

**COOK ISLANDS DECLARATION ON THE ESTABLISHMENT
OF A WHALE SANCTUARY**

September 2001

RECOGNIZING that whaling in the 18th, 19th and 20th centuries has dramatically reduced whale populations especially in the Southern Hemisphere;

APPRECIATING FURTHER that the International Whaling Commission recognizes that there is clear scientific evidence that in the South Pacific region many of the great whale species remain severely depleted in numbers;

ACKNOWLEDGING that it is a well-established scientific principle that, to protect migratory species, it is necessary to protect them not only in their feeding areas and migratory routes but also in their breeding grounds;

REAFFIRMING Principle 2 of the Declaration of the United Nations Conference on the Human Environment adopted at Stockholm in 1972 that “the natural resources of the earth, including the air, water, land, flora and fauna and especially representative samples of natural ecosystems, must be safeguarded for the benefit of present and future generations through careful planning or management, as appropriate”;

RECOGNIZING the right of a coastal State under the United Nations Convention on the Law of the Sea to strictly prohibit, limit or regulate the exploitation of marine mammals;

NOTING that the Forum Leaders at the 32nd Pacific Islands Forum Meeting held in August 2001 recalled their decision at their 2000 meeting calling for the progressing of a proposal on a South Pacific Whale Sanctuary and noted the outcome of the meeting convened by the South Pacific Regional Environment Programme in April 2001 in Apia to advance the proposal;

RECALLING that at the 32nd Pacific Islands Forum Meeting the Leaders in noting the decision of the International Whaling Commission and the outcomes of the Apia meeting, endorsed the Apia Statement and agreed to pursue the objectives of the proposed South Pacific Whale Sanctuary through national, regional and international actions;

BEARING IN MIND that Forum Leaders also noted that some Forum members have taken steps to effect protection of whales within their national Exclusive Economic Zones and that other member countries might wish to consider similar action, in which case appropriate technical support could be made available;

NOTING also the Regional Marine Mammals Conservation Programme being currently undertaken by the South Pacific Regional Environment Programme and, in particular, the benefits in the sharing of information across the region; and

REAFFIRMING the Government of the Cook Islands' long standing position against whaling and in recognition of the fact that sanctuaries are the most effective conservation, research and management measure for whales;

THE GOVERNMENT OF THE COOK ISLANDS HEREBY DECLARES:

1. The exclusive economic zone of the Cook Islands a Sanctuary for all whales.
2. The purpose of the Sanctuary is to contribute towards the protection of whales by prohibiting the deliberate take of whales.
3. Any accidental capture of or injury to a whale during fishing operations and the utilization of stranded whale carcasses in the exclusive economic zone will require to be reported to the Ministry of Marine Resources.
4. The creation of a whale sanctuary in the Cook Islands is a proactive management measure that will support the following activities:

- i. Non-lethal scientific research;
- ii. Collaboration for information exchange, education and awareness initiatives;
- iii. Monitoring of whales;
- iv. Identification of future threats to whales and appropriate action to counter those threats; and
- v. Development of mechanisms for the regular evaluation of management programmes in terms of appropriate objectives.

SIGNED BY the Minister of Marine Resources and Foreign Affairs and Immigration on behalf of the Government of the Cook Islands.

Hon. Dr Robert Woonton
Deputy Prime Minister
Minister of Marine Resources

September 2001

Rarotonga, Cook Islands