Open Letter:

West and Central Africa is dishonoring itself by supporting whaling at the International Whaling Commission (IWC)

We call on our countries' leaders to stop supporting whaling and opposing conservation measures at the IWC before the 69th session of the IWC, in Lima, Peru in September 2024 (IWC69)

We, scientists of African countries,
We wildlife experts working on the African continent,
We, members of civil society from West and Central African countries,
We, representatives of intergovernmental organizations in Africa,

Denounce the position in support of commercial whaling by Benin, the Republic of Congo, Côte d'Ivoire, Gambia, Ghana, Guinea-Bissau, the Republic of Guinea, Liberia, Mali, Mauritania, Sao Tome and Principe, Senegal and Togo, West and Central African countries members of the International Whaling Commission (IWC).

Alert our countries' leaders about the pro-whaling positions our countries advocate for at the IWC even though not one country in West and Central Africa engages in commercial whaling.

Deplore that the anti-conservation positions taken by our countries' representatives at the IWC contradict the pro-conservation positions advocated by these same countries within the context of the other Multilateral Environmental Agreements including the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES), the Convention on the Conservation of Migratory Species (CMS), the Convention on Biological Diversity (CBD), the Convention for the Co-operation in the Protection and Development of the Marine and Coastal Environment of the West and Central African Region (Abidjan Convention) and the Kunming-Montreal Global Biodiversity Framework.

Deplore that the West and Central African positions supporting commercial whaling at the IWC violate their national laws guaranteeing strict protection for these globally protected species (see the list of national legislations in Annex).

Reprove the decisive role played by West and Central African countries in preventing the adoption of a proposal to create a whale sanctuary in the South Atlantic since 2002. Indeed, at the 63rd IWC meeting in 2011, IWC commissioners from Cameroon, Côte d'Ivoire, Gambia, Mauritania, Guinea-Bissau, Ghana and Togo left the meeting room to break the quorum and prevent a vote from taking place on this proposal. At the 67th session of the IWC in Brazil in 2018, when this

same proposal was once again put to the vote, Benin, Côte d'Ivoire, Guinea, Liberia and Senegal opposed its adoption. When this proposal was submitted again for adoption at the 68th session in Slovenia in 2022, commissioners from Benin, Cameroon, Côte d'Ivoire, Ghana, Liberia and Mauritania intentionally left the room, breaking the quorum and preventing the vote from happening. Such anti-democratic practices aimed at preventing a legitimate vote dishonors our countries.

Condemn the submission of a resolution¹ by the Republic of Guinea, co-sponsored by Côte d'Ivoire, Gambia, Ghana, Guinea-Bissau, the Republic of Congo and Senegal, to support commercial whaling to address food insecurity at the 69th session of the IWC. As whaling and the consumption of whale meat do not contribute to food security in our region², we call on the leaders of these co-sponsoring countries to withdraw their co-sponsorship of this resolution.

Recall that all cetaceans face other human-caused threats including bycatch and pollution. One in four cetacean species (26% of 92) are assessed as being threatened with extinction (i.e., Critically Endangered (CR), Endangered (EN), or Vulnerable (VU)) and 11% as Near Threatened (NT). The proportion of threatened cetaceans has increased: 15% in 1991, 19% in 2008 and 26% in 2021. The assessed conservation status of 20% of species has worsened from 2008 to 2021.³

Recall that whales' ecological role in the marine ecosystem contributes to food security as it promote primary productivity of the ocean by promoting ocean productivity through ecosystem processes. Instead of competing with fisheries, whales actually enhance ecosystem productivity, thereby benefitting fish populations. In addition, recent scientific research reveal that whales contribute to fighting against climate change by storing large amounts of carbon.⁴

Recall that whales are more valuable alive than dead to coastal communities and maritime nations thanks to cetacean watching, an industry worth more than US\$2 billion, enjoyed by over 13 million people in 119 countries each year, and employing more than 13,000 people worldwide.⁵

We call on our leaders as follows:

¹ IWC/69/9.1/EN: https://archive.iwc.int/pages/search.php?search=%21collection2150369#

² Africa does not consume whale meat products and whales do not share the same ecological niche as pelagic species consumed by African populations.

³ Braulik, G. T., Taylor, B. L., Minton, G., Notarbartolo di Sciara, G., Collins, T., Rojas-Bracho, L., Crespo, E. A., Ponnampalam, L. S., Double, M. C., & Reeves, R. R. (2023). Red-list status and extinction risk of the world's whales, dolphins, and porpoises. Conservation Biology, 37, e14090. https://doi.org/10.1111/cobi.14090

⁴ Pearson, H.C., Savoca, M.S., Costa, D.P., Lomas, M.W., Molina, R., Pershing, A.J., Smith, C.R., Villaseñor-Derbez, J.C., Wing, S.R., Roman, J. (2023). Whales in the carbon cycle: can recovery remove carbon dioxide?, Trends in Ecology & Evolution, Volume 38, Issue 3, Pages 238-249

⁵ O'Connor, S., Campbell, R., Cortez, H., & Knowles, T. (2009). *Whale Watching Worldwide: tourism numbers, expenditures and expanding economic benefits, a special report from the International Fund for Animal Welfare,* Yarmouth MA, USA, prepared by Economists at Large.

