

Annex Q

Report of the Small Cetaceans Subcommittee

1. INTRODUCTION

Participants: Porter and Trujillo (Convenors), Albertson, Altherr, Andriolo, Arakaki, Babey, Baker, Banga, Barreto, Barros, Bartmeier, Bell, Bellido, Bernus, Bessega, Bilal, Bolaños-Jimenez, Brannan, Brownell Jr., Burkhardt, Campbell, Canadas, Cassani, Cerchio, Childerhouse, Cipriano, Cisternino, Citta, Clarke, Collier, Collins, Constantine, Coscarella, Cremer, Di Tullio, Dolman, Domit, Evangelista, Ferguson, Fernandez, Ferreira, Fisher, Freitas, Frias, Fruet, Fyfe, Gallego, Genov, Givens, Goetz, Groes, Han, Heinemann, Hielscher, Hines, Hoelzel, Holm, Huánuco, Hunter, Jaramillo Legorreta, Jimenez, Johnson, Juscamayta, Baird, K. Baird, R., Katara, Kelly, Kema Kema, Khan, Kiszka, Kolesnikovas, Lang, Leal, Lee, K., Lee, M., Li, Lucke, Lundquist, Lysenko, Maldonado, Mallette, Marcondes, Marmontel, Masere, McKechnie, Minton, Moan, Natoli, Naylor, Nelson, New, Oloughlin, Palazzo, Park, Parsons, Passadore, Peltier, Pita, Ransijn, Reeves, R., Reeves, S., Ridoux, Ritter, Robson, Rojas-Bracho, Rosa, Rose, Rowles, Sackett, Sagalés, Schubert, Sigurðsson, Simmonds, Slooten, Srinivasan, Stachowitsch, Staniland, Stimmelmayer, Sucunza, Sutaria, Suydam, Svoboda, Thomas, Urbán, Urrego, Van Waerebeek, Vely, Vermeulen, Vrooman, Wade, Wang, Warrie, Webster, Wichman, Wilkin, Willans, Zerbini.

1.1 Opening remarks

Porter and Trujillo welcomed the participants to the meeting and provided an introduction to the work methods of the Scientific Committee and the focus of the Subcommittee on Small Cetaceans (SM). Porter and Trujillo drew attention to several SM topics that would be discussed in joint sessions with other Subcommittees, specifically progress on Conservation Management Plans (CMP) for the Guiana dolphin (*Sotalia guianensis*), the franciscana dolphin (*Pontoporia blainvillei*), South American river dolphins (*Inia geoffrensis*, *Inia boliviensis*, *Inia araguaiaensis*, *Sotalia fluviatilis*), Lahille's bottlenose dolphin (*Tursiops truncatus gephyreus*) and freshwater populations of Irrawaddy dolphin (*Orcaella brevirostris*); estimation of franciscana abundance from passive acoustic monitoring (PAM) and review of spatially explicit models for line transect data for beluga (*Delphinapterus leucas*) in the Abundance Estimates, Stock Status and International Cruises (ASI) Subcommittee; and bycatch of franciscana and harbour porpoise (*Phocoena phocoena*) in the Non-deliberate Human-Induced Mortality of Cetaceans (HIM) Subcommittee.

1.2 Election of Chair and appointment of rapporteurs

Porter and Trujillo were elected as Chairs. Cipriano, Jiménez, Brannan and Reeves were appointed as rapporteurs.

1.3 Adoption of agenda

The adopted agenda is given as Appendix 1.

1.4 Review of available documents

The following available documents contained information relevant to the work of the Subcommittee: SC/69B/SM/01-13; SC/69B/SM/15; SC/69B/CMP/18-20; SC/69A/HIM/05; SC/69A/HIM/09; Altherr & Hodgins (2024); Andriolo *et al.* (in review); CCAHD (2024); CSG (2023); EIA (2024); Jaramillo-Legorreta *et al.* (2023); Mura *et al.* (in review).

2. SOUTH PACIFIC ISLAND SMALL CETACEANS

In 2022, the Small Cetaceans of the South Pacific Islands ICG was formed with the aim of planning and conducting a review of the small cetaceans of the South Pacific. Of the 34 cetacean species known to occur within the area, several species were identified as being severely impacted by interactions with oceanic purse seine and longline commercial fisheries, including bycatch, entanglement in, and injury from fishing gear. Given what was known of threats and the paucity of data on offshore species, four blackfish species (short-finned pilot whales [*Globicephala macrorhynchus*], false killer whales [*Pseudorca crassidens*], melon-headed whales [*Peponocephala electra*], pygmy killer whales [*Feresa attenuata*]) and rough-toothed dolphins (*Steno bredanensis*) were selected for review. Following a recommendation (SC23154) at SC69A, an in-person workshop was organised in collaboration with the Bycatch Mitigation Initiative (BMI) and multiple stakeholders from the South Pacific Island region, including the Secretariat of the Pacific Regional Environment Programme (SPREP). The workshop was funded by a voluntary donation from the Government of the Netherlands.

2.1 Workshop report

The Small Cetaceans of the South Pacific Islands ICG reported on an in-person workshop held in Auckland, New Zealand on 12-15 February 2024 (SC/69B/REP/06). The workshop reviewed current knowledge of the five focal species selected for review in the South Pacific. The overall aims of this initial workshop were to: (1) summarise current knowledge of the focal species found within the region; (2) identify knowledge gaps that significantly limit our ability to detect and monitor declines and other conservation issues; and

(3) develop a multi-year workplan to address identified knowledge gaps including identification of, and engagement with, stakeholders throughout the region. For the purpose of this review, the South Pacific Islands (SPI) region was defined as the area bounded by approximately 130° E longitude to 120° W longitude and 30° N latitude to 30° S latitude (excluding the waters of continental Australia and New Zealand). Within this area, 16 sovereign states are represented, of which ten (10) are members of the IWC: France, Kiribati, Marshall Islands, Nauru, New Zealand, Palau, Solomon Islands, Tuvalu, the United Kingdom and the United States of America (Figure 1).

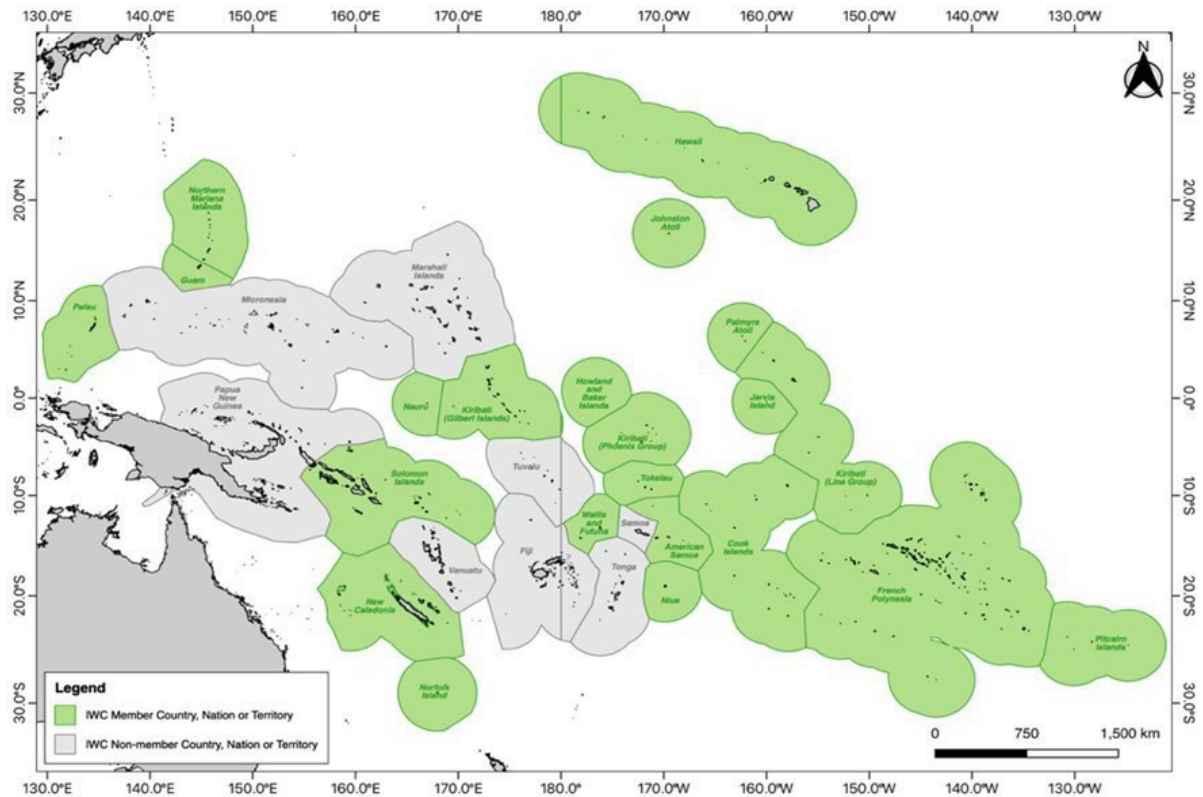


Figure 1. Exclusive Economic Zones (EEZs) of IWC Member countries, nations, and territories across the ‘South Pacific Islands’ region defined for the purpose of this review.

Species reviews conducted by the SM normally consider biological factors such as abundance, distribution, population structure, ecology, life history, and habitat as well as threats such as directed and incidental takes, pollution, development and resource extraction activities, resource depletion and climate change. It was recognised that such a review of the five species in the SPI region would require multiple years to conduct and multi-stakeholder engagement. The February 2024 workshop initiated the review process with the participation of cetacean researchers, as well as representatives from Regional Fisheries Management Organisations (RFMOs) and SPREP.

It was noted that improved and enhanced data from observer programs can contribute to understanding the fate of ‘landed’ or ‘interacting’ animals (i.e. was the animal dead, was it entangled or just associating with the gear, was it injured, was it released, was there trailing line, etc.). Suggestions for improving the scope and value of observer-collected samples and observations were made, and there was consensus that holding a joint workshop with RFMOs operating in the region, perhaps hosted by The Pacific Community (SPC) if possible, would be a valuable approach for encouraging collaboration with this Subcommittee, and also the BMI.

The workshop outlined priorities for future work by the group, and *inter alia*:

- **drew attention** to the need for biological samples from small cetacean in the SPI region;
- **encouraged** researchers and organisations working with SPI small cetaceans to **prioritise** multi- mode data collection such as aerial surveys, photographs (e.g. for photo-identification and injury analysis), stranding records, acoustic recordings and satellite tag tracks;
- **prioritised** passive acoustic monitoring (PAM) studies given that recorders can be installed

in remote locations and capture data (e.g., species presence) over long periods of time and on different schedules;

- **agreed** that useful data can be collected from platforms of opportunity including whale watch and other ecotourism operations, and **encouraged** those onboard to document sightings or encounters of cetaceans; such activities can often be conducted with help and training provided by local governments who support businesses and communities;
- **agreed** that an inventory of currently available tissue samples, biological and behavioural data, plus documentation of fishery interactions and other conflicts or threats in the region be developed;
- **recognised** the value of samples and information collected by onboard observer programmes in the SPI region; and
- **welcomed** the research by SPC on bycatch in Western and Central Pacific Fisheries Commission (WCPFC) longline and purse seine fisheries and the collection of data on cetacean interactions and estimates of purse seine bycatch in the Western and Central Pacific Ocean (WCPO).

