

To  
Hon John Key - Prime Minister  
Hon David Carter - Minister of Primary Industries  
Hon Kate Wilkinson – Minister of Conservation  
Parliament Buildings  
Wellington  
New Zealand



1 May 2012

Dear Minister,

I am writing to draw your attention to the urgent calls of 18,071 members of the international community. Together we express our deep concerns over the lack of effective measures to arrest the decline of Hector's and Maui's dolphins, while urging you to adopt a set of clearly specific measures to achieve this goal. In a parallel effort, 49,000 members of our partner organisation Avaaz call on you today to save the Critically Endangered Maui's dolphin. In April, an international coalition of 20 conservation groups, including NABU international, which together represent 12 million members, asked you to take immediate action to protect Hector's and Maui's dolphins.

This unprecedented expression of public concern clearly shows how much the international community, including consumers from some of New Zealand's biggest fish export markets, cares about the dolphins' fate. As global awareness about Hector's and Maui's dolphins continues to grow, the more New Zealand will find itself under the international spotlight.

Three quarters of Hector's dolphins are already gone and there are just 48-69 adult Maui's dolphins left – down from about 1,000 in the 1970s. Research has shown, and successive Governments have acknowledged that gillnet and trawl fisheries pose the biggest risk to Hector's and Maui's dolphins. It follows that efforts to save the dolphins must focus on eliminating bycatch. Unless their habitat is protected against these nets, the survivors will suffer the same fate as the thousands that have already died. In the absence of fisheries bycatch, however, Hector's dolphins could recover to at least half their original population size within decades. Unless you act, Maui's and Hector's dolphins will become extinct.

Hector's dolphins continue to decline because protection is inadequate. The currently proposed measures for Maui's dolphins too are insufficient to reverse their decline, both in terms of areal coverage and the fishing methods under consideration.

Saving Hector's and Maui's dolphins is a race against time that can only be won if fishing-related mortality is prevented. For years, marine biologists and conservationists have called for a New Zealand-wide ban on gillnets trawling and for the careful management of other threats such as pollution, marine mining, tidal power stations in prime dolphin habitat, aquaculture etc. Together with the supporters of our petition, NABU International is urging the government to ban all gillnet and trawl fisheries to a depth of 100m throughout the dolphins' range. In the case of Maui's dolphins, this would include the sea off Taranaki, all West coast harbours, Cook Strait and Tasman and Golden Bays. The latter are important to prevent genetic isolation and inbreeding.

New Zealand is a signatory to the Convention on Biological Diversity and as such made a formal commitment to the Convention's Strategic Plan for 2011 to 2020. This includes the obligation to ensure that "the extinction of known threatened species has been prevented and their conservation status, particularly of those most in decline, has been improved and sustained" and that as the impacts of use of natural resources are kept "well within safe ecological limits".

The fate of Hector's and Maui's dolphins rests in your hands. We understand the pressure that fishing interests bring to bear on the decision making process and sincerely hope that your government will find a way of leaving the long-term survival of New Zealand's only native cetacean as a legacy for New Zealanders and the rest of the world. The text of petition and the names of all signatories are appended below.

Thank you very much for your attention to this matter.

Best regards,

A handwritten signature in black ink, appearing to read 'Barbara Maas', with a stylized flourish at the end.

Dr Barbara Maas  
Head of International Species Conservation



Dear Minister,

**Arrest the decline of Hector's & Maui's dolphins toward extinction**

I am writing to express my deep concerns over the lack of effective measures to arrest the continued decline of Hector's and Maui's dolphins.

Without a firm commitment and the political will to eliminate active fishing threats and the prevention of new hazards such as emerging coastal developments in the species' habitat, Hector's and Maui's dolphins will continue to move ever closer to extinction.

New Zealand prides itself on its environmental credentials and has been a longstanding and outspoken advocate for the protection of cetaceans at the International Whaling Commission. Your country holds this unique marine species in trust for the rest of the world. I therefore urge you to bring your efforts to protect Hector's and Maui's dolphins in line with New Zealand's enduring dedication towards the conservation of terrestrial species, such as the Kiwi, the Kea and the Kakapo.

Hector's dolphins are extremely vulnerable to overexploitation, reproduce very slowly, will be affected by the loss of extremely small numbers of individuals, and are subject to continued overall decline.

Over the past 25 years, Hector's and Maui's dolphin protection has been marred by unsuccessful half measures, lack of political will, delays, the unwillingness to translate the best available scientific knowledge into effective management decisions, and an unhealthy reliance on information from New Zealand's fishing industry. As a result, policies and management actions consistently fell short of what is required to bring about recovery.

Adopting management options that favour fishing industry-friendly compromises over effective, science-based protection measures have neither served your government, nor the dolphins well in the past. Recently, two cases of fisheries-related dolphin bycatch (one off Kaikoura and one off Timaru) occurred because of industry pressure against warnings by Hector's dolphin experts and conservationist. The same is true for a recent Maui's dolphin fatality off the coast of Taranaki. Yet these areas remain unprotected and the dolphins remain at risk.

The Fisheries Act 1996 expressly stipulates that protected species "should be maintained above a level that ensures their long-term viability". Similarly, the Marine Mammals Protection Act 1996 stipulates that threatened species need to become non-threatened as soon as practicable and in any case within 20 years. Yet after more than two decades, Hector's and Maui's dolphins continue on their path to extinction. Even on the East Coast of the South Island, one of the species' strongholds,

Hector's dolphin bycatch exceeds sustainable levels (PBR) about 23 times.

A comprehensive assessment of fisheries interactions across the full range of Hector's and Maui's dolphins is urgently needed to address the lack of bycatch reporting by unobserved fishing vessels and to obtain reliable catch rates. Failure to do so will compromise the upcoming review of the Threat Management Plan from the start.

I therefore ask your government to avoid, remedy or mitigate the currently unsustainable effects of fishing on Hector's dolphins as a matter of urgency by:

- centring management decisions and policies on the best available independent scientific information;
- developing objective, science-based, measurable and testable management targets for the recovery of Hector's and Maui's dolphin;
- developing a science-based Recovery Plan with the input of all stakeholders;
- fast-tracking full protection measures for Hector's dolphins against fisheries bycatch off Kaikoura, Timaru and Taranaki to avoid further avoidable deaths;
- eliminating the use of commercial and recreational set nets and trawling across the species' range along a 100m depth contour without exception;
- implementing a comprehensive, scientifically sound fisheries observer programme that includes all four Hector's dolphin populations to inform management of fishing impacts on Hector's and Maui's dolphins by identifying and quantifying interactions and to assess the effectiveness of mitigation measures;
- changing the reporting of unresolved Hector's and Maui's dolphin deaths as 'natural death' in the Department of Conservation's Incidence Database.

The conservation of Hector's and Maui's dolphins is one of the greatest extinction challenges of our time and rests in your hands. If the progressive erosion of already insufficient protection measures is allowed to continue, the outcome is as inevitable as it will be tragic. Maui's dolphin numbers have now dropped below 100 individuals and Hector's dolphins as a whole are still in decline – solid grounds to trigger uncompromising protection. Provided the right decisions are made, recovery is within your grasp.

Best regards,

The undersigned