To instruct the representatives to the IWC from Benin, the Republic of Congo, Côte d'Ivoire, Gambia, Ghana, Guinea-Bissau, the Republic of Guinea, Liberia, Mali, Mauritania, Sao Tome and Principe, Senegal and Togo to desist from taking positions that are contradictory to their own national laws and the pro-conservation positions we take in other multilateral fora and damage our global reputation.

To instruct their representatives not to engage in undemocratic practices at the IWC, such as breaking quorum, and not to support any resolutions promoting commercial whaling.

To support the proposal to create a whale sanctuary in the South Atlantic, submitted by Brazil, Argentina and Uruguay,⁶ and three resolutions promoting the conservation of cetaceans and supporting the moratorium on commercial whaling.⁷

Transfer the IWC portfolio from their Ministry of Fisheries to their Ministry of Environment or Ministry of Water and Forestry which is already responsible for implementing other Multilateral Environmental Agreements affecting cetaceans including CITES, CMS and the CBD, in order to guarantee the harmonization of our countries' positions within the framework of all international wildlife conventions.

<u>List of the 110 signatories:</u>

Dr. Mamadou DIALLO, Marine Conservation and Fisheries Biologist, Senegal

Mr. Judicael Regis KEMA KEMA, Environmental geographer and Marine Conservation Biologist, Gabon

Mr. Josea S. DOSSOU-BODJRENOU, Naturalist and President of Nature Tropicale ONG, Benin

Dr. Mika Samba DIOP, Fisheries Biologist, Senegal

Mr. Abba SONKO, CITES Expert, Former CITES Focal Point, Senegal

Dr. Gabriel SEGNIAGBETO, Lecturer and researcher at the University of Lomé, expert in biodiversity, Togo

Dr. Saïkou Oumar KIDÉ, Researcher at the Mauritanian Institute of Oceanographic and Fisheries Research, Mauritania

⁶ Proposal of a schedule Amendment to Create a South Atlantic Whale Sanctuary (available at : https://archive.iwc.int/pages/search.php?search=%21collection2150369#)

⁷ Draft Resolution on Synergies between the IWC, the Kunming Montreal Global Biodiversity Framework and the BBNJ Agreement (available at https://archive.iwc.int/pages/search.php?search=%21collection2150369#); Draft Resolution on International Legal Obligations in Commercial Whaling Activities (available at: https://archive.iwc.int/pages/search.php?search=%21collection2150369#); Draft Resolution on Cooperation with CCAMLR in Antarctica (available at: https://archive.iwc.int/pages/search.php?search=%21collection2150369#)

Mr. Pierre BEDIYE, Acting President of JINUKUN, National Network for Sustainable Management of Genetic Resources in Benin

Mr. Prosper Jacob MONTCHO, Photojournalist, Benin

Mr. Abba DAOUD NANDJEDE, Secretary General of the Alliance of Human Rights and Environmental Defenders in Chad

Dr. Igor AKENDENGUE AKEN, Deputy Head of the Laboratory of Geomatics, Applied Research and Consulting (LAGRAC) and Executive Director of the NGO Aquatic Species, Gabon

Mr. Séverin TCHIBOZO, Naturalist expert and researcher at the Research Center for Biodiversity Management (CRGB), Benin

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Mr. Yamoussa Salifou CAMARA, Specialist in the conservation of marine biodiversity, Researcher at the National Center for Fisheries Sciences in Boussoura, Republic of Guinea

Mr. Luc Bonaventure BADJI, Marine Biologist, Research Assistant, Senegal

Mr. NYAN SANGBE, Herpetologist Expert, President of the Guinean Network for the Protection of Biodiversity and Climate Change (ONG REGUIPBECC), Republic of Guinea

Prof. Patrick OFORI-DANSON, Associate Professor at the Department of Marine Science, University of Ghana

Dr. Cherif AHMED, Head of the Chemistry and Microbiology Laboratory Department of the National Office for the Sanitary Inspection of Fisheries and Aquaculture Products (ONISPA), Mauritania

Mr. Mohamed SYLLA, Fisheries and Aquaculture Engineer, Republic of Guinea

Mr. Maximin DJONDO, Executive Director of Benin Environment and Education Society (BEES NGO), Benin

Dr Isidore AYISSI, Biologist-oceanographer, lecturer and researcher at the University of Douala, National President of the Cameroonian Association of Marine Biology, Cameroon

Mr. Damien MARTIN, Coordinator in charge of organizational development for the Small Initiatives Program (PPI) in West Africa, member of the French Committee of the International Union for Conservation of Nature (CF-IUCN), Benin

Mrs. Christelle DYC, Environmental and Biodiversity Advisor, Senegal

Mrs. Sarah Farinelli, Postdoctoral Marine Mammal Scientist, Clearwater Marine Aquarium Research Institute working in Nigeria and other African countries

Mr. Kossi Mawuli HUSUNUKPE, Environmental Activist and President of E.R.D.-AFRIQUE, Togo