In discussion, electronic monitoring to improve observer coverage and species identification within regional long line and purse seine fisheries was suggested. McKechnie confirmed that remote cameras have been installed on long line fishery vessels, however, coverage remains low and resources to review the footage are limited. McKechnie also confirmed that onboard observers often carry cameras (e.g., smartphones), which could be used to collect imagery that would improve species identification, alongside proper training.

The Subcommittee **gratefully acknowledged** the funding provided by the Government of the Netherlands for this workshop. The support of the University of Auckland, New Zealand, was also acknowledged. The Subcommittee thanked the workshop participants for their comprehensive reporting and **agreed** to establish a steering committee to ensure the actions and workplan detailed within the workshop could progress. The Subcommittee also **endorsed** the following recommendations which were drafted during the workshop.

Attention: SC, R, BMI, RFMOs

The workshop held in Auckland, New Zealand, on 12-15 February 2024 (SC/69B/REP/06):

1. **drew attention** to the need for biological samples of small cetacean species from the SPI region and **encouraged** holders of such resources to make their existence known to the research community and recommended that samples which may address identified knowledge gaps for the focal species are analysed within the next biennium (2025-26) so that the results might contribute to the work of this review; and
2. **agreed** to work with The Pacific Community (SPC) to organise a workshop, in the next biennium (2025-26), to include the relevant regional fisheries organisations with a view to discuss:
 - identifying existing data held within proprietary and inaccessible records or databases;
 - improving observer training and data collection protocols;
 - updating guidance on rules of conduct for fisheries operations, best practices, etc.;
 - communicating the importance of observer-collected samples and information for small cetacean conservation in the region and focusing on population-specific impacts; and
 - continuing the IWC Bycatch Mitigation Initiative's constructive dialogue with fisheries organisations on interactions and their impacts.

2.2 False killer whale interactions with fisheries

SC/69B/SM/10 presented an overview of fishery-related injuries of false killer whales in Hawaii. Interactions were assessed using photographic evidence (1999-2021) of dorsal fin and mouthline injuries for three stocks that vary in their spatial overlap with fisheries: the endangered Main Hawaiian Islands (MHI) stock, which overlaps with nearshore fisheries; the Northwestern Hawaiian Islands (NWHI) stock, which has limited overlap with any fisheries; and the Hawai'i pelagic stock, which overlaps with both nearshore and offshore fisheries (including high-seas foreign [non-US] fisheries). For individuals with both dorsal fin and mouthline photos available, the MHI stock had the highest rates of fishery-related injuries (28.7%), followed by the pelagic stock (11.7%). No individuals from the NWHI stock with both types of photos available had fishery-related injuries. These injury rates are negatively biased, as the median percentage of photos with the mouthline visible ranged from 50-60%, and individuals with excellent dorsal fin photos had a higher proportion of fishery-related injuries. Females were significantly more likely to have fishery-related dorsal fin injuries (17.4%) than males (5.3%), although rates of mouthline injuries were similar (females = 17.8%; males = 12.2%). Fishery-related injuries were documented across all age classes, with the youngest individuals estimated to be two years old. Within the MHI stock, frequency of fishery-related injuries varied among social clusters and ranged from 19.4% to 38.2% of individuals. Some individuals were documented with multiple fishery-related injuries acquired on different occasions, indicating repeated interactions with fisheries.

In discussion, it was noted that although fishery-related injuries are prevalent, evidence from strandings was insufficient to suggest that fishery interactions are a significant cause of mortality. It was clarified, however, that this was likely due to the small number of carcasses available for examination, as only an estimated 3% of the carcasses of animals presumed to have died are recovered.

The prevalence of fishery-related injuries in other blackfish populations in Hawaiian waters was also discussed, with pygmy killer whales having the second-highest incidence, following false killer whales, of mouthline (but not dorsal fin) injuries. Furthermore, although fishery-related mouthline injuries have been documented in short-finned pilot whales and melon-headed whales, fishery-related dorsal fin injuries are rare, likely explained by behavioural differences.

SC/69B/SM/11 summarised information on false killer whale bycatch in the Hawai'i-based deep-set longline fishery, 10 years after the implementation of a Take Reduction Plan (TRP) under the US Marine Mammal Protection Act. The TRP included both gear changes (i.e. 'weak' circle hooks [≤ 4.5 mm wire diameter] and 'strong' branchlines [≥ 2.0 mm diameter]) and handling guidelines, to put tension on the gear to straighten hooks and release individuals alive without gear attached. Observer coverage in the fishery averaged 20% from 2000 to 2019, and annual mortality and serious injury (M&SI) rates are calculated from observed interactions (i.e., hooking or entanglement) and extrapolated to unobserved effort to estimate total number of M&SIs. False killer whales remain the most frequently recorded bycaught cetacean in the fishery. Overall annual effort in the fishery has increased, as have estimates of bycatch per unit effort and total number of bycatch events. Based on observed trips, crew often fail to put tension on gear, and in 75.3% of cases branchlines break or are cut, releasing hooked animals with trailing gear, typically classified as serious injuries. In 2023, the industry voluntarily began distributing a 'fighting line device' meant to improve handling of hooked animals for the purposes of removing gear, although no cases of its use with false killer whales have yet been reported. Observer coverage in the fishery declined to 15% in 2023 and is expected to decline to 13% in 2024. Given the potential for an

observer effect, handling guidelines are even less likely to be followed on unobserved trips, calling into question the validity of extrapolating observed M&SI rates to unobserved effort. Electronic monitoring in 100% of the fishery would both help incentivise crew to follow handling guidelines and provide a basis for assessing effectiveness and compliance.

3. IBERIAN KILLER WHALE VESSEL INTERACTIONS

3.1 Outcomes of the 2024 Madrid Workshop

SC/69B/SM/12 reported on an international workshop organised by the governments of Spain and Portugal held in Madrid, Spain, on 6-8 February 2024. The workshop addressed the phenomenon of interactions first reported in 2020 between killer whales (*Orcinus orca*) and vessels off the Iberian Peninsula. This small sub-population of about 40 killer whales are typically observed along the Atlantic coastline of Spain and Portugal and in the waters of the Straits of Gibraltar. They are listed as Critically Endangered on the IUCN Red List (Esteban and Foote, 2019), and it is illegal under European Union (EU) and national laws to harm them. In a typical interaction, the whales approach the vessel closely, and push or ram the rudder, often rendering the vessel unnavigable, and in a few cases have caused a vessel to capsize or sink. The workshop discussed potential motivations for the behaviour, testing of potential mitigation measures, communication strategies for informing the public about the problem and providing advice to the governments of Spain, Portugal, and Morocco on how to manage these interactions.

The workshop provided a series of recommendations for immediate mitigation, including that mariners who encounter killer whales in the region should move away from whales as quickly as possible, and that they should alert authorities as soon as an encounter begins. The workshop strongly recommended that mariners not use any mitigation measures that would likely cause harm to the whales. The preparation of a multinational communications strategy was also recommended. The workshop concluded that these interactions are most likely play behaviour and should not be described with words such as ‘aggression’ or ‘attack’ and recommended that a small international advisory group should be established. Finally, the Workshop recommended the development of a CMP for this sub-population.

Questions to the authors focused on the frequency of interactions overall and those that cause significant damage, because reporting is voluntary; the total number of boats transiting the area is difficult to quantify and includes large numbers of smaller recreational boats. Automatic Identification System (AIS) coastal tracking systems are typically only used on larger vessels, but new ‘M2’ systems (a new vessel tracking standard) are increasing in use and can be used on any vessel, and the data streams from such systems can be analysed in real time to give a better indication of distribution and movements of all size vessels. Although the frequency of damage cannot be estimated accurately, some researchers working on the issue suspected significant damage occurred in very roughly 20% of encounters, i.e. it was neither very rare nor very frequent. It was noted that adoption of an ACCOBAMS resolution which addresses this issue is expected in 2025, and a recommendation from the Small Cetaceans Subcommittee would help to reinforce and strengthen advice from ACCOBAMS.

The Subcommittee gratefully acknowledged the invitation for SC participation in the workshop from the governments of Spain and Portugal, for assistance with a pressing management problem. This experience was a very good example of the services that the SC can provide to member governments to help resolve an issue. It was also noted that Annex 4 of SC/69B/SM/12 includes all mitigation measures considered and progress on the field tests of these methods.

The Subcommittee **endorsed** the primary recommendations from the consolidated workshop report

(SC/69B/SM/12) as excerpted below.

Immediate mitigation advice

Attention: CG

*The Workshop **recommended**, as the highest priority, the outline of advice and reporting provided in Fig. 4, where mariners should avoid times/areas of highest probability of killer whale presence, based on maps provided by competent authorities.*

*In the event of an encounter, the Workshop **recommended** mariners move away from the whales as quickly as possible, at least 2 to 3 km from the area in which the whales were encountered, either toward the coast (in the Gulf of Cádiz and Strait of Gibraltar) or toward an area where rescue can be expedited. Moving away is not guaranteed to end the interaction or prevent damage but may reduce the latter's likelihood. Mariners should alert authorities as soon as an encounter begins, which should help with response time for a rescue if needed.*

*In terms of additional mitigation, the Workshop **strongly recommended** that mariners encountering Iberian killer whales do not use any deterrence measures that would almost certainly be harmful to the whales. The Iberian killer whales are Critically Endangered on the IUCN Red List and deterrence measures that might cause immediate harm or affect long-term survival or reproduction are illegal under EU and national laws. Several of these harmful measures have been in use since 2020 at some level and the whales continue the interactions; thus, they are not only ineffective but may be reinforcing the behaviour and increasing the severity of damage to vessels. Some of these measures are also dangerous for mariners (e.g., firecrackers and electrocution).*

*In summary, the Workshop **recommended** that mariners use only methods with no impact on the whales or the environment (e.g. moving away, Annex 4(A)), until research and testing determine a method's effectiveness and safety. To stand any chance of being effective, measures must be field-tested. Several will be tested in the 2024 season (spring-autumn), with the others to be tested as soon as possible.*

*The Workshop also **recommended** that all mitigation measures that produce sound/noise (Annex 4(B)), should they be authorised, be used only when needed, rather than continuously. Continuous use of any such noise-producing measures may: (1) reduce their effectiveness (the whales may become habituated, as they have to many other human-caused sounds in their environment); (2) eventually serve to attract the whales, as they learn to identify the continuous sounds/noises with vessels and rudders; and (3) harm the whales and other marine life (including bluefin tuna and other commercially targeted fish), as it increases the level of 'noise pollution' in the Iberian marine environment.*

Advisory Group

Attention: CG, S, SC, IGO (e.g., ACCOBAMS)

*The effort to manage the ongoing interactions between Iberian killer whales and vessels, wherein the whales sometimes contact these vessels and, in 20-40% of these cases, damage them, has been, to date, primarily undertaken by the individual national authorities responsible for maritime issues. Noting the success of this international workshop, the Workshop **recommended**:*

1. *Increasing international collaboration and providing consistent advice and reporting systems throughout the region, including the development of a multi-faceted communications strategy; and*
2. *Establishing a small core international advisory group with the ability to co-opt experts (including from IGOs, such as the IWC and ACCOBAMS) as necessary to provide advice to authorities should they request it on scientific and technical matters, including, inter alia, reviewing mitigation protocols and research projects aimed at improving the scientific basis for advice. Ideally, all proposals for research related to extinguishing and mitigating the interactions between Iberian killer whales and vessels should be reviewed by the Advisory Group before the research proceeds.*

*The Workshop **agreed** that all the participants at the Workshop were prepared to assist the Advisory Group on individual issues if requested.*

