and resources shared by four nations, i.e. Bangladesh, Bhutan, India and Nepal;

RECALLING FURTHER that there are other threatened populations of river dolphins and porpoises in the South East Asian region, like the sub-populations of Irrawaddy Dolphins (*Orcaella brevirostris*) in the Mahakam river of Borneo, Indonesia, in the Ayeyarwady river of Myanmar and in the Mekong River of Cambodia and Lao PDR; and the Yangtze subspecies of Narrow-ridged Finless Porpoise (*Neophocaena asiaeorientalis*) in the Yangtze river and associated lake systems, China; as well as threatened populations of freshwater-dependent dolphins, like the subpopulation of Indo-Pacific Hump-backed Dolphins (*Sousa chinensis*) in the eastern Taiwan Strait;

NOTING that the *IUCN Red List of Threatened Species* has classified the Vaquita, or Gulf of California Harbour Porpoise, a species endemic to the Upper Gulf of California, Mexico, as Vulnerable in 1978, Endangered in 1990 and Critically Endangered since 1996;

CONSCIOUS that Resolution 4.025 *Avoiding extinction of the Vaquita porpoise* Phocoena sinus adopted by the 4th IUCN World Conservation Congress (Barcelona, 2008) called for the avoidance of the extinction of the Vaquita porpoise and laid down a range of measures to achieve this and that the Mexican government and others have responded to these calls but that the situation remains extremely precarious;

NOTING that the report of the fourth Meeting of the International Committee for the Recovery of Vaquita (CIRVA) held in Ensenada, Mexico from 20–23 February 2012, notes that the Vaquita has continued to decline, with an estimated reduction of nearly 60% between 1997 and 2008 and that possibly as few as 220 porpoises remained in 2008, and recommends the removal of all gillnets and other entangling gear from the entire range of Vaquita;

RECOGNIZING the concern for the status of the Vaquita expressed by the International Whaling Commission (IWC) Scientific Committee (IWC 2012), which reaffirmed that the only reliable approach for saving the species is to remove entangling gear from areas where the animals occur, and recommended such removal from the upper Gulf of California immediately;

AWARE that the *IUCN Red List* has also classified the Maui's Dolphin subspecies (*Cephalorhynchus hectori maui*), which is resident along the west coast of the North Island of New Zealand, as Critically Endangered;

NOTING that scientists have in 2012 estimated that the Maui's Dolphin population has only 55 individuals (excluding calves), has very low fecundity and is also susceptible to gill netting, boat strike and other human impacts;

ALSO NOTING that the *IUCN Red List* has classified the New Zealand Hector's Dolphin (*Cephalorhynchus hectori*) as Endangered;

AWARE of the advice given by the IUCN Species Survival Commission (SSC) and the SSC Cetacean Specialist Group to the New Zealand Government on the need to expand the areas of protection from gill netting and trawling to cover the entire range of the Maui's and Hector's Dolphins;

RECOGNIZING the recent recommendations of the IWC Scientific Committee (Panama, 2012) requesting the ban of gill nets and trawl fisheries from the entire Maui's Dolphin range, as well as adequate observer coverage;

AWARE of the advice of the SSC Cetacean Specialist Group over the decades, and in particular that Group's advice in relation to the 2002–2010 Conservation Action Plan for the world's cetaceans;

COMMENDING the Mexican, New Zealand and South Asian governments and others for the measures already taken; and

ALSO AWARE that with greater protection the Maui's Dolphin, the Vaquita and some of the river dolphins may yet be pulled back from the brink of extinction;

The World Conservation Congress, at its session in Jeju, Republic of Korea, 6–15 September 2012:

1. URGES the New Zealand Government to:
 - a. urgently extend dolphin protection measures, with an emphasis on banning gill net and trawl net use from the shoreline to the 100 metre depth contour in all areas where Hector's and Maui's Dolphins are found, including harbours;
 - b. to increase immediately the level of monitoring and enforcement with an emphasis on requiring 100 per cent observer coverage of any gill net or trawling vessels allowed to operate in any part of the range of Hector's and Maui's Dolphins until such bans can be implemented; and
 - c. to report such action and monitoring and enforcement results;
2. URGES the Mexican government, its agencies and fishers, IUCN Members, the Secretariat, IUCN Commissions and the various agencies and partners to vigorously and resolutely pursue the measures outlined in Resolution 4.025 and further measures to better protect the Vaquita;
3. URGES the Mexican Government to:
 - a. eliminate Vaquita by-catch by removing entangling gear from the entire range of Vaquita;
 - b. expedite approval and adoption of the small shrimp trawls as an alternative to gill nets and prohibitions on shrimp fishing with gill nets throughout the entire range of the Vaquita; and
 - c. continue research on technologies to replace gill netting for finfish in order to facilitate and hasten the implementation of item a, above;
4. CALLS ON all range States of the river dolphins and porpoises (*Platanista* spp., *Orcaella brevirostris* and *Neophocaena asiaeorientalis*) and the freshwater-dependent dolphins (*Sousa chinensis*) in the South Asian region to redouble their efforts and cooperation with each other and with IUCN, its Members, SSC and others to protect these species and populations from fishing pressure, pollution and other impacts, along the lines of Resolution 2.71 and the advice of experts since; and
5. ASKS the IUCN SSC and Cetacean Specialist Group to assist in monitoring and reporting the existence and numbers of all of these threatened dolphin species.

The State Member New Zealand provided the following statement for the record:

“New Zealand is committed to the protection of Maui’s and Hector’s Dolphins, but is unable to support the proposed motion because it is not consistent with New Zealand government policy on mitigating fishing related risks to them.

New Zealand has extensive measures in place to protect Maui’s Dolphins on the West Coast of the North Island throughout their core range—including a ban on the use of commercial set nets out to 7 nautical miles from Pariokariwa Point to North of the Kaipara Harbour. There is no evidence that the 100m depth contour in the proposed motion reflects the limit of Maui’s Dolphin or Hector’s Dolphins entire range. For this reason, New Zealand does not consider it an appropriate basis on which to base its management actions and New Zealand is therefore unable to support the motion.”