Mr. Komlavi Ben EDOH, Environmental Activist, Port Security Agent_PAL, Togo

Mr. Khassy Vasseu Georges KOUAME, President and Executive Director of the NGO Yacoli Village École Ouverte, Ivory Coast

Dr. Raïmath BIO NIGAN, Executive Director, Initiative for the Preservation of Life -NGO, Benin

Mr. José GOMEZ PEÑATE, Treasurer, Association for the Conservation of Marine Species (CEM), Ivory Coast

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Dr. Matthew H. SHIRLEY, Chairman of the West and Central Africa Region for IUCN/SSC Crocodile Specialist Group

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Annex

List of West and Central African countries members of the IWC having laws guaranteeing strict protection for whales and other cetacean species

Côte d'Ivoire: Law No. 2016-554 of July 26, 2016 relating to fishing and aquaculture states that "Fishing, hunting, capture and possession of all species protected under applicable international conventions are prohibited, except with special authorization from the Minister in charge of fisheries." The order of cetaceans and all species of whales are concerned as they are listed in the Appendices of CITES and CMS.⁸

Gabon : Decree No. 0040bisPR/MEFPECCHF classifies all cetaceans (whales and dolphins) among the fully protected species⁹ whose hunting, capture, possession, transport and marketing are prohibited under Law No. 016-01 on the forestry code in the Gabonese Republic.¹⁰

The Gambia: Fisheries Act, 2007 (No. 20 of 2007), under section 106 – Power to make regulations provides for the prohibitions on fishing for whales and other marine mammals.¹¹

Ghana: Fisheries Regulations, 2010 (L.I. 1968) states that "A person shall not fish for marine or freshwater mammals in the fishery waters of the country without prior written approval from the Commission" and mentions that "A person who contravenes sub-regulation (1) commits an offence and is liable on summary conviction to the penalty specified under section 90 (4) of the Act". ¹²

Guinea Bissau: Article 27 on protected marine species states that the capture of marine species considered threatened or in danger of extinction is prohibited, except with special authorization.¹³

⁸ Loi n° 2016-554 du 26 juillet 2016 relative à la pêche et à l'aquaculture.

⁹ Décret n. 0040bisPR/MEFPECCHF portant classement des espéces animales sauvages.

¹⁰ Loi nº 016-01 portant code forestier en République gabonaise.

¹¹ Fisheries Act, 2007 (No. 20 of 2007).

¹² Fisheries Regulations, 2010 (L.I. 1968).

¹³ Decree-Law No. 10/2011 approving the Basic Fishing Legislation.

Mauritanie: Article 32 of Law No. 2000-025 on the Fisheries Code¹⁴ prohibits at all times and in all places the fishing, capture or possession of any species of marine mammals, except with the authorization of the minister in charge of fisheries or for scientific or technical research purposes.

Republic of Congo: Order No. 6075 MDDEFE/CAB identifying the fully and partially protected animal species classifies the order of cetaceans (*Balaenopteridae*, *Delphinidae*) among the fully protected species.¹⁵

Republic of Guinea: Order A/2020/1591/MEEF/CAB/SGG on the protection of fully and partially protected species of wild fauna and flora in Guinea¹⁶ classifies cetaceans (Balaenopteridae, Delphinidae and Physeteridae) among the fully protected mammal species. Guinea's Wildlife Protection Code and Hunting Regulation¹⁷ guarantees the full protection of whales as species listed in Appendix I of the CITES Convention as well as cetaceans classified as critically endangered (CR) or endangered (EN) on the IUCN Red List.

Sao Tome: The conservation and protection of cetaceans is included into the country's objective of strengthening "ex situ" conservation as indicated in São Tomé and Príncipe's National Report on Biological Diversity published by the Ministry of Public Works, Infrastructure, Natural Resources and the Environment General Directorate.¹⁸

Senegal: Law No. 98-32 of April 14, 1998 on the maritime fishing code states that "The fishing, capture and trade of all species of marine mammals are prohibited at all times and in all places." ¹⁹ Decree No. 86-844 on the hunting and wildlife protection code classifies all species of cetaceans among the fully protected species, formally prohibiting their hunting and capture.²⁰

¹⁴ Loi N°2000-025 portant Code des Pêches

¹⁵ Arrêté n° 6075 du 9 avril 2011 déterminant les espèces animales intégralement et partiellement protégées.

¹⁶ <u>Arrêté A/2020/1591/MEEF/CAB/SGG</u> portant sur la protection des espèces de faune et de flore sauvages en Guinée intégralement et partiellement protégées

¹⁷ Code de protection de la faune sauvage et réglementation de la chasse Guinée, juin 2018

¹⁸ <u>V Rapport National sur la Diversité Biologique de São Tomé et Principe- Avril 2014,</u> Ministério das Obras Públicas, Infraestruturas, Recursos Naturais e Meio Ambiente Direcção Geral do Ambiente

¹⁹ Loi N°98-32 du 14 avril 1998 portant sur le code de la pêche maritime

²⁰ <u>Décret nº 86-844 portant Code de la chasse et de la protection de la faune - Partie règlementaire.</u>