

DEVELOPMENT OF THE CONFERENCE (9 July 2024): “The role of ship speed reduction to protect large whales in the Mediterranean Cetacean Migration Corridor”

Mr. Pablo Rodríguez, coordinator of Marine Protected Spaces and 30x30 Strategy of the Marilles Foundation, on behalf of the 10 organising NGOs, welcomed all those attending and participating in the event and introduced the moderator, the renowned environmental journalist of the newspaper La Vanguardia, Mr. Antonio Cerrillo.

Then, Mr. Hugo Morán, Secretary of State for the Environment of the Ministry for Ecological Transition and the Demographic Challenge, intervened to make the inaugural speech of the conference, highlighting the opportunity of the event in the framework of the participatory process that will take place for the development of the management plan of the Cetacean Migration Corridor.

He was followed by Mr. Rémi Parmentier, Director of Varda Group and Coordinator of the Let's Be Nice to the Ocean movement, an initiative developed in the framework of the United Nations Ocean Conference (UNOC) to be held in June 2025 in Nice (France). Rémi Parmentier explained that it is necessary to go beyond the precautionary approach and apply the Protection Principle, which would oblige companies to demonstrate that their initiatives do not harm the environment. He pointed out that UNOC 2025 should lead to a change in ocean governance and achieve legally binding agreements, leading to a Nice Agreement, just ten years after the Paris Agreement.

After these interventions, the first panel discussion began, composed of:

- Mr. Simone Panigada, President of the Scientific Committee of the Agreement on the Conservation of Cetaceans of the Black Sea, Mediterranean Sea and Contiguous Atlantic Area (ACCOBAMS), member of the Working Group on Protected Areas for Marine Mammals of the International Union for Conservation of Nature (IUCN) and President of the Tethys Research Institute.
- Ms. Natacha Aguilar, Research Scientist at the Oceanographic Centre of the Canary Islands (IEO/CSIC).
- Mr. Thomas Folegot, President and CEO of Quiet Oceans, a company specialised in the assessment of risks to marine biodiversity, especially underwater noise and ship collisions with cetaceans arising from maritime traffic activity. Quiet Oceans has developed the OceanPlanner software.
- Ms. Valérie Pimentel, legal advisor to OceanCare, author of a legal framework analysis for introducing a mandatory ship speed reduction measure in the Cetacean Migration Corridor.

This round table explained the current situation of large whales (fin whales and sperm whales, both in danger of extinction) in the Particularly Sensitive Sea Area (PSSA) of the northwestern Mediterranean, which includes the Cetacean Migration Corridor.

Specifically, the problems faced by these species were discussed, especially those derived from maritime traffic activity (collisions, underwater noise); the need to reduce the speed of ships in the area to reduce the risk of these whales being fatally rammed by ships and to reduce the level of underwater noise, given that in this area it is impossible to divert the routes of ships to avoid collisions as the presence of cetaceans extends throughout the north-western Mediterranean Sea. Data from the analysis of maritime traffic in the PSSA were also presented, where more than 80% of the total distance travelled by all vessels navigating in the

area is done at speeds above those considered safe for large whales (i.e. in the range of 10-12 knots).

The wide range of international, regional, European and national legislation that provides the legal base for the introduction of a mandatory measure to reduce the speed of boats in the management plan for the Cetacean Migration Corridor was also analysed.

The second round table included the interventions of Mr. Simone Panigada, whom we have already introduced above, Ms. Tania López-Piñeiro, Deputy Assistant Director of Terrestrial and Marine Biodiversity of the General Directorate of Biodiversity, Forests and Desertification of the MITECO, Ms. Araiz Basurko, Deputy Director of the Association of Spanish Shipping Companies (ANAVE) and Mr. Carlos Bravo, head of OceanCare in Spain.

At this roundtable, OceanCare presented in detail the NGO's proposal for the introduction of a mandatory vessel speed reduction measure in the management plan for the Cetacean Migration Corridor. that would allow to reconcile maritime traffic activity with the effective protection of whales, and this led to an interesting and passionate debate in which representatives of ACCOBAMS, MITECO and ANAVE also gave their perspective on the matter.

The event was closed by Ms. Cristina Narbona, President of the Commission for Ecological Transition and Demographic Challenge of the Spanish Congress of Deputies, who, thanks to her extensive experience in Spanish environmental policy issues, gave an analysis of the event and presented the need to advance in the effective protection of whales in the Cetacean Migration Corridor in the framework of a constructive dialogue process taking into account all stakeholders.

CONCLUSIONS OF THE EVENT

Both the Mediterranean subpopulations of fin and sperm whales are classified as "endangered" on the International Union for Conservation of Nature (IUCN) Red List.

Ship strikes are the main cause of human-induced death for these whales, due to heavy shipping traffic, in the north-western Mediterranean, where the Cetacean Migration Corridor is located.

Scientific studies have concluded that the presence of cetaceans is widespread throughout the northwestern Mediterranean Sea. In other words, in this part of the Mediterranean it is not possible to predict the areas where these large whales are present at any given time, so the option that ships could divert their routes so as not to collide with them is not feasible. Therefore, there is only one possible option to effectively avoid fatal collisions of ships with these cetaceans: for ships to reduce their speed.

Numerous scientific studies, including the Scientific Committee of ACCOBAMS (Agreement on the Conservation of Cetaceans of the Black Sea, Mediterranean Sea and Contiguous Atlantic Area) have identified the reduction of ship speed as the only effective and immediately applicable measure to protect these great whales of the northwest Mediterranean from collisions with ships, as re-routing is not a viable option in that particular area.

In areas of the world where ship speed reduction measures have been implemented, it has been found that voluntary measures are rarely enforced or successful. In other words, to be

effective, speed reduction measures must be mandatory and extended to all ships, without exception. In addition, strict monitoring of mandatory speed limits is essential to ensure compliance.

One of the important advantages of mandatory speed reduction for ships is that it creates a level playing field for all shipping companies, ensuring that they are all subject to the same restrictions and that compliance does not put them at a competitive disadvantage, which cannot be achieved by mere recommendations or voluntary measures.

Although more scientific data will always be beneficial, sufficient information is already available to make the necessary decisions to protect whales from ship strikes.

Following the declaration of the Cetacean Migration Corridor as a Marine Protected Area, MPA, by Spain in 2018 and as a Specially Protected Area of Mediterranean Importance, SPAMI, by the UN Barcelona Convention in 2019, the Spanish Government is now obliged to develop a Management Plan for this protected marine area.

It is necessary, as well as legally and technically feasible to introduce a mandatory speed reduction measure in such a management plan. Such a measure should be scientifically assessed and should be developed in dialogue with all stakeholders in the framework of a participatory process using tools such as OceanPlanner or Netccobams to find the best compromise solutions, but it must necessarily be mandatory in order to be truly effective.