*As a priority, the Workshop **recommended** the implementation (with funding) of the two-phase proposal to undertake an integrated analysis of the available data to update the ‘hotspot’ mapping provided in Annex 5.*

Strandings response and post-mortems

Attention: CG, SC, R, IGO

*The Workshop highlights the importance of fully understanding the causes of death of killer whales from this Critically Endangered population. It **recommended** improving stranding responses throughout the population’s range wherever needed (Item 2.3.4), to maximise the number of complete, rigorous necropsies of any stranded killer whales found. Every effort should be made to ensure that necropsies are undertaken as soon as possible. The formation of a task force with specific expertise, such as specialists in veterinary and forensic pathology and experience with cetaceans and ideally with killer whales, should be considered by the national authorities, with funding made available to allow rapid response to any killer whale strandings reported. Similarly, one or more accredited laboratories should be identified for sample analysis with funding made available to ensure that the samples are processed in a timely manner.*

*The Workshop **recognised** that capacity and geography differ in the various jurisdictions, as does the legal framework for post-mortem investigation. These differences must be taken into account when developing a killer whale stranding response strategy, which should include the facilitating of obtaining permits where necessary. In Spanish coastal areas, MITECO will provide, in addition to a regional stranding network, a unit of veterinary forensic pathologists, if needed, for cases occurring within territorial waters. The Workshop noted that ACCOBAMS and the IWC were also able to provide general stranding response advice.*

Demographics, conservation and management

Attention: SC, R, CG

*The Workshop **recommended** the convening of an international Iberian killer whale assessment workshop, where further discussion of the demographics of this population should focus on, inter alia, population modelling and genetics analysis.*

*Before this occurs, the Workshop **strongly recommended** that all existing datasets for Iberian killer whales—e.g., for photo-identification, sightings and genetics—be consolidated and that all researchers in the region work in close cooperation and communicate frequently regarding killer whale movements and behaviour.*

*To assist in this, the Workshop **further recommended** that the governments of France, Morocco, Portugal and Spain solicit research proposals (and provide funding where necessary) for the following:*

- 1. Analysis of existing killer whale genetic samples (improve understand of killer whale movements in relation to prey);*
- 2. Analysis of AIS data, at least for those vessels that carry AIS systems, to get a detailed analysis on distribution of vessels (and combine the previous two analyses to get a better understanding of whale-vessel overlap); and*
- 3. Improve understanding of inter-individual behavioural variation and movement with relation to vessels.*

The Advisory Group is willing to assist if requested.

Finally, the Workshop recommended that the development of a Conservation Management Plan for this population be considered by range states and the Committee in cooperation and consultation with ACCOBAMS. National plans should be taken into account when developing this CMP.

3.2 Killer whale interactions in the Caribbean Sea

SC/69B/SM/08 reported on interactions between killer whales and vessels in the Caribbean Sea. All available records were summarised and compared with the situation in the waters of the Iberian Peninsula. The review documented six encounters in the Caribbean between 2021 to January 2024, which included: (1) physical contact between killer whales and the boat or engine; (2) killer whales feeding around fish aggregating devices while fishers were fishing; and (3) killer whales in such close proximity to fishing vessels that they caused grave concern to the crew. These interactions occurred in Colombia (n = 1), Venezuela (n = 3), the Dominican Republic (n = 1) and Puerto Rico (n = 1). The boats involved included one sailboat, one sport fishing boat, and four small, artisanal fishing boats. One case involved damage to the rudder of a catamaran near Bequia, St. Vincent and the Grenadines, but the species that caused this damage was not clear. According to SC/69B/SM/08, there were no similarities between the interactions documented in the Caribbean and those near the Iberian Peninsula.

It was suggested that it would be prudent to develop an educational campaign on safety at sea with regards to encounters with killer whales in the Caribbean Sea, using the guidelines developed by the Grupo de Trabajo Orca Atlántica for the Iberian Peninsula as a template.

In discussion, it was noted that although there is cause for some level of concern, that level is an order of magnitude less than the concern about the Iberian killer whale situation, at least for now.

The Subcommittee thanked Bolaños-Jimenez for providing information on this somewhat concerning issue and **requested** updates to the Subcommittee, as appropriate, from researchers, the Instituto Nacional de los Espacios Acuáticos (INEA) and the Ministerio del Poder Popular de Pesca y Acuicultura (MINPESCA) from Republica Bolivariana de Venezuela.

4. RECOMMENDATION REVIEW

The Small Cetaceans (SM) Intersessional Correspondence Group (ICG) Recommendation Review Group was established in 2018 during SC68B with the aim of progressing a review framework for recommendations made by SM, and to propose a mechanism to establish regional and/or species-specific assessment teams. ICG members are Trujillo (convenor), Cipriano, Brannan, Di Tullio, Hielscher, Hodgins, Jimenez, Porter, Vrooman, and Webster. To explore how such a framework might work with a test case, the Subcommittee agreed to assess recommendations in the IWC Database of Recommendations (DoR) that included Hector's (*Cephalorhynchus hectori*) and Māui dolphins (*C. h. maui*).

4.1 Overview

The ICG agreed on six reviewers, all with extensive expertise in either small cetacean conservation, Hector's and Māui dolphins research and management, and/or IWC recommendation processes. The reviewers were not made known to each other. An online form was developed, in which each of the 17 open recommendations for Hector's and Māui dolphins were included as agreed in SC69A (IWC 2023) exactly as written in SC reports, with their recommendation reference number and year of publication. The experts had four options to choose from:

1. **Yes**, the recommendation has been completed in full.
2. **No**, the recommendation has not been completed.
3. **Partial or Amend**, the recommendation has been partially completed, requires amendment to conform to the IWC recommendation format or, must be amended before progress can be ascertained. In this case the expert could provide a short comment.
4. **Do not know**.

There was no unanimous agreement for any of the recommendations. The comments provided for the response 'Partial or Amend' were useful in understanding whether the recommendation was partially completed or required amendment.

Discussion focused on the appropriateness of this review process and consideration of the various ways in which this Subcommittee may move forward with its mandate to complete a review of its recommendations. It was generally agreed that individual reviewers using the developed online form was a good first step in this process, but that consensus on the status of recommendations would require some degree of expert elicitation. To continue refining this process, the Subcommittee agreed to re-establish the ICG, with the view of conducting an intersessional meeting that would continue the review process for Hector's and Māui dolphins and initiate it for two to three more species.

4.2 Hector's and Māui dolphin

SC/69B/HIM/05 presented an overview of a recently implemented camera monitoring programme, which indicates that Hector's and Māui dolphin bycatch in trawl fisheries has been underestimated. Until now, estimates of trawl bycatch were based on one observed trawl bycatch in 1998. Since September 2023, camera monitoring has detected nine Hector's dolphin deaths in trawl nets, including a mother and calf pair. This new information indicates that fisheries impacts started much earlier than previously thought, and therefore the level of depletion of Hector's and Māui dolphin populations is worse than previously thought. Māui dolphin bycatch is still on the order of one individual per year, which is ten times the PBR.

Lundquist recalled that at SC69A (IWC, 2023), New Zealand funded an independent Scientific Committee review of the science used to support decision-making for Māui dolphins. In New Zealand's view the review was constructive, helping build an understanding of their evidence-based approach to minimising

the effect of fishing on protected species, taking advantage of the deep knowledge of the Scientific Committee, and resulting in a robust set of recommendations for further improvements. New Zealand undertook the review in good faith to ensure the best available information continues to be provided to decision makers. Lundquist noted they are always open to new data which can be used to update models and assumptions. He further noted that New Zealand is undertaking work to update the risk assessment model, which will include incorporating two years of new information from the onboard cameras programme alongside observer information and will encompass the Scientific Committee recommendations from last year. This work is anticipated to be completed in time for the next meeting of the Scientific Committee in 2026. Lundquist noted that SC/69B/HIM/05 covered many topics which the Scientific Committee has discussed at length in the past without reaching consensus. Rather than revisiting these discussions, he provided clarification on a handful of points raised in the paper. The first of these was related to trawl prohibitions in New Zealand, where Lundquist clarified that low headline exemptions only exist in portions of the South Island. In all other areas, trawling is prohibited in the specified areas irrespective of gear setup, including in 5,837 km² of Māui dolphin habitat. The second point of clarification was related to the requirements of New Zealand legislation mentioned in SC/69B/HIM/05. Lundquist noted that the requirement for recovery from threatened to non-threatened status within 20 years is not a general requirement for all species. Rather, it is only a requirement if a 'Population Management Plan' is created under the Act, which has never been done. Lundquist then noted that New Zealand did not consider the numbers reported in SC/69B/HIM/05 regarding the levels of observer coverage and camera monitoring to be accurate, but unfortunately did not have enough time in advance of the meeting to provide updated numbers. He further noted that in the camera programme, priority has been given to those fisheries which pose the greatest threat to Hector's and Māui dolphins. New Zealand has had extensive monitoring coverage in the core Māui dolphin range since 2017, first with observers and then with the rollout of onboard cameras in 2019. Fisheries New Zealand reviews 100 percent of camera footage from vessels operating in core Māui dolphin habitat. Within this area, there have been no observed or reported captures of Māui or Hector's dolphins since 2012. Regarding recent reported bycatch of Hector's dolphins, Lundquist noted that camera monitoring leading to increased reporting of bycatch was an expected outcome of the programme and aligns with observations in other countries. While any bycatch is a concern, the reported numbers are within the bounds of what was predicted by the risk assessment model. Importantly, the overall number of captures across all fishing methods remain lower than the fishing-related mortality limits established in 2022. Finally, Lundquist noted that SC/69B/HIM/05 referenced an individual-based model for Māui dolphins, which had been used to estimate that bycatch. He suggested that if the model is to be used to inform Scientific Committee advice, it should be subject to the same level of scrutiny as the New Zealand risk assessment model, i.e., independent review of the model structure, inputs, assumptions, sensitivities, etc.

In discussion, with regards to headline restrictions, there was disagreement over the extent of the area where trawling was actually prohibited. It was also noted that the estimated level of catch was determined for the entire east coast of the South Island for a year, while the area where the nine individuals were bycaught (between 20 September 2023 and 2 February 2024) was a small fraction of the total area used in the risk assessment model. There was disagreement over the implications of this point.

In subsequent discussion, prompted by SC/69B/HIM/05, Māui dolphins as a future candidate for an Extinction Alert was debated. Lundquist noted that New Zealand shared concerns about the potential for extinction of the critically endangered Maui dolphin subspecies, which is why extensive fisheries restrictions and non-fisheries management measures have been put in place. Lundquist, however, then reiterated New Zealand's previous concerns with regards to statements made in SC/69B/HIM/05, both this meeting and in past meetings.

The discussion then moved on to debating other future candidates for an Extinction Alert, which included a range of species, subspecies and populations of small cetaceans and baleen whales. In conclusion, the Subcommittee **agreed** that the development of more explicit criteria than those developed in 2022 ([CC/68/15/01](#)) and processes to determine appropriate candidates for an Extinction Alert are needed, and that this should be a top priority for the SC. It was noted that the Extinction Alert was discussed in further detail during Plenary.

4.3 Greenland small cetacean hunt

The Greenland small cetacean hunt Intersessional Correspondence Group (ICG) Terms of Reference (ToR) were to ‘review progress on previous recommendations made by this Subcommittee’. Since 2012, this Subcommittee has made seven recommendations. The ICG advised that four of the seven recommendations remain open and three can be closed. These changes will be reflected in the IWC Database of Recommendations (DoR). The Subcommittee **reiterates** its concern from previous years regarding the imminent risk of extirpation of three populations of narwhals in East Greenland if catches continue.

