

JOINT STANDING COMMITTEE  
ON TREATIES

Submission 1.

**GREENPEACE**

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06 DEC 2002

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Amendments, done at Bonn, Germany on 24 September 2002, to  
Appendices I and II of the Convention on the Conservation of Migratory  
Species of Wild Animals done at Bonn on 23 June 1979

Submission to Joint Standing Committee on Treaties

December 2002

## INTRODUCTION

Greenpeace is supportive of the Government's proposed Treaty action with regard to the Amendments, done at Bonn, Germany on 24 September 2002, to Appendices I and II of the Convention on the Conservation of Migratory Species of Wild Animals done at Bonn on 23 June 1979.

The listing of the seven whale species under the Convention on Migratory Species will be of significance for the ongoing management of migratory whales, whose existence continues to be threatened by human activities such as fishing, tourism, shipping, climate change and seismic and sonar activity.

We would like to specifically comment on the need for the development of multilateral conservation agreements that was identified in the National Interest Analysis in order for Australia to meet its international obligations.

### **Multilateral Conservation Agreements - Consultation with Pacific Island States**

As Australia expects to take a leading role in coordinating development of a regional memorandum of understanding for marine mammal conservation, full consultation, discussion and debate within Pacific Island Countries is essential. Meaningful conservation measures in the region can only be put in place with the cooperation of Pacific Island Countries. It is essential that these sovereign states have a chance to influence the development of any conservation regime so that they will feel, and have, ownership of the process. Only in this way can an effective, widely supported conservation regime be developed. We strongly recommend that the Australian government does not introduce a CMS regional agreement without ensuring that this engagement occurs.

Suggestions to assist implementation of a regional agreement based on CMS in the South Pacific include:

- Australian diplomatic personnel actively engaging with Foreign Affairs, Environment and other relevant stakeholders from Pacific island Countries.
- Comprehensive briefs on the benefits of a regional agreement based on CMS compared with regional agreement based on any other international/regional agreement would be useful tools. These briefs will need to be prepared and ready for immediate consultations with key island governments.
- That the brief comprehensively addresses the "whales eat fish" debate that has recently gained prominence in the whale conservation debate, and provide adequate scientific evidence to defuse the debate.
- That the brief should outline capacity building initiatives for Pacific Island Countries in protecting whales and small cetaceans in EEZs and within the region.

- We would encourage that Pacific representatives in governments are selected and trained to promote a CMS regional agreement. This will assist the process and ensure that the proposal for a regional agreement is discussed extensively in each nation.
- Supportive Pacific Island Countries should be encouraged to promote the regional agreement proposal with their neighbors. We recommend that island nations who have adequate protection for whales and other marine mammals be approached to assist with this.
- Non-lethal surveys and research play an integral part in understanding the biology and migratory patterns of whale species. This is research that Australia has continued to undertake and we would recommend the support and training of locals so as they too can facilitate research of this nature. Long term research plans should also be finalised in consultation with Pacific Island Countries.

While Australia has a legal mechanism through the Environment Protection and Biodiversity Conservation Act 1999 to implement the Treaty amendment adequately, the most crucial aspect of implementation is that Australia takes a leading role in the region for the development of multilateral conservation agreements. This needs to be carefully considered so as to effectively implement our international obligations.

For further information on this submission, please contact:

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