

RESOLUTION 7.16**COMMERCIAL CETACEAN-WATCHING ACTIVITIES¹**

The Meeting of the Parties to the Agreement on the Conservation of Cetaceans of the Black Sea, Mediterranean Sea and Contiguous Atlantic Area:

Recalling Article II of the Agreement, according to which the Parties shall prohibit and take all necessary measures to eliminate any deliberate taking of cetaceans, including harassing or attempting to engage in such conduct,

Recalling Section 2 of Annex 2 to the Agreement, according to which Parties shall develop guidelines and/or codes of conduct to regulate or manage activities that create direct and indirect interactions between humans and cetaceans, such as tourist activities,

Taking into consideration Recommendation 12.6 “Commercial whale watching activities” of the 12th ACCOBAMS Scientific Committee Meeting,

Recalling that the ACCOBAMS Area is an important area for a great number of cetacean species, whether as a permanent habitat, a breeding or feeding ground or a migratory corridor, and that the presence of such a diversity of cetaceans has led, over the past decade, to the development of a high number of commercial cetacean-watching activities that need to be regulated,

Recalling that commercial cetacean-watching activities, if well managed and within a suitable management framework, can foster a valuable educational tool, create direct and indirect economic benefits for many communities and can promote research on cetaceans and their conservation,

Concerned about the potential negative impacts of commercial cetacean-watching activities that have been documented, such as changes in cetaceans swimming behaviour, fast changes in direction, decrease in population size or movements of cetaceans away from the area targeted for tourism,

Aware that the First Meeting of the Parties adopted a set of Guidelines for commercial cetacean-watching activities in the ACCOBAMS Area and that these Guidelines have been revised on the basis of evolution of scientific knowledge (Resolution 4.7),

Recalling Resolution 6.20, which took note of the regulations governing use, associated with the High-Quality Whale-Watching ® Certificate, and adopted its logo,

Recalling Resolution 11.29 on “Sustainable Boat Based Marine Wildlife Watching”, Resolution 12.16 on “Recreational In-Water Interaction with Aquatic Mammals” and Resolution 12.23 on “Sustainable tourism and migratory species” adopted by the Conference of the Parties to the Convention on the Conservation of Migratory Species of Wild Animals (CMS),

Desirous of minimizing the risk of negative impacts on cetaceans and of ensuring the sustainable development of cetacean-watching commercial activities through effective management strategies,

¹ In this Resolution the terms “cetacean-watching” and “whale-watching” are used as referred to the same kind of activity.

Concerned also by the emergence of dolphin-feeding practices, mainly carried out during cetacean-watching activities, which could change the behaviour of the animals, favouring confidence and proximity,

Welcoming the online whale-watching handbook developed by the International Whaling Commission (IWC) with the CMS Secretariat,

1. *Urges* Parties to ensure the effective implementation of the existing ACCOBAMS Resolutions on whale watching;
2. *Recommends* Parties to consider that harassment risk also begins when a vessel is voluntarily closer than the minimum distance identified in rules for commercial cetacean-watching and that, consequently, swim-with-dolphin activities, which imply a proximity of the boat and the animals, should be considered as harassment and as presenting risks of animal violent behaviour and transmission of diseases;
3. *Recommends* Parties to not authorise or grant any exception for direct interactions with cetaceans, such as feeding and swim-with-dolphins, including in proximity of fish farm activities;
4. *Recommends* that the Permanent Secretariat, Parties and ACCOBAMS Partners continue to raise awareness and communication about the High-Quality Whale Watching® Certificate with official regional, national and international tourism Organizations;
5. *Encourages* the Scientific Committee to continue consideration, including collation and review of scientific literature, on potential adverse effects of cetacean-watching on cetaceans and means to mitigate them, with an emphasis on population-level impacts, swim-with activities, feeding and use of aerial spotter aircraft, and also on the concept of “carrying capacity”;
6. *Recommends* that the Permanent Secretariat continues co-operation with the Secretariats of IWC and CMS on the evaluation of effects of cetacean-watching and on the review and update of the guidelines for sustainable cetacean-watching;
7. *Acknowledges* that the present Resolution complements Resolutions 4.7 and 6.20 and constitutes an addition to them.