5. PROGRESS WITH PREVIOUS RECOMMENDATIONS

5.1 Vaquita

Jaramillo-Legorreta *et al.* (2023) presented results from a May 2023 survey for vaquitas (*Phocoena sinus*) in the Upper Gulf of California, mainly within the Zero Tolerance Area (ZTA), which is the area declared off-limits to all fishing and vessel activity (with the exception of research and enforcement vessels) in Mexico’s Federal Register of 24 September 2020. The objectives of the survey were to determine the number of individual animals (including calves) present, estimate the minimum population abundance, and to document the body condition of individuals. The protocols used were similar to two previous surveys in 2019 and 2021 (Taylor *et al.*, 2022), which had both visual and acoustic components. The acoustic component provided a near-real time record of vaquita acoustic activity inside the ZTA, which informed the visual survey team of vaquita presence and distribution (described in SC/69B/SM/03). The visual component provided information on the number of individuals, their body condition, and the presence of calves. From 17 days of visual search effort, there were 16 vaquita sightings and 61 acoustic encounters. Through an Expert Elicitation exercise, it was estimated that one or two different calves were observed with a 90% likelihood. Regarding all animals (adults, juveniles and calves), there was a 76% likelihood that eight to 13 different individuals were observed, with a 65% likelihood that at least 10 different individuals were observed. An important activity during the survey was the training of San Felipe residents (the closest town to the area where vaquitas are known to occur), with the aim of having local people participate in future surveys.

SC/69B/SM/03 presented results from a PAM study of vaquitas conducted in 2023. Since 2018, acoustic detections have been almost entirely restricted to the ZTA. PAM was implemented in the ZTA in 2021, with surveys repeated in 2022 and 2023. A 55-site acoustic sampling grid was used for surveys, from which a subset of sites was selected for sampling during ten spring tide periods in 2023. A total of 46,204 hours of acoustic effort were recorded at 43 sites, which resulted in 208 acoustic detections of vaquitas at 25 sites. Acoustic detections were most common in the western portion of the ZTA. A simple model was used to estimate the rate of change in acoustic detections between consecutive years using a Bayesian approach. The rate of change between 2021 and 2022 was -6.3% (CI 95% -3.9% to +3.7%). Between 2022 and 2023, the rate of change was -20.7% (CI 95% -3.7% to -0.7%). The geometrical mean for both rates of change was -14.4% (CI 95% -32.7% to +7.1%), with a probability of 91.5% that acoustic detection rates had declined. Between 2011 and 2018, acoustic detection rates declined 45% per year on average. Using

detection rate change inside the ZTA as a proxy for population trend, vaquitas have continued to decrease but at a greatly reduced rate, from an estimated -45% in 2011-2018 to an estimated -14% in 2022-2023.

Rojas-Bracho presented an [‘Analysis of the Reporting Submitted by Mexico on its Progress Made in Implementing its Compliance Action Plan on Totoaba’](#) which was communicated to the Secretary General of CITES by the Cetacean Specialist Group (CSG) of the IUCN Species Survival Commission CSG (2023). In response to urgent concerns regarding the illegal trade in totoaba (*Totoaba macdonaldi*) swim bladders and its impact on both the totoaba and vaquita, Mexico drafted a Compliance Action Plan (CAP) following the CITES directives in Decision 18.293. However, as was noted by the CITES Secretariat, the CAP fell short of key elements, such as setting clear timelines and milestones. Mexico was required to revise the CAP to avoid a continuation of economic sanctions. The analysis highlighted four main issues:

1. Gillnets continue to be used, wantonly and extensively, for harvesting fish and shrimp, except within the ZTA. There's minimal evidence of a decrease in gillnet usage, except for a few nets confiscated within the ZTA.
2. No progress has been made toward transitioning communities to alternative fishing gear. In response to recommendations from the Comité Internacional para la Recuperación de la Vaquita (CIRVA) in 2017, WWF Mexico formed the Committee of Experts on Fishing Technologies (ECOFT) to develop novel fishing gear and techniques. ECOFT members tested alternative gear at Memorial University in Canada in 2018 and found potential solutions. However, in the CAP Report (see pages 53 and 57), only 23 permits were granted for alternative gear to the 192 fishing cooperatives and 178 commercial fishing permit holders active in the Upper Gulf. This shortfall exacerbates illegal fishing and other illegal activities (e.g. possession, transport, manufacturing, and use of gillnets) and fails to incentivize vaquita-safe practices. Additionally, INAPESCA did not provide sufficient details on gear validation, testing results, or evidence of safety for vaquitas and other species in their compliance Action Plan.
3. Focusing compliance and enforcement effort solely on the ZTA will not result in vaquita recovery or in sustainable management of the totoaba fishery. The CAP focuses primarily on the ZTA, neglecting the broader Vaquita Refuge. While the ZTA offers crucial protection, including in the form of anti-gillnet devices, the record of sightings and acoustic detections during the last full survey in 2015 (and those of previous systematic surveys that started in 1997), as well as the 2023 survey, show vaquitas still inhabit areas beyond the ZTA. Despite commendable efforts, this emergency action is not a permanent solution. The natural habitat of vaquitas extends beyond the ZTA, and recovery depends on eliminating gillnets throughout their range in the Upper Gulf.
4. Monitoring of vaquitas continues to be compromised by fishing activity. The theft (and some losses) of around 65 acoustic detectors and their respective moorings, from 2018 to date, has seriously challenged the ability of researchers to monitor vaquitas acoustically and to track population trends (see SC/69B/SM/03).

Rojas-Bracho concluded from the CSG report that immediate efforts should focus on confirming vaquitas' return to their 2015 range through ongoing visual and acoustic monitoring; the current ZTA offers provisional refuge, supported by anti-gillnet devices and enforcement efforts; recovery requires protection from gillnets across vaquitas' recent range to facilitate their return to the Vaquita Refuge; and two options for progress include expanding anti-gillnet devices incrementally and promoting a shift to vaquita-safe fishing gear.

Finally, Rojas-Bracho informed the Subcommittee that the 2024 vaquita survey will be conducted from 5-

27 May 2024, organised by the Comisión Nacional de Áreas Naturales Protegidas (CONANP) and in partnership with Sea Shepherd Conservation Society (SSCS).

The Subcommittee welcomed the updates provided by Jaramillo-Legorreta and Rojas-Bracho, **commended** the perseverance and resilience of Jaramillo-Legorreta and his research team working in partially dangerous conditions, and **requested** an update on the upcoming surveys at the next SC meeting.

Schubert then provided an update on decisions and actions in various international fora (April 2023 to present) to address ongoing threats to the vaquita from illegal gillnet fishing of totoaba and other species in the Upper Gulf of California (see Appendix 2).

The impact of the Extinction Alert for the vaquita was discussed. Rojas-Bracho confirmed that there was evidence that the Extinction Alert had made an impact within the government in Mexico, at a high level. The impact of the Extinction Alert was also discussed in Plenary.

Attention: C, CG-Mexico

*The Subcommittee recalled its previous concerns and recommendations regarding the vaquita and reiterates the urgent recommendations of past Subcommittee meetings. The Subcommittee **drew attention** to the critically endangered vaquita population and the ongoing risk of gillnet entanglement which remains the primary threat to the species. The Subcommittee **commended** Mexico and the Sea Shepherd Conservation Society for their ongoing efforts to reduce illegal fishing activities in the Zero Tolerance Area (ZTA) but notes its grave concern with the unregulated illegal gillnet fishing occurring elsewhere, including in the Vaquita Refuge. The Subcommittee again **strongly encourages** Mexico to urgently and fully implement the ‘Agreement regulating gears, systems, methods, techniques and schedules for the performance of fishing activities with smaller and larger vessels in the Mexican Marine Zones in the Northern Gulf of California and establishing landing sites, as well as the use of monitoring systems for such vessels’ (September 2020).*

Attention: C, CG-Mexico

*The Subcommittee is **deeply concerned** and disappointed by Mexico’s lack of progress in carrying out a rigorous and transparent assessment of alternative fishing gear. Despite decades of advice and recommendations from Comité Internacional para la Recuperación de la Vaquita (CIRVA) and this Subcommittee, it appears as though the process for such an assessment has not been developed, much less implemented. Had a credible assessment been completed, its results would have allowed for a transition to alternative fishing gear and the progressive elimination of gillnets in the Vaquita Refuge and throughout the vaquita’s range.*

*The Subcommittee **drew attention** to the critically endangered vaquita (*Phocoena sinus*) population and the ongoing risk of gillnet entanglement which remains the primary threat to the species. The Subcommittee therefore **strongly recommended** that fishery authorities of Mexico fulfil their responsibility to prevent the extinction of the vaquita as well as enabling fishermen to continue to earn a living.*

Attention: C, CG-Mexico

The Subcommittee noted with appreciation the efforts of Mexico, the Sea Shepherd Conservation Society and members of the IUCN Cetacean Specialist Group to prepare for a 2024 vaquita survey and **strongly encouraged** that such surveys be conducted annually unless and until there is assurance that numbers are increasing and risks have been further mitigated.

EIA (2024) reported on the ongoing illegal fishing of totoaba in Mexico's Gulf of California and the trafficking of their products as part of transnational organised crime, which is responsible for the rapid decline of vaquitas. This latest EIA investigation reveals that the market in China for dried totoaba swim bladders, or maws (buches as they are called in Mexico), on popular social media channels (such as WeChat) remains active. In 2023, the activity and quantities of totoaba maws advertised on WeChat and, by extension, in China exceeded those of previous years, indicating that wildlife traffickers have resumed business as usual since the COVID-19 pandemic travel restrictions had eased. EIA's investigation suggests a thriving and opportunistic network of traders and consumers willing to participate in the illegal trading of totoaba maws. Despite this, enforcement action, as measured by the number of seizures of totoaba maws, declined significantly in 2023.

The Subcommittee **strongly encourages** all totoaba consumer and transit states to take all actions, as authorised under national laws and international conventions, to eliminate demand, prevent imports and otherwise enforce all laws to stop the illegal trade in totoaba, including totoaba parts and products, to protect the vaquita.

5.2 Amazon river dolphins

SC/69B/SM/06 describes studies documenting apparent population declines of the endangered freshwater cetacean species in South America - botos (*Inia geoffrensis*, including currently recognized sub-species and other taxa under review) and tucuxis (*Sotalia fluviatilis*). New information was presented on trends in density and abundance. Previously, such information was available for only a small part of the vast range of botos. Trend information for dolphins in the Amazon and Orinoco rivers was obtained from a basin-wide analysis using standard distance sampling protocols adapted for riverine systems. Sampling effort was spaced chronologically over an average interval of five years, including at least three standardised surveys covering the same area (Figure 2). Of the three hydrographic regions assessed, two had signs of a decline in abundance. Although variances calculated from this preliminary dataset were high and thus no trends could be confirmed, in these regions the density and abundance of both species apparently declined through the time series. In the Amazonian Trapezium (where Brazil, Colombia, and Peru converge), the estimated population reduction over a period of 30 years was nearly 52% for botos and 30% tucuxis. Sharp declines of both botos and tucuxis had already been documented for the Central Amazon basin (da Silva *et al.* 2018), and recently Guizada-Duran *et al.* (2024) added the Mamoré River basin, in the Bolivian Amazon, as a third site where a population decline of botos may have occurred. This information is now available for consideration under the South American River Dolphin CMP to help guide management actions in each of the areas discussed (Amazonian Trapezium, Tapajós River, Meta River).

