**NATIONAL ASSEMBLY**

**(For written reply)**

**QUESTION NO. 2406 {NW3014E}**

**INTERNAL QUESTION PAPER NO. 40 of 2020**

**DATE OF PUBLICATION: 23 October 2020**

**Mr N Singh (IFP) to ask the Minister of Forestry, Fisheries and the Environment:**

1. In view of a recent letter, dated 9 October 2020, and signed by more than 350 scientists and conservationists from 40 countries, which calls for global action to protect whales, dolphins and porpoises from extinction and specifically calls on countries like South Africa where there are whales, to take precautionary measures to ensure that these species are being protected from human activities, and to work with regional fishing bodies to ensure that overfishing does not impact whales, what precautionary measures does her department intend b take to ensure(a) the long-term survival of whales and (b) that whales have sufficient access to food during their migration to their breeding grounds;
2. how will her department work together with local fishing authorities to ensure that (a) there is a framework for sustainability and (b) the specified policy framework is adhered to?

**2406. THE MINISTER OF FORESTRY, FISHERIES AND THE ENVIRONMENT REPLIES**:

## (a) Whales are fully protected in South African waters. Legal instruments are in place to ensure the long-term survival of whales, including the following:

The National Environmental Management: Biodiversity Act, 2004 (Act No. 10 of 2004). In the Threatened or Protected Marine Species Regulations, whales are listed as a threatened or protected species. In terms of these regulations, certain aMvitl99 are prohibited, such as hunting, catching, killing, capturing, importing or exporting of a listed species. Human activities around whales are also regulated.

The National Environmental Management: Protected Areas Amendment Act, 2014 (Act No. 21 of 2014) which enables the establishment of marine protected areas to provide sanctuaries for all marine species.

South Africa is also a signatory or party to various international treaties that promote the protection of whales, including Convention on Migratory Species (CMS), the Commission for the Conservation of Antarctic Marine Living Resources(CCMALR) and the International Whaling Commission.

These legal instrument provide optimum conditions for all whale species to recover from past unsustainable whaling practices. In addition, South African re9earcheo play a leading role in international science forums aimed at determining the food requirements of top predators such as whales and setting measures to ensure adequate access to their prey.

(b) Whales eat a variety of prey within South African marine waters and at traditional feeding grounds in the Southern Ocean. In general, whales feed in the polar waters and breed in warmer waters. Feeding time is therefore typically spent away from South Africa in Antarctic and sub-Antarctic waters. The Southern Ocean is managed by agreement, including the Convention on the Conservation of Antarctic Marine Living Resources (CCAMLR). South Africa is an active member and contributes to deliberations on conservation of the Southern Ocean.

1. (a) The South African policy and legal framework protects all whale species. The Department plays a meaningful role in International Conventions and Regional Fisheries Management Organisations to ensure that all fisheries are sustainable and that the environment is protected.

(b) The existing policy and legal framework to protect whales is currently being implemented and compliance and enforcement initiatives are in place to aid protection of our marine species.

Regards

## **MS B D CREECY, MP**

**MINISTER OF FORESTRY, FISHERIES AND THE ENVIRONMENT**

**DATE**: 6/11/2020