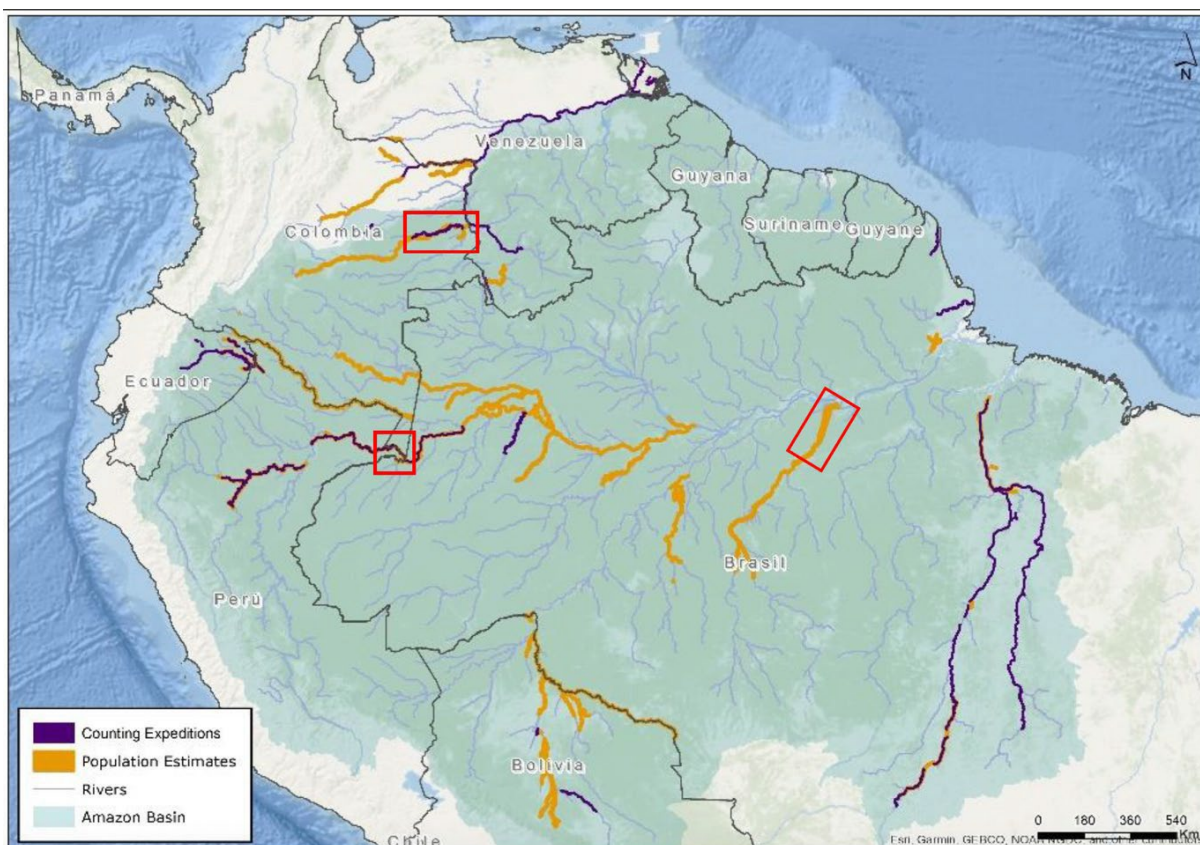


Figure 2. Spatial representation of river expeditions in South America over the past 20 years, highlighting in red polygons the three areas used to assess population trend in SC/69B/SM/06. Source: [SARDI river dolphins Dashboard](#).

In discussion, the challenges of surveying dolphins across the vast range of the species (botos in particular) were recognised. The Subcommittee acknowledged the difficulties of conducting such surveys and **commended** the authors of SC/69B/SM/06 for their efforts to assess abundance and trends across a larger area than had been possible previously. The Subcommittee was concerned by the indications that both botos and tucuxis have been declining across multiple study areas, and **encouraged** the authors to continue this work, using the best possible methods for data collection and analysis. In response to a question, Frias noted that the research team was open to the use of new technologies and had started using FPODs in order to test whether PAM could be used for abundance estimation, but the use of such tools was challenging in the riverine environment, and suggestions for additional approaches would be very welcome. The Subcommittee also noted the recommendation from CMP concerning the importance of studies to clarify population structure and improve understanding of the implications of possible basin-level population declines (Annex F, item 2.5).

5.3 Asian river dolphins

Progress on previous recommendations for freshwater populations of Irrawaddy dolphin was reviewed in the CMP Subcommittee (see SC/69B/CMP/20 Rev1 in Annex F, item 3.6).

5.4 Atlantic humpback dolphin

The Consortium for the Conservation of the Atlantic Humpback Dolphin (CCAHD) was formed in 2020 to improve the knowledge and conservation of the Critically Endangered *Sousa teuszii* (Collins *et al.*, 2017), a species of concern for the IWC SC (e.g., IWC 2003, 2011, 2019). The CCAHD 2023 Annual report (CCAHD 2024) provides an update on CCAHD activities including:

- Ongoing boat-based and acoustic research in Delta Saloum, Senegal, where the 4th annual survey was completed in February 2024, led by a trained Senegalese team (see Minton *et al.*, 2022; SC/68D/SM/12 for results through to 2022). Curated photo-identification data formed the basis of a Master’s degree awarded to Diana Seck (AACF);
- Ongoing boat-based fieldwork and training in Guinea (see SC/69B/SM/15), more than 600 fisheries interviews, stakeholder outreach, and the creation of outreach and educational materials;
- Continued boat-based fieldwork in Gabon, contributing toward a PhD for Gabonese scientist Regis Kema Kema through the University of La Rochelle, France;
- Completion of more than 800 structured interviews with fishers in Congo, Gabon, Cameroon, Liberia, Gambia, Senegal and Guinea;
- Initiation of an interview survey and community outreach project by Edem Eniang in Nigeria;
- Completed survey on CCAHD partners’ perceived needs for training and cetacean bycatch assessment (see SC/69B/HIM/09);
- Range-wide collaboration, exchange, fundraising, project and resource development through topic-based working groups, an email group for 90+ members, webinars and social media; and
- Technical and logistical support for range-country scientists and organisations with fundraising and capacity building, including publication of field manuals and protocols.

The CCAHD was integrally involved in drafting, reviewing and implementing the Convention on Migratory Species (CMS) Single Species Action Plan for the Atlantic Humpback Dolphin, adopted at the CMS Conference of Parties in February 2024 (CMS 2024). The CCAHD website and partners provided resources and reviews that contributed to the listing of *S. teuszii* under the United States Endangered Species Act in February 2024 (NOAA 2024).

SC/69B/SM/15 presented results from fieldwork conducted in the Republic of Guinea on Atlantic humpback dolphin occurrence, abundance, distribution and habitat use. Between 2022 and 2023, boat-based line-transect, photo-identification, drone imaging and environmental sampling surveys were carried out at four different locations along the Guinean coastline by a team of international and Guinean scientists. There were several sightings of Atlantic humpback dolphins, with females and calves observed in most groups. Photo-identification data across different seasons provided evidence of 43 individuals and a degree of site fidelity. The research team encountered significant logistical challenges throughout the study period, highlighting the scarcity of resources and opportunities available to Guinean scientists and the wider region.

In discussion, the importance of documenting the distribution of fishing activity and gear type within the dolphins’ habitat was emphasised, given the paucity of information on bycatch across the species’ range. Genov confirmed that these data were collected during surveys, to be used for mapping fisheries in the study area.

The Subcommittee welcomed the information presented by Genov. It **commended** the efforts of the research team in the Republic of Guinea, **agreed** they should continue, and **requested** that progress updates on scientific research be provided as and when available.

Attention: SC, R

*The Subcommittee recognised that critical knowledge gaps are hindering the effective conservation of Atlantic humpback dolphins in the Republic of Guinea and **recommends** that work there should be expanded as soon as practicable, to include:*

- 1. New and existing study areas along the Guinean coastline where dolphins have been reported;*
- 2. Increased capacity building for Guinean scientists and/or organisations, particularly to manage and centralise the sighting, stranding and bycatch reporting network; and*
- 3. Passive acoustic monitoring (PAM) to better understand habitat use and potential impacts of underwater noise.*

SC/69B/HIM/09 presented results from a questionnaire developed in 2023 by the CCAHD bycatch working group (which includes the IWC Bycatch Coordinator) to better understand the needs of its stakeholders, specifically to reduce bycatch of Atlantic humpback dolphins. Twenty-eight responses on the availability of cetacean bycatch data were received from 13 Atlantic humpback dolphin range countries in West and Central Africa and from four international scientists. Of the 13 countries, two respondents (from Ghana and Nigeria) considered data availability good and 10 considered data availability poor (from Cameroon, Republic of Congo, Gabon, Gambia, Guinea, Liberia, Mauritania, Morocco, Senegal) or non-existent (Ivory Coast). Drift gillnets and purse seines were the most frequently reported gear associated with cetacean bycatch, followed by fixed static gillnets, midwater trawls, bottom trawls, long-lines, and jigs. When asked about records of Atlantic humpback dolphin bycatch, respondents from seven countries (Cameroon, Republic of Congo, Gabon, Gambia, Guinea, Nigeria, Senegal) reported they existed, two did not believe they existed, and four did not know. The most urgent needs for accurately assessing, monitoring, and mitigating bycatch were identified as funding and human resources, followed by field monitoring, training opportunities, awareness raising, bycatch solutions, materials, policy reform, data sharing, and assistance in data analysis.

Attention: SC, R

*Given the paucity of information on Atlantic humpback dolphin bycatch, the Subcommittee **agrees** that a more detailed and systematic review of fisheries and bycatch risk across the species' range is needed, and the Subcommittee **recommends** that the Secretariat and Bycatch Mitigation Initiative (BMI) continue to support the CCAHD in efforts to document, monitor and mitigate bycatch within range countries. .*

The Subcommittee **welcomed** the update from the CCAHD as well as the adoption of the CMS Single Species Action Plan for the Atlantic humpback dolphin, both of which provide regional frameworks for collaborative research and conservation actions for this Critically Endangered Species. The Subcommittee also **welcomed** listing of the AHD on the US Endangered Species Act, which should promote further awareness and threat mitigation. The Subcommittee **requested** that results of ongoing scientific research are presented at SC70.

5.5 Beaked whales

SC/69B/SM/02 reports on activities of the Beaked Whales ICG (cetaceans in the family Ziphiidae comprising some currently recognized 24 species), one of the least-known groups of mammals due to their offshore and pelagic habitats, prolonged deep dives, and short surface intervals. While a few species

have been studied in detail, baseline data on distribution, population size and structure, life-history, behaviour, and ecology of most species are lacking. These knowledge gaps are an impediment to their conservation (Dong et al. 2023), and their offshore habitat and sensitivity to underwater noise makes them vulnerable to noise-generating human activities. In recent years there has been a notable expansion of research into these species in Asia as well as ongoing concern about beaked whale conservation in the Northeast Atlantic, Southwest Atlantic and elsewhere.

Papers and developments of interest include:

- NE Atlantic unusual mortality events and largest-ever documented mass stranding of beaked whales in 2018 (Dolman *et al.*, 2021);
- beaked whale foraging niches and energetics (Visser *et al.*, 2022);
- beaked whale strandings in southern Patagonia between 1895 and 2023 (Iñiguez *et al.*, in review);
- social learning in Baird's beaked whales (*Beradius bairdii*) in the Commander Islands (Filatova *et al.*, 2024);
- sightings of Gervais' beaked whales (*Mesoplodon europaeus*) along the Demerara Plateau, Suriname (De Boer *et al.*, 2023); and
- sightings of Deraniyagala's (*Mesoplodon hotaula*) or ginkgo-toothed (*Mesoplodon ginkgodens*) beaked whales in the South China Sea (Lin *et al.*, 2021; Rosso *et al.*, 2021)

In discussion, Li clarified that, through genetic analyses, the sightings in the South China Sea have since been confirmed as Deraniyagala's beaked whales.

The ICG recommended increased monitoring, data collecting and data sharing worldwide. Evidence of UMEs in the NE Atlantic and what appeared to be unusual near-shore behaviour of northern bottlenose whales in the NE Atlantic point to the need for improved collection and synthesis of strandings and sightings data in relation to the frequency and magnitude of impulsive underwater noise in known beaked whale habitats. Similar concerns apply to Asia and data collection there is encouraged.

5.6 Harbour porpoise

Progress with previous recommendations for harbour porpoise was reviewed in the HIM Subcommittee (Annex J, item 2.8.2).

5.7 Beluga

SC/69B/SM/01 was presented in the ASI Subcommittee (Annex D, item 2.1.5).

5.8 Franciscana

SC/69B/SM/09 was presented in the HIM Subcommittee (Annex J, item 2.8.3). Andriolo *et al.* (in review) and Mura *et al.* (in review) were presented in the ASI Subcommittee (Annex D, item 4.3).

5.9 Lahille's bottlenose dolphin

Progress on previous recommendations for Lahille's bottlenose dolphin was reviewed in the CMP Subcommittee (see SC/69B/CMP/19 in Annex F, item 3.5).

5.10 Guiana dolphin

Progress on previous recommendations for guiana dolphin was reviewed in the CMP Subcommittee (see SC/69B/CMP/18 Rev1 in Annex F, item 3.4).

6. REVIEW DIRECT TAKES AND LIVE CAPTURES OF SMALL CETACEANS

In previous Subcommittee reports, the Secretariat prepared a summary table of direct takes and live captures of small cetaceans, extracted from National Progress Reports, online reports posted by appropriate country authorities or management entities and other information provided by authorities or other SC groups. These data spanned approximately 25 years and the tables themselves were unwieldy to display in a document format. During the intersessional period of SC69A, the Statistics Department developed a more accessible repository. Data of direct catches of small cetaceans were submitted and added to the IWC table of small cetaceans' direct catches available upon request to the Secretariat at statistics@iwc.int.

The Subcommittee noted its great appreciation for all who have assisted in compilation and review of the data on directed takes.

6.1 Direct takes

Altherr & Hodgins (2024) is an update of the 2018 report 'Small Cetaceans - Big Problems' (Altherr & Hodgins, 2018), which summarises recent global small cetacean hunts, based on over 250 peer-reviewed publications, government reports, NGO reports, and media articles. The authors of Altherr & Hodgins (2024) interpreted their findings to suggest a global increase in small cetacean hunts since 2018, with a current estimate of over 100,000 kills annually. The report discusses drivers and trends in the use of dolphin meat as bait, the targeting of new species, population declines, and unsustainable practices linked to small cetacean consumption identified in new regions.

With the depletion of fish stocks and intensification of fishing activities worldwide, the authors predict that small cetacean hunting will increase further unless the drivers of this activity are addressed urgently and appropriately. Without targeted action, the continued exploitation of small, vulnerable populations will threaten their long-term survival.

In discussion, discrepancies were noted in some of the mortality figures in Altherr & Hodgins (2024), specifically the levels of direct takes in some specific regions in Brazil. It was noted that the report cited direct takes in areas where local researchers had never recorded any. Therefore, it was suggested that any future reviews pertaining to direct takes be carried out in consultation with researchers from the regions to ensure more accurate representation of the current situation. Moreover, the plenary discussion of a low response rate by IWC members in National Progress Reports was noted. The Subcommittee concurred that improved compliance with submitting such reports could help prevent such discrepancies.

It was **agreed** that the documentation and assessment of the use of small cetaceans as wildmeat will remain as a high priority topic for this Subcommittee.

6.2 Live captures

No new information on live captures was received by this Subcommittee.

7. NEW INITIATIVES AND EMERGING ISSUES

7.1 Trans-Caribbean surveys

SC/69B/SM/13 presented an overview of the 'Ti Whale An Nou' programme, a multifaceted initiative led by the Caribbean Cetacean Society (CCS) aimed at fostering regional cooperation, conducting research and promoting education to advance cetacean conservation across the entire Caribbean region. Since 2021, the programme has conducted over 26 scientific expeditions using standard protocols and spanning

nearly all the islands of the Lesser Antilles. More than 700 sightings of 22 different cetacean species have been recorded to date, and detailed data on group size, behaviour, distribution, habitat use, movement patterns and interactions with humans have been collected for five cetacean species: short-finned pilot whales, pantropical spotted dolphins (*Stenella attenuata*), Fraser’s dolphins (*Lagenodelphis hosei*), sperm whales (*Physeter macrocephalus*), and *Kogia* spp. These findings demonstrate the vital role of inter-governmental collaboration within the Caribbean region and the need for long-term collaboration. Continuation of the ‘Ti Whale An Nou’ programme will not only enhance regional understanding of cetacean ecology, but also provide much-needed population estimates from photo-identification data, more detailed movement and distribution models, and refined threat analyses to inform conservation strategies.

In discussion, the value of tissue sampling (e.g. sloughed skin, biopsies) during these scientific expeditions was raised. The complexity of securing research permits from the 20 Caribbean islands within the study area as well as the programme’s limited capacity and funding currently precludes tissue sampling, however, efforts to include it in survey protocols are ongoing.

The Subcommittee thanked Bernus for presenting the work of the CCS and the ‘Ti Whale An Nou’ programme. It **commended** the collaborative research efforts in the Caribbean region, **strongly encouraged** the programme to continue, and **requested** that updates be provided to the Subcommittee as and when available.

7.2 Indian Ocean humpback dolphins

SC/69B/SM/05 reports on the development of HuDoNET, a network of scientists and conservationists dedicated to better understanding and conserving the Indian Ocean humpback dolphin (*Sousa plumbea*). Currently, HuDoNET comprises 70 members from 17 countries across the range of the species (Figure 3).

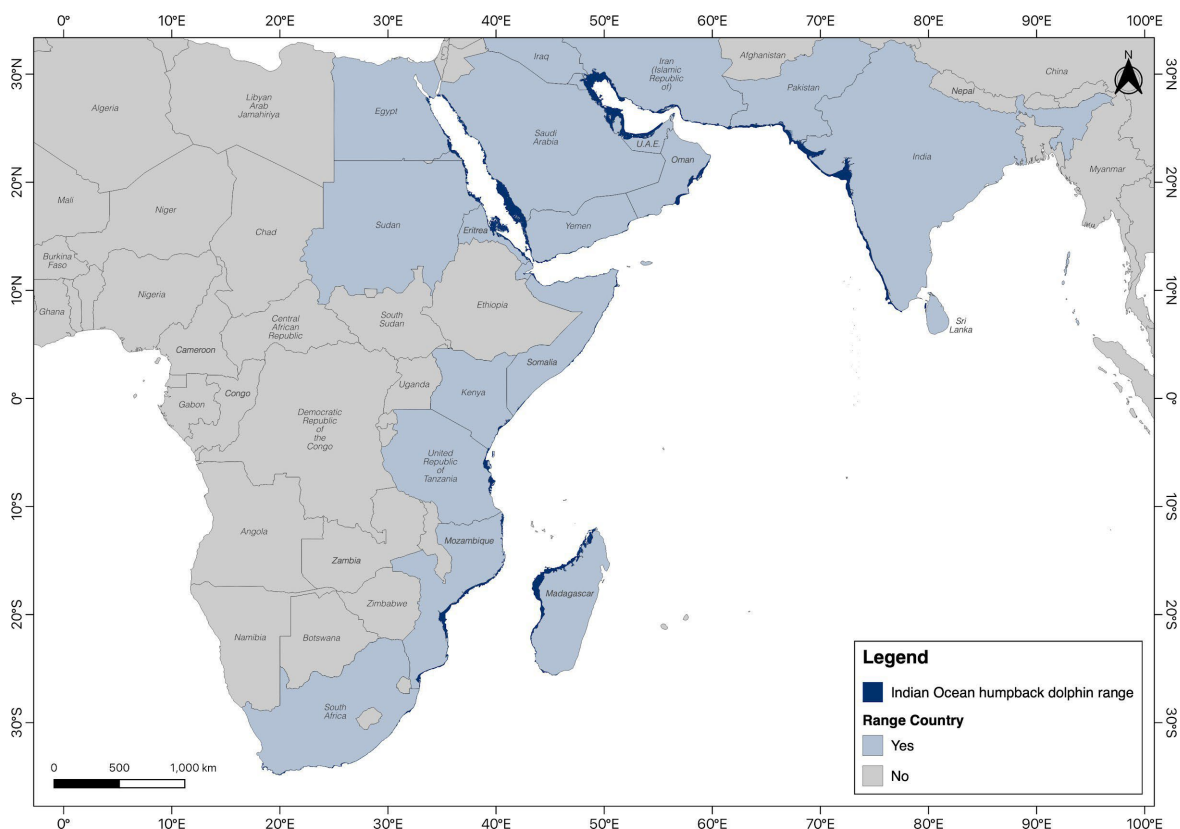


Figure 3. Indian Ocean humpback dolphin (*Sousa plumbea*) range.

This Subcommittee has repeatedly highlighted its concern for the Indian Ocean humpback dolphin; in 1999, concerns were raised over the reported high levels of bycatch in fisheries and shark control nets, which were deemed to be unsustainable. In addition, high levels of contaminants have been recorded in tissue samples, habitats throughout the species range are either known or anticipated to be highly degraded and myriad anthropogenic activities negatively impact nearly all populations (IWC 1999, 2000, 2003). This Subcommittee has previously recommended that researchers collaborate throughout the species range and that an increase in research be made with regards to population parameters, genetic sampling, and the effects of anthropogenic pressures (Table 1).

Table 1

Current Indian Ocean humpback dolphin (*Sousa plumbea*) recommendations from 2020 onwards.

Number	Year	Recommendation Text
SC20189	2020	The Committee recommends: (1) continued collaboration between regional cetacean research consortia and individual researchers in the western Indian Ocean and Arabian Seas to facilitate the development of matching algorithms for <i>Sousa plumbea</i> in Flukebook; (2) continuing collaborative efforts to match catalogues of <i>Sousa plumbea</i> from throughout the range of the species to answer important conservation questions about movements, home range and distribution, and (3) testing of the newly developed <i>Sousa plumbea</i> algorithms on photographs of additional <i>Sousa</i> species for possible inclusion in the Flukebook platform.
SC20190	2020	Furthermore, the Committee encourages funding agencies and individuals to provide support for development of the image catalogue of <i>Sousa plumbea</i> and matching software as well as for testing of final algorithms.

SC21184 2021 Further, given the synergies that exist between CCAHD and the Committee, through membership and work with the Bycatch Mitigation Initiative (BMI), it was agreed that the Africa focused Sousa Task Team be restructured and focus solely on Africa Indian Ocean Humpback Dolphin (*S. plumbea*). The Committee requests that the Task Team Steering Committee work with the existing Task Team and assist in redefining its purpose.

HuDoNet objectives include fostering collaboration and boosting resources and capacity among researchers and conservation practitioners in all range states to gain a better understanding of the species' conservation biology, threats, and management needs. A primary goal is to draw attention to the plight of this species by working together under a common umbrella.

The Subcommittee **commends** the development of this network and **requests** that the network members provide updates, as appropriate, to future SC meetings.

Attention: SC, R

*Given the paucity of information on Indian Ocean humpback dolphins (*Sousa plumbea*) from throughout its range and the vulnerable status of the populations that have been studied, the Subcommittee **encouraged** the continued effort of all HuDoNET members to complete the planned activities and **recommended** that a species action plan be developed, as and when sufficient data become available, through a formal mechanism such as the CMS Concerted Action initiative or the IWC Conservation Management Plan process.*

7.3 New and increased trade in fish products

SC/69B/SM/04 described how increasing international trade demand for swim bladders (or maws) from croakers (Sciaenidae) threatens small cetaceans and other marine megafauna. Concerns about this increase led to the adoption of Resolution WCC-2020-Res-132-EN at the 2021 IUCN World Conservation Congress on controlling and monitoring trade in croaker swim bladders to protect targeted threatened croakers and reduce incidental catches of threatened marine megafauna. New information from Bangladesh and Papua New Guinea has revealed that demand for croaker maws is having a major negative impact on some small cetaceans and other marine megafauna due to fishery bycatch, primarily in gillnets targeting croakers with high-value maws (Smith *et al.*, 2023; Amepou *et al.*, 2024). An analysis of six threatened croaker species with high-value maws revealed that their ranges overlap with eight threatened small cetaceans. The vaquita faces imminent extinction due to bycatch in illegal fisheries targeting the CITES Appendix I-listed totoaba. Dried totoaba maws have been reported as sold illegally in China for more than 100,000 USD/kg. This suggests that domestic and international monitoring and regulation of trade in other croaker species is urgently needed, before more marine megafauna (including not only small cetaceans but also sharks, rays, marine turtles etc.) undergo irreversible population declines. A case study of the blackspotted croaker (*Protonibea diacanthus*) indicated that it qualifies for CITES Appendix II because regulation is needed to prevent it from becoming eligible for inclusion in Appendix I, and to ensure that the harvest of wild specimens does not threaten survival of the species. Other croaker species may also qualify for CITES listing.

In discussion, concern was raised about the demand for totoaba swim bladders having an indirect negative impact on Gulf corvina (*Cynoscion othonopterus*) and other species (e.g. common bottlenose dolphins [*Tursiops truncatus*] and some baleen whales) in the upper Gulf of California. Rojas-Bracho described an incident in May 2013, in which Mexican law enforcement discovered 955 boxes of totoaba swim bladders that were concealed within corvina swim bladders. It was also noted that the trade in croaker swim

bladders is becoming an issue in many parts of Africa (Constant *et al.*, 2020) including countries on the west coast of Africa where the trade may already be increasing the bycatch risk to the critically endangered Atlantic humpback dolphin.

Attention: SC, SC, CG, C, CITES

*The Subcommittee expressed **serious concern** about the growing international trade demand for maws from croaker (Sciaenidae) species which is resulting in the bycatch of small cetacean species and populations, some of which are already at a high risk of extinction.*

*The Subcommittee **recommended** that the Commission expressed **serious concern** about this issue and encouraged CITES to consider listing croaker species that are caught for their maws in CITES Appendix I or II, to ensure that this international trade is regulated.*

7.4 Small cetacean ecosystem functioning

Hunter presented a summary of SC/69B/EM/02 which reviews recent publications to evaluate the state of the science on how cetaceans contribute to ecosystem functioning. IWC resolution 2016-3 recognised that cetaceans make significant contributions to ecosystem functioning and requested that the SC screen existing research on the topic, identify information gaps, and develop a plan for filling those gaps. Since 2016, the IWC Conservation Committee (CC) has been directed to review the 'ecological, management, environmental, social and economic aspects related to the contributions of cetaceans to ecosystem functioning for people and natural systems, as a matter of importance' (IWC 2016). Work within the SC on this topic has primarily been conducted by the Environmental Modelling Subcommittee. However, several recent publications (Visser *et al.*, 2021; Letessier *et al.*, 2022; Xie *et al.*, 2023, Gilbert *et al.*, 2023) have shown that small cetaceans are important contributors to nutrient transfer and circulation in marine systems and the contributions from small cetaceans may exceed those of large baleen whales in some regions. Accordingly, SC/69B/EM/02 included a recommendation that the Small Cetaceans Subcommittee consider the roles of small cetaceans in nutrient cycling and ecosystem functioning through inclusion of this topic in its agenda and workplan.

In discussion, it was noted that cetacean contributions to ecosystem functioning have been a focus of SC efforts within the Environmental Modelling (EM) Subcommittee, and two workshops on the topic were conducted recently, indicating that such studies have gained momentum. The Subcommittee **agreed** that given these results, and since resolution 2016-3 mentions all cetaceans, adding this topic to the agenda of the Small Cetaceans Subcommittee was appropriate and timely.

8. STATUS OF THE VOLUNTARY FUND FOR SMALL CETACEAN CONSERVATION RESEARCH

The Voluntary Fund for Small Cetacean Conservation Research currently totals £163,155, of which £150,849 is unallocated (SC/69B/O/09). Since 1 January 2023 to 30 March 2024, contributions have been received from the Governments of Australia, France and the Netherlands and from the Animal Welfare Institute. The Secretariat has updated the Small Cetacean Voluntary Fund webpage with a full list of donors, completed and ongoing projects and new publications.

The Committee **expressed** its sincere gratitude for these contributions and noted that the Fund is intended to support critical conservation research projects of direct relevance to the work of the Small Cetacean Subcommittee.

8.1 Progress on Previously Funded Projects

At SC68C, the Small Cetacean Voluntary Fund Review Panel recommended five projects for funding. These projects were approved, four of which have been completed. The final reports from these projects have been uploaded onto the Small Cetacean Voluntary Fund webpage. One project is ongoing and is anticipated to be completed in 2025.

In 2011-13, the Small Cetacean Voluntary Fund supported a project in the Solomon Islands, investigating the hunt of small cetaceans, during which data from the hunters logbooks were analysed (1976 to 2013). At SC68D, a request was made to support a proposal to support local travel to the remote hunting communities of the Solomon Islands to obtain the hunters logs from 2013 onwards. The data has now been obtained and will be reviewed by the IWC Statistics Department.

8.2 Review Panel Recommendations for New Projects

The Small Cetacean Research Conservation Fund was developed in 2010 (IWC 2011, JCRM 12:289-290) and its purpose and procedures for use were finalised in 2011 (IWC 2012; JCRM 13:282-284):

1. The IWC Small Cetacean Conservation Research Fund is intended to support high priority research that demonstrably links to improving conservation outcomes for small cetaceans globally, particularly those species and populations that are threatened or particularly vulnerable to human activities;
2. Preference for funding must be based on a determination of need, the quality of the research application and the demonstration of links between research and conservation outcomes;
3. Proposals that demonstrate a capacity building legacy will be viewed favourably; and
4. Higher priority will be given to projects in line with recommendations made by the Subcommittee on small cetaceans for its priority topics.

A call for proposals for new research projects was announced in early 2024 and 12 eligible applications were received. The call was circulated widely, through IWC communication channels, such as the European Cetacean Society, the Society for Marine Mammalogy, and the Sociedad Latino-Americana de Especialistas em Mamíferos Aquáticos (SOLAMAC) list-servers, as well as social media groups in Asia and South America. Applications were received for studies in South America (2), Asia (2), Europe (1), the Indian Ocean (2), the South Pacific (2) and the Caribbean (3) and included research, community awareness and capacity building projects. The Review Panel was encouraged to receive proposals from areas where there has previously been limited research activity. The Small Cetacean Research Fund Review Panel comprises the Chair and Vice-chair of the SC, the Secretariat Head of Science, Conservation and Management, the convenor and co-convenor of this Subcommittee and eight other members of the SC with appropriate expertise and a broad geographical representation. The panel followed the review procedures described on the IWC website (https://iwc.int/sm_fund).

The Review Panel scored and assessed each eligible project, based on how well it aligned with current recommendations, determination of need, the scientific quality of the application and the demonstration of links between research and conservation outcomes and, when appropriate, the extent of the project's capacity building component. Of the 12 projects reviewed, five (5) failed to meet the minimum score required for the alignment of the project/activity scientific outcomes with the current SC priority areas and/or other assessment criteria. The remaining seven (7) project proposals were then ranked, based on alignment with this Subcommittee's highest priority recommendations and will be funded in sequence, according to the availability of funds after IWC69 (Table 2). It is noted that the fund must maintain a

contingency of approximately 15% of anticipated spend. For the next biennium £30,000 should be maintained in the fund.

Table 2
Proposals approved for funding from the Voluntary Research Fund for Small Cetaceans

Principal Investigator	Title	Anticipated Final Report
Convenors SM Subcommittee	The Small Cetaceans of the South Pacific Islands: Data Availability and Collation Workshop	SC70 (2026)
Bernus	Unveiling Threats, Protecting Traditions: Scientific Expedition on Small Cetaceans in Saint Vincent and the Grenadines	SC70 (2026)
Brannan	People and Porpoise: Engaging Fishing Communities and Mitigating Bycatch	SC70 (2026)
Caroll	Genomic and ecological connectivity of false killer whales around the Southern Hemisphere and Pacific	SC70 (2026)
Dolar	Assessment of Small Cetacean Populations, Fishery Bycatch, and Dolphin Watching Activities in Tañon Strait Protected Seascape, Philippines	SC70 (2026)
Estaban	Genetic assessment of an endangered killer whale sub-population	SC70 (2026)
Marmontel	Analyses of samples from free-ranging <i>Inia geoffrensis</i> in the Brazilian Amazon: Assessing the health status of two populations and preparing for future threats to the species conservation	SC70 (2026)

9. BIENNIAL WORKPLAN

The workplan was reviewed in session and established from progress updates from different ICGs, identified actions and recommendations made during SC69B. Several ICG/AG were noted as long term and ongoing; Poorly Documented Take of Small Cetaceans (ICG), Recommendation Review (ICG), Small Cetacean Task Team Steering Committee (AG), Direct Takes of Small Cetaceans (ICG), Tursiops Taxonomy Review (ICG), Strait of Gibraltar Killer Whale (ICG), Beaked Whales Group (ICG). Several ICG were noted as completed and/or were moved to other parts of the Committee; Lahille’s Dolphin Task Team ICG (now in CMP and completed), South Asian River Dolphin Planning Group (now in CMP as a proposal for critically endangered freshwater populations of Irrawaddy dolphin and completed), Review Direct Takes from the waters of Greenland (completed). A new Small Cetaceans of the South Pacific Islands Steering Group (SG) was established to continue the work of the Subcommittee’s priority topic for 2025-26 (Table 3).

The workplan is presented in Table 4.

Table 3
Intersessional email groups

Item	Subcommittee(s)	Short name	Terms of reference	Members
	Small Cetaceans (SM)	Poorly Documented Take of Small Cetaceans (ICG)	Continue development of framework for SM work on Aquatic WildMeat	Porter (convenor), Ingram, Hodgins, Avila
	Small Cetaceans (SM)	Recommendation Review (ICG)	Make progress on new review framework and establish regional and species assessment teams	Trujillo (convenor), Porter, Jimenez, Couto di Tullio, Voorman, Hodgins, Hielscher, Frias, Lundquist, Slooten
	Small Cetaceans (SM)	Small Cetacean Task Team Steering Committee (AG)	Provide ongoing advice and support to established Task Teams and consider any new proposals.	Simmonds (convenor), Donovan, Genov, Parsons, Porter, Reeves, Rojas-Bracho, Staniland, Thomas, Trujillo, Minton
	Small Cetaceans (SM)	Direct Takes (ICG)	Make progress on the analyses of direct take database of small cetaceans held by the Secretariat	Katara (convenor), Allison, Fisher, Hines, Porter
	Small Cetaceans (SM)	Tursiops Taxonomy (ICG)	Monitor new publications related to this issue and update the Tursiops taxonomy database developed by this ICG.	Natoli (convenor), Cipriano, Hoelzel

Small Cetaceans (SM)	Strait of Gibraltar Killer whale (ICG)	Continue to compile information on the behaviour of the Strait of Gibraltar killer whale sub-population and, if possible, organise a workshop comprising experts, including marine mammal behaviourists, to determine best approaches to this escalating issue	Esteban (convenor), Trujillo, García-Bellido, Rose, Sequeira, Simmonds, Porter
Small Cetaceans (SM)	Beaked Whales (ICG)	To review the opportunities for the SC to progress work on the conservation of beaked whale species, including taking into account its previous contributions, and by working with others who are also interested in these taxa, such as ASCOBANS.	Simmonds (convenor), Baird (co-convenor), Iñíguez Bessega, Zerbini, Lomax, Brownlow, Cholewiak, Trujillo, Rodríguez-Fonseca, Vrooman, Hartny-Mills, Porter, Stimmelmayer, Dolman, Plön, Bolaños-Jimenez, Natoli, Vermeulen, Andriolo, Li, Thompson
Small Cetaceans (SM)	Small Cetaceans of the South Pacific Islands Steering Group (SG)	Progress the workplan for the assessment of Small Cetaceans of the South Pacific Islands	Porter (convenor), Trujillo, Cipriano, Brannan, Constantin, Carroll, Childerhouse, McKechnie, Wichman

Table 4
Workplan

Item	Topic	Intersessional 2025/26	SC70	Timeframe	Long-term aims
1	Small Cetaceans of the South Pacific Islands (SG)	Progress	Report	4-year workplan	Complete assessment of focal species of the South Pacific Islands
2	Poorly Documented Take of Small Cetaceans (ICG)	Progress	Report	Ongoing	Identify Problem Areas/Species
3	Recommendation Review (ICG)	Progress	Complete	Ongoing with new recommendations	Complete review legacy recommendations (continually assess new recommendations)
4	Small Cetacean Task Team Steering Committee (AG)	Assess new proposals	Report	Ongoing	-
5	Direct Takes (ICG)	Progress	Report	Ongoing	Start assessments
6	Tursiops taxonomy (ICG)	Progress	Report	4-year review	Better define Tursiops taxonomy
7	Strait of Gibraltar Killer whale (ICG)	Progress	Report	As long as required	Provide advice to range state authorities as required
8	Beaked whales (ICG)	Progress	Report	Ongoing	Compile publications globally, conduct a review

10. ADOPTION OF REPORT

This report was adopted at 09.59 on 29 April 2024.

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Appendix 1 AGENDA

1 INTRODUCTION

- 1.1 Opening remarks
- 1.2 Election of Chair and Appointment of Rapporteurs
- 1.3 Adoption of Agenda
- 1.4 Review of available documents

2. SOUTH PACIFIC ISLAND SMALL CETACEANS

- 2.1 Workshop report
- 2.2 False killer whale interactions with fisheries

3. IBERIAN KILLER WHALE VESSEL INTERACTIONS

- 3.1 Outcomes of the 2024 Madrid Workshop
- 3.2 Killer whale interactions in the Caribbean Sea

4. RECOMMENDATION REVIEW

- 4.1 Overview
- 4.2 Hector's and Māui dolphins
- 4.3 Greenland small cetacean hunt

5. PROGRESS ON PREVIOUS RECOMMENDATIONS

- 5.1 Vaquita
- 5.2 Amazon river dolphins
- 5.3 Asian river dolphins (in CMP)
- 5.4 Atlantic humpback dolphins
- 5.5 Beaked whales
- 5.6 Harbour porpoise (in HIM)
- 5.7 Beluga (in ASG/ASI)
- 5.8 Franciscana (in ASG/ASI, HIM and CMP)
- 5.9 Lahille's bottlenose dolphin (in CMP)
- 5.10 Guiana dolphin (in CMP)

6. REVIEW DIRECT TAKES AND LIVE CAPTURES OF SMALL CETACEANS

- 6.1 Direct takes
- 6.2 Live captures

7. NEW INITIATIVES AND EMERGING ISSUES

- 7.1 Trans-Caribbean surveys
- 7.2 Indian Ocean humpback dolphins
- 7.3 New and increased trade in fish products
- 7.4 Small cetacean ecosystem functioning

8. STATUS OF THE VOLUNTARY FUND FOR SMALL CETACEAN CONSERVATION RESEARCH

- 8.1 Progress on Previously Funded Projects
- 8.2 Review Panel Recommendations for New Projects

9. BIENNIAL WORKPLAN

Appendix 2

UPDATES ON DECISIONS MADE AND ACTIONS TAKEN TO ADDRESS THE ONGOING THREATS TO THE VAQUITA DUE TO ILLEGAL GILLNET FISHING OF TOTOABA AND OTHER SPECIES IN THE UPPER GULF OF CALIFORNIA

Schubert provided an update on decisions and actions in various international fora (April 2023 to present) to address ongoing threats to the vaquita from illegal gillnet fishing of totoaba and other species in the Upper Gulf of California. The update was based on publicly available records and may not reflect decisions and actions that were undisclosed.

On 26 May 2023, the US Secretary of the Interior certified Mexico under the Pelly Amendment to the US Fishermen's Protective Act of 1967. In the certification, the Department of the Interior found that 'Mexican nationals are violating CITES by engaging in trade or taking of totoaba and vaquita, pursuant to the Pelly Amendment to the Fishermen's Protective Act'.

On 17 July 2023, President Biden notified the speaker of the House of Representatives and the president of the Senate of his actions taken in response to the certification of Mexico under the Pelly Amendment. In his decision, President Biden directed: 1) relevant executive departments and agencies to 'convene a high-level dialogue with the Government of Mexico to discuss the steps it will take to reduce illegal trafficking of totoaba and enhance conservation of the vaquita' and to conduct 'at least quarterly meetings with the Government of Mexico to review its CITES Compliance Action Plan implementation, with a focus on enhanced monitoring and enforcement actions to prevent and deter totoaba fishing and trafficking, including seizures, arrests, and prosecutions'; 2) relevant agencies to coordinate efforts 'to assist and support Mexico's compliance, anti-trafficking, anti-corruption, and other measures as appropriate'; 3) the Secretaries of the Interior, Commerce, State and the US Trade Representative 'to develop an assessment by July 2024, of Mexico's enforcement actions and implementation of its CITES Compliance Action Plan'.

In July 2023, the CITES Secretariat published Mexico's Compliance Action Plan on Totoaba. Mexico was directed to prepare this plan by the CITES Standing Committee at its 75th meeting in November 2022.

In September 2023, the World Heritage Committee (WHC) decided to retain the Islands and Protected Areas of the Gulf of California World Heritage site on its 'in danger' list. It also approved corrective measures for the site which included: (1) enhancing law enforcement; (2) strengthening its laws to increase penalties for crimes involving threatened, endangered, or specially protected species (including the totoaba and vaquita); (3) improving detection and elimination of illegal and derelict fishing gear found in the Vaquita Refuge and the ZTA; (4) effectively implementing a permanent ban on the use of gill nets (including the sale, manufacturing, or possession of all gill nets on land and at sea) in the Vaquita Refuge and the entire distribution range of the species; (5) collaborating with destination and transit countries involved in the illegal trade in totoaba to implement CITES decisions including through INTERPOL; (6) and ensuring the large-scale roll-out of alternative fishing gear systems which do not cause entanglement of vaquitas and other protected species by providing appropriate incentives and accompanying measures. The WHC also noted that 'illegal fishing activities continue' and reiterated its request to Mexico that it further strengthen 'surveillance and law enforcement efforts aimed at eliminating illegal fishing activities and illegal trafficking of totoaba products'. The Committee deferred approval of the 'Desired state of conservation for the removal of the property from the List of World Heritage in Danger' until its 46th meeting in July 2024.

The CITES Standing Committee, at its 77th meeting, requested, among other decisions, that Mexico report to the 78th meeting of the Standing Committee in February 2025 on progress made with implementation of its CAP on totoaba. It also directed the CITES Secretariat to conduct missions to Mexico to monitor its implementation of the CAP and to China and the United States to evaluate their efforts to address the illegal trade in totoaba. All three countries were asked to report to the 78th CITES Standing Committee meeting on their efforts to operationalise a Trilateral Enforcement Contact Group (TECG). The TECG was first proposed in 2017 but its establishment and operational functionality was delayed due to disagreements over terms of reference.

In January 2024, the Centre for Biological Diversity, Animal Welfare Institute, Environmental Investigation Agency, and Natural Resources Defence Council sent a letter to Amazon USA raising concerns about the sale of The Blue Formula's totoaba collagen products on its platform. The Blue Formula is a Mexican company that, in collaboration with Cygnus Ocean Farms - a totoaba captive-breeding facility - manufactures and sells totoaba collagen dietary supplements and skin care products. Amazon USA was advised that the sale of the totoaba products on its platform may violate the US Endangered Species Act and CITES and is in direct violation of Amazon's own policy prohibiting the sale of endangered species on its platform. Amazon USA, on 2 February, confirmed that The Blue Formula page had been removed from its platform. The Blue Formula totoaba collagen products remain for sale on the Amazon Mexico website (the sale of the products is legal in Mexico) and likely on other online selling platforms. The import, sale, and possession of the product in the US by persons subject to the jurisdiction of the US violates the ESA and CITES. For other countries, import would likely violate CITES and potentially national laws.

In February 2024, Mexico submitted its State of Conservation Report for the Islands and Protected Areas of the Gulf of California World Heritage site to the World Heritage Committee. The report includes an update to Mexico's report on its implementation to the CAP originally submitted to CITES in July 2023.

Also in February 2024, The Environmental Investigation Agency published the report 'On Borrowed Time: The ongoing illegal totoaba trade driving the critically endangered vaquita to extinction' (EIA, 2024). The report revealed that the market in China for dried totoaba swim bladders, or maws, on popular social media channels (such as WeChat) remains active. In 2023, the activity and quantities of totoaba maws advertised on WeChat and, by extension, in China exceeded those of previous years, indicating that wildlife traffickers have resumed business as usual since the COVID-19 pandemic.

The first meeting of the TECG was held on 7 March 2024. The results of the first meeting have not been reported publicly.

In March 2024, the CITES Secretariat conducted missions to Mexico and the United States as directed by the CITES Standing Committee to assess efforts by both countries to prevent the illegal trade of totoaba. The Secretariat's reports disclosing the findings and conclusions from its missions will be released in December 2024 in preparation for the 78th meeting of the CITES Standing Committee in February 2025.